THE IMPACT OF COLONIALISM ON THE SARAUTA SYSTEM IN KANO EMIRATE 1903-1960

BY

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DECLARATION

I hereby declare that the work of this dissertation titled: "The Impact of Colonialism on the *Sarauta* System in Kano Emirate 1903-1960," was performed by me in the department of history under the supervision of Professors Enoch Oyedele and Mahmoud Hamman, and Dr. Mamman Musa Adamu. The information derived from the literature has been duly acknowledged in the text and a list of references provided. No part of this work has been presented for another degree or diploma in any institution.

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CERTIFICATION

This dissertation titled: "The Impact of Colonialism on the *Sarauta* System in Kano Emirate 1903-1960," meets the regulations governing the award of the degree of Doctor of Philosophy of the Ahmadu Bello University, and is approved for its contribution to knowledge and literary presentation.

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DEDICATION

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ABBREVIATIONS

ABU	Ahmadu Bello University
ADO	Assistant District Officer
BCGA	British Cotton Ginning Association
CMG	Companion of St. Michael and St. George
CO	Colonial Office
DH	District Head
DO	District Officer/Divisional Officer
HH	Hamlet Head / Household Head
JAH	Journal of African History
JAS	Journal of African Society
JHSN	Journal of Historical Society of Nigeria
JMAS	Journal of Modern African Studies
MHA	Member House of Assembly
MHR	Member House of Representatives, Lagos.
NA	Native Authority/Native Administration
NAK	National Archives Kaduna.
NCSU	Northern Civil Service Union
NEPU	Northern Elements Progressive Union
NHA	Northern House of Assembly
NHC	Northern House of Chiefs

NHRS	Northern History Research Scheme Library
NNNML	Northern Nigerian Non-Muslim League
NPC	Northern Peoples Congress
PWD	Public Works Department
SNA	Sole Native Authority
SNP	Secretariat/Secretary Northern Provinces
VH	Village Head
WAFF	West African Frontier Force
WW1	First World War
WW11	Second World War

LIST OF AMARAU AND EMIRS OF KANO

SULAIMAN ABAHAMA	1807-1819
IBRAHIM DABO	1819-1846
USMAN IBRAHIM	1846-1855
ABDULLAHI IBRAHIM	1855-1882
BELLO IBRAHIM	1882-1893
TUKUR BELLO	1893
ALIYU ABDULLAHI	1893-1903
ABBAS ABDULLAHI	3rd April 1903-1919
USMAN ABDULLAHI	1919-1926
ABDULLAHI ABBAS	1926-1953
SANUSI ABDULLAHI	1953-1963
INUWA ABBAS	1963
ADO BAYERO ABDULLAHI	1963-2014
SANUSI LAMIDO SANUSI II	2014-

GLOSSARY OF SOME SELECTED NON ENGLISH WORDS.[1]

"Sarki":	Anachronistic title of the local potentate at the emergence of the state in c.999AD.
Sarki:	A king; sovereign from the 14th C to 1807.
Amir:	A Governor of an Emirate from 1807 t0 1903.
Emir:	A colonial appointed chief from 1903 to 1960.
Emirate:	An administrative unit during the Caliphate 1804 – 1903.
Emirate:	An administrative unit during colonialism under the Province.
Caliph:	The head of the Sokoto Caliphate 1804 – 1903
Ribat:	A frontier fortification
Sultan:	The title assigned by the British on the conquered Caliph
Shehu:	The honourific title of a learned and pious person. It is the Hausa rendition of the Arabic Sheikh.
Alkali:	A judge of a Native and or Sharia court (Muslim) in an emirate.

[1]We have employed a number of Hausa and some Arabic words. We have provided contextual translations at first use. They are too many for a glossary. We have found the translations and in some instances historical explanations, and the various context of usage as provided in these two dictionaries adequate. Bargery, G. P. 1951. *A Hausa – English Dictionary and English – Hausa Vocabulary*. Oxford University Press; and Abraham, R. C. 1962. *Dictionary of the Hausa Language*. Hodder and Stoughton.

ABSTRACT

"The Impact of Colonialism on the *Sarauta* Sytem in Kano Emirate, 1903-1960" is a dissertation that demonstrates the systematic denuding of the essence of the Sarauta during colonialism. It conceptualizes the *Sarauta* as an indigenous social system evolved by the Hausa. The *Sarauta* was as fully developed in Kano as elsewhere, if not more so. There is a notion implying that the *Sarauta* has been immutable. In the same vain the colonial experience of indirect rule is posited as having, by and large, preserved the Emirate system. This assumption of immutability is disproved by this dissertation. The *Sarauta* developed into a sovereign system up to 1807; thence following the Jihad, it was transformed into a fundamentally different entity, an Emirate of the Sokoto Caliphate, which lasted till 1903. From 1903 the *Sarauta* was turned into an agent of colonialism for the exploitation of the populace. Colonialism through systematic re-organizations, politically, organizationally and economically, especially taxation, administration and the courts, stripped the *Sarauta* of its military, executive, legislative, and judicial powers. By independence, the *Sarauta* had been subordinated to the politicians, whom the colonialists transferred power to. Colonialism marked the nadir of the *Sarauta*. By independence the *Sarakuna*, the epitome of the *Sarauta*, had been reduced to custodians of culture.

This is a study of cultural response to colonialism. It studies the relations of power in a colonial context, between the *Sarauta* and the colonialists. It is a study of the transformation of a hegemonic cultural system into one tampered to oil colonial domination. The study adopted an eclectic method that ranged from dialectical materialism, to structural functionalism. An empirical narrative and analysis, based largely on copious and multiple colonial sources, of prime importance in this study, proved the case of the *Sarauta* having

been turned into minions of colonialism, and instruments of exploiting the populace. It demonstrates that despite subordination to colonialism, the *Sarauta* in the period 1903 – 1918, under the Sole Native Authority, was empowered over the populace. In the subsequent periods examined, the dissertation demonstrated how, while the form of *Sarauta* was promoted, it was continually denuded of essence, and power slipped away from the aristocracy. The philosophy of the Emirate, of removing evil from government in the context of enjoining what was good, was replaced with the dual mandate as defined by Lugard. Free flowing structural interviews were conducted of key actors or those in vantage positions. The analysis was qualitative.

THE IMPACT OF COLONIALISM ON THE *SARAUTA* SYTEM IN KANO EMIRATE, 1903-1960."

CHAPTER ONE

INTRODUCTION

1.1 BACKGROUND TO THE STUDY.

"Indirect rule" was a major pillar of colonialism in Nigeria. Its success in the Sokoto caliphate area is thought to be premised on the Emirate system it met and based its rule upon. The Emirate system, 1804 – 1903, was in turn based on the *Sarauta* system, that had been indigenous to the Hausa people since the 13 Century. In this dissertation we have separated the essence from the form. The emphasis is on the concept of the *Sarauta* rather than the nomenclature. R. C. Abraham[2] in his 'Dictionary of the Hausa Language' listed 37 applications of *Sarki*. We havedemonstrated that, in Kano as well as in other Hausa states, the *Sarauta* was, conceptually, an organizational system evolved over time. In Kano its basic principles, patterns, forms, and trajectories were broadly similar as developed among the other Hausa speaking peoples. The largest majority of the Hausa are found in Northern Nigeria.As epitomized in royalty, the *Sarauta* was truly a hegemonic culture. Hegemony is used here in the Gramcian sense of a socio–political situation where the philosophy and practice of society fused or are in equilibrium.[3]Hegemony is a situation which suggests willing consent is secured by those in power to legitimize their rule. A hegemonic societyis characterized by a high level of social control, where the state can more readily mobilize its

[2] Abraham, R. C. 1962. *Dictionary of the Hausa Language.* Hodder and Stoughton.
[3] Todd, N. (n.d). "Ideolgical Superstructure in Gramsci and Mao Tse-Tung." University of Lancaster, England.

people.[4] This much has been acknowledged by some scholars who have studied northern Nigeria[5] and by the colonialists. Palmer had noted:

> The more the machinery which controls this large Emirate of 2,000,000 people is studied, the plainer, I think, it will appear that an alien administration could never satisfactorily replace it, or exercise that moral control over the less advanced members of the community, which founded on common beliefs and the traditions of centuries, make the wish of their *emir* a law.[6]

It is axiomatic that the drive to independence in the northern region was strongly influenced by these historical antecedents. In the north, the *Sarakuna* were relied upon to a considerable extent. There is little doubt though, that their relevance has been on a steady decline. They have, however, been unrelenting in their struggle to be more meaningfully reckoned with. This obtains till today, as always manifested in attempts to define a constitutional role for them.[7] Our vicissitudes with modern democratic government has given impetus to their demand. Is the aristocracy, the elite of the *Sarauta,* on behalf of the institution, capable of creating spontaneous consent of the populace? This study disproves the assumed resilience of the *Sarauta.*

Historians are agreed the *Sarauta*had assumed a discernable character from the 13 Century.The *Sarauta* emerged as a political system imbued with specific cultural underpinnings. From the 14 Century thence, when Islam was introduced to Hausaland, the religion assumed increasing importance in defining the character of the society. The reign of *Sarki* Muhammadu Rumfa (1463 – 1499) marked a watershed with regard to the adoption of

[4] Midgal, J. S. 1988. *Strong Societies and Weak States: State-Society Relations and State Capabilities in the Third World.* Princeton University Press, Princeton.

[5] Whitaker, C. S. Jnr. 1970. *The Politics of Tradition, Continuity and Change 1946 – 1966.* Princeton University Press, Princeton, pp. 27, 81, 184, 268; Paden, J. N. 1973. *Religion and Political Culture in Kano*. University of California Press, California, pp. 1 & 6 where he noted that reform, protest and dissent are closely related to the idea of authority.

[6] NAK: SNP 7-951/1911

[7] A percentage of the Federation account allocation to local government Authorities in some states is allotted to them by state governments.Some *sarakuna* were participated at the Natonal Conference held in 2014.

Islam in Kano. The dominance of Islam continued thereafter till the *Jihad*, the culmination of which was the establishment of Kano Emirate in 1807, under the Sokoto Caliphate. The Sokoto Caliphate, though premised on Islam, drew extensively from the organizational infastructure of the *Sarauta* which it overthrew. Indeed by the end of *Sarki* Ibrahim Dabo's reign (1819 – 1846) in Kano, Mahadi posited that the *Sarauta* had been fully re-established, and was indeed strengthened by the jihad.[8]This study arrived at a different conclusion. The almost one century of the Emirate (1807– 1903), left an indelible mark on Kano society, and informed the kind of relationship that developed from 1903 following British conquest and the establishment of Colonialism. Colonialism, based on "indirect rule," had to contend with the hegemonic culture the *Sarauta* had in place.[9]

The colonial experience 1903 -1960 severely altered the nature of the *Sarauta.* Under colonialism, conceptualized by Fika as 'over rule,'[10] the fortunes of the *Sarauta* fluctuated considerably, though invariably on the wane. This was marked by clear phases. From 1903 with the process of institutionalizing "indirect rule," the *Sarakuna* [11] gained considerably more powers vis-à-vis the other personages and structures of the *Sarauta* that obtained prior to conquest. This lasted through the Sole Native Authority (SNA) at the provincial levels. Subsequently up to independence the *Sarauta* was systematically stripped of power.

From the 1950s, with the coming to reckoning of the newly educated elite; and the changes introduced earlier by the colonial government as part of the process of transferring power to

[8] Mahadi, A. 1985. "The Jihad and its Role in Strengthening the Sarauta (Kingship) System in Hausaland in the 19th Century: The Case of Kano." P118 and 121. In: Ade-Ajayi, J. F. and Ikara, B. (Eds.). *Evolution of Political Culture in Nigeria.* Kadun State Council for Arts and Culture.

[9] The Colonialist could not comprehend the people's willingness to pay the zakat, over and above very exorbitant taxes they had imposed.

[10] Fika, A. M. 1978.*The Kano Civil War and British Over-rule, 1882-1940.*Ibadan, OUP.

[11] Plural of *Sarki*, the title of the pre-Jihad head of a Hausa state. It overshadowed *Amir*, the official title of Emirate heads under the Caliphate.

Nigerians (the 1946 Richard's constitution), the emergent elite started the clamour for changes in the Native Authority System. The climax was Abubakar Tafawa Balewa's[12] motion of 19August 1950 in the Northern Region House of Assembly. It marked the beginning of the process of change by which the *Sarakuna* couldnot regain the power lost to the colonialists, which was transferred to the politicians.

The attainment of self-government had unfolded new ethnic minority separatist dynamics.[13] This, coupled with major differences with the politicians from the southern regions on the future of the country, led to what Yahaya called a *détente* between the northern political leaders and their traditional rulers.[14] A role was thus institutionalized in the constitution for the *Sarakuna*, who were by then tagged chiefs, in order to accommodate the pre-colonial indigenous heads of the non-Muslim areas. The constitutional role of the chiefs obtained up to the military coup d'état of 15 January 1966. The military government further eroded the powers of this coterie, whom were then, tagged raditional rulers. The 1967 Area Court Edict, which among others transformed the former *Alkali* Courts into Area Courts, was significant in this respect.[15]It is in the light of these colonially imposed transformations that an examination of the vicissitudes of the *Sarauta* system becomes imperative.

1.2 STATEMENT OF THE PROBLEM.

The conception of the *Sarauta* in extant literature is problematic. Often its etymology is not properly graspped.Equaly problematic is its assumed immutability from the Emirate period

[12] Abubakar Tafawa Balewa was the first Prime Minister of Nigeria. The motion is recognized as a watershed by all and sundary. This is discussed subsequently in the thesis.

[13] Note the setting up in 1957 of Sir Henry Willink's Commission appointed to enquire into the fears of minorities and the means of allying them.

[14] Yahaya, A. D. 1980. *The Native Authority System in Northern Nigeria 1950 – 1970: A Study in Political Relation with Particular Reference to Zaria*. Ahmadu Bello University, Zaria.

[15] NAK: MLG/S/NAF/1/S.I Abolition of Emirs and Chiefs Courts. No 14/1967.

1807 – 1903; and the postulation that colonialism left it intact. During the 1903 – 1918 period, colonialism, charcterised as over-rule in some works, the aristocracy, the rump of the *Sarauta* appropriated by the colonialists, was assigned powers it never had as SNA. This was graphically captured in the proverbial Balewa motion of 1950. Indeed the role of what was left of the *Sarauta* in the domination and exploitation of the populace has become beclouded. It is this process that this dissertation unravelled.

This dissertation unravelled the structures, institutional processes, values, and symbols of the *Sarauta.*[16]It tackled the premises that govern political behaviour; determined what the standard of political behavior was during this period; grappled with how decisions were made; and how the communities were distinguished. Indeed even the adoption of Islamic values, methods, and structures, was by incremental accreditation.[17]The important phases noted for the Sarauta have been divided into the pre-colonial and the period of colonialism 1903 – 1960.

Furthermore, thedissertation documented the major changes that took place, in all their ramifications, in the institution of *Sarauta* since colonialism. The vicissitudes of the *Sarauta* under colonialism was the thrust. The *Sarauta*had attained a hegemonic pedestal by the 15 Century. This culture and value system is embedded in a particular structural cum organizational form, the *Sarauta*. The dissertation demonstrates the aspects and sectors of the institution that have been modified by colonialism, and how the personages have fared.

1.3 AIMS AND OBJECTIVES.

[16] In some instance *Sarauta* may be synonymous with *mulki, 'don ba'a mulki sai da sarauta,'with mulki* being governing. Interview: Shamaki, Kano 1998.

[17] Saad, E. N. 1979 "Islamisation in Kano: Sequence and Chronology." **Kano Studies**, 1, 4. Pp. 52-61. Philips, J. 1982/85. "The Islamisation of Kano before the Jihad."**Kano Studies** 2, 3. Pp 32-52.

This dissertation has the following aims and objectives:

1. Demonstrate that the *Sarauta* was a cultural and value system that was embedded in a particular structural cum organizational form.It was a wholistic social sytem and is not reduceable to kingship.
2. Demonstrate its etymology as a concept that has been changing over time.
3. Demonstrate that the Emirate system was fundamentally different from the colonial system.
4. Demonstrate that colonialism did not leave the Emirate sytem intact, but appropriated it for its own ends.
5. Demonsrate that the top echelon of the *Sarauta* was bolstered and became tools for the exploitation of the populace.
6. Demonstrate how the colonialists facilitated the supercession of the *Sarauta*by the politicians.

The objective is to prove that rather than resilience, the *Sarauta* was appropriated by the colonialists; first disparaged and humiliated in many ways; then rehabilitated in form and empowered against the populace; and used for the severe exploitation of the populace. It is shown that in Kano from 1908, while form was emphasized, the *Sarauta* was denuded of essence. To command what was good and forbid evil[18] was different from the dual mandate.[19]

1.4 JUSTIFICATION FOR THE STUDY.

An examination of the institution of the *Sarauta*, one of the numerous systems developed by the peoples that formed Nigeria, is crucial since there are postulations that the pre-colonial systems developed by peoples of the Nigeria area has, in away, remained unchanged; or that there are some inherent values in them that can be harnessed for Nigeria's current predicaments. The assumption of immutabilty was highlighted by Usman.[20]The basic presentation was that the: "… Fulani conquerors took over and maintained unchanged except

[18] This being the basic refrain of the Emirate administration.
[19] A concise of what colonialism was as articulated by Lord Lugard.
[20] Usman, Y. B. "History, Tradition and Reaction: The Perception of Nigerian History in the 19th and 20th Centuries," A. B. U. Public Lecture, 1977. In: (2006). Beyond Fairy Tales: Selected Historical Writings of Dr. Yusufu Bala Usman, Vol. 1. Abdullahi Smith Centre for Historical Research, Zaria.

that they introduced the annual tribute in slaves and goods to Sokoto and Gando (sic)."[21]Indeed as regards the *Sarauta*, Mahadi posits that it has been reinstatedby the second halfof the 19 Century.[22]Mahadi further averred that the *Sarauta* was not only rehabilitated, having survived successive invasions[23] but was strengthened by the Emirate government in Kano.[24]Whitaker asserted that: "in time virtually all the condemned *Habe* practices found their way back into the system of government of the emirate …"[25]Whitaker further asserted that: "the execution of indirect rule had left intact the essential institutions of traditional government in the emirate for the time when Northern Nigeria confronted a fundamentally new objective of colonial rule, namely to introduce and develop democratically representative instituions of government in Nigeria …"[26] Ibrahim also noted: "British over-rule in the twentieth century, like the Fulani before it, left intact most of the existing structures of Hausa political organization. Thus the *Sarauta* system of government with all its appurtenances of office was left intact by the jihadists after their conquest, as did the British at their conquest of the Fulani between 1902 and 1907."[27]The dominant perspective, therefore, is of the immutability of the *Sarauta*. This dissertation argues that this perspective is ahistorical; and

[21] NAK. KANOPROF 2568 VOL.11: Provincial Gazetteer. Arnett, E. J. 1922. *The Rise of the Sokoto Fulani: Being a pharaphrase and in some Parts a Translation of the Infakul-Maisuri of Sultan Mohammed Bello*. (n.p.).

[22]Mahadi, A. (1982). The State and the Economy: the Sarauta System and its Role in Shaping the Society and Economy of Kasar Kano with Particular Reference to the Eighteenth and Nineteenth Centuries. *PhD Thesis*. Ahmadu Bello University (ABU), Zaria. Indeed a whole section of the thesis was: "The Consolidation of the New Regime and the Restoration of the Sarauta System." P.387.

[23]Mahadi, A. (1979). Some Observations on the Emergence and Development of the Sarauta (Kingship) System in the Central Sudan Before 1804. In Y. Usman, *History of the Central Sudan before 1804 Conference.* Zaria: Department of History, ABU. P.1.

[24]Mahadi, A. (1985). The Jihad and Its Role in Strengthening the Sarauta (Kingship) System in Hausaland in the 19th Century: The Case of Kano. In J. A. Ade-Ajayi, *Evolution of Political Culture in Nigeria.* University Press Limited.

[25] Whitaker, C. S. Jr. 1970. *The Politics of Tradition, Continuity and Change in Northern Nigeria, 1946 – 1966.* Princeton, New Jersey. P.24.

[26] Whitaker, 1970. P.28.

[27] Ibrahim, O. F. 1988. "The Fabric of Rule: A Study of the Position of Traditional Ruling Families in the Politics of Kano State, Nigeria, 1960-1983." *PhD.* New Brunswick: The State University of New Jersey p. 62.

this was systematically proved with the transformations forced on the *Sarauta* by colonialism.

Firstly, this dissertation demonstrates that what was left of the *Sarauta* apparatus was appropriated by the colonialists and its superstructural facilities utilized to dominate and exploit the populace. The research demonstrates that the *Sarauta* system was made anachronistic by colonialism.Secondly, the very concept of Indirect Rule has been critically re-assessed. The late Mahmud Modibbo Tukur had argued for direct rule.[28]The trio of Ibrahim Omar Farouk, Adamu Fika, and Mahmoud Yaqub argued for over rule.[29]The super-imposition of the colonial government on the political set up of the immediate pre-colonial period, in the whole territory that later became Nigeria, is what was described as over-rule. In what emerged as the northern group of provinces, particularly in those areas that were part of the Sokoto Caliphate, the Native Authorities and the Native Administration were juxtaposed.[30]This dissertation demonstrates the crucial roles of the Residents and the emirs in running the system. We argued that there was no over-rule. The colonial methods severely damaged the essence of the *Sarauta*and ultimately made the personnages minions. There are notable issues of etymology of concepts regarding: *Sarauta*, *sarki*, *amir*, emir, and emirate tackled in the research. Hitherto the dominant treatment has not only been ahistorical but the emphasis was on history by analogy.[31]

1.5 SCOPE AND LIMITATIONS.

28 Tukur, M. M. 1979 "The Imposition of British Colonial Domination on the Sokoto Caliphate, Borno, and Neighbouring States: 1897-1914: A Reinterpretation of Colonial Sources." PhD. ABU.

29 Farouk, I.O. 1988"The Fabric of Rule: A Study of the Position of Traditional Ruling Families in the Politics of Kano State, Nigeria, 1960-1983" PhD.The State University of New Jersey, New Brunswick. Fika, A.M. 1978.*The Kano Civil War and British Over-rule, 1882-1940*. Ibadan, OUP. Yakubu, A. M.1991 "An Aristocracy in Political Crisis: Zamanin Siyasa in the Nigerian Emirates 1939-1967, Ph.D. Oxford.

30 Vide supra chapter five for a discussion of the difference between Native Administration and Native Authority.

[31]Discussed infra.

The perspective of some the scholars who have studied Kano is that the *Sarauta* was immutable. Our basic assumption is that the *Sarauta* is an organizational phenomenon that has been changing over time. We are interested in the changes forced on it by colonialism between 1903 and 1960 and how it responded. 1903 was the year the Sokoto Caliphate was defeated, and though what is often characterized as pacification continued, we have adopted it as the year the formal colonization of Nigeria was concluded, the government having been constituted in 1900. 1960 was the year Nigeria became independent.

Thus we are concerned with the nature and essence of the *Sarauta* as an indigenous entity before colonial conquest; its response to conquest and domination; the changes it underwent in the transition to independence in Nigeria. Kano, our area of study, is just one such place where these changes can be graphically demonstrated. The operational context of the study was colonialism.

The limitations encountered in the study have to do with sources. In a study interested in the nuances of a normative value system, we did not have the requisite documents we would have wanted. Grappling with changing value systems is a herculean task at the best of times. It becomes much more difficult with inadequate source materials. The preponderant documents are from the colonial sources. Some of the colonial records in the national archive, Kaduna, have been severely degraded, to the extent that some are no longer decipherable. In order to surmount this problem we have carried out an extensive study of an array of the colonial sources as mentioned in the review of literature below; and as copiously documented subsequently.

Majority of the indigenous personnages who played important roles during colonialism did not develope the culture of writing memoirs. The quality of information gotten from some of the key players at the different stages, have severe limitations of specificity and quantitativeness. It is only in the colonial sources that systematic, quantitative, and chronological records are found. The reseacher got perspectives from the persons interviewed as documented; and the conferences attended especially the Kano Millennium conference[32] and the National conference on Nigeria's history since independence.[33]

Though the basic unit under colonialism was the province, and even here we are concerned more with the emirate; from 1945 the region became increasingly critical. Colonialism afforded the emirs infrastructure that was not available under the caliphate (logistical, organizational, resources). Thus dynamics that encompass the whole of the region may become skewed given our localization to Kano. There is however away in which Kano, with the epitaph '*jalla Babar Hausa*'[34] epitomized the *Sarauta*. We are convinced this approach will illuminate more than becloud the challenges of the *Sarauta*, as happened in some of the studies that focused on the whole of Northern Nigeria, especially Yakubu's work, reviewed infra.

This study is on Kano under British colonialism. Specifically the focus is on the organizational basis of society, the *Sarauta*, under the aristocracy. The new aristocracy, the

[32] My paper at the conference was published as part of the proceedings. Abubakar, N. "The Sarauta System in Kano 999 AD to mid-18th Century: The Emergence of the State, the Development of Statehood, and the Maturation of Statecraft." In: A. U. Adamu and B. B. Gwarzo (Eds.) 2010. *Kano Millennium: 1,000 Years in History.* Research and Documentation Directorate, Government House, Kano.

[33] National Workshop on "Events, Issues and Sources of Nigerian History: 1960 – 1970." Held at State House, Kawo, Kaduna, 7th – 9th June, 1993. There were a lot of reminscences on the situation leading to independence.

[34] This is an epitaph asserting the pre-eminence of Kano and the *Kanawa* in Hausaland.

rump of the *Sarauta*, moulded by colonialism, was reasonably organic by 1945, and played critical roles in decolonization. The *Sarauta* was the bedrock of indirect rule, with its many vicissitudes. The *Sarauta* facilitated the initial success of the NPC.[35] The *Sarauta* has often enough been acknowledged, but has not been studied in the context we have defined, as a hegemonic cultural phenomena appropriated to serve colonialis.Our study is on the effect of colonialism on the *Sarauta*.

1.6 METHODOLOGY.

The sources for the study of the history of Kano are numerous and well advanced. In the intellectual endeavours culminating into what may be considered as the historiography of Kano, the sources have been clearly identified and developed. However, in the employment of these sources for historical reconstruction, different competences have been brought in to bear and this makes it imperative to put in perspective the sources relevant to our topic. We shall then review some of the relevant literature.

Because of the sheer quantum, we are here concerned only with the sources and the works that directly or tangentially have some bearing on our topic. Even in this respect, we have been selective due the sheer volume of the literature available. We have selected some works either because they contribute to, or distort our understanding of the topic. Quite a number of the works deal with different sectors of our topic. We have bound them by the strands that unite them before and for most of the period of colonialism. They were bound by the aristocracy under the organizational rubric of the *Sarauta*. The category of literature that

[35] Yakubu, A. Y. 1991. "An Aristocracy in Political Crisis: Zamanin Siyasa in the Nigerian Emirates 1939 – 1967." PhD. Oxford. Pp 12 & 176.

furthers our understanding, we have merely rehashed their strength. Some of these work though significant as repositories of facts, we disagree with their interpretations. These we have surpassed by discussing them analytically and reinterpreted them.

The publication of "A bibliography of Kasar Kano"[36] readily provides the researcher on Kano a compendium on almost all aspects of Kano history and society. This is perhaps due to its well-deserved pre-eminent position in the scheme of things in Northern Nigeria, especially in terms of population and economy, historically and contemporarily. This remarkable scholarly endeavour compensated the acknowledged understudy and under documentation of Kano under colonialism. Kano Province,[37] with about 21%[38]of the population of the Northern Provinces and a comparative pre-eminent socio-economic presence, suffered considerable administrative neglect, in terms of administrative officers per capita. This shortage of administrative officers hampered the extent to which historical and ethnological documentation was carried on during colonialism.[39] Ethnological documentation to correct

36 Hunwick, J. O. 1993. "A Bibliography of *Kasar Kano*." **Sudanic Africa** IV, pp.131-154. There is also Hamza, A.Y. Ado, Z. Y. Gwadaabe, Z. and Shehu, A. N. 1996. (Eds.). *Taskira: A Reseach and Bibliographical Guide to Kano Studies*. Kano State History and Culture Bureau, Kano.

37 The composition of the province was altered several times during colonialism. Vide infra. Initially Kano Province comprised the emirates: Katsina, Daura, Katagum, Kazaure, Gumel, Hadejia, Misau, Jama'are, and Damban. In 1926 Katsina emirate was transferred to Zaria Province, and Katagum division, comprising the emirates of Jama'are, Katagum and Misau, was transferred to Bauchi Province. Kano emirate was retained as a Division, while Daura, Gumel Hadejia and Kazaure were regrouped into a new Northern Division.

38 There are many estimates of the population of Kano Province in the colonial records e.g. NAK: SNP/17/2/16687 Volume I Kano Province Annual Report 193: Correspondence; NAK: KANOPROF 2568 VOL.II Provincial Gazetteer Kano; Hill, P. 1977 *Population, Prosperity and Poverty: Rural Kano 1900 and 1970*, Cambridge University Press, P. XII; Department of Statistics, Population Census of the Northern Region of Nigeria 1952 (Lagos 1953). Pp.1-2. Cited in: Hogendorn, J. H. 1966 "The Origins of Groundnuts Trade in Northern Nigeria." Ph.D., University of London p.38 where the population of Kano Province was estimated at about a quarter of that of the North, it occupied about 1/20th of the land area of the Northern Provinces.

39 This point was made by Hill, 1977. P.XII. In 1943 the Governor commenting on the problems of Kano emirate observed that with a population the size of a medium colony, Kano emirate had the administrative staff and training institution of divisions that are about 1/3 its size.

the inherent presumptions that informed early colonial policy was a deliberate and concerted effort of the colonialists subsequently.[40]This was of such importance that Hiskett posited:

> Although in time the British administration made considerable effort to study the pre-existing institutions of Hausaland and to adjust their policies accordingly, at the outset very little was known…That Lugard's administration, with the exception of Burdon, had but slight knowledge of and scant sympathy with the Muslim Fulani. No objective study of Islam in Hausaland preceded the occupation. The broad outlines of the Fulani *Jihad* were known, but were seriously misunderstood. The Fulani were seen as alien conquerors, as tyrants and as religious fanatics…That Lugard accepts lack of knowledge of Moslem methods or of native law and custom at the point when his administration undertook responsibilities.[41]

At some point in time, the colonialists actually considered reversing history by replacing the Fulani rulers with "*Habe*"![42]This was what led to the early scholarly endeavours of Burdon, Palmer, and Arnett.[43] The trio was able to shed some light on the true nature of the institutions conquered, but nevertheless the initial judgments were made with inadequate knowledge. This gave rise to an assessment of history which was seriously distorted.[44] It is pertinent to note for instance, that Rowling's report on land tenure in Kano Province,[45] which was very important in formulating colonial land policy, was admitted in subsequent reports to have contained many false premises. In another instance demonstrating ignorant judgement on the category of officers of the Emirate called *hakimai*, who were key stratum of the *Sarauta* and a composite of the aristocracy, early colonial opinion of their role was disparaging. They were represented in 1909 thus: "… nor had they regarded the lands under their charge as anything but hunting grounds wherein to practice their slave raids and other methods of extortion."[46] However, by 1931 there was a decisive shift in the opinion of the

40 Hiskett, M. 1968. "The Historical Background to Lugard's Occupation of Northern Nigeria: A Critical Introduction." In: Temple, C. L., *Native Races and their Ruler: Sketches and Studies of Official Life and Administrative Problems in Nigeria*. Frank Cass and company limited. P. X.

41 Hiskett, 1968. This may not be completely true. A professor of Hausa language and culture was at Cambridge in the late 19 Century. See Muffet, 1964. P. 28.

42 Hisket, 1968. P. XI.

43 Hiskett, 1968.

44 Hiskett, 1968.

45 NAK 767A: Rowling, C. W. "Report, Land Tenure in Kano Province."

46 Secretariat of Northern Provinces (SNP) 7/472/1909.

colonialists regarding the people. The colonialists then noted that: "… the origin of the tribes composing the Emirates is of little practical present day importance. They are chiefly composed of Hausas (sic) and Fulani who are much inter-mixed with one another and are moulded into a social life and environment of Mohammedan (sic) character."[47]

Thus the initial efforts of Burdon, Palmer, and Arnett to study and understand the institutions of the Emirates, have not been complimented as can be seen from the documented studies on Kano, 'A bibliography of Kasar Kano.' The study of the *Sarauta*, an indigenous social system evolved by the Hausa, in the context and period under study, has not been done. Burdon, Palmer and Arnett were all colonial officers who served in different parts of Northern Nigeria. The trio served at some point in Kano Province. As pioneer officers in the scheme of instituting Indirect Rule, they came to realize at the onset that a minimum measure of the knowledge of the *Sarauta* and its history was imperative. Though the motive was ulterior, (contemplation of the probability of replacing the Fulani emirs[48] with descendants of the Hausa rulers whom they had overthrown in the *jihad*), it led to the study and collection of several documents and oral traditions concerning offices. Temple's "Notes..." emanated from the attempts to grapple with office holding in Kano, especially following upon the saga of the office of *waziri*.[49] Many collections were undertaken from this drive. This notwithstanding, post-colonial scholarship has not continued in the direction set in motion by the colonialists to appreciate the history of the institutions of the *Sarauta* under the aristocracy. The main

47 SNP 17/2/16687 Volume I Kano Province Annual Report (AR) 1931.

48*Amarau* is the plural of *Amir*, we have, however, retained the use of emir and it's plural of emirs, which have become more popular.

49 Lovejoy, P. E., Mahadi, A., and Mukhtar, M. I. 1993. "C. L. Temple's 'Notes on the History of Kano' [1909]: A lost Chronicle on Political Office." **Sudanic Africa**, IV.

exception among post-colonial scholars is Paden who itemised some of these as values, symbols and premises of society that influence political behaviour.[50]

From the 13century, the *Sarauta* in one form or the other has been the organizational basis of Kano society. It has been a very dynamic basis, responding to many challenges until the *jihad* of 1807. The role and significance of the *Sarauta* has not been reflected in the historiography of Kano, either holistically or sectorally. Though invariably most works on the history and society of Kano always dabbled into the history of Kano from Bagauda to the *jihad*, the first major work on the *Sarauta* of Kano was Abdullahi Mahadi's doctoral thesis. [51] This we shall review shortly.

This dissertation is a study of cultural response to colonialism.[52] It studied the relations of power in a colonial context and early post-independence period. It is a study of transforming a hegemonic cultural system.In this instance hegemony refers to a group, the aristocracy, within Kano society, which exercised dominant influence. Both scholars and colonials alike are agreed on the hegemonic cultural context of the *Sarauta*.

> The Marxist theory of cultural hegemony, associated particularly with Antonio Gramsci, is the idea that the ruling class can manipulate the value system and mores of a society, so that their view becomes the world view (*Weltanschauung*): in Terry Eagleton's words, "Gramsci normally uses the word hegemony to mean the ways in which a governing power wins consent to its rule from those it subjugates". In contrast to authoritarian rule, cultural hegemony "is hegemonic only if those affected by it also consent to and struggle over its common sense".[53]

[50] Paden, J. N. 1973. *Religion and Political Culture in Kano*. University of California Press.

[51] Mahadi, A. "The State and the Economy: the Sarauta System and its Role in Shaping the Society and Economy of Kasar Kano with Particular Reference to the Eighteenth and Nineteenth Centuries." PhD. A.B.U. 1982. Smith, 1977 has of course written Government in Kano 1350 – 1950.

[52] It is Paden, 1986 who characterized as one of the four questions he sought to tackle as the relevance of cultural and historical factors in the development process, that has emphasized the place of culture; the same cultural approach was adopted by Tahir, I. A. 1975. "Scholars, Sufis, Saints and Capitalists in Kano, 1904 – 1974, the Pattern of Bourgeois Revolution in an Islamic Society" PhD. Cambridge.

[53] http://en.wikipedia.org/wiki/hegemony.

Whitaker described the cultural context of the *Sarauta* as: "… the people's habit of obeying state authority – cultivated and ingrained by the centuries old tradition of monarchy and hardened Fulani despotism."[54] The rulers had successfully assumed temporal and religious authority through Islam. He argued further that this was encouraged under colonialism noting that: "in the emirates the colonial power had deliberately and with great success encouraged the population under the jurisdiction of the native authority to regard the latter precisely with the full awe and deference belonging to a sovereign executive."[55] Earlier Whitaker had noted that in highly stratified societies (of which Kano was): "a well-entrenched elite may profit indefinitely from a tendency of people to adhere to old political expectations and attitudes of social deference." The colonialists knew it was easier to exploit a people by using institutions familiar to them.[56]In this study we have adopted an eclectic method that ranged from dialectical materialism to structural functionalism.

Dialetical materialism is a Maxian theory which posits that the motive force of history is class struggle. This unfolds in a dialectical relationship of the productive forces and production relations, the class struggle; the two called mode of production. In slave, feudal and capitalist societis, the classes are distinct, the producers and the exploiters. The productive forces refer to the technology of production, while production relations refer to the specific superstructural institutions developed to nurture the mode. The superstructure is the realm of ideology, culture and the manner of their articulation. Thus particular kinds of states are characterized by particular kinds of ideologies. The dialectical and materialist theory was pioneered by Karl Marx and Fredrick Engels. It was developed and employed by Lenin and Stalin among others in Europe; Gramsci being a later theorist. Mao Tse Dung employed it in

[54] Whitaker, C. S. 1970, p. 27.
[55] Whitaker, C. S. 1970, p.81.
[56] Mabogunje, A. L. "The Quest for Social, Economic and Political Stability." In: Oyedele, E. (Ed.).1997.

China, where it was employed in characterizing the Asiatic mode. Samir Amin further developed its application in what he characterized as tributary formations.[57]

We are thus concerned, basically, with the superstructure. In this vein Mabogunje citing Polanyi noted that:

> Not economic exploitation, as often assumed, but the disintegration of the cultural environment of the victim is the cause of degradation. The economic process may, naturally supply the vehicle of the destruction, and almost invariably economic inferiority will make the weaker yield, but the immediate cause of his undoing is not for that reason economic; it lies in the lethal injury to the institution in which his social existence is embodied. The result is loss of self-respect and standard, whether the unit is a people or a class, whether the process springs from the so-called 'culture conflict' or from a change in the position of a class within the confines of a society.[58]

In this context we agree with Amin that:

> The reproduction of pre-capitalist social system rests upon the stability of power (which is the basic concept defining the domain of the political) and of an ideology that endows it with legitimacy. In other words, politico-ideological authority (the "superstructure") is dominant at this point. The mystery that must be elucidated in order to understand the genesis, reproduction, and evolution of these societies and of the contradictions within which they operate is to be found in the area of the politico-ideological, not in the realm of the economic. In other words, what we need here is a genuine theory of culture, capable of accounting for the functioning of social power.[59]

Amin noted further that our instruments for the theretical analysis of social reality remain imperfect, and though most developed in the realm of the economic, it is less so in the realm of power and the political. This reality confronted the researcher in unravelling the *Sarauta*. This is why we have also utilized the structural-functionalist approach in the study.This theory posits that specific structures are designed to achieve specific objectives.

> Structural functionalism is a perspective used in the analysis of societies and their component features. Structural functionalism focusses on the mutual integration and interconnection of societies.

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[57] Amin, S. 1989 *Eurocentricsm* (translated by Russell Moore), Monthly Review Press, New York.

[58] Polanyi, K. 1957. *The Great Transformation: The Political and Economic Origins of our Times.* Beacon Press, Boston. In: Mabogunje, A.L. "The Quest for Social, Economic and Political Stability." In: Oyedele, E. (ed.) 1997.

[59] Amin, S. 1989. *Eurocentrism*. P.2.

> Structural functionalism deals with and focusses on what social functions various elements of the social system perform with regard to the system as a whole.[60]

We thus demonstrated how the structures of the *Sarauta* (district administration, taxation, and the judiciary), were appropriated by the colonialists in mediating the emergent capitalist system.

Free flowing structural interviews were conducted of some key actors and those in vantaged positions. The analysis is qualitative. Desk research of extant published materials (books, journals, theses, proceedings of conferences and seminars) was conducted at the Kashim Ibrahim Library and Northern History Research Scheme Library (NHRS), both of Ahmadu Bello University, Zaria. A lot of *jihad* manuscripts and colonial records and documents which are wide ranging are kept in these two libraries. Three crucial primary sources of information relevant were found in the archives and from oral interviews. The archival materials were found in the following: (a) National Archives Kaduna (NA), (b) Arewa House: Centre for historical documentation and Research, Kaduna (c) Kano History and Culture Bureau.

The second sources of information are the personages. These ranged from politicians of the first republic, especially those from the north,[61] a district head, and royal 'slaves' and a member of the emirate council in Kano. Others are traditional title holders, and traditional literati (an *Imam*, and Alhaji Garba Saeed, a descendant of Hayatu).[62]

[60]http:www.sociologyindex.com/ssocia-structure.htm

[61] Bello, A. 1962. *My Life.* Cambridge University Press. Skinner, N. 1977. (Ed. And Translated). *Alhaji Mahmudu Koki: Kano Malam.* A. B. U. Press.

[62] These comprised of those interviewed directly by me, and the collection of some interviews in Bayero University and the History and Culture Bureau, Kano.

Analysis was in terms of discerning the factors that explained the *Sarauta* and how the institution operated. What interested us was the structural and functional relationship between the personages and the instruments of articulating the system. The various categories of *Sarakuna* were focused upon in their relationship with the structures of the state. We deciphered this by examining the roles (apparent and actual) of each group in the different sectors of the society and how this had come to affect attitude and redefined roles. We examined the new structures, instruments and processes introduced by colonialism. Our analysis was therefore based on the interpretation of the evidence in the context of hegemonic power relations based on the political economy theory.

> Political economy**,** branch of social science that studies the relationships between individuals and society and between markets and the state, using a diverse set of tools and methods drawn largely from economics, political science, and sociology. The term *political economy* is derived from the Greek *polis*, meaning "city" or "state," and *oikonomos*, meaning "one who manages a household or estate." Politicaleconomy thus can be understood as the study of how a country—the public's household—is managed or governed, taking into account both political and economic factors. [63]

Every factor that has bearing on the efficiency of the system, in the context of realizing the objectives for which the structures were designed were examined and their roles identified. The narrative that ensured is based on the dynamics and the process of transforming the *Sarauta* during colonialism using the instrumentality of the indirect rule.[64]

Regarding sources for historical reconstruction, we wish to note that regarding our theme and the period, the pre-eminence normally given to oral sources, need to be reviewed. The significance of oral information must be in the context of both theme and period of study, the further backward in time, and in the absence of written records, the more relevant oral information becomes. The more we deal with periods of our history with an abundance of

[63] http://www.britanica.com/topic/economics.

[64] An important work approaching hegemony from the religious perspective is Paden, J. N. 1973 *Religion and Political Culture in Kano*. The Sarauta was an amalgam of religion and tradition.

written records; especially statistics and chronology, oral sources becomes less important. Oral sources, however, remain critical in providing perspectives. Thus when we were dealing with taxation between 1903 and 1960 for example, we wanted to know the assessment methods used, the incidences over the years, the total sum collected, the disbursement, etc.; there was not much we got from oral sources. Not even from the memoirs of some critical actors, the Sardauna in "My Life" and Mallam Mamuda Koki in Skinner's "Kano Mallam." Both of them participated in tax assessment and collection, in different capacities. The Sardauna as a DH, and Mallam Mamuda Koki and his father before him, as tax officials (clerks), for calculation purposes (*taki* and *jimilla*). Neither provided the kinds of information we required for this dissertation.The same goes for court records, with neither the late Wazirin Kano nor Alhaji Garba Said (who worked in the native court in 1949), able to provide specific information. This may be compared to the records of the rulings of emir Abbas as rendered by Christelow, where we are availed of specific cases and judgements; or later with records of the touring officers that dealt with specific issues in specific locations.[65]

We have noted the absence of development as regards theorizing. There is a reasonable resource from which a start can be made for the Caliphate period of Northern Nigerian history. The leading *mujahid* wrote on several aspects of government: principles of administration; justice, equality, responsibility of government, community, choice of leaders etc. There have been a considerable number of researches, in terms of graduate studies, and others, for us to beging theorizing. The same lack of therizing, in this instance not availing ourselves of the paradigms of the social sciences, has negatively affected the quality of our interpretations. Can we meaningfully discuss the legistlature without taking cognizance of

[65] See Appendix vii as an example of a Distric Notebook.

this kind of factor: "In August 1962, the House reached a record peak of performance when it considered 14 bills through their stages in one day sitting with hardly a speech made."[66]Certainly that was not democracy in action.

1.7REVIEW OF SOME SELECTED WORKS

Mahadi, A. 1982. "The State and the Economy: The Sarauta System and its Role in Shaping the Society and Economy of Kasar Kano with Particular Reference to the Eighteenth and Nineteenth Centuries." Ph.D., A.B.U.

In terms of conceptualizing the problematic, that is the *Sarauta*, Mahadi's work is the closest to our own. Indeed we rely on much the same kinds of sources and works. However, our works are situated in different temporal periods. While Mahadi examined the *Sarauta* in the Eighteenth and Nineteenth Centuries, we are concerned roughly with the first half of the Twentieth Century, 1903-1960.[67] Thus our emphasis and reliance on sources differ. We have had to employ much more varied colonial records and of different kinds.

By 1982 when Mahadi presented his work it marked an important contribution to the understanding of the dynamics of an indigenous system that had evolved over several hundred years. Mahadi documented the critical role of the state in these developments. What is not clear throughout the work is whether the state equals the *Sarauta*, or vice versa. Central though it is to his work, Mahadi did not analyze the *Sarauta*, which he simply defined as kingship. Is *Sarauta* a word, a term, or a concept, (sometimes or always)?

[66] Smith, J. 1968 *Colonial Cadet in Nigeria*. Duke university Commonwealth studies centre.

[67] Other works of Mahadi that touched on the Sarauta include: "Some Observations on the Emergence and Development of the Sarauta (Kingship) system in the Central Sudan Before 1804." In: *History of the Central Sudan before 1804 Conference*, 1979, Zaria; "The Jihad and Its Role in Strengthening the Sarauta (Kingship) System in Hausaland in the 19th Century: The Case of Kano." In: Ade-Ajayi, J.F.A. and Ikara, B. (Eds.), 1985. *Evolution of Political Culture in Nigeria*. University Press Limited.

Basic to Mahadi's thesis is the centrality of the state, and thus the *Sarauta* in the scheme of things in the 18th and 19th C. This dissertation posits and demonstrates that the *Sarauta* was a social system and that is how it has been conceptualized by people.[68]Up to the *jihad* and subsequently, this thesis demonstrated that the *Sarauta* was an organizational system that facilitated the production, reproduction, and management of the society.

The *jihad* according to Mahadi failed to effect a radical transformation of the system.[69]This is akin to the position of the colonialists who avowed that the Fulani had adopted the existing customs and system of government that had been organized by *Habe* rulers.[70] Indeed the colonialists claimed the Jihad leaders did not alter the names and functions of the various *Habe* officials.[71] This contradicts the preponderance of opinion of the *jihad,* and is certainly not supported by evidence on the ground. Indeed the two periods are so qualitatively different that Yusuf Bala Usman titled his own work as: "The Transformation of Katsina: c.1796-1903, the Overthrow of the *Sarauta* System and the Establishment and Evolution of the Emirate." This is also the position of Abba.[72]

[68] For example compare these conceptions of *Sarauta*. The first, which I consider banal, by Dudley, B. J. 1963-64 in: "The Nomination of Parliamentary Candidates in Northern Nigeria," **Journal of Commonwealth Political Studies**, 2, p.46 where he considered Sarauta "is wish for possession of a title as well as the respect and perquisites attaching to office to which the individual has succeeded…by extension it is used to describe false or unnecessary pomp." Emir Abdullahi, on the other hand, used *Sarauta* in an illuminating instance when the *wakilin yan gadi* suggested that *yan gadi* should provide security to some play group and pay NA. The emir retorted that it was not proper for them to do so since it would amount to belittling *Sarauta*. See NAK: KANONA 203 Departmental Representative (*Talata*) Meetings with the Emir and Council (25/5/1948). His words as recorded in Hausa were *"Sarki yace bai kyautu yan gadi suyi gadin wurin wasanni ba, faduwar darajar Sarauta ne."* Alhaji Garba Saed, interviewed 13 October 1998 considers *Sarauta* as *bada iko*. This was also the position of Alkali Hussaini Sufi in *Musan Kanmu* …He said it was *bada iko a malaki yan uwa (mutane)*.

[69] Mahadi, 1982. P.V, and subsequently throughout the work.

[70] NAK: KANOPROF 2568 Vol. II: Provincial Gazetteer Kano.

[71] NAK: KANOPROF 2568 Vol. II: Provincial Gazetteer Kano.

[72]Abba, I. A. 1985. "Changing Patterns of Local Athority and the Evolution of the District Head System in Gombe Emirate c.1804 - 1960." Ph.D. BUK. He described the post Jihad system as emirate system; devoting chapters four and five to the establishment of of the emirate; and the emirate government 1804 – 1902, respectively.

Quite a number of researches have been concluded since 1982 when Mahadi's thesis was written. Consequently information has come to light necessitating a review of Mahadi's positions. The Kano Chronicle has been a source of reconstructing the history of Kano. Mahadi also relied heavily on it for the reconstruction of the history of Kano to the *jihad* of 1807. Recent studies have shown that the assumption by Mahadi and others before him that it was compiled by several successive generations over a fairly long time is no longer tenable. One review suggests that it was written in the period 1882-1892, during the reign of *Amir* Bello. Hitherto it was thought of as a mid-Seventeenth century compilation,[73] and Smith suggests a Fifteen Century commencement. What is now certain is that many kinglists are availabile. This has been referred to by *Qadi* Salih, and confirmed by both "The Ilan Kano" and "Not yet the Kano Chronicle."[74] The consensus now is that there are not many versions, but the continual updating of an original. Regarding the song of Bagauda, an important source for the Kano king-list rendered in a poem, Mahadi averred that: "… it was handed down from one generation to another from the time of Bagauda to 1953."[75] According to the author, the song was written in 1917 from oral traditions collected from one Malam Nuhu.[76]

Another important source used by Mahadi and on whose import we differ is the *Diya Ul-Hukkam* by Sheikh Abdullahi Fodio. Mahadi opined that the extent of its influence on the society of Kano is not quite known; but that the rulers appeared to have utilized those

[73] Last, M. 1983.

[74] Hunwick, J.O. 1993 "Not yet the Kano Chronicle: King-lists with and Without Narrative Elaboration from Nineteenth-Century Kano." **Sudanic Africa**, IV, pp. 95-130; Also El-Arabi, M. A. M. 1933 (Unpublished) *Al-ilan bi tarikh Kano*, collected king lists which did not seem aware of the existence of the Kano chronicle. See Smith, M.G. "The Kano Chronicle as History" in Barkindo, B.M. (ed.) 1983 *Studies in the History of Kano*. Heineman Educational Books (Nigeria) Ltd.

[75] Mahadi, A. PhD. 1982 p.19.

[76] Deduced from internal evidence on page four and ten of "*Wakar Bagauda ta Kano*" 1969. NNPC, Zaria. (1978 reprint).

sections of it which legitimized their tyrannical policies.[77] Moreover he contends that it lacked originality.[78] We differ with this assessment of the *Diya ul-Hukam*. The *Diya ul-Hukam* is a framework whose potentials kept unfolding till 1903. We may illustrate this with the position of the *Diya ul-Hukkam* on land, about which Mahadi averred there was no fundamental difference between the pre and post-*jihad* periods.[79] Before the *jihad* the *Sarki*, the epitome of the *Sarauta*, had absolute control of all land of the state of Kano. By the *jihad*, the Governor (*Amir*) was directed by the Caliph to settle some of the descendants of *Sarki* Alwali, of the *ancien régime*, the *Kutumbawa*, by assigning territory to them. The *Diya ul-Hukkam* stipulated that land was not the *Amir's* to dispense as he wished. Equally important once the *Imam* had allocated land, the owner could dispose of it as he wished including bequest and sale. The enforcement of the *sharia* as regards inheritance meant that family land (*gandu*) was continually divided up (and sold). Thus, land ownership was one area where radical changes were effected due to the institution of the *sharia*.

Mahadi emphasized the unequal distribution of wealth as crucial in the emergence of the state. This is axiomatic, as the state is class based. Crucial in the process of the emergence of the state is the fact that the wealth must first be created. This required organization, and that was what the *Sarauta* facilitated. Mahadi's analysis also discounted the revolutionary situation in assigning responsibilities following the *jihad*. The critical issue according to the triumvirate was that the responsibilities of each office must be specified. Secondly whereas there are general functions associated with particular offices, there has never been a fast rule making the function of offices sacrosanct. It has always been deftly maneuvered by the *Sarki*,

[77] Mahadi, PhD. 1982 p.15.
[78] Mahadi, PhD. 1982 p.16.
[79] Mahadi, PhD. 1982 p.456.

depending on the strength of the forces in contention. The *Sarki* could thus modify them and assign them to free clients, nobility, or slaves. Indeed what may be said is that depending on the epoch, major changes in personnel and titles, irrespective of the reasons that occasioned it, provided opportunities to modify functions of offices. These opportunities were usually grasped to effect changes. The slave officials had tremendous influence under *Amir* Abdullahi. His successor, *Amir* Bello clipped their wings. Again the assumed conflict of interest between the court *ulama* (*malaman fada*), and those relatively independent of the court, popularly called *malaman kirgi*,[80] did not, at least in Kano, fall into a neat divide before the *jihad*. As clearly documented in the *Taqyid*, the divide was more between non-Fulani who supported *Sarki* Alwali, and the largely Fulani who organized the *jihad*, a fact which Mahadi conceded.[81]

Fika, A. M. 1978. The Kano Civil War and British Over-rule, 1882 -1940. Ibadan. OUP.

The Kano civil war and British over-rule of Fika is a book that must be acknowledged and referred to in any study that covers the Emirate and colonial phases of Kano history. The book is a veritable source of data on many aspects of Kano. However, Fika's interpretation of some issues in Kano history is what we disagree with. Fika noted for example that: "Through constant checks and revisions, the government hoped to limit the tax burden and eliminate abuses."[82] Fika again opined that: "Despite the steady rise in revenue from taxation, Kano *talakawa* did not have to pay more."[83]Fika asserted that the success of the native treasury

[80] *Kirgi* is treated skin of sheep or goat used as mats by the *malamai*. It became their trade mark, and also symbolise the contradistinction with the pomp of the palace.
[81] Mahadi, PhD. 1982 p.349.
[82] Fika, 1978 p.118.
[83] Fika, 1978 p.187.

freed the *talakawa* from the extortion and tyranny of the *jakadu*.[84]All these assertions we have disproved in this dissertation.

Fika characterized the colonial experience as an over-rule. But the pundits of colonial rule held it as sacrosanct that:

> There are no two sets of rulers –British and native- working either separately or in cooperation, but a single government in which the Native chiefs have well-defined duties and an acknowledged status equal with the British officials. Their duties should never conflict, and should overlap as little as possible; they should be complimentary to each other, and the chief himself must understand that he has no right to his place and power unless he renders his proper services to the state.[85]

The envisaged colonial society had been carefully rehearsed and orchestrated through to conquest. After the fall of Sokoto Lugard had avowed:

> Now these are the words, which I the High Commissioner have to say for the future. The Fulani in old times under Dan Fodio conquered this country. They took the right to rule over it, to levy taxes, to depose Kings and to create Kings. They in turn have by defeat lost their rule, which has come into the hands of the British. All these things, which I have said the Fulani by conquest took the right to do now pass to the British. Every Sultan and *Amir* and the principal officers of State will be appointed by the High Commissioner throughout all this country.[86]

Thus in one fell swoop Lord Lugard changed the title of the head of the Caliphate from *Caliph* to *Sultan*. The import of this has hardly been properly appreciated. *Sultan* has remained the title from thence to date. Lugard reminded everyone that the native rulers were the *wakili* (deputy) of the Governor. They must be guided by the word of the Resident.[87]

Thus the conception of British colonial policy as over-rule affected the subsequent analysis of the colonial experience. In the context of the policies enunciated above, and given practical effect under colonialism as demonstrated in this dissertation, the aristocracy became a manipulated lot. Colonialism changed their structure and character, and indeed their *raison*

[84] Fika, 1978 p.188.
[85] Kirk-Greene, (Ed. & Trans.) 1965 p. 70.
[86] Kirk-Greene, (Ed. & Trans.) 1965 p. xi.
[87] Kirk-Greene, (Ed. & Trans.) 1965.

d'etre. The dissertation is not interested in the administration per se. It is concerned with the administration as it progressively denuded the *Sarauta* and the aristocracy of meaning. Fortunately studies have now been undertaken on some specific sectors, which were parts of the whole gamut of society before colonialism, and hitherto under the firm control of the aristocracy, within the rubric of the *Sarauta*. Studies on labour, the administration of justice, taxation, sacerdotal scholars, peasants, and the economy, reviewed below, are all legitimate, desirable and important sector studies. They have all helped in broadening our perspective. During colonialism, the transformation of all the above-enumerated sectors was mediated through the Native Authority (NA), with the new aristocracy being the main agency. The NA was the last rump in a structure that answered ultimately to the British Parliament. The link with Sokoto was deliberately and immediately severed. It was symbolically renewed when the Northern Council of Chiefs was instituted in the 1930s. In the relationship that was fostered by colonialism between the Residents (whose advice must be taken) and the emir, there was hardly any question of over-rule. This, irrespective of the residual power the emir wielded over the populace. This is the consensus of most scholars since Fika.

Fika made the important distinction that not all Fulani clans in Kano partook in the *jihad*. However, in dealing with the issue of opportunism that characterized the way some Fulani leaders who did not take part in the *jihad* gained territorial leadership, Fika advanced an ethnic interpretation of the *jihad*. He asserted that: "In that way most of the leaders of the Fulani groups came to have a stake in the hegemony of their ethnic group."[88]The situation of the Fulani, though complex, can be unravelled. The Fulani were not a corporate ethnic group. *Imam* Imoru, for example, comes to our rescue informing us that the *Bororo*, a Fulani group

[88] Fika, 1978.

are "… to this day commoners and do not care about holding office. They suffer in the same way that everybody suffers: When somebody wants to seize their cattle the *Bororo* are found 'guilty' of an offense. When cattle destroy something in Hausaland, compensation is collected from the owner."[89] *Imam* Imoru also reminded us that there are some Fulani who do not own cattle. The Uda are a Fulani group in Hausaland of very low status. Thus even though it is worth noting Mahadi's position that at the level of leadership the *jihad* may with some justification be classified as Fulani,[90] he readily provided an apologia.[91] Suffice it to note that the Fulani were not an ethnically corporate group, not by provenance and certainly not by clan. Continuing in the above vain Fika asserted also that politically Fulani clans ruled the Emirate.[92] Fika may be correct in asserting that the Kano nobility, largely Fulani, emerged from the nature of the *jihad* conquests. True as this may be it did not determine for the entire Emirate period, the pattern of administration or even territorial holdings. Office and territorial responsibilities assumed their particular dynamics from the *galadima* Sani and the Dan-Tunku affairs. It was an opportunity foisted on *Amir* Ibrahim Dabo, and which he seized with both hands.[93]Fika though made an important point on the administrative pattern that emerged. He noted that by 1824 when *Amir* Ibrahim Dabo had become 'the conqueror' (*ci gari*): "… the general pattern that emerged involved the ownership of almost every town and village by one or another of the *Amir*'s *hakimai*."[94]The *hakimai* neither owned nor thought they owned the lands under their supervision. The import here is in contradistinction to the alleged absence of local heads as asserted by Polly Hill. But Fika who noted not only the

[89] Ferguson,1973 p. 84.
[90] Mahadi,1982. p. 349.
[91] Mahadi,1982. p.346 asserted that the sharing of offices was based on the early acceptance of the Jihad cause and the performance of the *Hijra*. It is worth reminding that the Shehu did not use those criteria in the appointment of Sulaiman Abahama as *Amir*, the leader of the community of Kano. See chapter four.
[92] Fika, 1978, p.29.
[93] Vide infra chapter four.
[94] Fika, 1978. p.20. The Amir had several estates located all over the Emirate. We have mentioned the significance of this above. Each estate was a base for the Amir. See appendix x for the number and location of the estates.

effect of precedence set by *Amir* Ibrahim Dabo, but that in remarkable unity, the Kano aristocracy held sway till 1882, did not take into consideration the splintering that also characterized the nobility in the Emirate period. The clan was not an undifferentiated lot. Fika's was, however, a rich description of the Kano political system.

In treating the civil war, Fika displayed an admirable mastery of detail. We can hardly add to the specifics: personalities, tribute to Sokoto, socio-administrative changes affecting the *cucanawa* (slaves born into slavery), taxation and territorial leaders.

Fika's views of the conquest of Kano are too supportive of the Lugardian position. Bello; Shenton; and Mukhtar, (all discussed below) have satisfactorily tackled the issue of imperialist drive that led to conflict of interest, clash, and inevitable conquest. However, in handling his main subject, Kano under colonialism, Fika displayed his virtuosity as regards detail. He repeated the Lugardian position that the British faced the problem of multiplicity of taxes.[95] To Fika the objective of colonial taxation was to preserve continuity of the pre-colonial system, simplify it, and merge them.[96] That: "… despite the steady rising revenue from taxation, these reforms did not mean the Kano *talakawa* had to pay more."[97]This dissertation proves the opposite. The dissertation systematically demonstrated that taxation, especially the direct assessment method, was the key in dominating the people of Kano.

Bello, S.1982. "State and Economy in Kano, 1894-1960: A Study of Colonial Domination." Ph.D. ABU.

[95] Fika, 1978 p.111.
[96] Fika, 1978 p.178.
[97] Fika, 1978 p.187.

Sule Bello's thesis is a very important contribution to the understanding of Kano before and during colonialism. He has more than anybody before put into perspective the internal situation of the Emirate before the onslaught of colonialism. The main strands he identified were in the production and distribution system. These were recognized as entailing simple commodity production in households, based on the labour of its members. The aristocracy employed to a large extent slave labour. Slave labour was also to a lesser extent employed by the wealthy. Marginal paid labour had emerged and prominent merchants were into estate production and finance. The prevalence of *murgu*[98] and *fansa*[99] were a pointer to the declining profitability of slavery. The Emirate system as obtained functioned within the Caliphate and in relation to other Emirates.

The elucidation of the reasons for conquest is apt. Bello noted that following conquest many policies and measures were put in place to destroy the Emirate aristocracy, slavery, as well as independent cottage production and commerce. These measures were on the other hand geared towards the facilitation of the development of wage labour, peasant production of raw materials for export, and a market for imports.

Recent and sector studies of some aspects of the economy on labour and taxation by Mukhtar and Garba respectively, have availed us of more in-depth analysis and copious facts. Bello has argued, and this is of pivotal interest to us, that conquest was "caused and determined in both development and consequences by one central factor: the desire to dislodge obstacles hindering British capitalist control over the Emirate in particular the Emirate aristocracy."[100]

[98] Arrangement whereby a slave was allowed to earn payement and returned an agreed sum to his owner in lieu of rendering labour.
[99] The payment of an agreed sum of money by a slave to his owner to earn his freedom.
[100] Bello, 1982. PhD. p. 52.

The interest and methods of the aristocracy was diametrically opposed to those of Europeans in whatever guise. The aristocracy that was dislodged from sovereignty was to become the principal and later willing tool used in dominating the people. This subject has not been focused upon in this regard and for the period we have specified. Our study is on the dislodgment of the aristocracy and its subordination to colonial interest.

This dissertation takes issues with Bello's handling of the colonial sources especially the reports. He seemed to have treated them in exclusion of the series of memoranda that often emanated as a result of these reports. If it was conceivable that the Divisional Officers, and less probably the Residents, were unaware of the policy objectives, the same definitely cannot be said of the Lieutenant Governor and the Governor General. This is why the records of correspondence between these officers are crucial in any reconstruction of the colonial situation. Bello thinks the colonial reports are "… largely concerned with effective execution of colonial objectives … they exclude the forces governing the activities of these various agencies. Similarly their perception is limited to the premise from which they executed their duties."[101]The falsity of this can be illustrated with taxation, the pillar of colonialism in Northern Nigeria. At conquest it was made clear that it was the suzerain who levied taxes. The principal officers have left copious documentations on why they opted for direct, instead of indirect taxation. Direct taxation afforded the closest scrutiny into every kind of detail regarding the material life of the colonized. The assessment method was chosen according to Lugrd because it: "brings the officer into such close relations with the local chiefs and peoples, and, in obtaining the information has opportunities of learning so much about their history, origin and affinities."[102]Even in direct taxation the colonialists recorded why they did

[101] Bello, 1982 PhD. P. 327.
[102] Temple, 1968 p. 206.

not employ the poll tax. In both instances, the development of specific relations was the objectives in view:

> The collection of a uniform poll tax does not give scope for the exertion of any administrative capacity on the part of the village heads, that on the contrary it tends to reduce them to mere mechanical collectors of sixpences, thus stunting their intellects and reducing powers over and knowledge of the villagers; that the village head to collect a poll tax does not require the aid of the village elders and thus the village organization is weakened and broken up.[103]

Thus the import is in the fact that specific methods were designed to elicit or develop preconceived reactions.[104]The tax system of the Emirate was so complex; the colonialists had difficulty comprehending it. Indeed this was part of the silent reasons for the harmonization and simplification of the taxation system.

Bello made the important observation that: "… under colonialism the aristocracy and the slaves as distinct social classes, were completely wiped out."[105]We are interested in the transformation of the aristocracy in particular, into minions of colonialism, and how they lost out to the politicians from about 1946.

Mukhtar, M.I.1983. "The Impact of British Colonial Domination on the Social and Economic Structures of the Society of Kano, 1903-1950." M.A., ABU.

In this study Mukhtar clearly demonstrated an appreciation of the Emirate system of production. We are made to realize that agriculture was the predominant activity, and permanent tenure had developed in land during the Emirate period. He noted that by the mid-19 Century, the aristocracy was abusing this right. Agriculture and most other forms of production were based on households, under the household heads. Estate production by the wealthy merchants and aristocracy had become major means of production. Hired, corvee,

[103] Temple, 1968 p. 206.
[104]See appendix I Assessment and other Reports; also vide infra discussion of Tijani Garba's thesis.
[105] Bello, 1982 Ph.D. p. 300.

and slave forms of labour predominated on these estates. Mukhtar noted that all forms of production were taxed.

Mukhtar's study noted correctly that the executive, judicial, legislative and military functions of the *Amir* were delegated to a hierarchy of officials that linked the aristocracy to the peasantry. Some of these officials were serviles. The important distinction made earlier by Mahadi is re-emphasized that these officials did not own the territories or even the proceeds derived from them. This dissertation proves that the content, context, and processes of all these relations were changed by colonialism.

Mukhtar noted that in the organizational system that developed, the intelligentsia was a close ally. It was from their lot that judges, secretaries, and advisers were recruited. The intelligentsia provided numerous ideologically crucial social services to all sectors of society. The response of the intelligentsia to the numerous challenges and opportunities, and the fissure that occurred in their rank during colonialism will form an important part of this dissertation.

It was onto this society that colonialism was imposed. In contrast to Fika's thesis of over-rule, Mukhtar posited that colonialism was direct right from the beginning. He also noted that the aristocracy had been depleted due to conquest. We have argued that the civil war had already decimated it. It was subsequently transformed into a colonial minion. This is the consensus of most of those who have studied the relationship that ensured following conquest. This dissertation argues that the religious basis of the authority of the *Amir* was eroded. This is indeed the process that we focused on; the process by which the military loss

of sovereignty was transformed into a cultural phenomenon, the transformation of the *Sarauta*.

Mukhtar's work is close to our study in some selected themes and period. It is an important contribution to our understanding of the impact of colonialism on some key sectors of the society. Our essential point is that we need to grapple with the system as a whole. Social and economic structures are key aspects of any society; however, if we take the whole gamut under the *Sarauta*, i.e. inclusive of the political and cultural, it will be easier to appreciate the dynamics. Focusing on social and economic aspects of Kano society to the exclusion of the political and cultural reduces our understanding. This dissertation recognizes the importance of these aspects, but only as a part of a whole. That whole is the *Sarauta* system. It is the organizational basis of Emirate society and during our period was so intertwined. The aristocracy was at the apex of the system and articulated it in a hegemonic way.

Garba, T. 1986. "Taxation in Some Hausa Emirates, c.1860-1939." Ph.D. Birmingham.

Taxation in one form or the other has been a major pillar of all societies where classes and the state have clearly crystallized. The Emirate of Kano, the emporium of Hausaland, is no exception. Kano Emirate, and indeed the Sokoto Caliphate fall into the social formation characterized by Amin as a tributary mode of production.[106] This term emphasizes the transparent character of economic exploitation that obtained in these societies.[107]Taxation was the most central among the many other kinds of exaction. Therefore a study of taxation

[106] Amin, 1989.
[107] Amin, 1989 *p.* 3.

can throw considerable light on the character of the society, before and during colonialism. Herein lays the import of the study by Garba. As he said: "…it concerns the mobilization of resources by the government and also the distribution of power." This was clearly understood by the colonialists. It formed an important chunk of Lugard's memoranda to his administrative officers. The way and manner of taxation in a society is also a pointer to how just or otherwise that society is. Taxation in colonial Northern Nigeria was specifically designed to elicit specific kinds of response and create a particular kind of society.

This study as far as Kano Emirate is concerned, is a pioneer one. Important also is the fact that the author is aware of the methodological limitations involved in a study of this nature. The major one being scarcity of statistical information. So also were the units of measurement very elastic and non-standardized. A bundle, for example, lacks specificity and gives room for considerable subjectivity. The Emirate though was a monetary economy and Cowries, Maria Theresa dollar and Slaves were convertible currencies.

Garba correctly noted that taxation had hitherto been studied as an adjunct to administrative and political studies. It is therefore worthy of study even for the simple reason that it formed an important colonial pretext for invasion. Lugard is the principal architect of this lie. Garba'sstudy has facilitated comparative analysis of methods and incidences. The period is, however, problematic, 1860 falls into the early period of *Amir* Abdullahi's reign. This is over half a century for an Emirate that barely lasted a hundred years. 1939 the year the study terminates is just about the middle of the colonial experience. This poses a serious handicap in appreciating the systems; each in its life span. It is important to note a basic difference in the two systems of taxation. While pre-colonial taxation sought to encourage production and

commerce, colonial taxation forced the production and consumption of specific goods. It sounded the death toll of the caravan trade. Colonial taxation was geared towards facilitating a capitalist economy and the development of a specific political culture.[108]

Garba's study reiterated the fact that the basis of Emirate tax was fairly known. It was well articulated by the leaders of the *jihad*. The thesis though has highlighted an important debate; what is an Islamic canonical tax? The debate on this is bound to continue.

Situating the tax policies and practices in the context of the impact of colonialism on the aristocracy, the arrowheads of executing the policies, as our dissertation did, brought out all the linkages and demonstrate how the tributary system was perforce changed and made subordinate to and a facilitator of the colonial system. Colonian taxation was not related to production or economic activities alone. Colonian taxation was inextricably linked to the judicial system, for a substantial number of cases handled by the colonially established courts had to, per colonial compulsion, deal with offences of taxation. Our study demonstrates the many district heads that lost their office; and the many that were imprisoned. Taxation policies and practices were strong instruments in the colonial acculturation process. It was as disruptive as any of the colonial innovations. The abolition of *Zakkat* was definitely an affront on the sensibilities of the society. Famine, when it occurred was devastating. All thesehave been properly situated as we study the trajectory of the aristocracy under colonialism.

108Abubakar, N. 2007. "How Colonialism Destroyed Indigenous Technology: The Case of the Metallurgical Industries of Northern Nigeria". In: Olaoye, R. A. (Ed.). 2007. *History of Indigenous Science and Technology in Nigeria.*

Naniya, T. M. 1990. "The Transformation of the Administration of Justice in Kano Emirate, 1903-1966." PhD. Bayero University, Kano.

The period of Naniya's thesis 1903-1966 extended to the six years of the first republic, beyond our time frame; and equally important the theme examined a major pillar of any social system, the administration of justice. Again not only is this a crucial pillar, but it assumes tremendous importance when that society is undergoing change. The changes, significantly in this instance, an enforced one, externally determined and forced on a colonially subjugated people. It has been observed by Gumi, a pundit and former Grand Khadi of Northern Nigeria, that one of the easiest ways to destroy any society is to attack its judicial system, particularly the laws, which regulate social behaviour.[109]

Thus though there were a lot of pretence at the onset, the conquerors knew that the Islamic legal system that obtained was inimical to their interest. The legal position adopted was that all customary laws would be allowed, to the extent that it was consistent with protectorate laws. Or to the extent that it was not against natural justice and humanity. Naniya has articulated the difficulty experienced in trying to harmonize the two legal systems. This emanated because there were basic differences in perception, procedure, and rules of evidence. Actually the summation is that the laws were made to regulate two different social systems, one tributary, and the other capitalist.

In examining the triple heritage of the Hausa, Islamic and Western concepts of law; and the process of adopting the Islamic legal system up to the Eighteen Century, the inadequacy of the sources and the undeveloped methodology presented a major problem. Thus the basic issue of any and all legal system being the articulation of the status quo was not developed.

[109] Gummi, 1992 p.79.

By the advent of the *jihad*, both the theoretical and technical development of the judicature was better captured. The work is rich in technical detail that is useful. The consolidation of colonial rule was adequately handled. However, there cannot be a correct appreciation of that period looked at from sector perspectives. The Sole Native Authority, as was demonstrated by the vicissitudes of both the *emir's* judicial council and the many *alkalai* who suffered, demonstrated the limitations they had in the operation of the system.

By the time of de-colonization lots of factors have come into play, which overshadowed the essence of the *sharia*. Regional, National, and International factors had come to determine the direction taken. The work is rich in specifics: types of court, laws, concepts and procedure. We have integrated the judicial system into the whole process of colonial domination. It was a crucial structure of colonialism.

Manase, G. R. T. 1985. "The Kano Peasantry under Colonial Rule, c.1903-1966." M. A. University of Ibadan.

The importance of the study by Manase to us lies in the subject matter, peasantry, and the period of study 1903-1966. The aristocracy as a subject can hardly be meaningfully discussed outside the context of those on the receiving end, both before and during colonialism. The peasantry formed the most important corpus of the commoner class (*talakawa*) over whom the aristocracy held sway.

Manase's identification and characterization of the peasantry is very helpful. This has been situated in the non-urban context of the relation between the people and land. An appreciable analysis of what was described as "pre-capitalist" Kano society was presented, in a historical manner. The rural system we are told was inseparable from the system of land ownership,

itself related to the physical setting and methods of land utilization. The important distinction between peasants and cultivators was also made, with involvement in the market being the defining parameter. Manase argued that the definition of peasantry involved the criteria of population densities, nature of landed property, presence of land owning classes and the various relations of production. That peasant could also be defined culturally. Peasants we are told are tenants or small holders organized in household units, which meet most of their subsistence needs.

Manase situated the emergence of *Kanawa* identity correctly in the *Sarauta*, the organizational and cultural expression of the social system that was developed. That production activities "fit into an institutional setting of bodies of centres of power, which created rules, generated customs, defined rights and duties, established hierarchies of authority and in general ordered the relations of man to man"[110]

However, Manase has taken us back in both the discussion of the ownership of land and the situation of slaves. In both cases evidence abound in an incontrovertible manner of the situation that the Emirate had attained by the end of the Nineteen Century and subsequently. This has been tackled in the chapters three. By the beginning of our period, the Islamic inheritance law was serving as the basis on which the families' land holding was being split. Colonial taxation speeded this up.

Slavery is another area of interest to us, and where Manase has again taken away from what we knew. Manase opined that "members of the servile class, after having been acquired were

[110] Manase, G. R. T. 1985 "The Kano Peasantry under Colonial Rule, c.1903-1966," M.A. University of Ibadan p.16.

not necessarily at a disadvantage economically, socially and even politically." Eyewitness account abound that shows absolutely that this is a major error of judgment. The accounts of Imoru, Koki and 'Baba' of Karo depicted the situation of slaves. Also the level at which the issue of run-away slaves was handled, up to the Caliph's court in Sokoto support our position. This is graphically captured in the documents published as "The Occupation of Hausaland."[111]

In a position reminiscent of Hill, Manase asserted that "The *gandun Sarauta* was of secondary importance, certainly near insignificant, in the social relations of Kano as a whole." Again recent studies have proved the opposite. Both Garba[112]and Mrs. Ahmed[113] list some of the official estates of the *Sarki*. The 'Notes' gave a list of the official estates under the Dan-Rimi.[114] Not only were this not 'certainly near insignificant,' they represent only those of the *Amir*. The *Amir* was only one, albeit the most important, of the aristocracy.[115]

Manase's work reinforced some of the already known tendencies and characteristics of the *Sarauta* system. At the cultural level we are refreshed of the different characters of the town and country folks. That, even in the towns, there were socio-cultural differences manifested among the government officials, the craftsmen, traders, financiers, the intelligentsia, and other service providers. We are refreshed also that the peasants and clients formed the pools of labour and of taxation. In line with Bello and Mukhtar, Manase also concluded that the general aim of colonial policy was to dislodge the grip of the aristocracy on the peasants

[111] Backwell, H. F. (Ed. & Trans.) 1969. The Occupation of Hausaland 1900-1904...
[112] Garba, T. 1986 "Taxation in Some Hausa Emirates, c.180-1939" PhD. Birmingham. P. 299.
[113] Rufai, R. A. (Mrs.) 1995 *Gidan Rumfa: The Kano Palace*. Triumph Publishing Company, Kano. P.90.
[114] Lovejoy, P. E., Mahadi, A., and Mukhtar, M. I. 1993 "C. L. Temple's 'Notes on the history of Kano' [1909]: A Lost Chronicle on Political Office," **Sudanic Africa**, IV, p.26.
[115] See appendix x.

among others. They were inundated with laws designed to control and subordinate them. This is the juncture at which our interests converge. For we are interested in the subsequent role the dislodged aristocracy played in entrenching colonialism. Again the land issue is crucial in this respect. Though the land had been appropriated by conquest, the aristocracy entrusted with managing it on behalf of the colonialists exploited its position to appropriate most peasant land for itself. This tendency had become manifest from the first colonial emir, Abbas, as amply demonstrated in several of his "the judgment of land is ours."[116]E*mir* Abbas sought to have "absolute" control of land and landed property. Manase also concurred with Mukhtar that the policy on slavery also led to the creation of more peasants.

Ibrahim, O F. 1988. The Fabric of Rule: A Study of the Position of Traditional Ruling Families in the Politics of Kano State, Nigeria, 1960-1983. PhD. The State University of New Jersey, New Brunswick.

There is an uncanny similarity of thrust in the study by Ibrahim and what we are doing, fabric of rule. Situated within the traditional institutions, which he characterized as "anachronistic and agents of exploitation." Ibrahim posited that the ruling families of Kano have continued to dominate the affairs of Kano and that successive governments have pursued policies that favoured them. This situation, Ibrahim suspects, was probably due to their early start in education, bearing in mind that the school for the sons of chiefs was started in Kano in 1909, and subsequently it was their children that benefitted the most.

Ibrahim designated the Hausa-Fulani as one ethnic category, with a Fulani ruling class called *Sarakuna*, into which many Hausa have been incorporated and for which nobility was the supreme qualification. This was superimposed on a class of *Habe* commoners called *talakawa*.

[116] Christelow, 1994.

The conceptual framework of this thesis differed from Ibrahim's. While there was some definite political and cultural assimilation, the Hausa and the Fulani are not one ethnic group. First and foremost, the Hausa are not an ethnic group, but a linguistic and cultural one into which the constituent peoples have, by and large, lost most of their peculiar and distinguishing characteristics of a primordial nature. Secondly, the Fulani, with the exclusion of those who assumed rulership following the Sokoto *jihad*, have been the only group in Hausaland since the Fifteen Century that has remained linguistically and culturally distinct: materially, socially, and occupationally. True enough the influx of the Fulani marked an intensification of a particular production process, animal husbandry, and significantly, altered the socio-political and religious balance of power. Too often the Fulani have been presented as homogenous. The basis of this is hard to find since neither the first nor the second generation *jihad* leaders made this assertion. Class based differentiation of the Fulani has certainly been underplayed in this regard. Imoru has provided a rich description of the Fulani.[117]

Thirdly the aristocratic Fulani as politically active[118] have on the one hand lost Fulfulde[119] and on the other hand have adopted Hausa language. It should be remembered that the *jihad* literature was written in Arabic, Fulfulde, and Hausa. By the *jihad* and in relation to it, the Fulani were not only as fragmented as the Hausa, but also as irreligious Islamically. At the level of social organization and social process, both groups remained comparatively distinct from the *jihad* up till colonial conquest. This was clearly brought to light by the

[117] Ferguson, D. E. 1973. Nineteenth Century Hausaland: Being a Description by Imam Imoru of the Land, Economy, and Society of his People. PhD. UCLA.
[118] Tahir, PhD. 1975.
[119] Paden, 1973.

considerable difficulties the colonialists had in trying to unravel the tax system of Kano. *Jangali* was collected from the Fulani based upon *chappa* and not territoriality. The Emirate kept the social organizations distinct; the *ardo* (Fulani local leader), was different from the *dagaci* (Hausa local leader).

Finally very few Hausa have been incorporated into the aristocracy, thanks in part to the statistics provided in the work. Sheikh Usman Fodio directed that the descendants of Alwali be given some office and territory, and the office of *mai Unguwa Kutumbawa* was created for Dan Mama, brother of Alwali who was with the *jihad* leaders. A smattering of Hausa people were in the leadership of the *jihad* in Kano and thus benefited, with *mallam Yusuf Bahaushe* being made the *alkali*. Though the statistics are not absolute, we concur with Mahadi when he observed that: "… it would appear that if the examination of the *jihad* is confined only to the leadership, it could to some extent be regarded as a Fulani affair."[120]This, inspite of more Hausa having taken to the field against Alwali than the Fulani.[121]Thus Ibrahim's treatment of the Hausa-Fulani issue has reduced from what we already know. Colonial statistics estimate the Fulani population of Kano emirate at about 1/3 in 1934.

Ibrahim defined the elite as "… that small minority of interrelated people whose inputs into the political system determine the outcome (outputs) of the political system by making authoritative decisions." He posited that this was because members of the elite occupy most of the public positions that are central in the decision making process. The treatment of the elite is ahistorical and superficial. Not every member of the royal or noble family was an elite. The splintering that had commenced right from the first generation *jihad* leaders was

[120] Mahadi, PhD. 1982. p.349.
[121]Mahadi, PhD. 1982. p.362

not taken into consideration. More splintering continued through the Emirate period and became aggravated by the civil war; it continued during colonialism.[122] By this time western education had become crucial in office holding and thenceforth. This was most poignant in the judiciary. Nobility was not the basis on which either *Allah-bar-Sarki* or Gidado were made *waziri*. The basis on which these people interrelated has been changing through the Emirate, colonial and independence periods.

Ibrahim noted the lack of documents on the Caliphate period, with the exception of the work of the triumvirate. Untenable assertions such as this are thus made:

> We have no evidence that the wealthy paid their zakka as and when due, and to the proper persons or institutions in Fulani Kano. We do not even have enough data to know whether the general population had the minimal wealth on which *zakka* was due. Given all these odds, the retention of un-Islamic taxes should be seen as a means to alleviating the problems of administration and keeping the integrity of the Islamic community.[123]

If there was no information when Ibrahim did his work in 1988, the situation has now radically changed. Indeed the colonial reports contained entries on the people insisting on paying *zakka*, despite the severity of colonial taxation. Even the colonialists recognized that the people took *zakka* as a religious duty. Two bibliographies on Kano have been published. And specifically on taxation, the subject on which such assertion was made, a whole doctoral thesis now obtains. Works also obtain for many other sectors.[124]We find it difficult also, to agree with his position on the all-important question of the methods of pre-colonial tax

[122] Alhaji Daudu was my guide in Kano during my interviews. He has the following pedigree:

- His father was Ahmadu dan Ruwata b. Galadiman Kano Abdulkadir; b. sarkin Kano Abbas.
- His mother was Fatsima mai Yeri b. Abdullahi Bayero b. sarkin Kano Abbas.

He cannot be called elite today by any stretch of imagination.

[123] Ibrahim, O. F. 1988. The Fabric of Rule: A Study of the Position of Traditional Ruling Families in the Politics of Kano State, Nigeria, 1960-1983. PhD. The State University of New Jersey. New Brunswick. Pp. 34 & 40.

[124] Tijani Garba's work and the others formed the basis of this review.

assessment, his acknowledged source notwithstanding. Ibrahim repeated the assertion of the immutability of the sarauta.

The basic thesis we are convinced is not true. Indeed that all the structures were denigrated underlies our own study. The very complex and complicated issue of district administration was treated with levity.[125] This, as will be seen in our study, was a long and complicated process with many false starts. Instead of weakining the hands of the *Sarki* on the district heads, and strengthening the hands of the district heads on the village heads etc. by the time of Ag. Resident Hewby's arrival the emir's position has been bolstered. By the introduction of the Sole Native Authority the powers of the emirvis-à-vis the other office-holders had reached an extent never before attained.

We agree with his thinking on the checks and balances that were built into the Emirate system under the Caliphate. This included the way the council operated both politically and judicially, and the checks provided by the caliphal seat in Sokoto. Finally we concur with the correct identification of the philosophical basis of the whole system as having a tremendous influence in running the affairs of state. The ideological premise was on enjoining what is good and restraining on excesses. And the recognition that in that context the role of the intelligentsia in the civil society was incomparable. Ibrahim repeated the axiom that elite position was attained during the period 1960-1966 through the dominant political party and the civil service. Ibrahim's major contribution is the copious statistics on the aristocracy in

[125] Ibrahim, PhD. 1988 p.66.

the scheme of things in Kano from 1960. This was almost a rehash of an earlier one for the whole of Northern Nigeria by Whitaker.[126]

Anwar, A. 1989.Struggle for Influence and Identity: The Ulama in Kano, 1937-1987. M. A. University of Maiduguri.

The thrust of Anwar's thesis can be called society and Islam in Kano. The intelligentsia, as a wing of the aristocracy actually constituted the original driving force of the Emirate. Their pivotal role in the scheme of things was adequately provided for in the administrative setup of the Caliphate. On the principle of the Emirate, the Sheikh in the *Bayan Wujub Al-hijra Ala 'l-Ibad* said "… the sultan should draw the scholars near to him since they are the custodians of (religious) knowledge. They are its guardians and propagators who know it thoroughly and show the way to God… He (the ruler) should do nothing unless enjoined to do so by them."[127]The intellectuals were the vanguard in the *jihad*, whose successful conclusion led to the establishment of the Emirate. Quite a number were active participants in most of the Emirate's activities. As a wing, the scholars were the first to be manoeuvred out of realpolitik. The wing that developed as the intelligentsia, pure and simple, never developed an independent material base. It was, again, the changing material basis of existence of both the intelligentsia and their laity under colonialism that tore them asunder. There developed secondary contradictions in the context of what Mukhtar characterized as an economically unproductive group. At the inception of the Emirate most of the leadership belonged to the *Qadiriyya Sufi* order. Anwar suggested that the *Qadiriyya Sufi* order came with Islam, but only got consolidated after the *jihad*. This of course has to do with the leaning of the Sheikh

[126] Whitaker, C. S. Jnr. 1970. *The Politics of Tradition, Continuity and Change 1946 – 1966.* Princeton University Press, Princeton.
[127] El-Masri, 1978. p. 65.

himself.[128]The *Tijaniyya* Sufi order was a latter introduction that found favour with both the Kano aristocracy and majority of its intellectual wing, the *malamai*.

This dissertation is in agreement with Anwar that colonialism affected the intelligentsia of Kano as much as any other structure of Kano society. Primary changes were induced by the many factors of colonialism that was affecting the material condition of people's existence. Nascent "modernization" (transportation, radio and newspapers among others) had a very strong influence on the intelligentsia of Kano. Improved means of transportation opened up Kano to international influence more than ever before. Kano was equally susceptible to the introduction of western education. Modern liberal scholars with broader horizon and who had attended the Islamiyya School started assuming leadership positions instead of the traditional scholars. Some of their teachers were foreigners who had a different kind of experience from the traditional *malamai*. All these factors engineered changes within the structure of the Sufi orders, especially the *Tijaniyya*. Consequently the *Tijaniyya* split into two: the *Modibawa* and the *Salgawa*. Importantly, the split was in response to the demands of the populace as it became increasingly impossible to cope with all the demands of everyday life that had bearing with some cultural practices. This had to do with the material demands of celebrating such mundane things as births and deaths. Other challenges included the status of women and the advent of party politics. These happenned in the context of an intellectual fervour in Kano. Kano witnessed an upsurge in religious activities like building of schools and mosques. The opportunity created by colonialism afforded some members of the intellectuals to recoup by venturing into business undertakings.

[128] El-Masri, 1978. P.5.

On the whole the struggle for influence and identity of the *malamai* of Kano and its spill-over into the region is a very useful sector study, which examined the dynamics of colonialism as it affected society and Islam. This stimulated various responses, intellectual and organizational. That it was *taqiyya* that led to *Sufism* and the *tijaniyya* predominating. It became a veritable challenge to the hegemony of Sokoto. For the populace, exacting economic circumstances led to the questioning of the religious cum cultural practices that were no less exacting.

Mukhtar, M. I. 1994. Colonialism and the Transformation of Forms of Labour in Kano Emirate. PhD. ABU.

The work of Mukhtar, like those of Tijjani Garba and Tijjani Naniya, deals with an important sector of the pre-colonial tributary social system. Both peasant and servile labour, like all other aspects of the social system, was impacted upon deliberately by colonialism. Indeed the drive to abolish the slave trade was a major pretext for invasion.

The study clearly situated the labour condition in Kano Emirate. This was followed with a brilliant elucidation of its trajectory under colonialism. Earlier scholars have made passing references to the situation in their studies that dealt with different aspects of the economy of Kano during colonialism. This is the first work that specifically focused on labour. Mukhtar therefore was in a position to expand on what we have been availed with. This is exactly what he did.

The basic problem confronted by colonialism, we have been told severally, was the impossibility of exploiting the labour under extant production system. For under the communal (*gandu*) system, an aspect of production organization in the *Sarauta* tributary

system, the role of the market was minimal. Mukhtar averred that subsistence predominated for a large number of people and it was therefore imperative for colonialism to develop generalized commodity production and exchange. This entailed the freeing of the labour power of especially the servile group, and the separation of the peasants from their means of production. There were the stifling Emirate laws on land, minerals, arms, and taxation. All these were deemed inimical to the development of capitalism. These are some of the important issues addressed by Mukhtar.

It was therefore of overwhelming importance that the character of labour in agriculture be changed. The first casualty was slavery. This has been elucidated. The act of conquest that terminated the Emirate and its relation with the Caliphate (and indeed with some other principalities in the area that became Northern Nigeria) had ended a principal source of slaves, the *jihad* wars and trade in slaves. Mukhtar also reminded us that conquest and the subsequent policy actions led to numerous desertions of slaves. Contrary to what obtained under the Emirate, the colonial state did not offer assistance in re-capture. Indeed it encouraged desertion. The major contribution of Mukhtar is a systematic analysis of what the colonial state did with these freed slaves. This, however, we are only interested in, as far as it relates to the aristocracy. And it related to it in so many ways. Firstly the aristocracy was denuded of a chunk of their traditional source of labour supply. Secondly slaves were a form of capital. The two situations could and were often mutually exclusive. Thirdly the aristocracy was made to organize the labour of these ex-slaves, perforce, for the colonial state and colonial companies. If we have always known this, Mukhtar provides us with its trajectory under colonialism. Thus forced labour, "commoditization," decline of pre-colonial

industries and the establishment of new ones, facilitated by the policies and programs of the colonial state was dwelt upon.

A trajectory of the colonial policies and their effects was documented. So also was the elucidation of the changing role of the aristocracy in organizing the new forms of labour. Corvee labour was an important source of labour for the aristocracy before colonialism. Colonialism not only abolished this form of labour, it also forced the aristocracy to organize labour for its own projects. In spite of the payments, desertion was high. The courts and the lower strata of the aristocracy were all employed to achieve this. The contradictions were clearly brought out. Nobody was presumed to be a slave, yet the courts issued certificates of redemption. No corvee labour, yet district heads were given quotas of labourers to supply. Many district heads lost their position following inability to meet these quotas. The district heads were also made to perform other un-complimentary roles like collecting debts. The colonial land policy also had a direct relationship with the labour situation. Furthermore the study correctly captured the role of the aristocracy in the "development" years. This though was as it related to labour only. We intend to show that this transcended labour to all other aspects of society. Roles and functions kept changing, while titles remained totally out of context from what they were before conquest. The aristocracy might have lost sovereignty, but they benefited immensely in a material sense by the colonial experience. With the advantage of controlling immense tracts of land, which they had appropriated, they emerged as an important component of the emerging agrarian bourgeoisie.

The new avenue for the freed labour was agriculture, which witnessed the emergence of seasonal landless labourers and sharecroppers. Other outlets for the dispossessed were as labourers in the construction of railway tracks, motor roads, and in the mines.

The relevance and importance of the study by Mukhtar (like those of Garba, Naniya, Manase) is the zeroing down to specifics, which most studies that take the whole of Northern Nigeria suffer from. The study was therefore able to avoid over simplification of both the pre-colonial situation and the impact of colonialism. Pre-colonial Northern Nigeria, as Mukhtar has pointed out, was neither homologous nor at the same level of development. More over the composite territories were grouped during colonialism into different units, thus recognizing these differences. We cannot agree more. It is therefore crucial that different components of the societies be focused upon and in these units, different sectors also. This is necessary before a correct appraisal of the Northern Nigerian situation can be done. In Kano, the centrality of the aristocracy has been recognized. We have enough sector studies as demonstrated by those selected for review in this work for a comprehensive analysis of the impact of colonialism on the *Sarauta* and its aristocracy.

Mukhtar's study, however, underplayed the role of the slaves who held executive positions before colonialism. This should not be so for three reasons. Firstly they were important at the early stages of colonialism in administration and organization of labour. They had always been crucial in administering the estates of the aristocracy. Secondly they remained important in the district re-organization that ensured both as District Heads, sub-district heads, and as executive assistants (*jakadu*). Thirdly a substantial number found formal employment in the prisons as warders, in the courthouses as messengers, and in the NA police. These facts have

hardly been recognized in the stupendous leverage that the emir came to have over most of these institutions.

Finally we need to highlight the fact that Mukhtar's study suffers from dearth of quantifiable data. This we must admit is partly due to the nature of the sources. There is also the issue of an inadequate theoretical perspective. This makes the understanding of colonialism and its modes of operations and objectives incomplete.

Yakubu, A. M. 2006. EMIRS AND Politicians: Reform, Reaction and Recrimination in Northern Nigeria, 1950 – 1966. Baraka Press and Publishers, Kaduna.

Yakubu's work is an important contribution by an historian to the period and theme dominated by the social scientists. Indeed Yakubu himself characterized the works by Dudley and Whitaker, as unsurpassed.[129]For Kano, we may add the works of Paden and Tahir as social science studies that have made significant contributions to our understanding. Earlier, Smith has produced Government in Kano.[130]The reticence by historians has not been due to a lack of appreciation of the significance of both the period and theme of study, but due more to the contemporaneity and the methodological problems associated with the study of a historical phenomenon still unfolding. We certainly have not seen or heard the last of the *Sarakuna*. Yakuba was able to make use of archival facilities in Rhodes House Library, Oxford, and the Public Record Office, London, both of which are not available to researchers working solely in Nigeria. In addition some of the relevant documents have become declassified by the time of his work; and these he availed us of.

[129]Dudley, B. J. 1968. *Parties and Politics in Northern Nigeria*. Frank Cass & co. Ltd. London and Whitker, C. S. Jr. 1970 *The Politics of Tradition, Continuity and Change in Northern Nigeria*. Princeton, New Jersey. Princeton University Press. These are the major works by the authors.

[130] Smith, M. G. 1977. Government in Kano 1350 – 1950. Westview Press.

Yakubu correctly appreciated the *Sarauta* as an institution under the *Sarki*, around which government revolved before colonialism; noting that it predated the Caliphate. The work examined the emirates, which he said numbered 72 by 1965.[131] It is this rather unwieldy category that is the bane of the work.[132]Moreover the study of emirs and politicians, devoid of consistent statistical input and structured surveys, especially sampling, that can be systematically analysed, was solely based on qualitative analysis. Yakubu employed selective justificatory evidence in the study. While the situations in the different emirates might be similar, they were not the same. The study lacked depth in analyzing both the antecedent systems before and during colonialism, and the situation of any particular emir or emirate, as impacted upon consistently by the politicians, in the last decade of colonialism and during the first Republic. Secondly there is the problem of perspective, nuances and the style. Terms, which are either discredited and did not correctly denote the historical situation, like "Hausa city states;" or which beclouds more than illuminates, such as "late pre-colonial" are used. No issue has been raised against the standard categorizations and periodization; from c.999 to the nineteen century; and from 1804 to 1903. This corresponded with the Hausa and the Caliphate periods. Chapter two of this work dispells the erroneous notion, subscribed to by quite a number of scholars, couched in different ways, which Yakubu characterized thus: "the caliphate represented more of a continuity with Hausa political forms than a clear departure." We note his emphasis was on form rather than essence in the continuity. Since on the same page Yakubu noted that the caliphate differed from the Hausa system in both ideology and heterogeneity. He indirectly acknowledged the loss of sovereignty by the Hausa *Sarakuna* to the Caliph, acknowledging that Emirate leaders were bound by the *Sunnah*, which did not bind the Hausa rulers before the *jihad*. Yakubu noted that obedience to the Caliphs was

[131]*Northern Nigeria Local Government Yearbook*, 1965 (Zaria, 1966). Cited in: Yakubu 2006, pp. 197 -199.
[132] Even if the focus were to be the emirates that constituted the Caliphate we would still be confronted with at least 30.

contingent on his (and the *Sarakuna* under them), keeping to the tenets of the *sharia*.[133] These two, rule of law and responsibility to the *sharia*, are important differences between the two systems.Yakubu's conceptualizing the drastic colonial experience as over-rule, seem attractive only because the study focused on the emirs rather than the whole gamut of the aristocracy.[134]Yakubu's discussion of, for example, taxation and territorial administration, was not located in any emirate. Indeed even if it was only the emir that was focussed on in Kano for example from 1903 to 1960, the triumphalist notion of emirs ruling while the colonialists administered, even at face value as he suggested, will be jettisoned in the light of the overwhelming evidence which this study has systematically provided.

The *Sarauta* system that developed in Hausaland from about the 11 Century, had assumed definite shapes and attributes by the 14 Century; were certainly similar but not the same, and discussing the institution in less than two pages, does no justice to it. Indeed even the experiences of the Emirates differed during the Caliphate era between 1804 and 1903.

Yakubu recognises, quite correctly, the significance of indirect rule as the lifeline of colonialism in Northern Nigeria and the role of the men on the spot, especially their personalities. Indirect rule was deliberately transformed from when the emirs were presented to visiting dignitaries to when administrative officers were presented to the emirs. The important thing is not to miss the significance of deliberate policy of emphasising form, while keeping tight control of essence. This dissertation documents the terrible experience of the aristocracy in Kano.

[133] See oath and *mubayia* in Birnin Gada by the Kano flag bearers. Significantly he noted that Caliph Abdulrahaman *Danyen Kasko* was an aberration (p.19).

[134] Paradoxically his thesis was titled "An Aristocracy in Political Crisis: *Zamanin Siyasa* in the Nigerian Emirates, 1939 – 1967." DPhil. thesis, University of Oxford, 1991.

Yakubu asserted that "… initially, the NAs did not share their revenue equally with government." The important thing is that revenue was levied by government, and after emirs as heads of the NA charged with its collection have finished, it was paid into government coffers, the *Beit-el-Mali*; the government then made a re-grant to the NA. By this time the emirs had become paid employees! Yakubu asserted that one method used to woo the emirs was fat salaries, with a list of select emirs and their salaries presented.[135] This is simply not true and further reinforces our position, that whenever the issue was limited to emirs alone, it becomes reductionist. In Sokoto Resident Burdon noted that the wealth accruing to the sultan had increased. He observed further regarding the DHs:

> It is more than doubtful whether the shares of taxation assigned to subordinate headmen compensate for the irregular levies – partly customary *gaisuwa*, partly what we call extortion- … I consider that in many cases their present shares of taxation are insufficient to enable subordinate headmen to maintain the state necessary to command the respect of their people, and are inadequate for efficient administration…[136]

Further down the ladder of the indirect rule machinery in Kano, it was noted: "… and but for the compound tax there would be some danger that the office of village head would consequently fail to attract good men … Many now go about on foot who five years earlier would have been on horse with a large following."[137]And for the emir of Kano whose salary Yakubu emphasized; in a communication from the Acting Lieutenant Governor to the Secretary, it was estimated that the emir of Kano spent about £800.0.0 annually more than his salary, on departments in the palace and charity.[138]And Palmer in his political memo

[135] Yakubu, A. M. (2006). *Emirs and Politicians: Reform, Reaction and Recrimination in Northern Nigeria, 1950 - 1966.* Kaduna: Baraka Press.P.28.
[136] NAK: SOK PROF 576/1909. Letter dated October 2, 1909: Provincial Report No. 37 for half year ending June 30, 1909, cited in: Paden, 1986. P. 67ff.
[137] NAK: SNP7-114/1912
[138] NAK: SNP10/9-120P/1921.

estimated the emir of Kano would need 1/3 of his gross salary to maintain his houses.[139]This thesis offers an alternative interpretation of colonialism as rendered by Yakubu. Similarly, the concept of *aikin Sarki*[140] as emir's service need reassessing; indeed this was what the regional government demonstrated subsequently; the Muffet axe being the most poignant demonstration that it was indeed *aikin gwamnati* (government work).

The handling of the education challenges though detailed is capable of alternative interpretation.[141] In treating the rise of counter elite, which broadly translates to the challenges leading to independence, one is confronted with the fact that there was no anti-colonialism per se, or the struggle for independence in Northern Nigeria. What obtained was the painstaking orchestration of the fear of southern domination after independence. Smith intimated us of two letters written to him for advice by the Prime Minister, Abubakar Tafawa Balewa regarding the transition to independence. In the first letter he reffered to Smith as his "father."In the second he wanted Smith to prepare to papers for him on essential requirement of a new nation aspiring to independence; and what should be the minimum safeguards that the north should demand before finally committing itself.[142]The issue of the north retaining its individuality however the political arrangement was originated by the Governor in 1944!

Yakubu traced the formation of the two dominant parties; and as most if not all the others before him acknowledged that rather than nationalism or anti-colonialism, the principal concern of the NPC was the fear, systematically orchestrated by both the colonialists and the

[139] NAK: SNP 15/1 ACC. N. 249.
[140] Yakubu, 2006. P. 36.
[141] Tibenderana, P. K. 1985 "The Scare of Nationalism and the Restrictions on Missionary Enterprise in the Muslim Emirates of Northern Nigeria, 1900 – 1930." Departmental Seminar, 26 January, Department of History, ABU, Zaria.
[142] Smith, 1969. Pp. 363-365.

NPC, of "southern domination," after independence. It was tactfully concerned of course with the fact that the NAs had become a clog in the wheel of progress, but more in the sense of resisting the onslaught of the educated elite in sharing power, rather than as an oppressive entity. This was an issue it waited till it had gotten into power before tackling; at the onset its priority was how to win the confidence of the emirs. NEPU was more favourably disposed to nationalism; and articulated an ideology of emancipating the commoners (*talakawa*) from the oppressive rule of colonialism and the aristocracy, which the colonialists had successfully converted to its minions. The NPC only sought to remove the more objectionable aspects of NA; indeed it was to appropriate the organizational infrastructure of the NAs subsequently. We cannot agree more. Little wonder Smith recorded that when he started the radical changes, even the most radical of the political leaders insisted there should be no interference with the persons or personal status of individual traditional rulers.[143]

Yakubu opined that the emirs recognised that none of the parties guaranteed them the status quo ante. But since the NPC was more appreciative and considerate, they pitched their camp with it. The NAs came to play very prominent roles in the fortunes of both parties; for the NPC positively, and for NEPU negatively. All the infrastructure of the NAs was deployed in that respect. Of particular interest to us was the role emir Sanusi allegedly played in the emergence of Ahmadu Bello as the President –General of the party, and the domination of the party by the emir in Kano Emirate.

[143] Smith, 1969. P. 211.

Though Yakubu accused Bryan Sharwood Smith of having plotted the downfall of the largest number of emirs since Lugard;[144] his treatment of the main issues from the Balewa motion of 1950, on how to reform the SNA system into a more responsible and responsive institution was masterly. The culmination was the jettisoning of the SNA and the introduction of the emir-in-council system. This was after the emirs had been convinced that it was in their best interest to accommodate the changes. Indeed the changes effected were not much since the emirs were still responsible only to the Residents, who were, in turn accountable to the Lieutenant-Governor.[145]

Creating new-look emirs did not start with Lt. Governor Sharwood-Smith.[146] It has been a Lugardian policy right from the onset. Lugard had put on record that he did not expect much from the first generation of emirs after conquest. Thus the installation of every new emir was an opportunity for further changes. In Kano emir Abdullahi Bayero was compelled to make many changes. Indeed this was why the emirs were appointed on probation. He was compelled to make further changes in 1953;[147] and Sanusi further compelled to make more on his becoming emir. The emirs kept assuming new look right through colonialism.

The depositions and forced abdications of the 1950s were all based on accusations of autocratic rule, financial and judicial misdemeanours, of which Yakubu provided a list.[148] Sanusis's case was the most dramatic for many reasons. We are more concerned with whether Sanusi saw it coming and did not challenge the regional forces? There were other

[144] Yakubu, 2006. P. 130.
[145] Yakubu. 2006. P. 133.
[146] Yakubu. 2006. P.134.
[147] Yakubu, A. M. 2006. P. 136.
[148] Yakubu, 2006. P. 142.

factors in the crisis especially the religious dimension, this was down played by Yakubu, but thoroughly handled by Paden.[149]

Not sufficiently tackled was the reality of Nigeria which was becoming assertive from the Local Government despatch of the Colonial Secretary, Arthur Creech jones in 1947. The Richards constitution acted as a spur to the Northern educated elite; forcing a realisation that there must be changes in how the North was ran. That was why the chiefs could delay the appointment of a Minister for Local Government for a year only. Yakubu's appreciation of the issues at stake being the twin ones of institutional and personal relationship, between the Ministry and the NA, and between the Minister and emirs, is pertinent. Assurances were backed by the don'ts of the Minister. Yakubu (and others before him) gave the impression that the colonialists had to bend over backwards to choose Sardauna, presumptive heir to the Sultanate of Sokoto, as an acceptable candidate. Sardauna, his pedigree notwithstanding, did not represent elite that had a smooth ride in his trajectory as an employee of NA. He was a scion of the aristocracy whose education did not give him any advantage in 1938 when he sought to become the Sultan; nor did it prevent the NA from trying to incarcerate him.[150] Kwanashie thinks it actually demonstrated to the elite, that if somebody of his standing could be treated as such, what would the fate of those who have no aristocratic background be? Many other topical issues though discussed by Yakubu masterly still left out the more important question that interest us, why did the chiefs fail to prevail in any of the challenges? We do not agree that: "… many emirs saw independence as an opportunity to exercise and exert greater authority and influence than had been the case under British rule;"[151] despite the

[149] Paden, 1973.
[150] Kwanashie, G. A. 1992. "The Development of the One North Phenomenon in Northern Nigeria 1900 – 1965." PhD., ABU p.136.
[151] Yakubu, A. M. 2006. P. 185.

challenges to the NAs and chiefs since 1946? The period witnessed series of government interventions in NAs and restraint of the chiefs. "The regional Government is in control and will remain in control" speech of Ahmadu Bello in 1958 drew the battle line. We agree that the era of political support in lieu of accountability was over. The NPC viewed the decline in its electoral fortune in the 1959 Federal elections as being primarily expression of dissatisfaction at the local levels. That was why the hammer had to be wielded: "If you fail to accept my advice then I shall reluctantly have to use the powers invested in me by law," the Sardauna declared. We agree with Yakubu that the absence of a strong reaction, let alone backlash against government, emboldened it. Government asserted that it would no longer tolerate disregard of its directives. The Premier literally declared war by stating: "This government fears no local organization but is only tolerant. It will carry out its duty and deal with any unit or individual who may try to oppose its policies and lawful directives … anyone who tries to prevent us does so at his own peril." Emir Sanusi did at his own peril!

Our conclusion differ from Yakubu's that the aristocracy demonstrated a remarkable degree of flexibility.[152] We are more inclined to their having lost all initiative in facing the many challenges from 1903 to 1960. They have been lulled into a false sense of security by the form indirect rule took up to 1918. Both the annual conference of chiefs, and later the House of chiefs, was systematically steered by the colonialists. The extensive organizational infrastructure at their disposal could only be deployed to the extent allowed by the colonialists. They were steered into pitching their camp with the NPC. Yakubu concluded paradoxically that the emirs of Northern Nigeria have survived the first waves of onslaught by indigenous governments both civil and military; but that the military dealt the terminal blow to the statutory powers of the emirs. Presumably their non-statutory powers, as

[152] Yakubu, 2006. P. 215.

custodians of the culture of their people, are what remain. Could we justifiably call this survival? In essence what remains is a caricature, though thoroughly polished at the popular cultural level.

There are other issues of perspective and salient nuances which pervade the work and which we feel strongly against. Some of these are discussed in synopsis below:

- "This book demonstrates how the colonial administration obstructed all challenges to the local government or NA system dominated by the emirs."[153] It can be said with more veracity, that the colonial administration facilitated the absorption of the educated elite into the system with minimal rancour; and gradually eased power into their hands.
- That interest over succession by the colonialists was to retain the goodwill of the emirs and ensure that the minions succeeded them.[154] That the two points above were allegedly to woo the emirs because they were irreplaceable. Lugard had intimated that nothing can be expected from the first set of emirs. In Kano emir Abbas was tolerated because colonial intelligence indicated they would not find a better candidate. Creating new look emirs was pursued right to the end of colonialism.[155] "I have not any great hope that the new emirs will prove good rulers. As in India, in the case of the native states, it is to the second and third generations that we must look for real progress and enlightenment."[156]

Major Arthur Festing as Resident Kano opined:

> Taking the emir of Kano as representing a class, his passive resistance and obstruction, partly due perhaps to natural conservativeness renders progress difficult. His despotic, suspicious and jealous temperament makes him as an individual hard to deal with. Whilst his tendency to relapse into old abuses and his uselessness as a

[153] Yakubu, 2006. P. 6.
[154] Yakubu, 2006. P. 27.
[155] Kano and Katsina were at that point in the same province, and in Katsina the colonialist effected a change in dynasty. Indeed in Daura they brought back the Hausa dynasty. Subsequently however, was emir Dikko any more collaborationist than emir Abbas?
[156] NAK: SNP7-1855/1911 Kanoprof Summary of events.

> government agent in anything where straight dealing is concerned, e.g. collecting tribute or upholding of justice and order, makes it difficult to describe him as ought but a danger to the administration.
> I will go further and say that so far as Abbas is concerned I cannot nominate a successor likely to be less troublesome than himself.[157]

- That "even in matters of succession to vacant thrones, the traditional kingmakers are believed to have enjoyed a non-interventionist right of succession."[158]Certainly not true for most of the colonial period. The first series of depositions and the jailing had put the emirs in their proper place. After the change of dynasty in Katsina, the emir of Kano Abbas readied himself for deposition. Tibenderana has documented the situation in Sokoto Province up 1931.[159] In Kano contrary to what Kirk-Greene[160] said, Abbas was not appointed by any *majalisa*; the decision of the council comprised by the colonialists was rejected in 1918 in favour of emir Usman; the colonialists approved the choice of emir Abdullahi; Yakubu himself said *ciroma* Sanusi had to hoodwink the colonialists to become emir in 1953.
- Emir Abbas and his father Abdullahi were not emirs in quick succession. Abdullahi Majekarofi was emir 1855-1882 and Abbas 1903-1919; there were three emirs in between them, whose total rule was over 20 years.
- Describing *ciroma* as heir apparent,[161] despite not being a single occasion from 1807 when a *ciroma* succeeded before Sanusi in 1953. Indeed in 1918 *ciroma* Abdullahi was rejected by the colonialists and *wambai* Usman was appointed.

[157] NAK: SNP6/4-139/1908 (Confidential), Emir's Attitude of. Comment on Present Dynasty. In another confidential memo NAK: SNP6/4-C111/1908 the emir had resorted to alcohol. NAK: SNP6-139/1908 a confidential addenda list the specifics of the offences and the personnel who allegedly committed them in three months.
[158] Yakubu, 2006. P. 32.
[159] Tibenderana, T. K. 2011 "The Role of British Administration in the Appointment of the Emirs of Northern Nigeria, 1903 – 1931: The Case of Sokoto Province," History Department Seminar Series, ABU Zaria – Nigeria, Vol. 10. Tetfund.
[160] Kirk-Greene, 1965. p.6.
[161] Yakubu, 2006. P. 203.

1.8 CONCLUSION.

The historiography of Kano is rich. Studies have been undertaken of different periods covering multiple topics. The understanding of different aspects of Kano history has been broadened and enriched by the many scholarly works. This thesis has benefitted immensely from these works. Mahadi's was a pioneer thesis on the *Sarauta* that covered the eighteen and nineteen centuries. Fika's work on colonial Kano and Naniya's thesis are a veritable source of data. Bello and Mukhtar brought fresh perspectives to bear on the economic and labour sectors studied. There are many other works on different sectors of Kano society and history which this study has benefitted from and duly acknowledged. However, pervasive in the historical works we have reviewed are a remarkable lack of verifiable quantification. This has encouraged the untenable assertions that have nearly become axiomatic. A common example being that pre-colonial taxation was arbitrary! Fiaka[162] and Afigbo[163] claimed colonial taxation reduced the burden which the populace endured before conquest. The population density of the Kano area is proverbial. This is assumed to have led to considerable urbanization. There is however a remarkable lack of definition of urbanism or urbanity. The often assumed large proportion of land held by the aristocracy has also been called to question, with Polly Hill actually asserting that the land cultivated by the officials represented a trivial proportion of Kano land.[164]

There might also have been some conscious effort in the dominant reconstruction efforts to sweep some crucial political and community issues under the carpet. The employment of the concept of Fulani as an analytic category is a case in point. While not denying the trans-

[162] Fika, 1978. P.111.
[163] Afigbo, A. E. "The Establishment of Colonial Rule 1900 – 1918."p. 456. In: Ajayi, J. F. A. and Crowder, M. (Eds.). 1974. *History of West Africa, Vol. two*. Longman.
164 Hill, 1977. See appendix x for the estates of the *sarki*.

ethnic nature of the *jihad* and the society that emerged, the ascendance of a Fulani aristocracy, from all available statistics can no longer be doubted. Being Fulani was also an active cultural fact. Major actors categorized themselves as Fulani, and most importantly, in contradistinction from others. This was done by Dokaji, and other principal actors still categorize Hausa commoners as *Habe*.[165]The Sardauna of Sokoto, who did not speak Fulfulde, considers himself Fulani.

Inherent, therefore, in some important works are analytical and interpretational problems. This results partly due to the nature of the sources, partly the conceptual and methodological framework, and partly due to insufficient rigor. In examining the impact of colonialism on the *Sarauta* system in Kano emirate, this dissertation analysed the etymology of the concept, and argued that it was a social system impacted upon severely by colonialism. The dissertation argued that till the end of colonialism the *Sarauta* would be better appreciated as a wholistic system. Colonialism, however, changed the purpose of government, appropriated the *Sarauta*, turned the remnants (the aristocracy) into its minions and the agents of domination and exploitation of the populace.

[165] Dokaji, A. 1978 *Kano ta Dabo Cigari*, NNPC, Zaria. Also Kagara, M. B. 1981 Sarkin Katsina Alhaji Muhammadu Dikko, CBE 1865-1944. Gaskiya Corporation LTD. Zaria.

CHAPTER TWO
THE PRE-COLONIAL *SARAUTA* SYSTEM IN KANO

2.1 INTRODUCTION.

This chapter situates the *Sarauta* in the development of the state and the polity in the period up to 1807; and from thence to colonialism. It is argued that the state, statehood and statecraft were all embodied in the *Sarauta*.[166] The chapter highlights the nuances and subtleties of this dynamic process. The *Sarki* was at the apex of the *Sarauta* system, and royalty its cultural manifestation. Key features of the *Sarauta* had developed before Islam became the dominant religion. All the features and attributes of the *Sarauta* discussed are not distinctive to any one sector or strata of society: political, military, economic, social and religious.[167] All relevant factors and postulates, from the sources and the works on this phase of the history of Kano have been brought to bear in the following exploration. The same appreciation of the trajectory of the *Sarauta* during the Emirate period 1807 – 1903 is undertaken. This is important for the dissertation examines the changes produced by colonialism. It therefore needs to examine the basis of what was changed. A lot of erroneous assumptions pervade the literature that the *Sarauta*, in this instance meaning the pre-Jihad socio-political and socio-cultural system, was fully reinstated during the Emirate system. The falsity of these views has been demonstrated in the review section earlier.

[166] Sufi, A. H. 1993. *Musan Kanmu: Wali Sulaimanu a Tarihin Kano* (n.p.). *Sarauta* as a concept has many connotations depending on usage (context). In this instance we adopt Sufi's definition as "*daukaka ce da Allah yake baiwa halittarsa, ya malaki yan uwansa*." Though couched in religious cosmology, it can be translated as 'human attainment to dominate and rule over other humans.'

[167] Thus you had *sarkin kasa, sarkin gari, sarkin sana'a, sarkin samari*, etc. For the very wide ranging use of sarki, see Abraham, R. C. 1962. *Dictionary of the Hausa Language*. Hodder and Stoughton and Bagery, G. P. 1951. *A Hausa-English Dictionary and English-Hausa Vocabulary*. Oxford University Press.

The second section discusses the reasons articulated for the jihad and the basis of the administration established. The section analyses the trajectory of the salient features of Kano Emirate as it developed; the structures, institutions, and processes that were developed; and the influence of the Emirate on the *Sarauta* as enumerated in the first section; and that of the *Sarauta* on the Emirate. It concluded with what the Emirate had become by the beginning of the colonial conquest in 1903.

Thus establishing the *sharia* and the nature of the execution of the jihad are tackled. Key issues discussed in the section include the structures, institutions, and processes that were developed. It is hereby argued that the Emirate encapsulated the *Sarauta*. The major structures put in place for articulating the system are examined. These include territorial administration, the bureaucracy, the organization of production, distribution and exchange, and slavery. The chapter concludes with a discussion of the worldview that obtained in the Emirate of Kano by the time of conquest. By the end of the chapter it would be realized that the nearly 100 years of the Emirate was qualitatively different from the 500 years that preceded it under the Hausa sovereigns.

2.2 THE EARLIEST INHABITANTS OF KANOLAND.

Human presence in the Kano area is dated to 8,000 years B.C.[168] This strongly suggests that autochthonous people have been applying themselves in Kanoland. It is in this process of applying themselves on the environment that production capabilities were developed and institutions evolved, over time, to organize for production, distribution, and reproduction. The people of Kano (*Kanawa*) also developed the means of sustaining these activities on a

[168] Moody,1969. P.15.

qualitatively higher scale, under more efficient organizational infrastructures. During this period also, the emergent community interacted with other communities on a continuous basis. It is this double dialectic that has shaped Kano and the *Kanawa*. What emerged was *Sarauta*r *Kasar* Kano, a socio–political and socio-cultural system of a tributary nature,[169] under the hegemony of an aristocracy. From about the turn of the first millennium in Kano we are in a position to determine the major structural components in the foundation and development of the *Sarauta*. We can locate, chronologically, some of the crucial developments and the circumstances and dynamics that determined them.

Though Kano history before 1450 AD as recorded in the Kano Chronicle and other sources is essentially probabilistic, we can still surmise that both institutionally and conceptually, the process of the emergence of the state was of such importance that it pervades the chronicles. State and statehood got molded into the *Sarauta*. They were co-extensive.

In Kanoland, localized and independent centers of habitation, where institutions developed in regulating the use of resources and subscribing to specific cults were in place by c. 999 AD. As these communities came into contact with one another, an ethos defining their interaction was evolved. Specific locations attained pre-eminence (due to several factors), the economy became more complex and the society more cosmopolitan. Institutions of a centralized nature were evolved in the *garuruwa*[170] (Santolo, Dala, Fagwai), under a leader who exercised authority. These centers developed into Rano, Gano, and Kano. Kano later achieved prominence over the rest of them.

2.3 THE BEGINNINGS TO 1807.

[169] Amin, S. 1989. *Eurocentricsm* (translated by Russell Moore), Monthly Review Press, New York.
[170] *Garuruwa* is plural of *gari* which means town.

Three factors have remained constant in the history of Kano. These are: the peopling of Kano; the favorable conditions (natural resource base, the development of productive forces and dynamic production relations); and the cosmology of the people. It is the favorable natural conditions in the Kano area that attracted Bagauda (representing the proverbial first remembered wave of immigrants) and the hordes of others subsequently. The motive force of the history of the *Kanawa* is the *Sarauta*, which facilitated the development of the capabilities of harnessing nature and the organizational and institutional infrastructures designed for continually enhancing these capabilities.

Immigrations, in trickles and in waves, were important throughout this period. Development of authority attended these demographic movements in the process of developing institutions cum organizations for the society's production, distribution and reproduction, and defense. This is represented in the Kano Chronicle with force as for example: "I am the heir of Dala, like it or not, follow me ye must, perforce." The Wakar Bagauda ("Song of Bagauda") supports this in referring to Bagauda as the protector (*mai tsarewa*). In conjunction with force and underpinning it the people developed a cosmology. The chronicle asserted that Barbushe "… succeeded his forefathers in the knowledge of the lore of Dala … By his wonders and sorceries and the power he gained over his brethren he became chief and lord over them." The relative importance of: peopling; development of the economy; society (family structure for example) and polity; we cannot determine with precision for the earliest period. We can, however, infer that force and cosmology, subsequently transformed into authority pervaded the early history of Kano. This attribute is represented in the *Wakar Bagauda* as "*da hani da sawa*" (the ability and capacity to prevent and enforce).

The transition to Iron Age occurred rather early. Evidence of this occurred from about 1400B.C. +- 850 in the form of the Matanfada furnace; indeed evidence of an earlier usage of iron, for 2400B.C. +- 1100 from Fitola in Kazaure obtaines.[171]These proto-*Kanawa* also engaged in animal husbandry, as evidenced by remains in rock shelters (Mesa, Habude, and Murufu).[172] The nature, extent, and forms the development of the family took in the early years we may never know. Though rudiments of social organizations are suggested, the emphasis was on the nature of economic activities associated with, or under the purview of groups. The sources listed the emergent leaders as: blacksmiths, brewers, medicine, watchmen, youths, musicians, dancers, miners, archers and aquatic activities. These were the groups most active in production.[173]

Though Palmer used the term clan and Dokaji used *kabilu* (tribes), to denote these groups, we can hardly be definite of this aspect of the organizational basis of these groups.[174] However, provenance is clearly identified and emphasized: Gwauron Dutse, Jigirya, Magwan, Tanagar, Fanisau, Dan Bakoshi and Dan Kwai are some of the places mentioned.[175]

Smith described the process that led to the emergence of states in Central Sudan as of: "… changing pattern of socio-political grouping, and with the various cultural factors (economic,

[171] Darling, P. J. "Archaeology and the dating of historical events in Kano" in Barkindo, B. M. Ed. *Kano and Some of Her Neighbours*.
[172] Fagg, B. E. B. 1955. "The Cave Paintings of Birnin Kudu." The proceedings of the third Pan-African congress on Prehistory.
[173] Usman, Y. B. 1979. "The Transformation of States in the Central Sudan: Some Professional and Theoretical Problems." In: *History of the Central Sudan conference*, Zaria.
[174] Perchanock, N. 1979. "The Territorial Principle and the Evolution of Social Organization in *Kasar* Hausabefore 1500." In: *History of Central Sudan Conference*, Zaria.
[175] Inuwa, Alhaji Dr. G.A.D. 1999. Tarihin Kano. Presented at: The Kano Millenium Conference, Organized by the Kano State Government, Kano. The author seems to have rendered another version of the Kano Chronicle, which he derived from a written Arabic source. Many other settlements are mentioned: Gugas, Salanta, Duji, and Toda.

religious, etc.) which gave rise to it."[176] It was this process of coalescence that led to the emergence of the great cities (*birane*)[177] of Hausaland. It was in this process, suggests Smith, from whence we are to seek the emergence of the state in Hausaland, it was a revolution which:

> May perhaps be described as the replacement throughout the greater part of Hausaland of a political system in which authority was based on kinship relations, by one in which authority was based on control of territory, accompanied by the replacement of a very large number of very small and mutually independent political units by a much smaller number of large units possessing institutions of a centralized character.[178]

Conceptually the state is a complex of specific mechanism of government.[179] It may be regarded as: "A geographically delimited segment of human society united by common obedience to a single sovereign."[180] The institutional features of the state are organized police power, defined spatial boundaries, and a formal judiciary.[181] Marxists conceptualize the state as: "… the precipitate of the social organization of the economy at a particular level of productive and distributive efficiency,"[182] whatever the institutional underpinnings. The state is an expression of class coalescence. It is thus recognized that the use of state power to maintain a specific social order is one of the primary aspects of the state. In Kano, even in the early stages of development, this was abundantly demonstrated in the various struggles of the contending groups. This we shall discus presently.

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[176] Smith, A.1976. p.179.
[177] *Birane* is plural of *birni*. *Birni* is a large town, more often denoting the capital city.
[178] Smith, A. 1976. "The Early States..." p. 181.
[179] Watkins, F. M. 1968. "State: The Concept" in Sills, D. L (Ed). *International Encyclopedia of the Social Sciences.* The Macmillan Company of the Free Press, New York.
[180] Fried, M. H. "State: The Institution" in Sills, 1968.
[181] Sills, 1968. P.148.
[182] Sills, 1968. P.147.

The polity that emerged was attendant by a particular kind of statehood that may be termed *Sarauta*r Kasar Kano, and the leader that epitomized the budding hegemonic culture defining its operation was the *Sarki*n Kano. The system was dynamic. The dynamism which became crucial in the *Sarauta* system and process, started early. Though it coalesced into a dynasty, the *Sarauta* system was based on the collective responsibility of the chieftains. Some of the chieftains, in the early stages, were leaders of religion or vocations.[183] By the 16 century some of the leaders developed into nobles; they started as war captains. Legitimacy was ultimately linked with the religious dispensation reigning, and power and its exercise was closely linked to resource control, and subsequently to military control. This situation continued throughout the period of the development of the state and statehood; physically (in the expansion of the towns, walling of towns and territorial aggrandizement), structurally, institutionally and organizationally. This found material expression in the development of Kano city; the subduing of territories and the emergence of the nucleus of the nobility. Acceptance of Kano's suzerainty was an important milestone in the development of the state, as was the capability of the Kano rulers (*Sarakunan* Kano) to exercise sovereignty. Sovereignty was manifested in the exaction of tribute and enforcement of taxation. These had been attained by the time of *Sarki* Naguji (c.1194-1247 AD). In the organizational pattern that emerged, some traits developed to become sources of strength. Incorporating the descendants of the *Sarakuna* (of all shades) into the administration developed from the time of *Sarki* Usmanu (c.1343-1349 AD). Co-option into offices due to collaboration, valor, or other special attributes became the case from the time of *Sarki* Yaji (c.1349-1385 AD), with the arrival of the Wangara, who brought literacy and an alternative organizational system. During the reign of *Sarki* Dauda (c.1421-1438 AD) a group had arrived, from Borno, led by

[183] Usman, Y. B. 1979.

Dagaci. This group left an indelible mark on Kano society. The group included some intelligentsia and warriors. They are credited with having introduced trumpets and guns.[184] Trumpets are instruments employed in entertainment and acculturation in popular culture to boost royalty; guns had a serious impact on military technology and the balance of forces in the society. It had the same impact between Kano society and her neighbors. Economically the *Dagaci* was credited with establishing Karabka market. Trade flourished between the home state of these immigrants and Kano.

Adaptation was employed by *Sarki* Rumfa (1463–1499), who drew Kano into the international world of Islam with all the consequences entailed: politically (and especially organizationally), economically and culturally. The phenomenon of "cabinet reshuffle", often at the inception of new rulers, but not limited to it, became a source of reinvigoration.

Continuous economic development was an important driving force of the *Sarauta*. The development of productive forces in conjunction with appropriate production relations characterized the *Sarauta*. From hunters and gatherers emerged a community of farmers and craftsmen with concomitant exchange relations. With Kano's ascendancy under *Sarki* Rumfa, it was expropriating surplus from societies that were less developed. From the 15 century onwards, this matured into a sophisticated mercantilist system that linked Kano with various societies, from the highly developed, to the primitive. The span extended to Gwanja in the West, to Borno in the North East and to Songhai and beyond in the North. To the South Kano

[184] Rufai, (Mrs) R. A. 1995. Gidan Rumfa: The Kano Palace. Triumph publishing company Kano. P. 16. Citing Barkindo, B. M. "Kano relations with Borno: Early times to c.1800." *International conference on the history of Kano*. 16-20th September 1985 Bayero University Kano she identified the *Dagachi* as the deposed Mai Uthman b. Dawud (c.1421-1422). The fact of the arrival is agreed upon by all the sources.

was linked to Nupeland through Zaria.[185] Further radical changes in the society occurred under the Kutumbawa dynasty in the 17century.

Military innovation in relation to and apace with the developments in the society was another feature and source of strength for the *Sarauta*. The nature of warfare in the early period can only be a matter of conjecture. But with the introduction of shields and horses, the nature and extent of warfare changed. Other developments were the introduction of heavy and light cavalry, and later muskets. The nature and role of the military has always had a close relationship with the development of the administration, especially territorial administration.

The changes brought about under *Sarki* Rumfa represented a higher level of the coalescing of class rule; it was colored by Islam in all aspects. There was no facet of life that Islam did not radically affect. Mention can be made of the location and construction of the palace, the development of the Council of State and bureaucracy, medicine, commerce and the military. The particular shade of Islam introduced with its belief in the ability to manipulate the supernatural became a decisive cultural phenomenon. Islam, whatever the limitations in the adherence to its basic tenets at that stage, progressively became a way of life. The high point was the visit of Al-Maghili who wrote a treatise on government for Kano; and which became the embodiment of Kano's administrative thrust, and provided a coherent ideology.[186] Some other notable scholars who visited and proselytized in Kano during the reign of *Sarki*

[185] Palmer, 1968; Lovejoy, 1980.
[186] Al-Hajj, M. A. 1968; Kani, A. M. 1979; Sa'ad, E. N. 1979; John Philips, 1982/85.

Muhammadu Rumfa included: Al-Suyuti, Ahmad b. Mohammad Aqit, Abd-ar-Rahaman Suqqain (1504-1519), and Makhluf Al-Balbati after 1534.[187]

The *Sarauta* system up till the changes initiated by *Sarki* Rumfa, approximated in very important respects, feudalism. Control of extensive territories, often acquired through conquest, led to fief holding and entailed fealty. The dynamics of warlords led to further changes in the administrative set up under the Kutumbawa. The decisive factors were the introduction of both the *Kirdi* and muskets. These innovations titled the balance of forces in favour of the *Sarki* by his capacity to curtail the warlords. The period witnessed the introduction of more changes that boosted the resources of the state over that of the warlords.

Thus though important changes were ushered in by the Kutumbawa *Sarakuna*, the basic cultural components had been established by *Sarki* Rumfa. There were significant changes in the military and political organizations; the economy and even personnel, but the basic cultural values remained. If anything the maturity of the intelligentsia by the 18 century meant the initiation of the rejuvenation of the system which they had accepted as their way of life. By *Sarki* Rumfa it was the *Sarakuna* who organized the society, from the top, and at their convenience, and to their advantage, based on some tenets of Islam. By the 18 century it was another segment of society, a crucial segment that by then influenced all aspects of life that led the populace in demanding that society must be organized in a particular way. They were the intellectuals that had matured and had become conscious of their position.

[187] Philips, J. 1982/85 "The Islamisation of Kano before the Jihad." **Kano Studies** 2, 3, pp. 32-52. Umar Aqit and Mahluf b. Ali. Al-Balabli were said to have delivered lectures to large audiences in Kano in the fifteenth and sixteenth centuries. Mischlish, A. cited in Mahdi, Ph.D. 1982, p. 40

Thus, the*Sarauta* (in Kano and elsewhere in Hausaland) was the institutional and organizational system, imbued with certain cultural practices that were evolved by the *Kanawa* (and other Hausa people) over the centuries, as the basis on which their society was organized. At the pinnacle of this hegemonic system was the *Sarki* who embodied the sovereignty of the system. Under the *Sarki* were coteries of *Sarakuna*: the *Sarakuna*n *garuruwa*, the nobility cum warlords, and the slave chieftains. The intellectual wing comprised the *Qadi* and *imam*; while the economic wing comprised of leaders of vocations. The basis of the power of the different categories of the *Sarakuna* varied. The nobility developed from amongst the leaders that emerged at the advent of the state. The warlords emerged during the period of Kano's ascendancy and the consolidation of her territory. There were the *Sarakuna* of the towns, which Kano subdued and incorporated into her fold. While the balance of power between these groups and the *Sarki* varied over the centuries, the center held and a system was developed, the *Sarauta* system.

A category of the *Sarakuna* whose significance faded with time was the religious leaders, the custodians of the cults before the ascendance of Islam. Hitherto, evidence points to the co-extensiveness of political and religious exercise of authority. This dual authority situation lasted till *Sarki* Tsamia (c.1307-1343 AD). The successful introduction of a new ideological cum cosmological order, and the ability to reduce the other groups to pay tax, are important indicators of a state system achieved by *Sarki* Tsamiya. *Sarki* Tsamiya broadened the ruling class by conscription and bolstered royalty by the introduction of the *algaita*, a trumpet blown only for the royalty. Another group of the *Sarakuna* whose role became overshadowed over time was the craft leaders. The mainstay of the economy, in conjunction with agriculture, from about the time of *Sarki* Kanajeji (c.1390-1410 AD) to the emergence of the

Kutumbawa dynasty was warfare and mercantilism. The significance of booty was clearly brought out during *Sarki* Shashere (c.1573-1582 AD) who instituted the practice of a judge (*Qadi*) accompanying the army to war, ostensibly to effect the sharing of booty according to the *sharia*. Emphasis on local production to boost state resources became a significant feature of the Kutmbawa period.

A critical development at the level of government and the institution of statecraft was the establishment of *tara-ta-kano*, the Council of State. It was composed of the *Galadima, Madaki, Wambai, Makama, Sarkin Jarumai, Sarkin Bai, Barde, Sarkin Dawakin Tsakar-gida*, and *Turaki*.[188] These comprised of some royals, nobles, co-opted generals, and some of the eunuchs of state. It emerged as the highest organ of state whose function included the selection and appointment of the *Sarki*.[189] It was a reflection of the measure of the coalescing of interests of the other strata of the *Sarakuna*. Some occupants of the offices of *Galadima, Madawaki*, and *Ciroma* had developed into powerful warlords. Complex developments subsequent on the dynamism of the period led to the creation of a bureaucracy. It was both a reflection of the administrative need of the society as it was a deft move by the *Sarki* to bolster his own power, while curtailing but not countermining the role and influence of the other strata of the nobility and the war chiefs.

A category of the *Sarakuna* that emerged as a result of transformations during *Sarki* Rumfa's period were departmental heads, (*ma'aji, Sarkin bai, Sarkin kofa*),[190]and significantly most were eunuchs. They were placed in charge of the treasury, the administration of the city and

[188] Last, 1983. P. 177.
[189] Last, 1983. P. 178.
[190] The *Sarkin Kofa* had a triple function all related to security. Firstly the physical security of the gate; secondly the military aspect of protection from enemy intelligence; and thirdly the police duty of regulating entry into the city.

the palace; the maintenance of communication between the central administration and the administrative heads of towns (*Sarakuna garuruwa*); and the maintenance of general security. With the emergence of these purely departmental functionaries under the eunuchs, the balance of power shifted decisively in favor of the *Sarki*. The royal slaves who were departmental heads operated from the palace. *Gidan Rumfa* is the palace of the *Sarki*n Kano. It was built in the 15 century by the *Sarki* whose name it bears. It houses the *Sarki*, his immediate family and the domestic hands. Equally important it housed the offices of the *Sarki*, and part of the bureaucracy that conducted court (*fagaci* or *fada*). The *Gidan Rumfa* was also an arsenal. It was crucial in establishing Kano as the locus of a larger regional polity, and in so doing also weakened the rulers of the towns (*Sarakuna*n *garuruwa*).[191] In the *jafi*, a martial ceremony demonstrating cavalry prowess, conducted during the festivities of the *sallah* (*id-el fitr* and *id-el kabir*); the emphasis was on the title holders who were principal officials of the state reaffirming their loyalty and allegiance to the *Sarki*. The *Gidan Rumfa* provided a spatial focus for political activities that seemed to have shifted between centers located further east. Murray Last is of the opinion that hitherto the rulers of Kano had multiple capitals.[192] Rooting the capital to one place facilitated the development of an elaborate political culture. The palace became the focal point of all political and social activities of the state of Kano. The spatiality of the palace though was in many ways congruent with that of common households, but reflected the hegemonic influence of the *Sarauta*.

By this time the intelligentsia had become a stratum of the ruling class. Absorbed as religious leaders (*imam*), judges (*Qadi*), and bureaucrats they became important articulators of the

[191] Mahdi, A. Ph.D. 1982. P. 182.
[192] Last, 1983. P.71.

ideological basis of the polity (*Sarauta*). They were most prominent as diplomats, where they brokered many peace deals, the most notable being the peace brokered with Katsina.[193]

The reign of *Sarki* Kutumbi (c.1623-1648 AD), a.k.a. Muhammad Alwali, styled a great *Sarki* in the Kano chronicle, ushered in a revolution in military structure, political organization and personnel.[194] Notable among the achievements of Kutumbi were the establishments of forts in the countryside. The forts were a logistical support system for the new style large national armies.[195] An important structural problem of the period was the role hitherto played by the mighty warlords.[196] One factor in favor of the military chieftains was the possession of semi-independent armies that could be used for good or evil. The development of a wholly slave division, the *kirdi*, strengthened the hands of the *Sarki* and the central authority. Organizationally a forked development commenced, in government and administration and in the economy. With a strengthened army, *Sarki* Kutumbi curbed the powers and influence of the warlords. Thus he took away *Kofar* Kabuga from *Madaki* Allandayi; dealt with *Dawaki* Magara who had settled in "bauchi," and deposed *Sarki*n Surdi. *Sarki* Kutumbi also got the Gwandara to emigrate from Kano. *Sarki* Kutumbi imposed "*jizya*" on the "Bauchi" and made the Fulani whom by now were many to pay *Jangali* and created the office of *Sarki*n Shanu. Other offices created by *Sarki* Kutumbi were those of *Sarki*n Dogarai, *Sarki*n Shamaki and *Barde Kerariya*. These offices had serious organizational implications for the *Sarauta*. The *Dogarai*[197] become the police with the following consequences for ordering society. They policed the city, imposed and executed royal commands and demands, apprehended criminals, guarded the *Sarki* and enforced deference to

[193] Smith, M. G. 1977. Government in Kano 1350 – 1950. Westview Press.
[194] Last, 1983. p. 77.
[195] Last, 1983. p. 75.
[196] Adeleye, 1976.
[197] Dogarai is plural of dogari.

his person and status. A major stride was further taken in administration by the move to integrate the urban and rural economies and creating a united and more centrally controlled state.

Thus in Kano by the mid 18century, the legacy of Hausaland, the *Sarauta*, whose basic structures had matured during *Sarki* Rumfa's reign, rejuvenated under the Kutumbawa, was due for another radical tampering. The Jihad led by Shehu Usman Fodio was the cause of these changes. The successful execution of the Jihad in Kano led to the establishment of Emirate administration. This lasted from 1807 to 1903. More important for this dissertation, the Emirate further radically altered the *Sarauta*. This is discussed subsequently.

2.4 ISLAM AS THE BASIS OF THE CALIPHATE: THE REASONS FOR THE JIHAD.

The jihad marked a decisive break in the socio-political and socio-economic organization of the area where it took place. As demonstrated earlier, the cosmology of the people of Kano has always had a fundamental influence on the organization of the society. A decisive juncture for Kano was the influence Al-Maghili had in the 15 century. This represented the crystallization of Kano's absorption into the international system of the Central Sudan. The Jihad was another juncture. Usman in his study of Katsina posited a brief period for the *jama'a* before the Emirate system gained the upper hand. In Kano this may correspond to the period of the first *Amir*, Sulaiman Abahama (1807 – 1819).

> Jihad is war waged by a Muslim against an infidel who is not under any treaty, for the purpose of upraising the word of Allah the most high; or the presence of a Muslim

> (without fighting) at a battle fought for the purpose of upraising the word of Allah; or his entry into the territory of the infidel in order to fight.[198]

The above definition by Sheikh Abdullahi Fodio, describes jihad when it reaches the stage of war.[199] This aspect of jihad is what pervades the psyche in popular culture. It is absolutely not the most important jihad as ordained by God in the Qur'an. The jihad of Sheikh Usman Fodio, which swept through Hausaland and beyond, is often dated from 1804 when hostilities broke out. In the classical Islamic tradition, and following on the Prophet's precedence, it is dated to the *hijra*.[200] In Kano the budding communities commenced an intense propaganda drive aimed at establishing a justification. Representatives of the vanguard of the jihad were sent to the Sheikh to obtain the flag. This signified the willingness of the Kano community to be part of the larger one, headed by Sheikh Usman Fodio. This is important, for the concept of jihad in Islam is more complex than the above quote suggests. It is permitted to engage in the kind of jihad defined above by Abdullahi Fodio. Sheikh Abdullahi Fodio told the Kano community that the jihad was compulsory by the Imam's conscription. It is also recognized that the war, like all wars, could lead to fatalities.

> To those against whom war is made, permission is given (to fight), because they are wronged; - and verily, God is most powerful for their aid; (they are) those who have been expelled from their homes in defiance of right (for no cause) except that they say 'our lord is God'.

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[198] Sheikhh Abdullahi Fodio, "*Diya Ul-Hukkam*" in: Yamusa, S. 1975. "The Political Ideas of the Jihad Leaders: Being Translation, Edition, and Analysis of 1. Usul ul-siyasa by Muhammad Bello and 2. Diya ul-Hukkam by Abdullahi B.Fodio." MA; ABC/ABU. P.83.

[199] Philips, J. 1982/85 "The Islamisation of Kano before the Jihad" **Kano Studies**, ii, 3 noted that Sheikh Dan Fodio categorized Jihad into four: disapproval of evil without intervening; attempt change through preaching against evil; rulers to punish evil doers according to Islamic laws; and finally defensive force, for "there is no compulsion in religion;" Q 2: 256. Permission (to fight) is given to those against whom war is being wrongfully waged -and, verily, God had indeed the power to succor them: those who have been driven from their homelands against all right for no other reason than their saying, 'our Sustainer is God'. For if God had not enabled people to defend themselves against one another, (all) monasteries and churches and synagogues and mosques-in (all of) which God's name is abundantly extolled-would surely have been destroyed (ere now)! (22:39-40).

[200] *Hijra* is the enforced emigration that Muslims effect when they adjudge it impossible to live as ordained by God in any society. It generally signifies the commencement of Jihad in the sense used by Sheikhh Abdullahi Fodio, which we have quoted above.

> Did God not check one set of people by means of another, there would surely have been pulled down monasteries, churches, synagogues and mosques, in which the name of God is commemorated in abundant measure … (Q 22:39-40).

The nature of jihad is further emphasized in Q 2:190 by the injunction to: "fight in the cause of God those who fight you, but do not transgress limits; for God loveth not transgressors." At critical points Prophet Muhammad (SAW)[201] received revelations from God that provided guidelines for Jihãd:

"Let there be no compulsion in religion: Truth stands out clear from error: whoever rejects evil and believes in Allah hath grasped the most trustworthy hand-hold that never breaks. And Allah heareth and knoweth all things. (Q.2:256). In this regard, jihad as war is only incumbent on Muslims if they are so oppressed that they could not practice their religion. This is when *hijra* becomes mandatory. Since the communities were methodological and systematic in following the steps enjoined by the Qur'an, they had to establish reasons for the *Jihad*.

In Kano mobilization efforts of the politically active community (*jama'a*) culminated into the *hijra* of 1807.[202] The Sheikh had instructed all those who visited him to leave their abodes and establish their own communities.[203] It is probably arguable that the contradictions that ushered in the jihad in Kano was as sharp as anywhere else in Hausaland and more so than

[201] Abbreviation of sala lahu alaihi wa salam (Arabic), meaning may the peace and blessings of God be upon him. Muslim faithfuls invoke this prayer whenever the name of the Prophet is mentioned.

[202] Ado-kurawa, I. 1989 *The Jihad in Kano: (Translation and analysis of Taqyid al-akhbarof Qadi Muhammad b. Salih).* Kurawa Holdings Limited, Kano.The *Jama'a* is the Hausa word for *umma*. It is a community bound not by kinship or race. Its bond was the religion of Islam, the belief in one God and his ProphetMuhammad. Before God and in relation to him, all are equal without distinction of rank, class or race. This unified and solidified them in their relations with all others.

[203] Ado-kurawa,1989.

most. The situation leading to the jihad in Kano is briefly commented on below. It has been admirably catalogued and analysed by Abdullahi Mahdi.[204]

Natural and human factors had combined to exacerbate the Kano situation from 1730 with the enthronement of *Sarki* Sharefa. *Sarki* Sharefa and his descendants, who ruled Kano from about 1730, have been adjudged as terrible in all the sources. The sources are replete with the many methods of extortion they introduced. The middle 18 Century further witnessed a great drought which caused economic collapse.[205] Notable among the terrible policies pursued by a number of successive regimes included excessive taxation. Significantly this affected the Kurmi market, for the sources indicate it was almost destroyed. The sacerdotal intelligentsia, a privileged group since the 15 Century, and ones whose privilege included grants of lands excluded from taxation, was forced to pay taxes. Illegal and forceful expropriation of properties of commoners was common place. Sexual abuse and exploitation of free maidens was pervasive. All these formed ready grievances, to which a politically active community could be mobilized against. They were unacceptable to the generality of the people and explained the ready acceptance of the alternative of a just and equitable society promised by the jihad leaders. One can hardly characterize the period that preceded the jihad better than the writer of the Kano chronicle when he avowed that: "… they devised many more methods of oppression."[206] In this respect, one basic rallying call by the Sheikh is his accusation of the Hausa governments of: "… building of their sovereignty upon three things: the people's

[204] Mahadi, A. 1982 "The State and the Economy: The Sarauta System and its role in Shaping the Society and Economy of *Kasar* Kano with Particular Reference to the Eighteenth and Nineteenth Centuries." PhD. A.B.U.P. 9

[205] Lovejoy, P. E. 1980 *Caravans of Kola: The Hausa Kola trade 1700-1900*, Ahmadu Bello University Press, Zaria. P. 8.

[206] Palmer, H. R. 1927 "The Kano Chronicle," in Palmer, H. R. (Ed.) 1927 *Sudanese Memoirsss*. Government Printer, Lagos.

persons, their honour, and their possessions."[207] The exactions required in walling towns and in building new ones; and in the provisioning for the new national army, both inaugurated under the Kutumbawa, have been documented above. In the reign of *Sarki* Alwali, there was famine. This led to a social crisis manifested in the *dirki* affair. It was an age-old custom whose manner of discontinuation affected the psychology of the people. In the face of the famine, *Sarki* Alwali refused to provide the 40 cattle to be used in sacrifice and whose hides would have been used in covering the *dirki*. The *dirki*, a Qur'an, was axed open. The people believed *Sarki* Alwali would be axed out of office. This is understandable given the world view of the time.[208]

2.5 THE JIHAD WARS IN KANO.

Though in the popular psyche as noted above, jihad connotes war, the ferocity of the wars and the impact of militarism on the ensuring Emirate have hardly been adequately acknowledged. In Kano the wars to wrench power from *Sarki* Alwali were ferocious. Equally terrible wars were fought to consolidate the Emirate. The wars characterized the reign of *Amir* Ibrahim Dabo. Dan Tunku (who later was given permission to establish Hadejia by the Caliph) and Galadima Sani (who expected to succeed *Amir* Suleiman) declared rebellion. In subduing them and in curtailing frontier incursions *Amir* Ibrahim Dabo got his nick name of "The Conqueror" (*ci gari*). Militarism was a crucial underpinning of Kano Emirate. It was important in the organization of the territories and the bureaucracy.[209]

[207] Hiskett, M. 1960 "Kitab Al-Farq: A work on the Habe Kingdom attributed to Uthman Dan Fodio" **BSOAS** xxiii, 23. P.23.

[208] This worldview is discussed infra in the chapter.

[209] We noted above the significance of militarism in the 17 century that led to the heightened visibility of the mighty chieftains and how it affected the trajectory of the *Sarauta*. In the 18 century the creation of the *Kirdi* and a national army also had significant effect on the *Sarauta* system. The same phenomena of wars defining the system recurred from the Jihad.

The execution of the jihad in Kano was long drawn, fierce, and often very brutal. This proved very decisive in the kind of polity that emerged. In reconstructing the early phase of the Emirate of Kano we are fortunate in having a unique work as a major source. This is the *Taqyid Al-Akhbar* of *Qadi* Muhammad Salih.[210]*Amir* Abdullahi directed him to write the history of the jihad. Salih told us that the *Taqyid Al-Akhbar* was recorded information. He has documented his sources, describing them as: "… men of unquestionable integrity," and told us of his editorial work. This involved inserting the chronology of the events and providing explanations and extra information.[211]

The *Taqyid al-akhbar* is replete with graphic details of the ferocity of the wars. The series of encounters were very costly to both sides in terms of lives lost. Many towns were completely burnt down. Many people were enslaved. The jihad community in the western part of Kano, under the leadership of Alim Dangabuwa, led the *hijra* to *Kwazazabon* yar *Kwando* where there was a large concentration of Fulani. Alim Bakatsine led the jihad community that congregated in Wudil and executed the jihad in eastern Kano.[212]The *Taqyid al-Akhbar* recorded that after the victory: "… many ambassadors came in crowds from different parts of Kano, Katsina, and Daura and they accepted the *deen* of Allah (and also pledged to uphold it)."[213] It thus needs to be clearly established from the onset that the jihad, though indisputably premised on Islam, and in spite of being presaged by an intense campaign, was a decisive military defeat that terminated the ancien régime. Militarism acquired its own logic subsequently in the Emirate. The ferocity of the wars intensified as the engagements assumed

[210] I have not seen the *Fayd al-qadir* mentioned by: H. F. C. Smith (latter Abdullahi Smith) in his review of H. A. S. Johnston 1967 *The Fulani Empire of Sokoto*. Oxford. This is the only reason why I am cautious of comparing the *Taqyid* for its period to the Kano Chronicle, in terms of significance.
[211] Ado-kurawa, 1989.
[212] Yamusa, S. 1975 "The Political Ideas of the Jihad Leaders: Being Translation, Edition, And Analysis Of 1) *Usul ul-siyasa* by Muhammad Bello and 2) *Diya ul-hukkam* by Abdullahi B. Fodio," MA., A.B.C./A.B.U.
[213] Ado-kurawa, 1989. P.53.

the dimension of wars between states, instead of within the Emirate; and later when it was challenged militarily from within. Salih recorded for us some of the nature of *Amir* Ibrahim Dabo Mahmud's engagements. It should be remembered that he participated in some of these engagements. He noted that:

> Whenever he moved and advanced towards a region nothing will be left in it, and its inhabitants will disperse (in fear because of his strength and strategy). We went on an expedition with him to Dagara until we reached a place called Tunfushi no house in it was left and we destroyed everything that was in it. The inhabitants escaped to the borders of Borno and we returned in peace with booty and strength of Islam.[214]

The encounters were no less severe even when it was within the Emirate, after the establishment of the Emirate and when it was challenged. Salih recalled a particular incidence during the conflagration that ravaged the Emirate at the inception of the reign of *Amir* Ibrahim Dabo. During the Dan Tunku affair, and with the *Jihad* community on the receiving end, we are told that none of the houses of Muslims outside the city was left that day. They were all destroyed.

2.6 THE BASIS OF ADMINISTRATION.

The jihad community had no illusions and did not leave anyone in doubt as to their aspirations regarding the kind of society that would replace the ancien régime. The intense and copious intellectual ferment of the period attested to this. The objective of government was the establishment of justice. This explains the revolutionary judicature by setting up courts in the major towns.[215] The triumvirate of the Fodio articulated the options available. This has been subjected to all kinds of analysis. In all these analysis enough recognition has not been given to the originality of the triumvirate. Nor has the weaknesses of the chosen

[214] Ado-kurawa,1989. P.53.
[215] Vide infra the next section that discusses establishing the *sharia*.

options analyzed in context. Too much a priori comparison to some extinct Caliphates pervades the discourse. Mahadi compared them to the late Abbasid Caliphate.[216]

Sheikh Usman Fodio, his brother Sheikh Abdullahi, and his son Sheikh Bello did not seek to copy any past government. They articulated the principles of government and administration. They defined some offices, insisting that their functions must be specified. They recommended on consultation but did not insist on any particular mode. The purviews of the *Qadi* and criteria of appointment were defined. Specific guidelines were written for some Emirates, but no particular one bound any.[217] Our take off position is thus that there is no particular form to an Islamic government; we thus agree:

> ...that Islam did not advocate any particular form of government, and that what mattered in the last resort was not the form of government so much as the spirit in which the operations of government were conducted to reflect the Islamic ideals of equality, justice, democracy, social welfare, etc.[218]

Kano Emirate, established consequent upon the successful sacking of the government of *Sarki* Alwali, had to contend with about 500 year legacy of a social system, the *Sarauta* system. It is therefore logical to expect that the nature and character of the preceding system cast a strong influence on the nature and character of the emergent system. Not only was the nature of the city (*birni*)[219] of considerable significance in the emergent administrative system but also the nature of and the character of the kind of urbanization that pervaded the 18

[216] History by analogy has been commented upon by Mamdani, M. 2002. *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*. John Archers, Ibadan pp 8 & 10. In the same vein Polly Hill criticised the use of terminology deriving from European feudalism, that such jargon obscures the inherent vitality and autonomy of pre-colonial rural economic enterprise. See: Hill, P. 1977; Paden, J. N. 1986 p.8 also noted that the Islamic conception of society was in contradistinction with the class based, conflict motivated model.

[217] The *Diya Ul-Hukkam* was written for the Jihad community of Kano at their own request by Sheikh Abdullahi Fodio, while *Usul Al-Siyasat* was written for the community of Katsina by Sheikh Bello. There are other political treatises by others, especially the Sheikh Usman Fodio.

[218] Brohi, A. K. "Mawlana Abul-A'la Maududi: The man, the scholar, the reformer." In Ansari, Z.I. and Ahmad, K. (Eds.) 1979 *Islamic Perspectives: Studies in Honour of Mawlana Sayyid Abul A'la Maududi*. The Islamic Foundation, U.K. P.294.

[219] Bello, S. "The Birnin Kano and the Kasar Kano to 1804 A.D." in: Usman, Y. B. (Ed.), *Cities of the Savannah (A History of Some Towns and Cities of the Nigerian Savannah)*, Nigeria Magazine (ND.).

century.[220] Equally important was the nature of the jihad conquests. Different parts of Kano fell to different Fulani groups. Right from the onset the issue of establishing the government in *Gidan Rumfa*, the palace of the ancien régime had to be referred to Sheikh Usman Fodio himself. Also important is the symbolism entailed in the permission granted. The Sheikh sent to *Amir* Sulaiman a sword! He was specifically given the authority to slay whoever it was that refused to follow him.[221] It was left for him and his successors to acquire the necessary powers. This is the story of subsequent rulers that came after *Amir* Sulaiman.

2.7 ESTABLISHING THE *SHARIA.*

The contradictions of 18 century Kano stretched the *Sarauta* as practiced under the Hausa sovereigns to its breaking point.[222] Though the economy of Kano was still vibrant, mercantilism, with all its advantages of unequal exchange, and which used to be a primary component of the Kano economy up to the 17 century, was on the decline. In the 18 century, Kano was forced to look inwards and re-organized its production capabilities away from mercantilism. There was also the continued influx of the Fulani. These challenges led to the development of more efficient administrative system under the Kutumbawa. It meant the appropriation of surplus from the peasants, merchants, craftsmen, slaves, and others, became more efficient.[223] New settlements emerged, new offices were created, and taxes were more efficiently collected in the walled towns. This was described as the depredations of *Sarki* Kutumbi and his successors, discussed above. The fate of the celebrated Kurmi market, which was virtually abandoned by foreign merchants due to expropriation and taxation, reflected aptly the circumstances of the time. The Fulani, by now reasonably indigenized,

[220] Mahadi, 1982 Ph.D.

[221] Kano, A. A. D. 1978. *Kano ta Dabo Cigari.* N. N. P. C. Zaria. P.38. Also Palmer, H. R. "The Kano Chronicle" in: Palmer, H. R. (Ed.), 1928. *Sudanese Memoirs*. Lagos. Government Printer P. 128.

[222] At this point it is important to note that some scholars categorized those whom supported the Jihad as *Hausa*, and the opponents as *Habe*. Philips, J., "The Islamisation of Kano before the Jihad" **Kano Studies**, ii, 3, 1982/85 is one of them.

[223] Last, 1983.

also suffered extortion and exploitation. This was heralded by the appointment of *Sarki*n *Shanu* to effect the collection of the cattle tax (*jangali*). The *ulama* were not left out. We have ben intimated of the rapacious penchant of the *Sarakuna*, demonstrated in their rampant practices of forceful expropriation (wasau) of the properties of the commoners. Of course in Islam it is an axiomatic principle, recognized by all jurists that the state has no right to acquire resources by confiscating property duly possessed by individuals or groups.[224] This was the dire situation immediately preceding the jihad. Sanctity of private property was one of the basic differences between the Emirate and the *Sarauta*.

It is important to note that the pattern of Fulani settlements became decisive in the jihad encounters. The Fulani settlements, clustered around major towns and concentrated in specific locations, became crucial in determining where the *hijra* took place, and the fighting in the jihad wars. The Fulani have become a corporate group since the time of *Sarki* Rumfa in the 15 century. While it is true that some had become sedentary and there was some intermarriage, the extent of both we can hardly determine. What is certain is that of all the groups that had immigrated into Kano, only the Fulani had maintained exclusive identity. More than any other group, the Fulani have maintained separate physical locations, occupations, material culture, dress, etiquette, and language. They were the only groups that have not become Hausa.[225]

The basis of all Islamic government is the *sharia*. Simply defined it means the straight path.[226] To Muslims, especially in the Dar al-Islam,[227] the function of the *sharia* is to direct

[224] Chapa, M. U."The Islamic Welfare State and its Role in the Economy." In: Ansani, Z. I. & Ahmad K. (Eds.). 1979. Also Maududi, S. A. A., *The Meaning of the Qur'an,* Vol.iii, London, n. d. p.8.The sanctity of private property was one of the themes of the last sermon of the Holy Prophet Mohammad.
[225] By and large the Fulani have still not become Hausa.
[226] Savory, R.M. (Ed.) 1976 *Introduction to Islamic Civilization*, C.U.P.

the affairs of life. This was the aspiration of the jihad leaders and was premised on the oath of loyalty of the flag bearers. At that celebrated meeting in birnin Gada between the representatives of the Sheikh, in this instance led by his son Muhammad Bello, who latter succeeded him as the *Amir* Al-Muminin, the flag bearers took an oath. They swore to hear and obey the instructions of the *Amir* Al-muminin, and significantly to follow the Sunnah in everything, every time, and under all circumstances. They agreed and performed the mubaya'a.[228] According to Umar: "The rope of Allah is his religion and *baya'a* is among the religious terms."[229] The Qur'an and the Sunnah are explicit on this.[230] The *mubaya'a* has the added implication of instituting a bond of solidarity between states that were often engaged in debilitating wars. They were, by the jihad, brought together in what Smaldone called a multi-state empire.[231] The relationship which commenced in some instances as that between a teacher and his student, or a Sufi and his novice (*murid*), was transformed, following the *mubaya'a*, into that between the commander of the faithful, the *Amir Al-muminin*, and his community, and between the Sheikh and the generality of the populace as that of a liberator. Thus the basis of the Caliphate, indisputably different from the basis of the *Sarauta*, was formally laid with the *mubaya'a*.[232]

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[227] Territory where Islamic government obtains.

[228] Ado-kurawa, I. 1989. *The Jihad in Kano (Translation and Analysis of Taqyid al-Akhbar of Qadi Muhammad b. Salih)*. Kurawa Holdings Limited, Kano. P.9; Bello, S. "The Birnin Kano and the Kasar Kano to 1804 A.D." In: Usman, Y. B. (Ed.). *Cities of the Savanna: (A History of Some Towns and Cities of the Nigerian Savannah),* Nigeria Magazine (n.d.). This should be contrasted with the oath of office during colonialism, starting with the one by the Sultan in 1903.

[229] Bukhari, U.B.M. *Tanbih al-ikhwan fi amr al-Sudan* (trans. Talata-Mafara, M. I.), History Bureau, Sokoto (n.d.). P.20.The author, Umar, is a grandson of Shehu Uthman Fodio.

[230] Bukhari, U.B.M. *Tanbih al-ikhwan fi amr al-Sudan*

[231] Smaldone, J. P. 1977. *Warfare in the Sokoto Caliphate: Historical and Sociological Perspectives*. CUP. Smaldone is the only one I am aware of who characterized the relationship as between states. The more generally acceptable position being the emirates were units of the Caliphate. See Ubah, C. N. "The Emirates and the Central Government: The Case of Kano – Sokoto Relations." In: Usman, Y. B. ed. 1979. *Studies in the History of the Sokoto Caliphate: The Sokoto Seminr Papers*. Department of History, A. B.U. Zaria.

[232] The significance of these processes cannot be over emphasized. The kind of consciousness attendant can be illustrated by the poem of *Dan Marina* of Katsina celebrating the victory of *Mai* Ali of Borno over the Jukun. This was in the 17 Century. Part of the poem ran thus: "our hearts had never ceased from dread of the unbelievers. Narrow had become to us the earth pressed by the foe. Till Ali saved our children yet

The constitution of the Caliphate was not embodied in any one document. Each of the triumvirate produced what could have been adopted by any of the Emirates as its constitution. The *Diya Ul-hukkam* was written for the people of Kano at their own request; *Usul ul-siyasa* was specifically written for the people of Katsina.[233] The Sheikh had already put down his own ideas in the Bayan Wujub Al-*Hijra Ala 'L-Ibad*.[234] These are by no means the only works on government written by the triumvirate. Zahradeen listed six works of Abdullahi Fodio on government.[235]

In spite of the copious outpourings by the triumvirate on government, we can still posit that the totality of their works may at best be described as administrative guidelines based on the principles of the *sharia*. The most common characteristic is the very broad latitude it gave them and the Emirs they appointed. Thus though they were courageous enough not to be tied to the apron string of any particular preceding Caliphate, they could not define a specific form for themselves. Thus in each of the broad areas which they dwelt upon, no particular forms were prescribed.

The appointment of the supreme Imam was the most important issue determined at the outset.[236] This was concluded with pledges of loyalty (*mubaya'a*). It is important to note that

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unborn..."The impact of the *jihad* on the consciousness of the populace is therefore better imagined. Cited in: Gella, Y. T. "The City of Wukari," in: Usman, Y.B. (Ed.). Cities of the Savannah p.104.

[233] El-masri, 1978.

[234] El-masri, 1978.

[235] Zaharadeen, M. S. 1976. "Abdullahi Ibn Fodio's Contribution to the Fulani Jihad in Nineteenth Century Hausaland." PhD. McGill. P. 250.

[236] El-masri, F. H. 1978 p.22 &26. Shehu Yamusa notes that neither the Shehu nor his successors had ever called themselves *Caliphs* or *Imams*, in spite of the fact that there is no evidence to indicate that they had ever regarded themselves as subordinate to the *Sherrif* of Mecca or to the Ottoman government in Istanbul.This is not correct as the letters recovered from the Chancery in Sokoto and edited by Backwell, H. F. 1969*The occupation of Hausaland 1900-1904, Being translation of Arabic letters found in the house of the Wazir of Sokoto Buhari, in 1903*. Frank Cass LTD amply demonstrates. The title Khalifah or Caliph was used in this formal letters.

the triumvirate took off from the injunction of the Qur'an (4:59) that enjoined Muslims to: "obey God and obey the Messenger and those of you who are in authority." To consolidate the authority of the Imam, it has been made obligatory to obey the Imam for ones jihad to be viable. This is one of the six conditions listed as being necessary to make a jihad obligatory, and that all must be present.[237] Abdullahi Fodio in concurring posited that: "… every responsible person must obey the Imam outwardly and inwardly in all that he commands so long it is not a sin."[238] Moreover they stressed as part of the obligation to the Imam, not only obedience to him but also the unlawfulness of rebelling against him and deposing him for any reason short of unbelief.[239] The leaders of the jihad community agreed that this all important office could be appointed to by: "the people who loosen and bind,"[240] a euphemism for the leaders to the exclusion of the populace. The Sheikh himself, in enjoining same opined that: "...but when the influential men perform this task, it suffices for all..."[241] This then put into perspective the oath of office, to hear and obey the instructions of the *Amir* Al-muminin, and to follow the sunnah in everything, every time, and under all circumstances. The caliphate and the Emirates had a clearly defined ideology. It was this ideology that was developed into a hegemonic culture. Justifiability was premised on the sunnah, thus whatever antecedents might have obtained before the jihad, viability during the Emirate period must not be in conflict with the basic tenets and practices sanctioned by Islam.

Limited democracy by "the people who loosen and bind"[242] remained a major weakness of the Emirate system. Paripassu they provided for themselves and the governors (*Amarau*)[243]

[237] El-masri, 1978. P.83.
[238] Yamusa, 1975.
[239]Yamusa, 1975. P.20.
[240] Abdullahi dan Fodio's *Diya Ul-Hukkam...* in: Yamusa, 1975.
[241] Shehu Usman dan Fodio. *Bayan Wujub...*in: El-masri, 1978.
[242] Abdullahi dan Fodio's Diya Ul-hukkam... In: Yamusa, S. 1975.

very wide latitude. Sheikh Usman however admonished that: "A leader gains victory over his adversaries according to his justice over the people and is defeated in his struggles according to his injustice." Their conception of rights in land may be used as an illustration. Unquestionably in the Emirate dispensation land belonged to God and not the *Amir*. It was, however, the prerogative of the Imam to administer. Though the Imam could allot land to anybody, and once so allotted: "… it belongs to him alone. It becomes his personal property which he may surrender through sale or gift, and it can be inherited from him."[244] Even the Imam himself was constrained. There were strict guidelines which he must abide by.[245] "Because affairs will not be corrected till both Imam and subjects keep the right of each other and each one of them has a right."[246] Thus unlike in the *Sarauta*, there were fundamental rights in the Emirate. However, after victory was attained: "...all lands owned by the Hausa sultans (sic) and those who fought for them were to be confiscated. New arrangements were to be made for the reallocation of lands and the displaced people were to be rehabilitated."[247] Thus by conquest and by the law, and by the authority conferred on them by the *Amir Al-muminin*, the *Amarau* had the authority to manage land. It will be shown latter how this became a crucial underpinning of the emergent system. The governors, though, were warned that they must not think they owned the lands over which they were assigned to rule; "Whereby the land becomes his personal property which he can give to whom he likes and

[243] *Amarau* is plural of *Amir*

[244] Yamusa, 1975. P. 77. Also El-masri, F.H. 1978 p.69.

[245] Yamusa, 1975 p.77. The Shehu in *Bayan wujub* ... categorised land into five: the first is that which cannot be sold or given away; the second is that taken by peace treaty, which is kept by its owners; the third is that which belong to a people who embrace Islam, it also cannot be taken away; it is only the land whose owners fled, abandoning it and that belonging to those who had not accepted Islam that the *Imam*, may dispose of. This must be as prescribed by law. El-Masri, F. H.1978p. 72

[246] Bukhari, U. B. M. Tanbih al-ikhwan ... P.19.

[247] El-masri, 1978. P.27.

refuse whom he wishes."[248] How this fared during the almost one century of the Emirate we shall see subsequently.

The triumvirate advocated in detail on the subject and principles of administration. The concept of leadership and principles of government were articulated. To them leadership was such a heavy responsibility: "… that one of the most serious misfortune that may possibly fall on a servant (of Allah) is to be a leader..."[249] It is believed that some of the early jihad leaders took this so seriously that they turned down appointments to offices of state. They were even alleged to have prevented their descendants from assuming any offices.[250]

Other areas of administration dwelt upon by the jihad leadership were those of the *Amir*, the Vizier, the *Qadi*, and the commissioner of police and of taxes. They enunciated on consultation, accessibility, succession and the role of the sacerdotal intelligentsia. Sheikh Abdullahi Fodio was so emphatic on the importance of consultation that he mentioned it several times in the *Diya Ul-hukkam*. He warned that the peak of all calamities is the erection of a barrier between a ruler and his subjects. None of the Emirates attained democracy, but there was an established basis for it. On law and justice they laid down principles on purviews and the qualification to become a *Qadi*. Sheikh Usman Fodio considered the *Qadi* as the second support of sovereignty after the Vizier.[251] On defence they articulated the premises of conducting war, prescribed the construction of *ribati*, and defined the conditions of enslavement, the disbursement of booty and the necessary preparedness against the enemy.

[248] Yamusa, S. 1975.
[249] Yamusa, S. (Ed. & Trans.) 1978.
[250] Mahadi, A. Ph.D.1982. P.347. This seem to me more in the realm of popular culture than realpolitik, as no incidence has been documented. What Sheikh Abdullahi described, discussed infra, support our position.
[251] El-Masri, F. L. (Ed & Trans.) 1978. See Ado, I. 198*8 History and Geneology of the Gyanawa (100AH to Date)*. Kurawa Holdings LTD. Kano for a history of the family that provided most of the Qadi during the Emirate period. That only two of the Chief Qadi were not Gyanawa.

On welfare and the economy they enunciated on land, industry, commerce, and taxes. They advocated education for all the sexes and the slaves.[252] The emirate was not the same as the *Sarauta* in terms of cosmology.

The principles enunciated above were what the different governors were supposed to articulate into state policies and implement, in the context of enjoining what was good and restraining on indecency.[253] In 1807 Sheikh Abdullahi Fodio inadvertently visited Kano. He alluded to the condition he found there in his *Tazyin Al-waraqat*.[254] The *Tazyin Al-waraqat* was a treatise which the community in Kano prevailed on him to write down. In it he described the sad situation that prompted his aborted attempt to perform the Hajj. The Sheikh painted the picture of the original objectives of the jihad careering out of focus. He noted even though he: "...found that God had driven the unbelievers from them, but their affair(s) had become confused among them because of their preoccupation with the world."[255] Sheikh Abdullahi Fodio lambasted the pre-eminence of lack of knowledge, lack of religion, competition for rank, and the appointment of ignorant persons to the highest offices. The fledgling society had become corrupt whereby judges were enslaving freemen. That was the situation in metropolitan Sokoto. He found also that the affairs in Kano were similar to the one he had fled from.[256] That was the situation that prompted the request for a treatise on government. The outcome was the *Diya Ul-hukkam*. Over and above the writing of the *Diya Ul-Hukkam*, the Sheikh intimated us that he read for them the commentary on the Qur'an. The Qur'an is the fountainhead of the religion of Islam. To the Muslim it is the ultimate

[252] Fodio, S. U. b. *Nurl Albabi* (Trans. Muhammadu Isa Talatar-Mafara). History Bureau, Sokoto (n.d.)
[253] This was the philosopy underlining governance.
[254] Hiskett, M. 1963. *Tazyin Al-waraqat* (by Abdullahi ibn Muhammad), I.U.P.
[255] Hiskett, 1963.
[256] Hiskett, 1963.

source for the direction of the affairs of this world. The Emirate thus had daunting challenges at take off. Significantly though, they were resolved to tackle them.

Even though it was Sheikh Abdullahi who had an immediate and direct influence on Kano at its formative stage, Kano later fell under the purview of Muhammadu Bello. This was after the division of the Caliphate into two by Sheikh Usman Fodio. It has been stated earlier that both the pre jihad history of the budding emirates and the circumstances of their incorporation were significant in the dispensation that emerged.

2.8 THE ESTABLISHMENT OF EMIRATE ADMINISTRATION IN KANO.

A pervasive notion of the *Sarauta* is its resilience. This assumed resilience has been such that it is often posited that the establishment of the caliphate ushered in only superficial changes.[257]Indeed Mahadi opined that the *Sarauta* was fully reinstated by the reign of *Amir* Abdullahi Ibrahim Dabo.[258] Both premises are faulty. The former is largely ahistorical, not taking cognizance of the trajectory of the system; while the latter lays too much emphasis on form rather than essence. We have noted earlier, the major structural changes underpinning the *Sarauta,* from the time of *Sarki* Tsamiya, through to the changes during *Sarki* Rumfa, and later under *Sarki* Kutumbi; to the reign of *Sarki* Alwali, the last Hausa ruler.

It is important to acknowledge that the emergent Emirate endeavour came aboard with its own fresh ideas informed by specific and well-articulated cultural delimitation. At the helm of affairs was a brand new emergent ruling group that unleashed a new cultural revolution.

[257]Mahadi, A. 1979. "Some Observations on the Emergence and Development of the Sarauta (Kingship) System in the Central Sudan before 1804." In: Usman, Y. B. Ed. Studies in the History of the Sokoto Caliphate…;Dudley, B. J. 1968 *Parties and Politics in Northern Nigeria.* Frank Cass & co. LTD. P.5; Yakubu, A. M. 2006 *Emirs and Politicians* …P. 15;

[258] Mahadi, Ph.D. 1982 titled a whole section as "The consolidation of the New Regime and the Restoration of the Sarauta System." P. 387.

To posit that the jihad did not lead to a very radical transformation of the *Sarauta* as done by Mahadi, is to deny the primacy of Islam as the underpinning ideology. It further denigrates the palpable gains of the jihad, material and organizational. Furthermore, it gives the impression that the system that evolved at the inception of the Caliphate was a stagnant system that did not change over that very dynamic century. This is demonstrably not so. Considerable transformations occurred in the Emirate period from 1807 to 1903 and these differed radically from the periods before the jihad. The Caliphate of Dan Fodio at the general level, and its constituent Emirates, cannot be equated with the kingdoms of the Hausa. The *Sarakuna* from Tsamiya to Alwali; the Emirs from Suleiman to Aliyu; were qualitatively different, both in the context of government and governance.[259]

A fundamental pre-requisite of the historical evaluation of the caliphate period is the correct and verifiable determination of the objective conditions of existence at the beginning of the 19 century vis-a-vis the conditions that obtained by the turn of the 20 century. We are reasonably certain that the *Sarauta* by the jihad was thoroughly decadent. But can we say the same with reasonable certainty that the Emirate was equally or largely decadent by 1903? The jihad community characterized some of the taxes imposed by the Hausa *Sarakuna* at the advent of the jihad as not canonical. This is debatable theologically.[260] We must assume that the essence of the nature and extent of taxation is two pronged. We propose that it should be situated in the context of the jihad. First were the taxes in all their ramifications (rate, frequency, method of collection, use i.e. for welfare or for ostentatious and conspicuous

[259] For the umpteenth time, the *Sarakuna* to 1807 were sovereigns; those from 1808 to 1903 were governors under the Caliph; and those from 1903 to 1960 were emir under Colonialism. The different systems were informed by different ideologies. All are however, individually, called *Sarki*.

[260] Tijjani Garba, 1986. "Taxation in Some Hausa Emirates, c.1860-1939." Ph.D. Birmingham. See Chapter Two where he argued that it is difficult to insist on some taxes as being the only canonical ones since pre-Islamic taxes were retained after the Muslim conquests. P. 34.

consumption) burdensome? Better still can we determine what percentage of an individual's production was demanded as tax? Paden, citing personal communication with Last, an acknowledged authority on Sokoto Caliphate, estimated the Caliphate tax at about 2%, or one week's labour out of a year. That this favourable tax environment led to migrations of traders from Borno into Kano and other Caliphate centers.[261] Secondly how was the burden of taxation spread among the social classes? How did the two periods and systems compare? Can we ascertain the responsibility and responsiveness of the two systems? In modern parlance what may we use as the indices of development, material and human? What indices for governance? Though Hunwick characterized the *Taqyid al-akhbar* as a triumphalist history, and with justification too, but can we ignore the validity of a participant, educated, and informed observer such as *Qadi* Muhammad Salih when he summed up the reign of *Amir* Ibrahim Dabo Mahmud thus: "There was tranquility to the extent that men no longer closed their doors at night, and animals moved without shepherds except during the rainy season. Allah opened the routes during his period; a lady could travel alone from Kukawa to Kwara without any harassment."[262]This did not resemble the situation of exploitation and expropriation that characterized the 18 century.

An estimated 12 principal clans of the Fulani had settled in Kanoland by the time of *Sarki* Muhammadu Rumfa. The nature and pattern of Fulani settlements in the latter part of the 18 century in Kano played a crucial role in the jihad. So also was the nature and pattern of their authority structure. Both influenced the pattern of contacts that were established with Sokoto. It probably influenced the fact that at the commencement of hostilities, the Sheikh, while

[261] Paden, 1986. P.46.
[262]*Qadi* Salih in: Ado-kurawa, I. P.53.

issuing the flags for the jihad in Kano, did not immediately appoint a leader.[263] The leader emerged at the meeting in Birnin Gada where the groups represented had the opportunity of nominating their leader. They chose Sulaiman Aba Hama.[264]

Amir Sulaiman did not have much room to manoeuvre in the series of appointments that followed and the structure and organization that ensured. The balance of forces was too delicate for him to have tried any bold moves, the sword sent by the Sheikh notwithstanding. The composition of the council of *Amir* Sulaiman was fluid and imprecise. So also was the allocation of responsibilities. The realpolitik situation was defined by the power configurations among the Fulani clans in terms of population and wealth, and territorial placement. Though *Amir* Sulaiman lasted 13 years, and though he was the pioneer *Amir*, saddled with the responsibility of ushering in the new era, there is very little that he is remembered for. His period was at best that of inaction for a pioneer jihad *Amir*. The coalescing of a system commenced in earnest under the second *Amir*, Ibrahim Dabo Mahmud.[265]

Mahadi opined that the formula for sharing offices was based on the leaders' early performance of the *hijra* and their contribution in the course of mobilizing for the *jihad* and during the wars. This must be translated as a euphemism for the material strength of the clans, reckoned in terms of sheer number and wealth. He suggests that *Amir* Sulaiman effected the distribution of offices, carving up Fagan after its defeat for example. This is the

[263] Fika, A. M. 1978. *The Kano Civil War and British Over-rule, 1882-1940*. Ibadan. O.U.P., P.16.
[264] Qadi Salih in: Ado-kurawa, I. (Trans.), 1989 p. 45.
[265] One colonial source traced Ibrahim Dabo's ancestry, on the mother's side, to a Borno show of force on Kano in c.1734. This incident was clearly remembered due to a total eclipse that occurred during the encampment by the walls of Kano. Ibrahim Dabo's mother was reconned as Halimatu the daughter of Sheikh Attahiru, a member of the deputation; KANOPROF 2568 VOL.II, PROVINCIAL GAZETTEER KANO.

position of the "Notes."[266] Fika on the other hand claimed that this was done by *Amir* Ibrahim Dabo b. Mahmud.[267] This is definitely unlikely, for it is unthinkable that the 13 years of *Amir* Sulaiman would have been devoid of appointments. The lists of offices seem to reflect the number of the Fulani clans, their numerical and material strength.[268] Often enough sheer opportunism and even fifth column activities ensured offices for some.[269]Mahadi emphasized that most of the rich fulbe clans, Yarimawa, Jafunawa and several others, refused to participate in the Jihad. Some pretended to be with *Sarki* Alwali, only to change sides at very critical stages of the jihad. These were also rewarded with offices.[270]Some Fulani were appointed to leadership of some communities without participating in the jihad, but by simply going to Kano and pledging loyalty to the *Amir* after the jihad wars.[271]

2.9 THE EMIRATE ENCAPSULATES THE *SARAUTA.*

From the inception of the Emirate in 1807 to the historic encounters of 1903 there was a systematic attempt to institute a system of ordering society based on Islamic principles.[272] Even the most ardent proponent of reactivation of the *Sarauta* noted that the quality of Islamic jurisprudence improved after the jihad. There was some debate on whether the Emirate could adopt the titles (*sarautu*) used by the Hausa. Sheikh Usman Fodio permitted it. The adoption of these titles is often used to assert that the *Sarauta* was reinstated. Our position is that the triumvirate in their many guidelines insisted that the purviews of all offices must be defined. Adoption was consequently accompanied by adaption. The

[266] Mukhtar, M. I., Mahadi, A., and Lovejoy, P. E. 1993. C. L. Temple's 'Notes on the History of Kano' (1909): A Lost Chronicle on Political Office', **Sudanic Africa** 4, p. 54.
[267] Fika, 1978 p.19.
[268] Mahadi, Ph.D. P.349 agrees, despite his apologia on p.346, that...it would appear that if the examination of the *Jihad* is confined only to the level of leadership, it could to some extent be regarded as a Fulani affair.
[269] Mahadi, Ph.D. 1982. P.370. Fika, 1978 P. 18.
[270] NAK: Kano Province 2578 Assessment Report Dawaki ta kudu 1937. Also Mahadi, A. Ph.D.
[271] Mahadi, Ph.D. P.374.
[272] Mahadi, A. "The jihad and its Role in Strengthening the *Sarauta* (Kingship) System in the 19th C: The Case of Kano" in Ajayi, J. F. A. & Ikara, B. (Eds.), 1985. *Evolution of Political Culture in Nigeria*. University Press limited & Kaduna State Council for Arts and Culture. Nt. 17, p. 127.

supremacy of Sokoto was demonstrated early in her excising some territories, notably Hadejia, out of the former Kingdom, during the crisis of Dan Tunku and Galadima Sani. 100 villages were also allotted to the Kutumbawa by the Shehu.[273] Dan Fodio sent Gwani Muhamadu Zaharadeen to *Amir* Suleiman with the instruction that he be made an imam. *Amir* Ibrahim Dabo complied.[274] The Caliph also directed the *waziri* to appoint Malanta b *Amir* Usman as *galadiman* Kano.[275] The Emirate was a unit subordinated to the Caliphate. It is a critical difference in the pre- and post- 1807 *Sarauta*.

We have also noted the historic visit and activities of Sheikh Abdullahi Fodio that culminated in his writing *Diya ul-Hukam*. The *wazirin* Sokoto was the official in charge of Kano and had a deputy (*naibi*) stationed there.[276] Paul Staudinger noted that Sokoto had a *kofa* in Kano.[277] The system that emerged drew substantially, in terms of form and structure, from the Hausa system it overthrew. Unfortunately for us, both share the same nomenclature, derived from the title of the pivot of the system, the *Sarki*. We are not certain of the etymology of *Sarki*. In the official language of the caliphate, Arabic, and in all official communications, the title of a governor was *Amir*. This never found popular acceptance. In ordinary parlance and popular psyche, the title of the governor remained *Sarki* instead of *Amir*. The Emirate system was thus still called *Sarauta* in Hausa.[278] This unfortunate congruence of nomenclature has been the source of pervasive confusion regarding the nature and essence of the two systems, the

[273]KANPROF 2578 Assessment Report, Dawaki ta Kudu, 1937. Also Gazetteer Vol. ii, KANPROF ACC.6 Nov. 1937.
[274]Alkali Hassan Sufi, Musan Kanmu. P.43.
[275] Junaidu, Wazirin Sokoto … Tarihin Fulani… p.48.
[276] Junaidu, Wazirin Sokoto … Tarihin Fulani… p.53.
[277] Moody, H.L.B., (n.d.) *The Walls and Gates of Kano City,* Department of Antiquities, Lagos. P.40. Kofa was the title of official emissary.
[278] The contrasting positions of Yusuf Bala Usman in his "The Transformation of Katsina: c.1796-1903 The Overthrow of the *Sarauta* System and the Establishment and Evolution of the Emirate," Ph.D., A. B. U. 1974; and that of Abdullahi MahdiPh.D. 1982 p.401 ff. aptly captures the situation. To Mahdi everything after *Amir* Sulaiman was a reincarnation of the *Sarauta*in a more pervasive if not more vicious form. Mahadi, A. 1985 "The Jihad and its Role in Strengthening the *Sarauta* (Kingship) System in the 19 Century p.121.

Sarauta in contradistinction with the Emirate. This is a disservice to the stupendous efforts of the vanguard (*Mujahiddun*). The Emirate established from 1807 was qualitatively different from the *Sarauta* it overthrew. *Amir* means commander. Thus *AmirAl-muminin* means the commander of the faithful. The local *Amarau*,[279] were to command what was good and prevent excesses; [280]and were not to be absolute rulers as per the *Sarakuna* of the ancien régime. *Amir* entailed both executive and military imperative. Pondering on the nature of the social system that evolved one is astounded by its sheer complexity. From humble and indeed simple beginnings under the first *Amir*, it had, by the turn of the 20 century, become overwhelming. Its trajectory over the century can be determined with reasonable certainty.

Amir Ibrahim Dabo Mahmud was enthroned on 21 September 1819. By which time the dynamics of the emergent Emirate (*Imarat*[281]) system was, due to logical and natural reasons, coming to the fore in determining the context in which it functioned. In the first instance, due to the number of the vanguard (*mujahidun*) that were martyred during the campaigns and those that died subsequently due to natural causes, a new corps of leaders, with different pedigrees and priorities assumed leadership of the administration. This group neither had the same level of education nor the same religious zeal and fervor. Moreover the propertied class seemed to have had the upper hand. The nature and pattern of succession to family and clan leadership among the Fulani became crucial in determining the new corps of leaders that emerged. It facilitated deft maneuvering of the persons who emerged as leaders, for there was no automatic father-to-son succession. The appointment to offices, even though in certain instances developed as a preserve of specific clans, was the *Amir*'s prerogative. In the

[279]*Amarau* is plural of *Amir*.
[280] This is actually a Quranic injunction.
[281]*Imarat* is the Arabic term corrupted in English as Emirate. However, since it has assumed universal usage, we have retained it.

circumstances of the rebellion that attended the ascendance of *Amir* Ibrahim Dabo, it afforded him the opportunity to shuffle the personnel such that the balance of forces permanently tilted in favor of the *Amir* in particular and his clan in general. Deft maneuvering of succession ensured that acolytes were chosen. Posting potential rivals to distant regions facilitated the emergence of the *Amir* in the capital as the undisputed pivot of the system. In the emergent system the *Amir* was not only the pivot of the whole system but sat at its apex. A highly complex multi-faceted relationship developed. It was both bilateral and multilateral, encompassing all aspects of life. The family of *Amir* Ibrahim Dabo subsequently monopolized the leadership, turning Kano into a mono-dynasty. The leaders of the other groups: Yolawa (*madaki*), Jobawa (*makama*), and Danejawa (*Dan Iya*), Danbazawa (*Sarki*n *Bai*), Sullubawa (*Sarki*n *dawaki mai Tuta*), Mundubawa (*Mai Unguwa Mundubawa* and *Dan Amar*), Gyaynawa (*Qadi*), developed into the nobility. There were the *Sarakuna* of towns such as: Dutse, Gaya, Bici, and Dawaki ta Kudu. Every other organization, in all facet of life in the Emirate was modeled after what continued to be called the *Sarauta*. Thus our crisis is of nomenclature.

The process that produced and enhanced a mono-dynasty in Kano, was the same process that weakened and led to the fragmentation of the group that coalesced into the nobility. This was the pattern of succession that emerged. In the first instance, Islam in general has clear guidelines on eligibility to leadership, including that of the supreme Imam. In theory Islam does not favour succession by right of birth (inheritance of offices). This was one of the grouses of the *Mujahidun* against the Hausa rulers. But the cultural amalgam produced subsequently facilitated this. Succession to offices or even to non-official family headship was hardly from father-to-son. Thus, *Amir* Ibrahim Dabo Mahmud was the brother and not

the son of Mallam Jamo. It is, however, important to note that *Amir* Ibrahim Dabo Mahmud was married to Maryam, daughter of Sheikh Usman dan Fodio.[282]*Amir* Ibrahim Dabo Mahmud was succeeded consecutively by three of his sons from the same mother, Shekara. Appointment to offices through family succession became the predominant method in the emerging system.

The *Amir* sought to placate Sani the brother of the late *Amir* Sulaiman, with the office of the *galadima*. Sani was, of course, dissatisfied with this office. He subsequently started a rebellion. *Amir* Ibrahim Dabo seized the opportunity to make his friend Ango, *galadima*. There were already some rumblings by Dan Tunku in the latter part of *Amir* Sulaiman's tenure. The wars of rebellion by Sani and Dan Tunku (and especially the success attained by *Amir* Ibrahim in containing them); and other wars thrust upon *Amir* Ibrahim Dabo Mahmud, set the standard for the *Amir*. *Amir* Ibrahim Dabo *cigari* (the conqueror, literally it means the sacker of towns) as his epithet went was thus availed of the opportunity to radically shift the balance of forces in Kano. This can be contrasted with the emergence of warlords during the ancien régime.

The process of adopting and adapting the Hausa titles[283]was an opportunity to redefine the nebulous situation that obtained under *Amir* Sulaiman. However, it was *Amir* Sulaiman who initiated the appropriation of some of the forms and structures of the ancien régime by obtaining the permission to take possession of the *Gidan Rumfa*.[284] Fika has posited that the leaders of the Fulani clans assumed for themselves the titles, properties, and powers of the

[282] Rufa'i, 1995. P.181. Zainab a progeny of the marriage was the grandmother of the late Sardaunan Sokoto, Sir Ahmadu Bello, who was the first Premier of Northern Region.
[283] Mahadi, Ph.D. 1982 p. 394.
[284]Kano, A. A. D. 1978 *Kano ta Dabo Cigari.* N. N. P. C. Zaria. P. 38. Also Palmer, H. R. "The Kano Chronicle" in: Palmer, H. R. (Ed.), 1928. *Sudanese Memoirs*. Lagos. Government Printer P. 128.

defeated Hausa regime.[285] This is an over simplification of a continually unfolding process. The investiture of *Amir* Suleiman, though the basis of his authority, did not provide him power. The significance of the possession of the *Gidan Rumfa* was to make available to the *Amir* an unrivalled infrastructure. At that juncture it is not clear whether it was offices or titles that were appropriated.[286] This distinction is crucial because what was enunciated in the theoretical postulations of the triumvirate is that powers, duties and responsibilities of each office must be specified. The assumption that titles necessarily had the same powers and responsibilities needs to be reassessed. In particular, some scholars allege that the title of the *galadima* was bestowed on the heir apparent. This is definitely not true. This assumption seemed to have originated with the enthronement of *Amir* Ibrahim Dabo, who was the *galadima* under *Amir* Sulaiman. *Amir* Ibrahim Dabo conferred the title on Sani, and when Sani died, Ibrahim Dabo appointed Ango, his friend, as *galadima*. Later, during the reign of Abdullahi Majekarofi, when he deposed his own son, *galadima* Yusuf, he appointed as *galadima* his *magatakarda*, a certain *bazazzagi*. [287] Ango and the bazazzagi, are not even remotely related to the Sullubawa let alone be aspirants to the throne. It is again not clear from the sources whether the slave *hakimai* were those inherited from the Hausa period. The Jihad wars facilitated enslavement. The role of slave *hakimai* at the state level under *Amir* Sulaiman has never been clear. Whatever that was, by the time *Amir* Ibrahim got the permission from Sokoto to adopt Hausa structures, believed to be at the instance of the former slave *hakimai* themselves, their role, influence, and powers grew until *Amir* Bello (1882-1893) curtailed them. This was to have important repercussions on the civil crises that broke out at the end of his administration.

[285] Fika, 1978 p.18.
[286] We need to be mindful that titles did not necessarily connote office, especially during the Emirate period, but also during the colonial period as will become clear from the next chapter.
[287] *Bazazzagi* is a reference to his provenance, Zazzau.

Over and above the mere possession of the *Gidan Rumfa*, which was what obtained under *Amir* Sulaiman, was the bringing to bear its immense organizational and resource facilities on the emergent system. In modern parlance the *Gidan Rumfa* would be equivalent to:

- The Government House where the Head of Government and his household resided and from where he conducted the affairs of state. The meetings of the Council of State took place there. It was the *fada* and *fada* was the Court in session.[288]
- The Statehouse where the Secretariat was situated and ran. The slave *hakimai* primarily ran the secretariat. The *Gidan Rumfa* was the domain of the slave *hakimai*.[289]
- The largest and most well stocked arsenal of the Emirate.
- The General Staff headquarters.
- The *Gidan Rumfa* was the hub and nerve-center of the Emirate religiously, politically, and socio-culturally.
- The highest Court in the Emirate, presided over by the *Amir*, was located there.

As the century proceeded, and appreciating the crucial role it was playing in running the affairs of state, subsequent Emirs built other palaces. *Amir* Ibrahim Dabo Mahmud (1819-1846) built the one in Fanisau; *Amir* Usman Ibrahim (1846-1855) built the one in Gogel; and *Amir* Abdullahi Ibrahim (1855-1883) built the one in Nasarawa. It is important to emphasize that these were not just other palaces, but extensions of the *Gidan Rumfa*in terms of infrastructure and organization.[290]

2.10 THE TERRITORIAL ADMINISTRATION OF KANO EMIRATE.

[288] Rufa'i, R. A. Mrs. 1990 "Gidan Rumfa: The Socio-Political History of the Palace of the Emir of Kano with Particular Reference to the Twentieth Century." MA, Bayero University Kano. 1987. P.150.
[289] In chapters five and six we shall see how the colonialists grappled with the influence of the slave *hakimai*, both inside and outside of the palace.
[290] Rufa'i, 1990. P. XX.

One of the most salient aspects of Emirate administration in Kano was the delineation and allocation of territories. It remained through to the end one of the main features and structures of the Emirate and the management of the system was primarily, even though not solely, through the agency of these territories. There were many types of territories. The predominant ones are commonly referred to as "fiefs" in the literatures. The allotment of these entailed fealty and military services. These territories were allocated, depending on the circumstances, to any of the following:

- A). *Yayan Sarki*: here meaning any of those with consanguineous ties to the *Amir*.
- b). *Hakimai* : these being what may be termed the nobility, the eligible ones were members of the families of the various clan leaders, about six in number, who formed the pioneer vanguard of the jihad; and the *Qadi*.
- c). *Bayin Sarki* (slave *hakimai*): of which the *shamaki*, *dan-rimi*, and *sallama* were the leading ones.[291]

The second major type of territory was the major or semi-autonomous towns. These were Gaya, Rano, Dutse-Gadawur, Karaye, and Dawaki. The characteristic that distinguished these towns was that they were not under the direct control of the central administration. Under normal circumstances the headships (Sarauta) of these districts were hereditary. The administration was patterned on that of the central administration, the *Sarauta* of Kano. There were also the *ribati* which originated as frontier fortifications. Thesewere sited in any existing territory, but their control was entrusted to military commanders.[292] Some of these developed into large towns. The *Qadi* had Wangara as an appanaged fief.[293]

[291] Kano Province 2578 Assessment Report, Dawaki ta Kudu 1937. Paragraph 10.
[292] NAK: Kano Province 2578 Assesment Report Dawaki ta Kudu 1937.
[293] Fika, A. M. 1978. The Kano Civil War and British Over-rule, 1882-1940. Ibadan, O.U.P. P.36.

Another category of land was that allocated to the sacerdotal intelligentsia. It was a measure of the respect accorded scholars that as a matter of right their settlements were generally exempt from the control of the village heads (*dagatai*) on whose land they settled. Indeed the hamlets (originating as *tsangayu*),[294] which they founded, were controlled directly by the territorial administrators (*hakimai*). That though they were in effect the village heads of these hamlets they were never invested as such and their descendants were appropriately called "*magajin mallam*."[295]

Two issues are of interest to us in this respect regarding the *Sarauta*. First is the ownership of land. In the Emirate, as noted earlier, the aristocracy did not own most of the land from which they appropriated surplus. These were of four kinds. The first was the territory or territories assigned to members of the aristocracy to administer. In return for all the responsibilities and duties of office, they collected on behalf of the state, taxes of peasants, from which they were allowed to retain a certain percentage. They were supervised in the collection of these taxes. Indeed, there was a major reorganization of the collection system under *Amir* Bello that entailed more efficient supervision of the Amir's own share. The second were the estates attached to every office and from which the aristocracy accumulated surpluses through the use of slave and corvee labour. These too, were not personal estates. These also included the royal estates (*gandun Sarauta*). These were appanaged to their offices only, and not heritable. This is an important material factor affecting the splintering of the aristocracy. The third were personal farms, hardly personal estates for the majority of the aristocracy. The fourth were the patches of public lands (*hurumi*) reserved for grazing and of which all citizens and residents could utilize. If evidence was lacking in the Nineteen Century, the same cannot be

[294]*Tsangaya* (singular) is a *Hausa* word meaning a hut made of corn stalk but daubed with earthen plaster inside.
[295] NAK: Kano Province 2578 Assessment Report Dawaki ta Kudu 1937. Paragraph 12. *Magajin Mallam* literaly means the inheritors of the office of the sacerdotal intelligentsia.

said of the Twenty century, when the British took interest in the properties left at the death of members of the aristocracy. Office holding definitely facilitated accumulation. But property was not the basis of office holding. The second issue concerned the often-repeated assertion that all land in the Emirate was *waqf* and as such was preserved for public use. True enough. But this is often stretched beyond tenable assumption to asserting that only the usufruct value of the land could be transferred and the *Amir* could dispose of the land at will. In the first place the Caliph never disposed of land at will. The authority to manage land was delegated to the *Amarau*. That authority was not absolute. The complex dimension the landed property issue had assumed in Kano by the end of the Nineteen Century has been brought to the fore by the records of the judicial council of *Amir* Abbas as published by Christelow.[296]

Over the century several factors affected the trajectory of territorial administration. Two principal factors were crucial in allocating territories by the commencement of Emirate administration in Kano during *Amir* Sulaiman's rule. These were, firstly, the concentration of the Fulani clans in different parts of Kano prior to the jihad. For after the jihad a reasonable number of the fighters (*mujahidin*) went back to their places of abode, whether or not that was the area where they partook in actual combat. Indeed, whether or not they took part in the jihad, some Fulani simply seized the opportunity and arranged for terms of settlement with *Amir* Sulaiman and secured for themselves the headships of a number of towns.[297] They pledged loyalty (*mubaya'a*) and were assigned the territories. Secondly, those of the participating clan leaders who chose to remain in Kano city and appropriated the titles, properties, and territories of the vanquished rulers. These formed the nucleus of, in a nebulous way, the council of *Amir* Sulaiman.

[296] Christelow, A. (ed.) 1994.
[297] For example the situation that obtained in the Dawakin kudu area as reported in N.A.K./Kano Prof. 2578 Assessment report for Dawaki ta Kudu 1937.

The enthronement of *Amir* Ibrahim Dabo was attended by a general reshuffling of the offices. *Amir* Ibrahim ascension witnessed internal rebellions and very restive border areas that lasted five years.[298]*Amir* Ibrahim Dabo seized the opportunities of the quelling of the rebellions to appoint new Fulani leaders (*ardoe'n*) to these towns. The commander of the army, *Sarki*n *dawaki* Ahmadu was appointed *Sarki*n Gaya; and his brother Muhammad Bahr Risqu Ajami Ibn Alhaji was appointed *Sarki*n *dawaki*.[299]*Amir* Ibrahim Dabo also appointed a number of his relations and children into offices.[300] The effect of these changes was a drastic re-alignment of forces in favour of the *Sarki*. General reshuffling of offices and officers became a hallmark of the Emirate. Imoru considered that when an *Amir* died all his appointees were considered as having lost their offices unless the ones the new *Amir* re-appointed.[301] This was to reach an unprecedented proportion under *Amir* Bello and was to culminate into the civil war (*basasa*), from which all civil wars in Hausaland are named.[302]

Reshuffling as a systematic feature of Emirate administration has hardly been properly appraised in the discourse. Reshuffling entailed advanced planning and jostling by individuals and groups. The wide latitude enjoyed by the *Amir* made appointments dicey. Custom and tradition developed to guide and restrain the *Amir*. Once within bounds, there was no problem. When it was stretched to breaking point, civil war ensured. Because of this inherent tendency of deft maneuvering of appointments into offices, some scholars have

[298] Ado-Kurawa,1989 p.50.
[299] Ado-Kurawa, 1989 p.50.
[300] Mukhtar, Mahadi, and Lovejoy, 1993 p.57.
[301] Ferguson, D. E. 1973 "Nineteenth Century Hausaland: Being a Description by Imam Imoru of the Land, Economy, and Society of his People. Ph.D. UCLA. P.225. "In Hausaland, on the day a ruler dies, all the officials he has installed lose their authority until a new ruler is installed: he leaves in office those he likes and removes those he does not like."
[302] Skinner, N. (Ed &Trans.), 1977. *Alhaji Mahmudu Koki: Kano Mallam*. A.B.U. press p.12. Following the pillaging that also attended the *basasa*, it also has come to assume that meaning. Thus *an yi mani basasa* mean I have been pillaged. NAK: Kano Province 2578 Assessment Report Dawaki ta Kudu 1937.

characterized the system as based on intrigue. Moreover it is often alleged that this aspect was also a source of permanent instability. This is demonstrably not so. In almost 100 years history, Kano Emirate recorded one civil war only. The balance of evidence at our disposal points to reshuffling of offices as a source of re-invigorating the system. The reign of *Amir* Abdullahi *maje karofi* 1855 – 1883, best illustrates this. *Amir* Abdullahi was a strong *Amir* (his nick name was Abdu *Sarki*n *yanka*[303]). The Emirate system reached its apogee during his administration. Ubah alleges that some of the qualifications for becoming *Amir*, like learning and devoutness began to be de-emphasized from his period.[304] The most poignant indication that subjectivism was not dominant in his administrative changes can be illustrated with the treatment he meted to his own son, Yusufu, who was a successful military commander. *Amir* Abdullahi first appointed him, *ciroma*; and was subsequently promoted *galadima*; and was outstanding in the military assignments entrusted to him. But this did not deter his father from removing him when he threatened the system, by allegedly trying to stir up rebellion. *Amir* Abdullahi appointed Rufai as the *Qadi*. He it was that executed him. He rehabilitated the family of the first *Amir*, Sulaiman, by appointing the son of the "*galadima*" Sani, removed by *Amir* Ibrahim Dabo, as the *dan amar*. There were many other examples. Appointments, demotions, and depositions, re-designations, and reshufflings were based on system efficiency, not on whims and caprice of the *Amir*. The balance of forces between the major stakeholders (primarily the Sullubawa ruling house and the four noble families; the *Sarakuna*n garuruwa, the intelligentsia); and the facility of appeal to Sokoto, was such that an

[303] Sarkin yanka in this instance refers to the frequency of executions during his tenure. If Mahadi's literal translation method is adopted it will translate to King of slaughter; Or The executioner!

[304] Ubah, C.N. "The emirates and the Central Government: The Case of Kano-Sokoto Relations" in Usman, Y.B. (Ed.) 1979. *Studies in the History of the Sokoto Caliphate: The Sokoto Seminar Papers*, A.B.U. P.300.

Amir could hardly have become a despot. When *Amir* Bello threw these principles over board, in spite of support from Sokoto, the consequences were calamitous.[305]

The nature of the offices and those who occupied them were based on a number of circumstances. The effect of the rebellion that ensued enabled *Amir* Ibrahim Dabo, at the level of the major towns, effect administrative cum personnel changes. This was the first opportunity to avoid the consolidation of contiguous territorial holdings by the leading clans and or families. This was exploited to the fullest. Hardly was any territorial administrator allotted contiguous territories.[306]Indeed the fact of the rebellion and its quelling afforded *Amir* Ibrahim the opportunity of sub-dividing the territories that had initially been appropriated by the different groups. The establishment of fortifications (*ribati*) meant that military bases answerable to the *Amir* were put in different places. The *ribat* was a frontier fortification to protect the land of Islam (*dhar al-Islam*) from the depredations of the territory of the unbelievers (*dhar al-Harb*). The *ribati* served many military purposes. It served to warn of any approaching attack and delayed the advance of enemy forces. It served as a base for clandestine operations against the enemy, and to launch offensive strikes into enemy territory.[307]*Ribati* were settled by soldiers whose preoccupation was military exercises and study. Kano Emirate had to contend with the onslaughts of Borno, Ningi, Maradi, Gummel, and the Warji among the most persistent.[308] The establishment of the *ribati* was the preserve of the *Amir*. Apart from meeting the strategic defense needs of the Emirate, wherever a *ribat* was situated meant in effect that the *Amir* had an organized force in place, which invariably enhanced his power, vis-à-vis whoever it might be that had original jurisdiction of the

[305]Fika, 1978.
[306]NAK: Kano Province 2578 Dawaki ta Kudu Assessment Report 1937.
[307] Smaldone, 1977 p.61.
[308]Mukhtar, Mahadi, and Lovejoy, 1993 p.57.

territory. *Amarau* Ibrahim Dabo and Abdullahi Ibrahim fought many wars, and this was important in tilting the balance of forces in their favour.[309]

But irrespective of the mode of securing the headships of territories (villages, towns, or districts), the tendency that emerged as the century proceeded was towards offices being monopolized in particular families or clans, and for it to become hereditary within families. That was how some offices and districts became associated with particular families. This pattern was seriously jolted following the civil war. Indeed the *basasa* came to refer not only to the civil war, but also to the pillaging following it. All the appointed officers who had sided with *Amir* Tukur lost their offices. On the other hand all their relations who sided with the rebels under Yusuf, who became victorious, were allocated those offices. It is this situation that Malam Mamuda Koki described in the following words:

> But, also, in this distribution of spoils, known as *basasa* (pillaging), a great many families lost headships which they had held for three or four generations of close association with their villages, and their offices passed to a succession of swashbucklers and speculators by way of pension or purchase. In a few villages the legitimate families were strong enough to win forgiveness and restoration a year or two later...[310]

This much has been confirmed by other sources, notably and significantly emir Abbas, who succeeded *Amir* Aliyu and had to make restitution;[311] and Alhaji Mahmudu Koki whose family suffered considerably in that respect.[312]

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[309] Qadi Salih in: Ado-kurawa, I. (Trans.), 1989; and Mukhtar, Mahadi, and Lovejoy, 1993 p.57.

[310] Skinner, N. (Ed & Trans.), 1977*Alhaji Mahmudu Koki: Kano Mallam*. A.B.U. press p.12. Following the pillaging that also attended the *basasa*, it also has come to assume that meaning. Thus *an yi mani basasa* mean I have been pillaged. N.A.K: Kano Prof. 2578 Assesment Report Dawaki ta Kudu 1937.

[311] Christelow, A. (ed.) 1994. *Thus Ruled Emir Abbas, Selected Cases from the Records of the Emir of Kano's Judicial Council*. Michigan State University.

[312] Skinner, N. (Ed & Trans.), 1977. Alhaji Mahmudu Koki Kano Mallam, A.B.U. press p.15. Alhaji Mahmudu asserted that his family was stripped of all their belongings.

A manifest feature of administration in Kano Emirate was absentee landlordism. The ordinary manifestation of this phenomenon was the fact that important territorial administrators were domiciled in the city. This has always been assumed to be compulsory; determined perforce as an administrative policy to curtail over-ambitious rivals, royals or nobles. It was posited that it afforded the *Amir* keep a watchful eye on these territorial administrators. Evidence at our disposal does not support this view. How the practice of territorial administrators became domiciled in the capital city emerged is uncertain. However, an indisputable fact in the emergence of the peripatetic executive officers (*jakadu*) system was the inability of the polity to secure its borders. The incessant raids of the Ningawa, Maradawa, and Gumel forced the movement of a considerable population into the walled towns.[313] Indeed, this in some places became regular dry season migrations, and some people were forced to maintain several homes. This situation obtained till colonialism. Baba of Karo gave a graphic description of the situation that forced her family to maintain domiciles in Karo, Zarewa, and Zaria.[314] This situation obtained in all the dwellings that were not walled. Both Fulani cattle camps and farmsteads were affected. The answer was the congregation of this vulnerable people in walled towns. Consequently developing walled fortifications became a permanent feature of the Emirate. Lord Lugard noted about 40 such walled towns within a radius of 40 miles of Kano.[315] The interesting administrative adaptation to this was the development of extraterritoriality, whereby whether it was the village head (*dagaci*) or his people who moved, the jurisdiction did not change. In the more volatile areas, even near the towns, hamlets were abandoned and became merely farms. These were distributed among town office holders for the assessment and collection of taxes.[316] A situation similar to the

[313] NAK: Kano Province 2578 Assessment Report Dawaki ta Kudu 1937 paragraph 13.
[314] Smith, M. F. mcmliv *Baba of Karo, a Woman of the Muslim Hausa*. Faber and Faber, Londonp.46 ff.
[315]Moody, H. L. B. 1969. *p.18.*
[316] NAK: Kano Province 2578.

one described by Baba of Karo has also been noted in North West Dawaki ta Kudu whereby people actually moved into Kano city.[317]

Crucial in the administration of the Emirate was the organization of taxation. Both Sheikh Usman and Sheikh Abdullahi left clear expositions on taxation.[318] One of the most important duties of the territorial administrators was the collection of taxes. The method employed in the assessment and collection of taxes during *Amir* Sulaiman is uncertain. After *Amir* Ibrahim Dabo had become firmly established, he sought for and obtained the permission of the *Caliph* in Sokoto to effect changes in the administration of taxation. Hitherto:

> The local headmen were collecting all the taxes and giving him 10% only. He asked leave that he should collect all the taxes himself, and give the local chiefs 10% and horses and arms. Bello gave him leave. He ordered from 500 to 1200 Cowries *kudinkasa* to be levied on each farm. One third of the share, which remained, to the emir of Kano was sent to Sokoto.[319]

This, basically, was the way taxation was organized from the time of *Amir* Ibrahim Dabo. *Amir* Bello introduced further structural changes in tax administration. These changes led to increase efficiency. Hitherto about five of the royal slaves, the *jakadu*, were attached to each *hakimi* for the purpose of securing the *Amir*'s interest. *Amir* Bello attached a *Jakada* to each collecting area. This had the effect of minimizing percolation and thereby boosted the resources that accrued to the *Amir*. Fika said *Amir* Bello doubled the rate to 4000c.[320]*Amir* Bello died 25 November 1893. By 1890 we are told the value of cowry was 1/4 it's 1855 value.[321]If at the inception of *Amir* Dabo's rule the tax rate was 500-1200 Cowries, doubling it by *Amir* Bello would mean there has been at least one review earlier. Heinrich Barth recorded that in 1851 during the reign of *Amir* Usman Ibrahim, land tax (*kudin kasa*) was at

[317] NAK: Kano Province 2578.
[318] El-Masri, F. H. (Ed. & Trans.) *Bayan Wujub* p. 112. And Yamusa, S. 1975 "The Political Ideas of the Jihad Leaders: … M.A, ABC/ABU p.30.
[319] Mukhtar, Mahadi, and Lovejoy, 1993 p. 56.
[320] Fika, 1978 p.55.
[321] Fika, 1978 p.55.

the rate of 2,500 Cowries per head of family.[322] If the information on inflation is correct, the real increase was insignificant. The mean tax during *Amir* Ibrahim would be about 850 Cowries. This multiplied by the rate of inflation, which was four times, would give 3400 Cowries. The real increase was thus about 600 Cowries.[323]

The rate of taxation by the time of *Amir* Ibrahim Dabo was 500c-1200c. And by the time of his son and successor, *Amir* Usman, during which the famine of dawara occurred in 1847, a bundle of corn was 1000c and was considered very expensive.[324] By the time of *Amir* Bello the Temple's "Notes," which recorded three famines, gave the price of a bundle of corn, in the ninth year of his reign as 8000c.[325]*Amir* Bello taxed the populace 4000c per farm. This amounted to half a bundle of corn. What needs to be determined is the yield per holdings and per households. An indication of the tax burden could then be determined. From the available evidence the tax rate was very low. This has been estimated at about 2% by Lovejoy as indicated earlier.

2.11 KANO EMIRATE BUREAUCRACY.

In discussing the administration of the Emirate colonial sources laid emphasis on territorial administration, normally called "fiefs," perhaps because of the prominence of the *hakimai*, to the neglect of the organization of the bureaucracy, which was the vortex of the whole system. The emergence of the bureaucracy as an integral part of the organizational infrastructure in Kano, and subsequently as a domineering part of that organization, dates to the reign of *Sarki* Muhammadu Rumfa. It assumed the nature of eunuchs who were slaves procured from

[322] KANOPROF 2568 VOL.II PROVINCIAL GAZETTEER KANO
[323]Said, H. K. "Notes on Taxation as a Political Issue in 19th Century Kano." In: Barkindo, 1983. Also Garba, T. 1986. "Taxation in Some Hausa Emirates, c.1860-1939." PhD. Birmingham, reviewed above.
[324] Mukhtar, Mahadi, and Lovejoy, 1993 p. 59.
[325] Mukhtar, Mahadi, and Lovejoy, 1993 p.66.

beyond Kano and assigned as officers of state with tremendous powers and immense responsibilities. These slaves were originally and largely housed in the palace. The original preference for these slaves to head the bureaucracy emanated from three factors of: servility, impotence, and being foreigners. The most prominent were: *shamaki*, *sallama* and *dan rimi*; at the head of a cortege who served from as high as being members of the council of state to as low as menial attendants in the household of the *Sarki*. They were entrusted with responsibilities of strategic importance ranging from defense, the treasury, police duties, administration of the gates of the city, and territorial administration; to such crucial but every day assignments like provisioning the palace and being in charge of its protocol. Innocuous as being in charge of protocol might seem, it later availed them of tremendous opportunity to dominate court life by becoming a buffer between the *Amir* and the populace, nay even between the *Amir* and the nobility. The apogee of their power was attained under *Amir* Abdullahi (1855-1882). *Amir* Abdullahi, however, instituted a facial mark, the *uku-uku*; inscribe on them as a distinct identity and a permanent reminder of their servile status. It seemed that from the jihad they were no longer eunuchs. They had wives and concubines and it seemed at some point they even married free born women. Indeed the palace slaves had acquired so much power that the succeeding *Amir*, Bello, instituted a reverse policy that deprived them of the cultural privileges they had acquired up to that time. Significantly, they were forced to relinquish their freeborn spouses. It is important to note that the military role of the royal Slave *hakimai* did not abate despite the vicissitude of their circumstances. In 1903, when *Amir* Aliyu went to consult with the *Amir Al-muminin* at the imminent onslaught of the British, the defense of Kano city was left to two of these royal slaves, *dan rimi Allah-bar-Sarki* and *sallama Jatau*.[326] The trajectory of *dan rimi Allah-bar-Sarki* was particularly

[326] Kwaru, I. A. "Waziri Allah bar Sarki 1865 – 1917: A Neglected Personality in the History of Kano." M A. (history), Usman dan Fodio University, Sokoto. P.10.

instructive of the circumstances and opportunities that were available to, even first generation slaves. *Dan rimi Allah-bar-Sarki* was of Warji tribe, captured during one of the campaigns of *Amir* Abdullahi at an early age. He was assigned to the palace and by adulthood had attained the position of being in charge of stores (*galadiman rumbu*).[327] By virtue of this office he was in charge of all the grains in the palace. After the civil war that ravaged Kano he emerged as the officer in charge of grains (*Sarki*n *hatsi*). After the institution of colonialism, he became *dan rimi*. The *dan rimi* was one of the three most influential and important slave officials (*hakimai*) in the Emirate. He attained the unprecedented height of the vizier (*waziri*) in 1907. The *dan rimi*, according to the progeny of *danrimi* Allah-bar-*Sarki*, was entrusted with the diplomatic relations between the palace and the wider society. He had a territory, which he administered, and was also in charge of some of the officials (*hakimai*) who were also territorial administrators. He dispensed the emir's gifts. Militarily, the *dan rimi* was in charge of the fortified city wall (*badala*). He was also in charge of the Palace (*Gidan Rumfa*).[328]

A discussion of the bureaucracy as obtained in post jihad Kano is more meaningful in the context of the council of State. And, in so doing, we are immediately confronted with the complexity of the *Sarauta*. Fika talked of *tara-ta-kano* (council of nine).[329] This is, however, a backward extrapolation to the period that commenced with the changes ushered in by *Sarki* Muhammadu Rumfa.[330] The council of *Amir* Sulaiman was imprecise. There is nowhere where the structure, form, or even number of council members was specified. The jihad leaders, following primarily from the injunction of the Qur'an on consultation enjoined on

[327] Rumbu literally means granary.
[328] Kwaru, I. A. "Waziri Allah bar Sarki 1865 – 1917: A Neglected Theme
[329] Fika, Ph.D. 1978 p.49.
[330] Mahadi, Ph.D. 1982. P.268.

even the prophet himself (Q 3:159 & 42:38), stressed it. Indeed it was a recurring theme in the *Diya ul-hukkam*, the administrative guideline written for the jihad community of Kano by Sheikh Abdullahi Fodio. The important point to note is that there was no defined *modus operandi*. With slight variations, the Council was the highest court, both of first instance and of appeal in the Emirate. Apart from its prescribed consultative role, it was the highest executive and legislative organ of the state. In an intricate web of powers, duties and responsibilities, with very highly overlapping personnel, it was perched at the apex of the *Sarauta*.

It is however certain though that by the time of *Amir* Ibrahim Dabo Mahmud, the *shamaki*, *sallama*, and *danrimi*, the traditional executive royal slaves in the *ancien* regime, had maneuvered themselves back into positions of influence. As members of the council, their *locus standi* in the council was different from the nobility. Equally important was the fact that they were not responsible to the council but to the *Amir*. Thus in a complex situation, the organization of the royal slaves was rather a little more complex than the rest. If they started as under-dogs in the council at the inception of the Emirate, they had, by the civil war become the most important group of power brokers. They had their hands in every pie. Fika observed that by the civil war, no radical changes could be undertaken in Kano without the concurrence of these slaves.

The royal slave *hakimai* were at the top, and were in charge, of the whole coterie of slaves at the disposal of the *Amir*. The numerous departmental responsibilities under the purview of these slave *hakimai* were organized, like all other aspects of society at large, in a manner reminiscent of the organization of the *Sarauta* proper, in form, structure, processes, inter-

action, and even nomenclature. The content and essence of the relationship between the slave *hakimai* and the subordinate slaves under them was of course fundamentally different from the relationship between other free persons and their slaves. Though towards the end of the century, it seemed that these category of slaves did own slaves, they were all ultimately the property of the *Sarki* and finally answerable to him only. Again the situation was complex, for a slave of the *dan rimi* with the title reflecting it may be assigned permanent duties under the *shamaki*. The *shamaki* as the head slave with the epithet *korau kan bayi*, had under him 50 slaves.[331]

The only aspect of the bureaucracy, which denied the slave *hakimai* from being wholly and completely pervasive was the intelligentsia, otherwise they affected all other facets of life. The coterie of the intelligentsia that comprised the scribes was drawn from the freeborn. Even then, according to Dokaji, sacerdotal teachers (*malamai*) and judges related to the *Amir* through the *sallama*.[332]

The model of bureaucracy painted above had an uncertain feature and future under the thirteen years administration of *Amir* Sulaiman. As sooner as *Amir* Ibrahim Dabo Mahmud got enthroned, and with the collaboration of the leading royal slaves, he initiated a radical departure from the policy of his predecessor. Granted the *Amir* sought for and obtained the permission of Sokoto before he unleashed his plans. Subsequent *Amarau* by and large, followed the precedence he set. The import of the sketch painted above would hardly be properly comprehended unless the inter-relationship between the bureaucracy and the other sectors are appreciated. This pervaded all other aspects of the administration.

[331] Fika, 1978 p.34.
[332] Dokaji, 1978 p.67.

2.12 THE ADMINISTRATION OF THE CITY (*BIRNIN* KANO), AND THE JUDICATURE IN KANO EMIRATE.

The position of the *birni* in the emergence and development of the particular kind of social formation in Hausaland has been well analyzed by Smith. Earlier we documented that of Kano. In the cultural matrix that emerged, the city assumed a hegemonic position. The cultural delineation of the city in contradistinction to the villages in all aspects of culture was manifested in the sophistication of the city as against the rustic nature of the countryside. Thus in administration, education, commerce, manufacture, etiquette, comportment, pageantry and civility, the elite were domiciled in Kano and it is from there that they set the pace, the *avant-garde*.

The *Gidan Rumfa* is still the largest *gida* in Kano. Since its construction in the 15 century, it has set the standard to which all others only aspire. Other houses (*gidaje*) of the descending order of the office holders (*masu Sarauta*) replicate not only the grandeur of the *Gidan Rumfa* but also its role in relation to other houses in whatever wards they were situated. The *Gidan Rumfa* was the nerve-center for administering both the Emirate and the city. Since the pattern of administering the territories was through executive officers (*jakadu*) all the leading territorial administrators (*hakimai*) were also domiciled in the city. And since the principal officers had official residences, their residences also performed the same role as the *Gidan Rumfa* vis-a-vis the residences that congregate around them. So also the residences of the judges (*alkalai*), the wealthy (*attajirai*), sacerdotal intelligentsia (*malamai*), craft heads (*Sarakuna*n sana'a), ward heads (*masu unguwani*), and the officers in charge of the gates (*kofofi*).

Starting from the basic, the *birni*, whether of Kano or any other, was the area so delineated by its being enclosed in an extensive and (for its time) sophisticated fortifications (*badala*).[333] It enclosed the agricultural and habitation areas of the populace. The area of habitations are clusters of homesteads of families (*iyali*, hardly ever defined in consanguineous relations only)[334] and clans (*zuriyoyi*) that, by and large, developed into wards. These wards were founded due to a variety of reasons, in different circumstances, by different groups, at different times, but invariably assumed the complexion of vocational and often provenance identities. Thus we have the *unguwan* Nupawa, and the *tudun* Hausawa. There were the wards (*unguwani*) of: smiths (*makera*), cobblers (*majema*), and tailors (*madunka*). The organizational pattern was such that individuals and groups answer to a multiplicity of authorities. The first line of authority was the family: relations (*dangi*), servants (*barori*), and servile (*bayi*), which under the family head had the initial and original responsibility of training in both civic responsibilities and vocation. The head of a family is *Sarki* in relation to that family.[335] The family heads were availed of both structural and organizational infrastructures to achieve control and carry out their responsibilities. The very basis of acculturation in humans is natural and is based on the long period of dependence of the young on the adults. It extends over several years. The structure of the family also enhanced this. The family as an organized group was also the basic economic unit. Whether it was in agriculture, commerce, manufacture, 'learning', or any other vocation, it was the family that first facilitated it. The family was the basic unit of identity. The family either provided the training necessary or facilitated it. It also should be borne in mind that most of these

[333] Moody, H.L.B. (ND) *The Walls and Gates of Kano City*, Department of Antiquities, Federal Republic of Nigeria, Lagos.
[334]Usman, Y. B. 1979 "The Transformation of States in the Central Sudan: Some Professional and Theoretical Problems." In: Usman, Y. B. 1979 (Ed.). *History of the Central Sudan Conference*, Zaria.
[335]Ferguson, 1973.

economic activities were organized.[336] At graduation it was the family that either availed the person with the initial capital to set up or absorbed him into the family occupation. In the case of those who opted out of the family calling for another vocation (*shigege*), it was still the family that provided the introduction and was the guarantor. Thus in the social system that developed, kinship was the chief source of security.

The second line of authority was the one exercised by the economic organization to which a person belonged. The influence and control of these organized trades was real and decisive. Indeed some aspects of particular trades could only be meaningfully carried out in organized groups: smelting, long distance trading, dyeing, animal husbandry, farming, are all trades that required disciplined cooperation.[337]

In interrelations that went beyond the family and the professional group to which individuals belonged, the first lines of authority were the ward heads. These were the grass-root representatives of the state. The responsibility of managing the day-to-day affairs of the community fell on them. They also organized labour as and when necessary, for and on behalf of the state. Minor infractions and squabbles were also within their purview to handle. They were complimented in this regard by the *limamai* of whom each ward had one, officially appointed by the *Amir*. The *liman*[338] was the supervisor and conductor of most civic functions. In this regard the *liman* wielded considerable influence. Systematic acculturation was achieved as they defined the mores of society. They were as such facilitators of peace and social harmony. Indeed at the most basic level, during the ceremonies of life and death,

[336]Abubakar, N. 2012. "The Role of Craft Organizations as Guilds in Nineteenth Century Hausaland." **ZAHIR**, Zaria Historical Research, Journal of the Department of History, Ahmadu Bello University, Zaria, Nigeria.
[337]Jagger, P. J., "Kano City Blacksmiths: Precolonial Distribution, Structure and Organisation", **Savanna,** ii, 1, 1973, 11-25.
[338]*Liman* is singular of *limamai*, the Hausa rendition of *imam.*

they articulated the cosmology of the system. They thus complimented the role of the ward heads.

Beyond the ward heads and the *liman*, we encounter the formal institutions of state. The most prominent were the courts. In Kano town there were at least three. The court of the *Amir* Kano was the highest court in the Emirate and served as the court of appeal. Appeal could be made to Sokoto and at least some appeals were recorded during the reign of Emir Abdullahi.[339] Next were those of the *Alkali*[340] of Kano and the *Alkali* of Kano market. The judicature administered enforceable laws. It is very difficult to gauge the extent of justice dispensed by the courts and therefore we are not sure whether or not the populace continued to resort to courts as the Emirate administration progressed. Courts were established in Tofa, Gaya, Ringim, Jahum, Karaye, Dutse and Wudil.[341] It is certain that the relationship between some *Alkalai*[342]and the administration (*Sarakuna*) was often a very difficult one. Indeed it led to, in a number of cases, depositions and even executions.[343]

The system of administering justice is a major pillar of any social system. The Sokoto Caliphate had a well-articulated philosophy on judicature. In it the Judiciary was placed as the third pillar of the five foundations of state. In this as in many other aspects of the system, though there was a considerable gap between theory and practice, it weighed more favourably towards the *Amir* (and through him the aristocracy). The office of the *Amir* encompassed both executive and judicial functions.[344] In modern parlance the separation of powers was

[339] Naniya, T. M. 1990 "The Administration of Justice in Kano Emirate, 1903-1966." PhD. P.108.
[340] *Alkali* is the *hausa* rendition of *Qadi*.
[341] Naniya, 1990.
[342] Plural of *Alkali*.
[343] Mukhtar, Mahadi, and Lovejoy, 1993. Also: Ado-Kurawa, 1989.
[344] Yamusa, 1975 p.39.

rudimentary. Moreover it was the *Amir* who also appointed the judges. In theory the judges had areas of exclusive authority.[345]It should be borne in mind that the court of the *Amir* was not only superior to that of the *Alkali* but also had appellate powers in relation to it. This has made nonsense the theoretical position that the *Alkali* was not supposed to be restrained by anyone's censure as posited in the guidelines written by Sheikh Usman Fodio.[346]This unenviable position of the *alkali*, especially in the context of not only preventing oppression but also enjoining good and restraining excesses was to pitch some *alkalai* against some *Amarau*.

Sheikh Abdullahi Fodio, by inference, indicted the judges of enslaving free men in Kano.[347]*Amir* Sulaiman, the first ruler of the Emirate, deposed the first *alkali*, Datua. After the death of the second a*lkali*, Borobindi, Datua was re-appointed by *Amir* Ibrahim Dabo. After the death of a*lkali* Muhammadu Zangi Salih, his successors' tenures were very precarious. All the sources are agreed on this.[348]The sources differed on the reasons for the precarious tenure of the a*lkalai*. This predicament of the judges coincided with the maturation of the system from the time of *Amir* Abdullahi when all the contradictions had come to the fore. *Amir* Abdullahi appointed a*lkali* Rufa'i, who was later executed by the same *Amir*. Also a*lkali* Sulaiman was removed from office.[109] Regarding the appellate role of the *Amir*'s court, eyewitness account attest to the difficulty faced by commoners seeking redress. Imoru estimated it took up to 60 days before a commoner could have access to the *Amir*, especially in complaints against his officials and relations.[349] The crucial issue is to determine whether

[345] Yamusa, 1975 p.69.
[346] El-Masri, (Ed. And Trans), 1978 p.67.
[347] Hiskett, M. 1963. *Tazyin Al-Waraqat*. Ibadan University Press. p.121.
[348] Ferguson, 1973 p.233., Mukhtar, Mahadi, and Lovejoy, 1993 p.62., And Palmer, 1928.
[109]Ferguson, 1973 p. 233.
[349] Ferguson, 1973 p.233.

the courts were for dispensing justice or domination. From the circumstances on accessibility described above we posit that the highest court in the land was not readily accessible to commoners. The long period of waiting and harassment by palace officials were enough to discourage many. Imoru stressed the *Amir*'s reputation for justice, and that he encouraged his subjects to report abuses by local headmen, slave officials and his own sons. This has been corroborated by Christelow.[350] Thus avenues of control, for good or evil, were at the disposal of the *Amir* in articulating the system on behalf of the aristocracy: appointment, deposition, and even execution, appellate powers and customary exclusion of certain areas of conflict from the a*lkali's* jurisdiction. The judges handled minor cases only: indebtedness, marriage conflicts, fighting, and disruption of trade.[351] The important cases were handled by the *Amir*: murder, landed properties (farms and houses), disputes involving mutilations, and those involving lesser officials.[352]It need be emphasized that the concept *Amir* etymologically originate from the "*Amr bil ma'arufi wa nahai anil munkari*" i.e. to command what is good and eliminate what was not good. It is an injunction from the Quran which forms the philosophical basis of Islamic governments.

There were also at the disposal of the *Amir* and the courts, the principles of:

> *mazalim*, the righting of injustices, especially those committed by public officials; *siyasat al-shari'yya*, or legal policy developed in matters beyond the scope of religious law; *ta'zir*, or the discretionary use of the judge's responsibility to protect public security by ordering the punishment of crimes where prove is made difficult under the *shari'a's* strict rules of evidence; and *qanun*, written secular law.[353]

In the first principle, *mazalim*, the welfare of the citizenry was supposed to be the guiding principle by repelling corruption and exposing wrongs through methods, which show the truth. The principle of *tazir* afforded the *Amir* the power to punish where no prescribed

[350] Christelow, 1994 P.13.
[351] Christelow, 1994. p.227 – 228.
[352] Christelow, 1994. where he insisted "the judgment of land is ours". Passim.
[353] Christelow. 1994. P. 8,

punishment or atonement obtained.[354] Ultimately they provided adequate avenues for a corrupt aristocracy, especially if the other courts collaborated, in manipulating the system. In this instance, all the courts were free to recognize the validity of popular custom. Custom has reserved for the *Amir* the judgment of landed property, farms or houses, major economic resource. A particularly interesting custom in this regard did not allow women to own landed property except in exceptional circumstances.

In close collaboration with the courts were the police and prison services. Both were formal organizations. The *dogarai* constituted the police. They were largely recruited from the servile and clients of the aristocracy. They were under the purview of the *Sarki* and served as enforcers. There were two types of prisons in Kano town. One was for the freeborn, the other for the slaves. Two closely related offices were those of the *Sarki*n *tafariki* and *Sarki*n *dare*. The former was in charge of roads, and the latter was the night watchman. Both were important security wise.

The officers (*Kofa*)[355] in charge of the gates of the city constituted important coterie of officials in the administration of the city; nay in the administration of the state.[356] Their roles were multifarious. It ranged from strategic to economic. They secured the gates and the sections of the walling fortifications under them; and regulated the traffic into and out of the city. The security aspects of their duty were three fold: physical security of the gates, by which they were in charge of their maintenance; military security of protecting the gates from

[354] Yamusa, S. 1975 pp.174 & 211.
[355] *Kofa* may refer to the physical structure, the gate, or the official in whose charge it was.
[356] Moody, H.L. *The Walls and Gates of Kano City*…

spies; and police security of regulating passage.[357] The officer in charge (*Sarki*n *kofa*) lived in the vicinity of the gate. These officers (*Sarakuna*n *kofa*) were collectively under the *dan rimi*, one of the three principal royal slaves in the palace.

2.13 THE ORGANIZATION OF THE ECONOMY IN KANO EMIRATE.

The formal organization of production preceded the state (*Sarauta*) in Kano. They were subsumed at the point when the state coalesced. The relationship between the organization of production, distribution, and exchange with the state is a fundamental aspect of the motive force of every society. In Kano all the aspects of the economy were directly linked to the state (*Sarauta*),[358] in occupational associations. The pre-colonial organization of Kano blacksmiths, one of the best organized of the crafts has been well documented.[359] Not all production activities were done in crafts and not all occupations were as efficiently or effectively organized as the blacksmiths. Some aspects of the services sector were relatively new and this was reflected in the degree of their cohesion. All were however patterned on the *Sarauta*, whether or not the head of the organization bore the title *Sarki*, as for example in *madugu*, head of the caravan (*ayari*) of long distance traders.

The organization of production, distribution, and exchange in Kano Emirate can be characterized into urban and rural. Each of the urban and rural had areas of specialization, with peculiar characteristics. The classical division between town and countryside in Kano may be an over simplification of what obtained. Up till the colonial invasion, due to the state

[357] Barkindo, B.M. 1983. "The Gates of Kano City: A Historical Survey." In: Barkindo, B.M. (Ed.) *Studies in the History of Kano*, Heinmann educational books. P. 11.
[358] *Sarauta* in this instance meaning government.
[359] Jagger, 1973.

of the society, Kano Emirate comprised of towns of different sizes, mostly walled, than of villages scattered in the open. This obtained especially to the West and Southwest, the area that bore the brunt of incessant Ningi attacks, where conditions remained precarious up till colonialism.[360] This has indeed affected the nature of settlement pattern and population distribution. The dominant activities in the countryside were agriculture, animal husbandry, hunting and fishing. The towns, which were many, had in addition to crafts, organized commerce, and the services. Each was organized under a head. These had often been classified under the rubrics: farming, manufacture, and commerce. Each was however very diverse and dynamic. Imoru has given us a glimpse of how varied the economic pursuits were. The term handiwork (*aikin hannu*) employed by Imoru is more encompassing in describing the variety of activities that are normally classified under manufacturing or crafts. It included: writing (*rubutu*), spinning (*kadi*), dyeing (*rini*), tailoring (*dunki*), dry cleaning (*bugu*), tanning (*jima*), building (*gini*), trapping (*tarko*), and many more.[361] Imoru has disabused those who thought the Fulani were a classless homogenous group. He categorized the Bororo as the commoner Fulani, and also the Uda as: "… a Fulani people in Hausaland of very low status, who are shepherds." There were towns in Kano where persons made a living as the town shepherd.[362] That it was also common in Kano for people whose sole livelihood was earned from training horses.[363] There were not only numerous donkeys employed primarily in long distance trading, but also a large number of professional transporters who served as carriers, drivers, and guides. The Tuareg specialized in this.[364]The *Sarki*n *alaro* was appointed by the *Sarki*n Kano. [365]'*Yan Rugum* was a professional group, largely women,

[360]NAK: SNP/10/332P/1918 Sarkin Dawakin Tsakar Gida District Assessment Report by Mr. H.O.Lindsell.
[361] Ferguson, 1973 pp. 296-345.
[362] Ferguson, 1973 pp.87-88.
[363] Ferguson, 1973 pp.90.
[364] Mahadi,1982 p.673.
[365] Mahadi, 1982 p.644.

whose occupation was transporting pots to the *birni*. In Kano corn stalks were sold and there were transporters of firewood. Charcoal was made and sold to blacksmiths.

The primary responsibility of the state was to ensure security of life and property, from both external and internal sources. This is the condition without which it becomes difficult for any meaningful pursuit of livelihood. The *ribati* and the extensive development of walled towns were parts of permanent contingency plans of the state. Colonial sources reported that within a 30 miles radius of Kano city there were about 40 walled towns. Urbanization experienced a tremendous boost following the jihad. The provisioning of men and material militarily, were another aspect of security, which was a priority in the Emirate.

The institution of a clearly articulated system of judicature, described above was another. Definite structures with known processes and codes pre-dated the *jihad*. This tremendously enhanced production, distribution and exchange. Based on a letter of credit he had, Hugh Clapperton, a 19 century traveler from Europe secured payment in Kano.[366] The relationship between the government and all economic pursuit was mutual and symbiotic. The government primarily acted as facilitator. Some of the favourable government policies included land tenure (farmers), grazing land (pastorals and nomads), labour (all), indigenization (political), marriage and related matters (social and affecting everybody), fiscal measures (production in general). Mahadi described these in detail.[367] In some particular industries the aristocracy and the wealthy dominated. This obtained in dyeing and all activities related to horses: trade, training and accoutrements. Indeed production of horse

[366] Hogendorn, J.S. 1966. The Origins of Groundnuts Trade in Northern Nigeria. PhD. University of London. P. 32.
[367] Mahadi, 1982 Passim.

accoutrements was a specialized industry. The conspicuous consumption pattern of the aristocracy, expressed in royalty, was also a boon to the economy.

All vocations were organized under a head. These organizations were patterned on the *Sarauta* proper. The cohesion attained differed, depending on many factors. An important one was the degree of interdependence required for the successful pursuit of a trade. In structure, nomenclature, and protocol they reflected the *Sarauta*. The crafts' heads (*Sarakuna*n *sana'a*) enjoyed to a lesser degree the privileges of the *Sarauta* proper, in their relationship with the ordinary practitioners. They were exempted from taxation and *corve'e* labour and could call on the labour of their followers. Indeed in organizing the trades for the state, they were principal beneficiaries of the system. The *Sarakuna* of the trades represented the interest of their members before the state in all material particular. This was achieved through the agency of their organizations.

The *Amarau* recognized the importance of facilitating the various occupations. Indeed this was a cardinal principle of the jihad leaders. The structure of resource accessibility and control enhanced the position of the heads of the occupations (*Sarakuna*n *sana'a*). These leaders were backed by the state. The *Amir* Kano appointed all the leaders of the organized occupations of Kano town. They related to the other leaders in the other towns in a manner reminiscent of the *Sarauta*. The leader or head of an occupational group in Kano town was also by extension, head of the occupation in the Emirate. The porters and the blind also had their leaders. They kept their tradesmen under control and were also agents of the state. They collected taxes for the state and mobilized the labour of their members when necessary. In the

very strategic industries like farming and black-smithing they organized group labour (*gayya*) for the state. Thus at the level of individual livelihood the *Sarauta* touched everybody.

The organization of commerce and the markets followed the same pattern. The Kurmi market, the main one in Kano, was under the *sankurmi*. There was the *alkalin kasuwa*. Other market officials included the *dan lawal* whose duty was to mend the roads; the *dan sanka* attended the sick and buried the dead. There was also *gangami*.[368] Articles for trade were displayed, each type with its own section. The Kano market, in spite of Kano being an entrée port, was a retail market. The most important articles were traded in the homes though. Specialist brokers arranged the transactions for a commission. Provision of accommodation was an important aspect of these transactions. Numerous accounts of 19 century travelers described the situation.[369] The organization of long distance trade, under the *madugu*, was intimately connected to these. This was a sophisticated and extensive enterprise that required extensive and intensive logistical support. The trading caravan (*ayari*) was a town in motion. Most organizational infrastructure of a town obtained in an *ayari*. The leadership was under the *madugu* who was the *Sarki* in relation to the *ayari*; there was a judge (*alkali*), sectional leaders (*sahu*), akin to ward heads, a scribe cum accountant, armed escorts under *jagaba*, and a *liman*. Slaves were critical to *ayari* operations.[370] Three categories of slaves were found in a caravan. There were extras employed largely as porters; some as articles of trade and some as traders representing their owners.

[368] Both Bargery, G. P. 1934 A Hausa - English Dictionary, Oxford University Press, and Abraham, R. C. 1946 Dictionary of the Hausa Language, Hodder and Stoughton, defined *gangami* as a means of public proclamation through drumming.

[369] Moody, J. E., 1967 "Paul Staudinger: An Early European Traveler to Kano" **Kano Studies**, iii, June. Heinrich Barth Travels and discoveries... I, and E. D. Morel, Nigeria: It's Peoples and its Problems...

[370] Tahir, 1975 p.296.

Drawing from the experiences of *Madugu* Umaru, whose caravan comprised of people from different places and extensive, Tahir noted that communication and information was of supreme importance to the *madugu* and his *ayari*. It was a pre-condition for success to maintain connections with the sacerdotal intelligentsia, the entire trading fraternity and the ruling class. The state was the source of diplomatic protection. That *madugu* Umaru maintained a second line of clientage through the *madawaki*, and that every time he returned from Gwanja he presented material presents (*gaisuwa*) to the palace.[371]All the leaders of the trades liaised with the ward heads, the market head or the treasurer (*ma'aji*), as the case may be.

2.14 PRE-COLONIAL SLAVERY IN KANO EMIRATE.

Slavery was an indelible feature that developed and became a crucial underpinning of the *Sarauta*. Slaves were acquired through kidnapping, raiding, booty and trade. Slavery under the *Sarauta* is not easily amenable to categorization to fit into the classical models. It is difficult to be precise about the situation of slaves before the Jihad due to paucity of information. Slaves were engaged in all kinds of labour intensive activities and menial jobs, and subjected to all the indignities that their status entailed. Royal slaves, a large number of who were eunuchs, were engaged by the government in administration as discussed above. There were slave settlements devoted solely to production in plantation farms. The most remembered, because of its sheer scale, was during the reign of *Sarki* Abdullahi Burja in the 15 century when *Galadima* Daudu, for the *Sarki*'s convenience, established several slave settlements.[372] Indeed by the time of *Sarki* Kisoke, *Maidaki* Hawwa, the widow of *Sarki* Rumfa, established a slave market in Kano.[373] Slaves had by the 16 century become regular

[371] Tahir, 1975p.298-299.
[372] Palmer, 1928. P. 110.
[373] Palmer, 1928. P.112.

articles of trade with Borno. To the north slaves were exchanged for horses. Slaves were brought as eunuchs from Nupeland. Female slaves have always been the source of all kinds of sexual regalement, and assigned geisha type roles, especially as concubines. Other female slaves who were not concubines performed important domestic chores. This included being foster mothers. The *kirdi* was a wholly slave military unit established by Sarki Kutumbi.[374]By the advent of the Jihad, with the exception of the *malamai* group role, there was no sector of life where slaves were not significant players.

The jihad in Kano had a fundamental impact on the whole society including slavery.[375]
The intensiveness, extensiveness, and ferocity of the jihad wars in Kano facilitated considerable enslavement. However, confusion pervades the discussion of the kinds and phases of slavery in Africa.[376] The decisive difference that Emirate society introduced was the justifiability of their concrete conditions. Thus rights and obligations regarding sale, marriage, inheritance, manumission, self- redemption, free days, and share in products of labor were instituted.[377]Some of these rights derived from the Qur'an (Q. 24:33). Hugh Clapperton and Heinrich Barth estimated half the population of Kano as slaves.[378] Paul Lovejoy maintained that it was the dominant form of labour organization.[379] Slave ownership was pervasive among the social classes in Hausaland. Imoru informs us:

> "… there are slave owners in Hausaland who have purchased one hundred or two hundred slaves, some four hundred or five hundred. But, in my life time, I have heard of only one person who was not an official, who had one thousand slaves in Kano: his name was Kaushe."[380]

[374]*Kirdi* is a Kanuri word denoting a non-Muslim in the context of the place and period.
[375] Lovejoy, P. E. 1978 "Plantation in the Economy of the Sokoto Caliphate." **JAH,** xix, 3.
[376] Tukur, 1979 p.825.
[377] Tukur, 1979 p.824. Also: Lovejoy, 1978.
[378] Cited in Mahadi, 1982. P435/436.
[379] Lovejoy, 1978, p. 342.
[380] Ferguson, 1973 p. 233.

Baba of Karo's grandfather had 136 slaves.[381] There was a definite ownership pattern in favour of the aristocracy and the wealthy. This section is concerned with the socio-cultural situation of slavery. That slaves were an important group was demonstrated by the seriousness with which issues concerning them were handled, especially when it came to escape and capture. It often got to the highest court in the land, the Caliphate court in Sokoto.[382] This continued right up till colonialism.[383]

The twin factors of warring and capturing slaves, worked in favour of the *Amir* in particular and the emergent aristocracy in general. They worked in two ways. First, the *Amir* who allocated land held the conquered land in trust. The other members of the aristocracy had estates appanaged to their offices. Secondly the legal division of booty favoured the *Amir* and the aristocracy. The legal prescription of the booty was that 1/5 was the entitlement of the *Caliph*. Of the remainder 2/3 went to the cavalry and 1/3 to the infantry. It was the *Amir* who collected the 1/5 due to the *Caliph*. It was the *Amir* who largely expended it on his behalf. The *Amir* owned more horses than any other person. He was followed in the number owned by the other members of the aristocracy. The *Amir* and the aristocracy equipped the horses, and deployed the horses to their slaves and other dependents during wars. They thus appropriated the 2/3 entitlement of the cavalry. It would then be realized that the political economy of the wars favoured the *Amir* and the aristocracy immensely in a descending order. The *Amir* and the other members of the aristocracy therefore, employed their numerous slaves in the conduct of the wars. From these wars they acquired more slaves, whom they utilized in any of the following ways. Either as soldiers to conduct more wars; or sold them to purchase more horses and other provisioning. Some were settled in agricultural plantations

[381] Smith, M. F. mcmliv BABA OF KARO: A Woman of the Muslim Hausa. Faber and Faber, London, p.130.
[382] Bacwell, 1969.
[383] Smith, mcmliv. Passim.

managed by slaves and from whence again they derived more revenue.This was further invested in reproducing the system. This extended to slaves of commoners, who were also under the supervision of the *Sarki*n gandu.[384] This made Lovejoy to argue that slavery was the dominant mode of labour organization in the Sokoto Caliphate.[385]

The ascendance of royal slaves to position of pre-eminence in Kano Emirate is dated to their role in establishing *Amir* Ibrahim Dabo firmly on the throne. They subsequently became major structural under-pinning of the system in administration as developed in the *kofa* system whereby they became the only avenue through which the *Amir* was reached. Even the freeborn, indeed noble *hakimai* had access to the *Amir* through the *kofa* only.[386]

The most senior slaves were crucial in the emergence of Aliyu as *Amir* during the civil war. The tax system, the life wire of the system was under their control. *Dan Rimi Allah Bar Sarki*, a first generation slave was not only responsible for a territory, but was in charge of Kano city's fortifications.[387] They had by the time of *Amir* Abdullahi (1855-1882) become indispensable and he had to devise a way of curtailing them. This he did by reminding them and the society at large, of their servile status, by enforcing on them a distinct facial mark, the *uku-uku*. By this time they were no longer eunuchs, since one of the steps taken by the next *Amir*, Bello (1882-1893) was to force them to divorce their freeborn wives. They owned slaves and had concubines.[388] Their most prominent roles were, however, in administration. This was related to the emergence of a mono-dynasty in Kano; the entrenchment of the offices of state (*sarautu*) in a very restricted number of families; and the disfranchisement of

[384] Smith, mcmliv p.51.
[385] Lovejoy, 1978
[386] Kwaru, (n.d), p. 67.
[387] Kwaru, (n.d)., p. 67.
[388] Kwaru, (n.d) p.57. Also Hill, P. 1977 pp. 207 & 213.

large sections of even those few families.[389] This engendered considerable rivalries and encouraged intrigues. The administration responded by increased resort to slave officials to further edge out rivals and to consolidate their gains. It is generally posited that the Emirate administration became more closed as the century proceeded.[390]

While the above was true and though Manase asserted that: "...members of the servile class, after having been acquired, were not necessarily at a disadvantage economically, socially and even politically,"[391] and though commoners (*talakawa*) and slaves did much the same work, and often may worked side by side with their owners and or his children, slaves were slaves, and resented their status most poignantly by the numerous escapes, despite severe punishment meted in case of capture.[392] Lovejoy and Hogendorn have observed that by the late 1890s slaves were leaving their masters in considerable numbers.[393]

The circumstances of slaves other than the few ones who had become officials (*hakimai*) were not a rosy one. In Kano the word slave covered a variety of statuses and situations. Paul Staudinger a late 19 Century visitor to Kano recorded that he: "… saw many neck and foot irons for slaves at the house of this trader from Tripoli."[394] Alhaji Mahmudu Koki born c.1894 saw slaves being sold in the market; and though he reported that: "… slaves mingled

[389] C. L. Temple's Notes … recorded Amir Ibrahim Dabo left 30 sons and 22 daughters, and only four held offices. Amir Abdullahi (1855 – 1882) had 166 children, 66 being males. Only 28 were recorded as having held offices. See Alhaji Abubakar Dokaji, 1978 *Kano ta Dabo Cigari*. Gaskiya Corporation Zaria. This however included those whom held office after he had died. Three of his children became the Amirs of Kano. They are Usman, Abdullahi and Bello.

[390] Manase, G. R.T. 1985 "The Kano Peasantry under Colonial Rule, **c**.1903-1966" MA. University of Ibadan, p. 22. Also Mahadi, A. Ph.D. 1982 passim.

[391] Manase, G.R.T. 1985 "The Kano Peasantry …"

[392] Ferguson, D.E. 1973. Nineteenth Century Hausaland..." p.230. For slaves running away see Smith, M.F. mcmliv Baba of Karo... p. 80. Also Backwell,H. F.1969 *The Occupation of Hausaland*... passim, for numerous cases of slaves escaping and the coordinated attempts by the Caliphate to recapture them.

[393] Lovejoy, P.E. and Hogendorn, J.S. 1990. "Revolutionary Mahdism and Resistance to Colonial Rule in the Sokoto Caliphate 1905-1906" **JAH** 31.

[394] Moody, J.E., "Paul Staudinger ..." p.47.

readily with free people everywhere, but you could always tell the slaves from the others."[395] Imoru was more graphic in his description of the situation of slaves, asserting that: "People have nothing but contempt for slaves in Hausaland. The slaves suffer: people look at slaves as worthless creatures, they do not consider them human beings; and they treat them harshly."[396] In public as well as in private, protocol that differentiated the free from the slaves were scrupulously observed. Indeed slave names were distinct. They did not sit together at public functions. Adult slaves had to show deference in addressing even the young of the free.[397] The owner of a slave might punish him as he deemed fit. Generally these ranged from corporal punishment to subjection to extreme indignities. Right up till colonialism slavery was not just an economic institution, but also an ever present sense of insecurity. Kidnapping and enslaving from raids continued and as pointed out above affected even the administrative set up, the emergence of extra-territoriality.

Our interest in slavery as obtained in Kano Emirate, in this instance, is more in terms of its place in the mediation and articulation of the system. Normally only first generation slaves were bought, sold, or otherwise redistributed.[398] It is certain that the institutions of manumission and *murgu* (whereby slaves were allowed to pursue their trades and make regular monetary returns to their owners), became prevalent towards the end of the century. *Baba* of Karo intimates us that her father took half the produce and left half to the slaves.[399] The process of obtaining freedom was formal with an *Imam* presiding. It marked the formal acceptance of a male slave being freed into the community, and was attended, significantly,

[395] Skinner, N., p. 17.
[396] Ferguson, D.E.1973. "Imam Imoru..." p.230.
[397] Smith, M. F. mcmliv Baba of Karo ... p.51.
[398] Christelow, A. (Ed.). 1994. Thus Ruled Abbas... p.6.
[399] Smith, M.F. mcmliv Baba of Karo... p.38.

by a change of name[400] (and presumably a change of religion). Imoru, however, added that all the properties of the slave obtaining freedom through manumission or *murgu* were seized.[401] This has not been corroborated by other sources. However, descendants of slaves often got integrated and assimilated into the families of their master.[402] The legal handicap was they could not inherit from the person who adopted them. This, however, without prejudice to Islamic provision concerning bequeaths. Children of marriages where the father was free and the mother a slave were also free. Children of slave parentage where the ownership differed belonged to the owner of the female. Marriage between slaves could be dissolved by the owner and the slave woman could be re-married off to a free man.[403] By the time of *Amir* Abdullahi (1855-1882), slaves could marry free born women.

Female slaves exerted the most influence in their roles as sources for all kinds of connubial relations, and culturally in the domestic sphere. Their participation was near total. Children of slaves were brought up as Muslims. This is crucial since most first generation slaves were hardly ever Muslims. The mothers of emirs Abbas (1903-1919) and Usman (1919-1926) the first and second emirs under colonialism were concubines.[404] This is common. It pervaded the entire society. Children of concubines did not suffer any social or legal disability. Indeed slaves who had borne children for their masters could not be sold.[405] In the houses of the upper classes and the wealthy, slaves were often used to wean the young. If a female slave was freed, her children became automatically free. This did not obtain when it was the father who was freed.

[400] Smith, M.F. mcmliv Baba of Karo ... p.122.
[401] Ferguson, D.E.1973. "Nineteenth Century Hausaland..." p.231.
[402] Smith, M.F. mcmliv p.122.
[403] Smith, M.F. mcmliv p.75.
[404] Kwaru, I.A., "Wazir Allah bar Sarki ..." p.66. Also, Fika, A.M. 1978 *The Kano Civil War* p.72.
[405] Hill, P., p. 204.

Thus in 19 century Kano the slavery situation may be summarized as follows. Slaves were in general legal minors. They could not inherit if they were adopted. They could not be *imam*, q*adi* or bear witness. Religiously they were exempted from the *juma'at* congregational prayers and the *Id* (*Sallah*) festival prayers. Killing of a slave by an owner did not result in death penalty. As per their rights they were numerous and varied. By the end of the century through a mixture of religion and tradition, slave mothers could not be separated from their children. Slaves could by right, ransom themselves directly or by proxy. Once freed, by whatever means, they enjoyed total freedom. Even as slaves, custom and tradition availed them of the right to earn extra income during their free time, again of which tradition prescribed. They were partly fed by the master. They were entitled to spouses. All these have basis in the injunction of the Quran that states:

> And if any of your slaves ask for a
> deed in writing (to enable them to earn their freedom
> for a certain sum) give them such a deed if ye know any
> good in them; yea give them something yourselves out
> of the means which Allah has given to you. But force
> not your maids to prostitution when they desire
> chastity in order that ye may make a gain in the goods
> of this life. Q. 24:33

2.15 KANO EMIRATE COSMOLOGY.

Discernable influence of Islam in Kano has been dated to the 14 century. When Islam arrived, it found favour first with the rulers and merchants. This is understandable giving the kind of society that Kano was. The impact of Islam in Kano from thence has been analyzed above. The watershed during *Sarki* Muhammadu Rumfa's reign, regarding Islam has also been discussed. By the 17 century Islam had sufficiently penetrated both the body politic and civil society. It had also produced a corps of indigenous intelligentsia that was capable of articulating the ideology and ready and willing to strive for it to become a way of life for the people. Thenceforth the intellectual ferment in Hausaland in general, was such that it

attracted renowned scholars from far and wide. Kano was often their destination.[406] The strivings of the local intellectuals that sprouted culminated into the jihad of 1804.

Philips averred that: "... the Islamization of Kano was continuous, cumulative and gradual ..."[407] and that though "Islam was the religion of the people and state of Kano ... it was interpreted in a way that was wholly compatible with the polytheistic beliefs that preceded it." Furthermore Philips also asserted that in pre-jihad Kano, the authority of the *Sarki* rested on non-Islamic foundations and the incorporation of non-Islamic practices. Philips further opined that: "Islam, in the eyes of many, was simply the most powerful of several cults, a family religion for traders, scholars, and rulers, not something to be understood by the masses."[408]A more circumspect Paden asserted that: "the socio-political position of Islam during the Hausa Muslim period is not clear from written sources."[409] Though the jihad effected a major shift in the cosmology[410] one of its major accusations was syncretism. We have noted above the observations of Sheikh Abdullahi Fodio when he visited Kano soon after the jihad, when painted the picture of a corrupt society. Sheikh Abubakar Mahmud Gummi opined that around 1860 in the Caliphate, "learning was not so widespread, but the people had faith."[411] In Maru of 1949, a part of the metropolitan Caliphate, Gummi noted:

> I observed quite early that both students and workers in school were in many respects ignorant about their religion. They had no significant knowledge about the proper Islamic regulations even as they affected their daily life.
> ...Although there were many learned men around they did not often care to teach the people to put into practice what they learnt in the books.

[406] Kani, A. M. 1979 "The Rise and Influence of Schorlars in Hausaland before 1804" History of Central Sudan...Also Al-Hajj, M. 1968 "A 17th Century Chronicle on the Origins and Missionary Activities of the Wangara" **Kano Studies,** i, IV.
[407] Philips, J. 1982/85 "The Islamisation of Kano before the Jihad" Kano studies 2, 3.
[408] Philips, J.1982/85. Ferguson also averred that Islam made its greatest inroads among the rulers and merchants, giving it the appearance of a class religion. Ferguson, D. E. 19th**C** Hausaland… p.160.
[409] Paden, J. N. 1973 *Religion and Political Culture* ... p.48.
[410] El-Masri, F. H. *Bayan Wujub*...p.7.
[411] Gummi, A. 1992 *Where I Stand*.

...Even the Imam did not perform the ablution for Friday prayers in Maru![412]

Thus in Kano and the Caliphate in general Islam meant different things to different people and affected them differently. In Kano, pre-jihad syncretic tendencies may be illustrated with the treatment allegedly meted out to Abdullahi Suka.[413]He was driven out and killed for refusing to accept the prevailing religious compromises. The *dirki* affair in the reign of the last Hausa ruler Alwali also points to this. After the jihad, *Amir* Ibrahim Dabo was popularly believed to have hosted a jinni in the palace.[414] Thus traditional religion lingered on throughout the Caliphate period. This was more so among the country folks and practitioners of some particular vocations. The more attractive aspect of Islam to this category was the believed magical potency it possesses.[415] However Islam had a definite edge. It affected the traditional *bori* religion. According to Imoru by the latter part of the 19 century, the most important *bori* was mallam Alhaji, followed by *dan galadima*. This is a graphic indication of both the pervasiveness of Islam and an intrinsic link with the *Sarauta*.

In mediating and articulating the system, the intelligentsia (*ulama*, plural of '*alim* one who possesses the quality '*ilm*, knowledge and learning, science in the widest sense),[416] whether of the palace (*fada*), or the ordinary (*malaman Kirgi*, from hide/skin used for prayers and a symbol of the *ulama*), were the prime movers. As the century proceeded and the dynamics unfolded, the above distinction among the intelligentsia became discernable. Indeed there emerged a merchant *ulama* group pure and simple. There were, however, different strands and tendencies in the group. The role of the intelligentsia, inter-twined in both temporal and civic duties pervaded all aspects of life. Their pristine duties in Hausaland were formal and

[412] Gummi, 1992.
[413] Philips, 1982/85, p. 44.
[414] Dokaji, 1978 p.43.
[415] Tahir, 1975 p.332.
[416] Encyclopedia of Islam, vol. 2, 1927, p.974, cited in, Mohammed, A. A. Hausa Scholar Ph.D.. p.32.

simple, limited to instructions in the religious obligations of the Muslim community. This entailed teaching the Qur'an and *fiqh* (laws governing religious performances). They led the five daily prayers and any supernumerary ones. However, the sacerdotal intelligentsia was intrinsically availed of a mobilizing potential and propensity beyond any other group in the society. The factors responsible for this efficacy were five.

The first was their teaching duties. The pristine language of Islam, Arabic, was esoteric. Though people had faith as suggested by Gummi above, most learned only the rudiments of the religion. Majority were resigned to being guided by others who had undergone the long and strenuous training to become a teacher (*malam*). There were different methods and categories of teachers. The peripatetic move from place to place establishing temporary schools (*tsangayoyi*).[417] These were largely found in the rural areas. They moved about with a retinue of their students. They were often the most knowledgeable of situations obtainable in the Emirate and had extensive contacts. The most poignant demonstration of this network was that of Sheikh Usman Fodio in the build up to the Jihad. The pervasive influence of this category was based on the fact that rural Hausaland was, according to Tahir, "... the stronghold of the less educated members of the intelligentsia class and of the more fatalistic and magical version of Islam."[418] The second category was found in the towns, with or without some formal relationship with the state. Often, *imam* or *qadi*,[419] they normally had established schools of the advanced sciences. Mature students, from far and wide, learned from them. Teaching subjects other than *fiqh* invariably entailed commentaries and the drawings of analogies. The *tafsir* (translation and commentary on the Qur'an) and the Hadith (traditions of the Prophet) provide invaluable opportunities for acculturation and opinion

[417] Skinner, 1977 p.19.
[418] Tahir, 1975 p.332.
[419] Kurawa, I. A. passim.

moulding. Tahir has observed that in the 19 century, "… when *ulema* were craft specialists and estate agriculturalists and merchants, the obligation to serve the teacher and his duty to teach often extended disciple bonds into commercial production bonds."[420] The teacher student bond was often a life-long one.

The sermons (*huthba*) provided avenues for commentary on public affairs.[421] Those who were *qadi* could, by their judgments, make poignant statements, and as noted above some suffered persecution. It should be remembered that every ward and every settlement had an *imam* and a mosque. The five daily prayers facilitated constant and regular interaction not available to any category of the ruling class. These formed the second source of influence.

The third avenue of influencing public opinion available to the sacerdotal intelligentsia emanated from their civic duties. As a way of life Islam prescribed the general principles governing the formalization cum celebration of the notable facets in the life of its members. These were often culturally coloured. These were births, marriages, and deaths. The marriage of a *Sarki*, especially given their being highly political, we are told, was always a big cultural event.[422] There were also prescribed modes of propitiation during calamities. These ranged from drought and epidemics to wars. In all the above the central role was played by the sacerdotal intelligentsia. All the above activities were occasions when people congregated together and provided opportunities for admonition and guidance. The sacerdotal intelligentsias were also informal justices of peace.[423]Over and above the *imam* officiated at the installation of the Emir and read a sermon. This was after the new Emir was supposed to have spent seven days in the *soron malam* reciting the Qur'an. These were supposed to

[420] Tahir, 1975 p.308.
[421] At the Friday and *Id-el-fitri, Id-el-kabir*, and *Id-el-maulud* (celebration of the birth date of the Prophet) festivals.
[422] Rufai, 1987 p.181.
[423] Tahir, 1975p. 226.

remind the new Emir that the responsibilities he was about to assume, was a trust from God.[424]

The fourth avenue was available only to a strand of the intelligentsias, the less orthodox ones. This involved the provision of intercessional and mystical services to most sectors of society. From the leaders, political cum administrative (*Sarakuna*), either when embarking on a military campaign or when seeking office; to the caravan leader seeking guidance on a propitious day to commence a journey;[425] to both sexes seeking success in marital relations; and even to thieves also seeking for a propitious day to strike! This was a specialized aspect and given the state of society was more pervasive than would be ordinarily imagined.[426]

The fifth avenue emanated from their role as the major group from which the scribes were trained and obtained. In Sokoto there was a formal chancery, staffed with professional scribes.[427] Headed by the chief scribe; it was located in the residence of the Vizier. Whether Kano's was that formally organized we are not sure. However, every *Amir* had a secretary. It is, however, indisputable that it was the intelligentsia class that was ubiquitous in those facets of society where some kind of record keeping or calculation was required. They thus may be categorized as the 'technocrats.' Apart from being scribes in general, the more senior ones dominated the judiciary and were the leading lights in diplomacy. This role went beyond officialdom. Their role in business transactions was equally significant, in everyday transactions but more so in the caravans, a major sector of the economy of Kano. The letter-

[424] Rufai, 1987 p.138.
[425] Skinner, 1977 p. 9. Also Tahir, 1975 p, 209.
[426] Skinner, 1977 p. 9. Also Tahir, 1975 p, 209.
[427] Philips, J. E.1993 "Five Letters from the Sokoto Archives Bearing on the Kano Civil War" **Sudanic Africa**, iv, p.80.

writing manual of Imoru obviates the role of the scribes in every day affairs of the community.[428]

The intelligentsia group, however, had severe limitations. This was related to their inability to devise an independent means of livelihood. The aristocracy largely provided for the intellectuals who served the palace and their associates. The *ulama* were given alms, clothing, slaves, and horses, by the aristocracy. The sacerdotal intellectuals who served the ordinary folks on the other hand, depended also on alms given by the populace and also extracted labour from their students. These were the sacerdotal intellectuals who admonished and advised. In popular psyche they were believed to have affected the fortunes of towns by bringing prosperity to the markets. In contradistinction from the palace intelligentsia, they rode mares or trekked.[429] Imoru opined:

> The students have a great deal of respect for the teacher, and they fear him ... he is above all rulers in thought. He does not accumulate money ... he does not desire political office. He is not arrogant and he does not speak nonsense. Throughout the town, people pay him respect.[430]

The latitude enjoyed by the intelligentsia was a result of centuries of struggle, culminating into the jihad. The jihad not only consolidated this tradition but also took it to a higher pedestal. At the foundation of the Caliphate, especially given the preponderance of the intelligentsia in the vanguard, and the learning and piety of the first generation leaders, there was an identity of interest between the state, the ruling class, and the intelligentsia. Indeed in Kano the position of near reverence enjoyed by the first *Amir*, Sulaiman Abahama is proverbial. More important, perhaps, was the particular ideological positions that informed

[428] Ferguson, 1973. p.32.
[429] Ferguson, 1973. p. 228.
[430] Ferguson, 1973. p.265.

the triumvirate of the Fodio as copiously articulated in their writings. Zahradeen noted that they depended on late Mamluk sources.[431] Mahdi averred that:

> ...the source of inspiration for the jihadist was jurists of the late Abbasid period who were attempting to rationalize existing situations in the Abbasid Caliphate. The doctrine of privileges and division of responsibility between the rulers and the ruled, a phenomenon which was greatly emphasized especially in the second half of nineteen century Kano, resembled the Abbasid system.[432]

It seems there was a congruence of the particular interpretations of the jihad leaders with the antecedents of the *Sarauta* in moulding the emergent culture. The take-off position of the jihad leaders was the injunction from the Qur'an enjoining obedience to "...God, His Apostle, and those in authority over you" (Q 4:59). There are numerous other similar injunctions in the Qur'an (Q iii: 132; iv: 59, 64, 66, 80; v: 95) etc.[433] The ideology of the jihad enjoined total obedience to the *Imam* in all that he may command, and by extension whomsoever he appointed, so long as it was not a sin. Thus every structure in the hierarchy of the system was imbued with authority predicated on religion. The Qur'an enjoined obedience to parents (Q iii: 132, IV: 59). Numerous Prophetic sayings (*hadith*), second only to the Qur'an as a source of Islamic authority, supports these and propounded new ones to consolidate the teachings of the Qur'an. These particularly came in handy especially in instituting male hegemony. Over and above this, the ideology made rebellion unlawful. The *Imam* could only be deposed for unbelief. He, though, could depose any of his appointees. The crux of the system was adoption of limited democracy, whereby those "who bind and unbind" could make the choice of the supreme *Imam*.[434] Criticizing this pristine political process Mernissi opined:

> The source of the invention of the Hadith -manipulation per excellence of the sacred text- is to be found in the very nature of a political system which never managed to

[431] Zahradeen, 1983 p.228.
[432] Mahadi, 1982 pp.406/407.
[433] Ali, A. Y. 1968 *The Holy Qur'an Text, Ttranslation and Commentary*, Dar Al-Arabia, Beirut-Lebanon. Passim (see index obedience).
[434] El-Masri, 1978.

> transcend its elitist origins and seek pragmatic ways of mobilizing the whole population to participate in the choice of the head of state.[435]

The *Kanawa* did not surrender the articulation of the social system (*Sarauta*) to faith only. Over the centuries they have evolved cultural practices, in all facets of life that synthesized their experiences, and also articulated their existence and nurtured their aspirations in a hegemonic context. The culture of the *Sarauta*, used here "…to describe a distinctive way of life ... including arts and learning but also much more general practice and behaviour"[436] was epitomized in royalty. By the time of *Amir* Ibrahim Dabo Mahmud, from whence the cultural forms of the *Sarauta* (the adopted and adapted politico-administrative system of the Hausa) was instituted, not only did it draw from an almost 500 years' experience, proving more resilient than most other aspects of society, but evolved new customs and institutions that rejuvenated it. *Amir* Ibrahim Dabo Mahmud and his slave officials were the prime movers in this regard. In the realm of nurturing popular culture no part of the society compared to the palace (*Gidan Rumfa*).[437]

Royalty, in its entire splendour, was physically located in the palace in particular, and in general, the other palaces of the *Amir* of Kano and the residences of the *Sarakuna* of the different towns. In a descending order of importance, royalty was also located in the residences of the nobility in the city and also their country homes. In a more particularistic sense, it was similarly located in the residences of all the craft heads in Kano and all other major towns were they were found. The manner of rendition of all manner of celebrations by

[435] Mernissi, F. 1991. *Women and Islam: An Historical and Theological Enquiry*. (Trans. Mary Jo Lakeland), Basil Blackwell, p.46.
[436] Williams, R., Culture in McLellan (Ed.), *Marx, The First Hundred Years*, Fontana, ...
[437] Rufai, 1987. Also Besemer, 1971.

the wealthy served also as pace setters. The North African traders also had considerable cultural influence.[438]This obtained especially in etiquette and comportment.

Sarauta as indicated earlier may mean royalty, and as phenomena embraces culture in its totality. The palaces of all categories of *Sarakuna* and the residences of the nobility were cultural edifices, in a hegemonic relation with all other residences. Heidi has noted with regards to the *Gidan Rumfa* that its spatiality was in many ways "… congruent with the spatiality of vernacular households and that these spatial congruities reflect shared patriarchal practices, especially with respect to gender and master-slave relations"[439] In their grandeur, they set the standard to which others, in all probability, could only aspire. Normally strategically located in relation to other major cultural cum structural institutions, like the mosque, [440]the court, and even the market, they were the nexuses to which congregated and from which radiated all aspects of culture. Religion and popular culture found a unique mix in the palaces.

The conception and design of the palace of Kano, the *Gidan Rumfa*, it has been asserted, reflected the heightened effect of Islam. In the period before 1903 *Gidan Rumfa* was the focal point of almost all social and political activities of Kasar Kano.[441] These largely revolved around Islam. The main ones were the weekly Friday afternoon prayers and the celebrations of the annual festivals of *Id-el Fitr*, *Id-el Kabir*, and *Id-el Maulud*. The fasting period

[438] Adamu, M. U. 1968 "Some Notes On the Influence of North African Traders in Kano" **Kano Studies**, i, IV, p. 43.
[439] Nast, H. J. 1992 "Space, History and Power: Stories of Spatial and Social Chamge in the Palace of Kano, Northern Nigeria, circa 1500-1900" Ph.D. McGill University, Montreal, Quebec, p.59.
[440] Zaharadeen, M. S. 1983 "The Place of Mosques in the History of Kano" in: Barkindo, B. M. (ed.), 1988 Studies in the History of Kano. Heinemann Educational Books.
[441] Zaharadeen, M. S. 1983 "The Place of Mosques. In chapter five it is noted that attempt was made to steer the cultural focus to Britiain by the celebration of the anniversary of the king with marches, picknicks and born fires.

(*Ramadan*) was one of particularly intense socio-religious activities. Not only was the commencement of fasting announced from the palace, the duration was marked by intense ideological mobilizations in form of *tafsir*. The official interpretation emanated from *Gidan Rumfa*. The period was also marked with intense popular cultural activities especially *tashe* (a socio-cultural practice involving the use of musical instruments to wake people during *Ramadan* fasting period to prepare *sahur*, the meal recommended before the commencement of each fast) and culminating in a pageant, *hawan sallah*, to mark the successful conclusion of fasting.[442] The pageant and the display of cavalry prowess (*jafi*) were two important cultural practices where all the executive officers (title holders) congregate to pay homage to the *Sarki* and re-confirmed their allegiance.[443] In the festivals, comportment, etiquette, protocol, and all other nuances were established and replicated in the larger society.[444] The horse was not only important in cavalry, but in transportation for the aristocrats and the wealthy. It symbolized both power and wealth. Staudinger noted that: "A noble, or rich man, hardly ever goes out on horseback alone, but has one or several servants walking in front of his horse, one whom carries his sword and the others follow with a folded blanket thrown over their shoulders."[445] The commoner who could afford a horse and had a slave rode while his slave, carrying the load, followed on foot.[446] The musicians and praise singers were very crucial in articulating the social system.[447] They even performed for slaves, during functions like marriages of the slaves.[448]

The non-religion based articulation of cultural values was the domain of the vocations. In terms of protocol and etiquette they replicated, in a caricature manner, court life. The more

[442] Rufai, R. A. (Mrs.) 1987 "Gidan Rumfa: The Socio-Political History of the Palace of the Emir of Kano with Particular Reference to the Twentieth Century," M. A., B. U. K. 1987. Passim.
[443] Rufai, 1987 pp.198 & 202.
[444] Besmer, F. E. 1971 "Hausa Court Music in Kano, Nigeria." Ph.D., Columbia University.
[445] Moody, J. E. 1967 "Paul Staudinger: An Early European Traveller to Kano," **Kano Studies** iii, June p.49.
[446] Smith, mcmliv p.44.
[447] Smith, mcmliv p.44.
[448] Smith, mcmliv p.86.

established ones had specialist praise singers and drummers. The smiths and farmers, two of the major underpinnings of the system, had their musicians. Here the more blatantly un-Islamic aspects of popular culture were often extolled with impunity. In all, however, the significance is the same; reinforcing the social system. Like those of the *Sarauta* proper, they, with considerable latitude of manner and language, extol the positive and desirable qualities of office holders and the wealthy, while condemning aberrations in social norms.The purveyors of popular culture were ubiquitous in all ceremonies and celebrations, of all strata of society. Even in this respect it was from the palace that the pace was set.[449]

2.16 CONCLUSION.

The *Sarauta* system had crystallized by the time of *Sarki* Rumfa in the late 15Century. It had matured by the time of *Sarki* Kutumbi by mid 17 Century. By mid 18 Century the contradictions it had spewed up had become irreconcilable. The establishment of the Caliphate was meant to resolve those contradictions. The fundamental difference between the Caliphate and the systems that preceded it and the one that succeeded it was that the Islamic basis was justifiable before competent courts. There was a codified legal system whereby even the leaders had limits. The Judiciary was classified as one of the five foundations of government, and by the period of *Amir* Abdullahi 1855 – 1882 the Amir's Judicial council was formally constituted. It comprised of the *Amir, Imam* of Kano and four other *Ulama*. Structures, procedures and institutions were put in place to check the excesses of rulers. Appeals could and were made to Sokoto. An effective deterrent was the vibrant civil society. Public reproach by the intelligentsia was a very effective instrument of control. Crucial issues that come to mind are land, inheritance, commerce, the legal status of women and slaves. The Caliphate irrevocably changed the system and the changes were not superficial as alleged by

[449] Besmer, 1971.

Whitaker.[450] Ferguson's "Nineteencentury Hausaland…;"[451] Backwell's "The occupation of Hausaland;"[452] and Christelow's "Thus ruled Emir Abbas…"[453] provide incisive glimpses of the Caliphate society in the 19 century. Kano Emirate was arguably the epitome of the Sokoto Caliphate type society. Imoru painted a clear picture of its workings. The Emirate lasted from 1807 t0 1903 and brought qualitative changes.

The emergent culture was total and thoroughly hegemonic. It marked a decisive break with the past. The emergent system had assumed concrete shape by *Amir* Ibrahim Dabo. Crucial structural underpinnings were the family, occupational groups, settlements (villages, towns, cities); in the capital and other major towns, the wards were important. The ideological justification was provided by the intelligentsias in mosques at formal praying sessions, and preaching especially during the month of *Ramadan*. The all-embracing role of the *ulama* in civic life, their dominance of the judicature and their roles as scribes made them an indispensable ally of the aristocracy. The state, however, developed additional and more direct means of articulating the system. In this regard the central role of the palaces and the bureaucracy associated with it especially the coterie of royal slaves, availed with all available infrastructure of coercion were a domineering lot whose visibility increased as the century progressed. The very complex administrative set up was another pillar of the Emirate. Complimenting this was the tax and budgetary system as evolved in Kano. This was linked to all aspects of production, distribution and exchange. Slavery was also integrated into most aspects of life. Every aspect of life was linked to the *Sarauta* and it was the *Sarauta* that defined the parameters within which they operated. By 1903 when the British conquered the

450 Whitaker, Jr. C. S. 1970 *The Politics of Tradition, Continuity, and Change in Northern Nigeria 1946 – 1966*. Princeton University Press. Princeton, New Jersey.
[451] Ferguson, 1973.
[452] Backwell, 1969.
[453] Christelow, 1994.

emirate the immense potentials of the system was still unfolding. It had just survived an acid test in the civil war. Nevertheless a system had emerged. It was this system that was truncated by conquest and traduced under colonialism. This is the theme of the next chapter.

CHAPTER THREE

BRITISH INVASION, THE COLLAPSE OF THE EMIRATEAND THE FIRST PHASE OF COLONIALISM 1903 TO 1918.

> Now these are the words which I, the High Commissioner have to say for the future. The Fulani in old times under Dan Fodio conquered this country. They took the right to rule over it, to levy taxes, to depose kings and to create kings. They in turn have by defeat lost their rule which has come into the hands of the British. All these things which I have said the Fulani by conquest took the right to do now pass to the British. Every sultan and emir and the principal officers of state will be appointed by the High Commissioner throughout all this country.[454]

3.1 INTRODUCTION.

The Berlin conference that carved out Africa took place in 1884/85. The Kano civil war started in 1894. In this chapter we undertake a brief survey of the effect of the *basasa* on the cohesion of the aristocracy, and emphasize that with or without the *basasa*, imperialism had decided on conquest. We then brouched the linkage the Caliphate had with some West European countries before conquest, degenerating from relations between equals, to conquest. A detailed account of the conquest is given because of its significance. Basic to all states is the control of military and police powers. It is hereby argued that the manner of the defeat was critical in the nature of colonialism as unfolded in Northern Nigeria. There was no conditional surrender and no over-rule. Decisive military defeat, followed by systematic loss of other aspects of sovereignty, marked the beginning of the demise of the *Sarauta*, especially the aristocracy, as an independent ruling class. The institution of the basic structures of colonialism: taxation, judiciary, territorial administration, are dwelt upon. Some other

[454] Lugard, L. 1903. "The Sokoto Speech." In: Kirk-Greene, A. H. M. (Ed. & Intr.) 1965. *The Principles of Native Administration in Nigeria: Selected Documents 1900 – 1947.* O.U.P.

structures of the *Sarauta* were also radically altered: land and slavery, for example. It is shown how the *Sarauta* was continuously denuded of its essence, as it was nurtured into a colonial minion. The chapter terminates with the introduction of the railway in 1912 to the end of the First World War in 1918.

3.2 THE KANO CIVIL WAR LEGACY.

The *basasa* was "...the war that was fought to bring Alu into Kano as *Amir*, because it was in the year *ba sa sha. Sha* is the letter equivalent for 1,000, *sa* for 300, *a* is the equivalent for one and *ba* for two. That is to say 1,303 A.H."[455] Etymologically the *basasa* refers to the year in which a change of government, often dubbed in some literature as succession crisis, degenerated in to a civil war in Kano. The consequent civil war, and all other civil wars, is thenceforth called *basasa* in *Hausa*. It was the severest test Kano Emirate (*imarat*[456]*)* experienced. The *basasa* demonstrated, as much as any situation could, the hegemonic cultural situation of Kano. By the last decade of the 19 century splintering had become a major factor affecting all royal and noble families. Majority of the descendants of both the royal and noble families could not get appointments. For example *Amir* Abdullahi had 166 children, and only 28 were appointed to offices of state. Also the Islamic law of inheritance as developed, split the estate of the dead among beneficiaries, and so did not favour concentration of property. Moreover the material advantages of offices were not inheritable. In the Emirate, estates were appanaged to office holders and not personal properties. It was therefore a common characteristic for some scions of the royal and noble families to become

[455] Neil Skinner (Ed&Trans.), 1977. *Alhaji Mahmuda Koki, Kano Malam*. Ahmadu Bello University Press. P.12. The correct rendition I believe is 1312 that is, not adding 1+2 but writing it as he said it. Also, Alkali Husaini Sufi, *Musan Kanmu; Wali Sulaiman a Tarihin Kano* p.64, who also dated it to 1312 A.H. (1894). Hence forth to emphasize the qualitative difference all rulers of the 19 century, the whole of whom were governors under the Sokoto Caliphate are depicted *Amir*; those whom were appointed by the colonial masters as emirs.

[456] *Imarat* is what is rendered as emirate in English.

pauperized. Those sections of families, royal and noble that were being outflanked saw the *basasa* as an opportunity to recoup, and probably get back to prominence and reckoning. During the *basasa* every family that was office holding was split and all their clients per force of circumstances aligned with their masters. More than anything else, the *basasa* defined the situation that obtained in Kano from 1894 till the conquest of 1903. The *basasa*, in a sense also refers to the forceful dispossession by the *Yusufawa* (the victors), of the *Tukurawa* (the vanquished), of their properties and offices.[457] This was the situation that characterized the last decade of the Emirate in Kano. The victims of the *basasa* were the elite, their families and dependants. These involved the *sarakuna* per se but also the judges, the intelligentsia, and the merchants. The father of *Malam* Shehu Usman Zangi of the *Gyanawa*, was a *qadi* under *Amir* Abdullahi, and was married to his daughter. He was thus Yusuf's brother-in-law. He was accused of supporting Yusuf and was beheaded at Jakara. Subsequently the other *Gyanawa* aligned with Yusuf.[458] The merchants aligned with the *Yusufawa* during the *basasa* and were crucial in providing supplies. The *basasa* assumed the importance it did because of the subsequent colonial intervention, but did not cause the intervention.[459] It thus needs to be stated from the outset that a primary conviction informing this work is that colonialism occurred because the imperial countries were convinced of their capacity to conquer the world.[460]Colonel F. Lugard, The High Commissioner, had inaugurated British administration

[457] Yusufawa refers to the followers of Yusuf and Tukurawa those of Amir Tukur during the civil war.

[458] Ado, I. D. 1988. *History and genealogy of the Gyanawan (1000 A. H. to date)*, Kurawa Holdings LTD. P. 13.

[459] Adamu Mohammed Fika's title and thrust exemplify this thinking. Fika, A. M. 1978. *The Kano civil war and British over-rule 1882-1940*, Ibadan, OUP.

[460] Muffett, D. J. M. 1964 *Concerning Brave Captains: Being a history of the occupation of Kano and Sokoto and of the last stand of the Fulani forces*. Andre Deutsch. The opening paragraph of the book is worth quoting. "In the first quarter of the nineteenth century, Britain made a gesture of breath-taking majesty and arrogance by virtually announcing to the world that, having herself abolished the slave trade throughout her empire, she proposed to see that all nations followed suit." This consciousness and arrogance did not start in the nineteenth century. It started with the Renaissance. Samir Amin has noted:

> For the Renaissance is not only the moment of the break with tributary ideology. It is also the point of departure for the conquest of the world by capitalist Europe. It is no coincidence that 1492 marks both the discovery of the new world and the beginnings of the Renaissance. If the period of the Renaissance marks a qualitative break in the history of humanity, it is precisely because, from that time on, Europeans

of Northern Nigeria on January 1, 1900! This was three years before the conquest of Sokoto, the capital of the Caliphate. In 1886 the Niger Company had been given a royal charter to administer the territories. It could impose custom and excise duties, maintain an armed force and execute its laws.[461] George Dashwood Goldie-Taubman of the Royal Niger Company defeated Bida, deposed *Etsu* Abubakar and imposed a new *Estu*.[462] The Sokoto Caliphate was the largest and most complex polity in the Western Sudan by the advent of colonialism.[463] Yet the initial onslaught on this giant of Western Sudan was entrusted to a company! There was however a precedent in India. India was an older, larger, more complex society, with a more advanced technological base. It was the East India Company that spear-headed the conquest of that sub-continent!

Kano Emirate had matured by the accession of *Amir* Abdullahi Ibrahim Dabo 1855 - 1883. Indeed his reign marked its apogee. By his enthronement as *Amir* Abdullahi was not new to administration, having been the *waziri*[464] to his brother *Amir* Usmanu. *Amir* Abdullahi ruled for 27 eventful years. As noted above *Amir* Abdullahihad 166 children (100 daughters and 66 sons). 28 held offices during his reign and subsequently.[465] The most important was his

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become conscious of the idea that the conquest of the world by their civilization is henceforth a possible objective. They therefore develop a sense of absolute superiority, even if the actual submission of other peoples to Europe has not yet taken place. Europeans draw up the first true maps of the planet. They know of all the peoples who inhabit it, and they are the only ones to have this advantage. They know that even if a particular empire still has the military means to defend itself, they will ultimately be able develop more powerful capabilities. From this moment on, and not before, Eurocentrism crystallizes. Samir Amin, 1989. *Eurocentrism.* (Translated by Russell Moore), Monthly Review Press, New York, p 72/73.

[461] Muffett, 1964. P. 23

[462] Muffett, 1964. P. 25

[463] The issue of the degeneration of the Caliphate is a Lugardian thesis (and other colonial apologists). It is supposed to be one of the excuses for conquering the Caliphate.

[464] Often translated and equated with Prime Minister.

[465] Dokaji, A. A. 1978. *Kano ta Dabo Cigari*. Gaskiya Corporation Zaria. This however included those whom held office after he had died. Three of his children became the emirs of Kano in succession. They are Aliyu, Abbas and Usman.

eldest son Muhammadu who was the *waziri*.[466] Next was Yusuf who was a successful military commander and who for a time held the important office of *galadima*. The removal of Yusuf as *galadima* by his father was an issue of great significance.[467]This is a pointer to the Emirate system having attained a measure of sophistication and objectivity. It also meant the chance of Yusuf succeeding his father was slim. *Amir* Abdullahi's confidence in the system he headed was admirable. So also was his confidence in the capabilities of his other children. Indeed three of his children, Aliyu, Abbass, and Usman, became emirs of Kano. Yusuf's mixed fortune in a way illustrates the dynamics of political appointments in the *Sarauta* system.

In Kano the final say as to who became *Amir* was the prerogative of the Caliph in Sokoto. This tradition developed at the inception of the Emirate. It should be recalled that Sheikh Usman Fodio gave a number of his disciples from Kano flags. This was the license to execute the *jihad*. The *Amir* Kano emerged at a meeting where the Kano caucus was made to select and nominate one from among themselves. The Caliph ratified the chosen leader.[468] That was the precedent that was maintained till the death of *Amir* Bello in 1893. The splintering that had commenced in the leading clans of the Fulani nobility, and which had favoured the Sullubawa also became manifested in the family of Ibrahim Dabo. Usman, Abdullahi, and Bello, all of them Emirs (*Amarau*[469]*)* one after the other, were full brothers. The first two ruled for a total of 36 years. Thus by the time Bello became Amir, he was over 60 years old. *Amir* Abdullahi's 27 years long rule, afforded him the opportunity to consolidate his

[466]He died in his father's time.
[467]Emir Abdullahi's half-brother *Galadima* Abdulkadir was also deposed. Indeed there were executions of corrupt public officers, including a *Qadi* during his time.
[468] At this particular incident the Caliph was represented by his son Mohammad Bello, who latter succeeded him.
[469] Plural of *amir*

immediate family, in-laws (marriage alliance being an important aspect of the system), clients, and cronies. A reasonable number had been appointed to strategic positions in the Emirate structure. The favourable economic conditions facilitated by his rule led to prosperity and also endeared these acolytes of *Amir* Abdullahi to the merchant community, which by then had become crucial in Kano. Overwhelmed by the groundwork of his brother in the first instance; also due probably to the fact that age was not on his side, *Amir* Bello 1882-1893 was in a hurry to position his own children and cronies in favourable positions. Ordinarily this would have been normal. However, the process that normally required considerable advanced planning and deft manoeuvrings whenever the opportunity afforded[470]usually took a long time to accomplish. The extreme of the continuum is to insist that every appointed official held office at the convenience of the *Amir*.The *Amir* could thus depose any and everybody. This is however a theoretical postulate.[471]*Amir* Bello took the position too literally thereby offsetting the harmonious *modus operandi* of governance. He undertook a wholesale deposition of his nephews. This entailed losing the territories attached to their offices as appanages, a factor that deprived them of a very important source of revenue. It was seen, and rightly too, as an attempt to pauperize them. Pauperization would diminish their chances in subsequent power struggles. *Amir* Bello also forced a number of other political appointees married to the daughters of *Amir* Abdullahi to divorce them. Fika listed the *Sarakuna* of Rano, Dutse, and Kura as those forced to divorce their wives who were daughters of *Amir* Abdullahi.[472] This was a source of considerable embarrassment to the family of late *Amir* Abdullahi, of which Yusuf was patriarch. The 10 years rule of *Amir* Bello

[470] This may be due to the death of the incumbent, failure in a military assignment, incompetence or extortion, among others.

[471] Ferguson, D. E. 1973. "Nineteenth Century Hausaland: Being a description by Imam Imoru of the land, economy, and society of his people." Ph.D. UCLA. P.225. "In Hausaland, on the day a ruler dies, all the officials he has installed lose their authority until a new ruler is installed: he leaves in office those he likes and removes those he does not like."

[472] Fika, A. M. 1978 p. 52. The *Sarki* of Jahum however refused.

was not long enough to erode the considerable influence and goodwill the children, family and protégées of *Amir* Abdullahi had garnered over the decades. The situation came to a head when the Caliph Abdurrahaman, appropriately nicknamed *danyen kasko* (unbaked pot), chose Tukur to succeed his father *Amir* Bello. All evidence points to the fact that the Caliph followed more the letter rather than the spirit governing change of government (succession). Yusuf and his brothers and all the other persons who had suffered under the rule of *Amir* Bello, organized and challenged the choice militarily. The aristocracy of Kano, by some acts of commission locally, and by some acts of omission from Sokoto, thus slipped into a major crisis. Kano society was split. In a society headed by an aristocracy that has a hegemonic control, it engulfed a substantial part of the population.

Amir Bello had also antagonized the other title-holders (*hakimai*), noble and servile, major pillars of the system. By 1882 the *Amir* had no territories under his direct control.[473]The *Amir* partly relied on a percentage of taxation that was collected in his name and on his behalf, from the whole Emirate. In the process of tax assessment and collection, the territorial administrators and representatives of the executive in Kano (*hakimai* and *jakadu*) were central. *Amir* Bello undertook a re-organization of the tax collection process and made it more efficient. This led to most of the territorial administrators loosing a substantial part of their revenue base. This was the right to appropriate 1/3 of the tax collected. *Amir* Bello did not change the percentage though. He achieved this by increasing the number of executive officers (*jakadu*) attached to each territorial administrator (*hakimi*) such that for each territory there was an executive officer representing the *Amir's* interest. Hitherto there were between four to five executive officers only, attached to each territorial administrator.[474] This was

[473] Fika, A. M. 1978 p.32. But see appendix x for a list of the royal estates at his disposal.
[474] Fika, A. M. 1978 p. 55.

irrespective of the extent or number of territories under the jurisdiction of a *hakimi*. *Amir* Bello deposed a number of the lesser rulers of semi-autonomous towns (*sarakunan garuruwa*). The ruler of Dutse was not only deposed but his property was confiscated.[475] The ruler of Kiru was deposed, allegedly for embezzling tax revenue. Fika listed five lesser rulers of towns who were deposed by *Amir* Bello, allegedly for insubordination, oppression and extortion.[476] The depositions also affected Judges and the intelligentsia.

By 1882 also the situation of the slaves in the emirate had so changed that they could marry freeborn, and their children could aspire to inherit their offices. Again *Amir* Bello stopped this by instituting facial marks (*uku-uku*) which distinguished the free from the slave at sight. *Amir* Bello also forced them to divorce their freeborn wives. This was in order to preclude their children any pretensions of wanting to inherit the offices of their fathers. The category of the disgruntled that could be mobilized against *Amir* Tukur was considerable. It should also be borne in mind that the reforms introduced in taxation affected every agrarian family negatively. The tax reform introduced led to its imposition on farms instead of on households as obtained before *Amir* Bello.[477]

Amir Bello introduced his tax reforms partly to garner more resources to enable him ingratiate himself to Sokoto and enhance the chances of one of his sons succeeding to the office of *Amir* Kano.[478] Massive resources were provided to Sokoto. Garba indicated that on one occasion he sent 10,000,000 Cowries to the *Caliph* and 5,000,000 to the *waziri*. The annual remittance during his period was 250 horses, 1,500 gowns, and 250 bags of Cowries

[475] Garba, Tijjani, 1986 "Taxation in Some of Hausa Emirates, c.1860-1939" Ph.D., Birmingham, P.160.
[476] Fika, 1978 p.57
[477] Garba, 1986, p. 100.
[478] Fika, 1978, p. 50.

(with 1 bag being 20,000).[479]Military assistance was readily provided Sokoto in its many encounters. Tukur, understanding the situation perfectly was outstanding in the encounter with Kebbi, and his brother *Ciroma* Abubakar died in the encounter with Argungu.[480]

The *basasa* affected every family of the aristocracy and all the structures of Kano society. Thus in the last decade before colonialism, Kano was a split society. Rapport had not even been achieved with Sokoto. The choice of Aliyu Babba (1893-1903) to lead the Yusufawa over and above his older brothers was partly informed by his maternal relation with the family of the Caliph in Sokoto. Aliyu was the son of Saudatu the daughter of Caliph Aliyu Babba (1842-1859). Caliph Aliyu Babba was the son of Caliph Bello (1817-1837). The Caliphate seat was expected to look with compassion one of its own. The 10 years rule of *Amir* Aliyu was not long enough to have healed the wounds of the *basasa*. Therefore by the time of the decisive encounter with colonialism there was an obvious fission among the Kano aristocracy. The first emir under colonialism, Emir Abbas (1903-1918) had to make some restitution.[481]Between 1893 and 1903 though Kano had become weakened by the *basasa,* its defeat was because of the tremendous technological developments Europe underwent that led to imperialism.

3.3KANO EMIRATE'S PRE-CONQUEST LINKAGES WITH WESTERN INTERESTS.

[479] Fika, A. M. 1978, p. 157.
[480] East, R. M. (Ed.). 1970. *Hausawa da Makwabtansu ii*. NNPC, Zaria, p. 49.
[481] Christelow, A. (Ed.) 1994. *Thus Ruled Abbas, Selected Cases from the Records of the Emir of Kano's Judicial Council*. Michigan State University Press. Chapter five is devoted to "The return of property seized during the *basasa*."

Kano emirate lasted from 1807 to 1903. The 19 century coincided with the peak of European imperialism. Incursions into Africa by some Western European countries with imperialist designs had commenced prior to the beginning of the century. This took the form of explorations organized by some scientific, humanitarian, and capitalist concerns.[482] The composition of the exploring parties and the information they sought pointed to the fact that they were espionage cum reconnaissance parties. Ostensibly to gather information on trade possibilities, they collected information which went beyond the needs of trade. Searchlights were directed to the total cultural life of the people.[483] More specifically they sought to know the nature of governance and structure of government. Also important to the explorers were the total military capabilities of the societies. Thus from Clapperton, who not only met Caliph Bello but who observed some troops in combat; to Heinrich Barth who while in Kano was interested in the town fortifications; knowledge of the military situation was crucial. Those who were in Kano included Clapperton in 1824 (20th January- 23rd February and 22nd May-3rd June); again in 1826 (20th July-24th July). Heinrich Barth was in Kano in 1851 and 1854. Paul Staudinger visited in 1885 and reported that the 'Sultan of Kano could muster six thousand riders,' and that treatment meted to spies was death.[484] P. L. Monteil visited Kano between 1891-1892 and. H C. Robinson in 1893. Maimaina Jega,[485] the son of Abiga, who was ransomed from slavery by Heinrich Barth and taken to England, returned in 1857 employed as a spy by the Royal Niger Company and sent to Kano in 1901. His mission was to find out if Kano had trained soldiers.[486]

[482] Boahen, A. "The African Association, 1788 – 1805." In: Falola, T. (Ed.). 2004. *Africa in the Twentieth Century: The Adu Boahen Reader*. Africa World Press, Inc.: Trenton, NJ & Asmara, Eretria.
[483] By 1900 we are informed there was already a Mr. Robinson, Hausa Professor at Cambridge. Muffett, D. J. M. 1964, *Concerning Brave Captains: Being a History of the British Occupation of Kano and Sokoto and of the Last Stand of the Fulani Forces*. Andre Deutsch. P.28.
[484] Moody, J. E. 1967. "Paul Staudinger: an Early European Traveller to Kano" **Kano Studies**, 3, p.49 & 52.
[485] Was born c.1874
[486] Muffett, 1964. p. 56.

Treaties had been signed facilitating trade and concomitantly guaranteeing the security of the European nationals.[487]The agreements concluded between Caliph Bello and Caliph Ali, with Clapperton and Dr. Barth in 1824 and 1853 respectively, have been described as unilateral grants by the issuing authorities to the recipients giving them statuses of protected persons with the right to trade.[488]The treaties concluded during the scramble were on the other hand ones stipulating mutual obligations by which *jizya*[489] was extracted by the Caliphate. Records showed that the company paid an annual amount to the value of 40,000,000 Cowries (2,520 pounds) to Gwandu and 60,000,000 (3,780 pounds) to Sokoto. This was in accordance with the treaty with Caliph Umaru (1881-1891) and *Amir* Maliki of Gwandu, by Mr. Joseph Thompson.[490]This must be what the *waziri* Muhammadu Buhari was referring to when he acknowledged receipt of letter and gifts of the Christians 'which is customary and known.'[491] Thus up until this points the sovereignty of the Caliphate was recognized and respected.[492]

It should be recalled that with the demise of the trans atlantic trade and the development of what was styled legitimate trade various European interests swarmed the west coast of Africa and from there initiated the penetration of the hinterland. The Niger and Benue Rivers, to which many expeditions were directed, provided ready means of access. The Caliphate extended to both rivers through the Emirates of Nupe on the Niger and that of Adamawa on the Benue. Thus trade between the Emirate of Kano and European concerns had been firmly established. In Kano this was largely mediated through the medium of North African traders

[487] Backwell, H.F. (Ed. & Trans), 1969. *The occupation of Hausaland 1900 – 1904: Being a translation of Arabic letters found in the house of the Waziri of Sokoto, Buhari, in 1903*. Frank Cass & co limited. P. 1.
[488] Adeleye, R. A.1968. "The Dilema of the Wazir: The Place of the *Risala ila ahl al- ilm wa'l-tadabbur* in the history of the Conquest of the Sokoto Caliphate" **JHSN**, 4, ii, P. 286.
[489] *Jizya* being the tax imposed on non-Muslims who were protected within the Caliphate, exempted from military service and had freedom to practice their religion and pursue their callings.
[490] Muffett, 1964. p. 25.
[491] Backwell, H. F. 1969. Letter number 30 from Vizier Buhari to Caliph Abdulrahaman.
[492] Junaidu, M. (*Wazirin* Sakkwato), 1956 *Tarihin Fulani*, NNPC, Zaria, pp.48, 52, 55 and 56 discussed some aspects of this early relationship.

who had been established there for centuries. This section has demonstrated how the relationship that obtained up till late 19 century was between sovereign states.

3.4THE MILITARY CONQUEST OF KANO EMIRATE.

The military conquest of Kano commenced on February 3, 1903. Bida, Kontagora, and Zaria (without a fight) had capitulated among the south-western Emirates of the Caliphate. The pretext for the attack on Kano was the presence of the *magajin gari*[493] of Keffi, Dan Yamusa, in Kano. He was accused of killing Captain Molony, Lugard's appointed Resident for the sub-emirate of Keffi, and fleeing to Kano.[494]

The absence of the *Amir* Kano in the encounters with the British colonial forces is a phenomenon that has stirred considerable interest among historians in the conquest of Kano. *Amir* Aliyu Babba left Kano with the imminence of the attack. He deserted his army surreptitiously at night when it was obvious that a head on collision was inevitable. As discussed above *Amir* Aliyu concluded the civil war in Kano in which *Amir* Tukur, appointed by Sokoto, was killed. *Amir* Aliyu had not renounced his recognition and subordination to the office of the Caliph,[495] though he slashed the tribute that his predecessor was munificently sending to Sokoto. By 1903 *Amir* Aliyu Babba had been in office for about 10 years. He did not all the while pay a personal homage to the Caliph in Sokoto. The death of Caliph Abdulrahaman, and the ascendance of Caliph Attahiru Ahmad I (23 October 1902-27 July 1903) provided an opportunity to formally re-establish normalcy. It also afforded an opportunity to discuss and put into practice, his contemplated response to the colonial onslaught. This has been officially articulated, and *Amir* Aliyu had a definite position, which

[493] A title which, in this instance mean overseer of the sub-emirate of Keffi.
[494] Muffett, 1964. pp 62-69.
[495] Junaidu, M. (Wazirin Sakkwato), 1956, p.55 said the Caliph forgave Aliyu and he was recognized; that the Vizier was subsequently in Kano to confirm the investiture.

he had campaigned for. This is crucial because the attitude and subsequent position adopted by *Amir* Aliyu of Kano was crucial in the subsequent events as they unfolded in Kano. It should be recalled that there was a crucial debate in the Caliphate, in the face of the certainty of an invasion, on the correct response to adopt. Quite a number of factors need to be considered in this respect. The first, which was the defining one, was the reality of the conquest. Not only had Colonel Lugard (or his forces) defeated some Emirates of the Caliphate, he had audaciously appointed new emirs and communicated the *fait accompli* to Sokoto. The case of Bida and Kontagora readily comes to mind.[496]In the Emirates where there was submission without a fight, the *Amarau* had been left in office as colonial appointed emirs. Importantly also Lugard in one of his letters intimated the Caliphate leadership that: "I do not wish to drive out the Fulani and the Mohammedans (sic), I only wish that they should rule wisely and with humanity." Colonel Lugard, the British appointed High Commissioner, promised to support and uphold them.[497]The letter from Colonel Morland was even more audacious, he had noted: "…If you receive us in peace, we will not enter your house, we will not harm you or any of your people. **If you are loyal to us, you will remain in your position as *Sarki*n *musulmi*, fear not**" [498](emphasis mine). The import of their intention was therefore clearly understood. Indeed the other *Amir al-muminin* Ahmad b. Shaikh Umar of Segu was already a fugitive in the Sokoto Caliphate. His country, Segu, had been consumed by the raging colonial onslaught. *Baba'* of Karo described the arrival of a Segu party into Zarewa, a town in Kano Emirate thus: "Then the *Tejani* came, they came from the edge of the river far away, the Christians have driven them out …They were fleeing …They came into the town and rested. Some had lost their legs, some had no arms, some

[496] Junaidu, M. (Wazirin Sakkwato). 1956. *Tarihin Fulani*p. 13. Letter of March 18th 1901.
[497] Muffett, 1964. p.13. Also Junaidu, 1956 P.55 mentioned that the Vizier Muhammadu Buhari was met in Zaria (by Colonel Morland ?) and forced to release all the slaves that had been given to him for onward conveyance to Sokoto.
[498] Muffett, 1964. p.14. This letter was written after the fall of Kano.

were ill; some rode horses, some were on foot."[499]The onslaught of the Europeans as colonizers was therefore poignant and common knowledge. Secondly and importantly this had forced the Caliphate authorities to initiate a public debate as to what attitude and means to adopt in the face of this Christian onslaught. Four positions were considered viz: 1. Unquestioned submission; 2. Taqiyya; 3. Hijra; and 4, Underground resistance.[500]The one that counselled fight or flight was supported by the *Amir* Kano, and the other that counselled accommodation was supported by a future Sultan, Muhammadu Maiturare; and a future emir of Kano, *wambai* Abbas.[501] The *Amir* Kano counselled total emigration, while the *marafa* of Sokoto opposed such a move. The Caliph seemed to have concurred with the *Amir* of Kano. Adeleye indicated that he furnished the *Amir* Kano with letters of introduction.[502] Whether or not they were informed by the proverbial belief in the end of the era and the coming of the *Mahadi* we cannot be definite.[503] What is certain, however, is that these two rulers at least decided that come what may they would not give in to the colonialists. Adeleye argued that the leadership was concerned about the correct attitude to adopt. It is important to note that this was after a careful search, which included resort to '*Masail Muhimma'* of Shehu Fodio. They had to satisfy their conscience by determining what, canonically, was the orthodox step to take in a situation in which Muslims had no other choice but to have intercourse with unbelievers and even accept their rule.[504] Two important documents espousing different attitudes have come to light. The first was the '*Risala ila'l – muasirin'* by *qadi* Abdallah. *Qadi* Abdallah was appointed by Caliph Abdulrahaman Atiku (1891 – 1902) as *qadi qudat.*[505] He proffered the absolute illegality of living under unbelievers and unconditional truce. For

[499] Smith, M. F. mcmliv *Baba of Karo: A Woman of the Muslim Hausa*. Faber and Faber LTD London p. 66.
[500] Adeleye, 1968. P. 290.
[501]Dokaji, A. A. 1978. Kano ta Dabo Cigari. NNPC.
[502] Adeleye,1968. P. 292.
[503] Tahir, 1975. P.321.
[504] Adeley, R. A. 1968. The Dilema of the Wazir P. 285.
[505] Qadi qudat is akin to Chief Judge. Omar Bello, (Ed. and Trans.), 1995. *Ulama and Colonialism in Nigeria. Risala Ila'l –Mu'asirin, by* Al-Qadi Abdallah, (N.P.) {Arewa House}.

him truce must have a limit so that *jihad* would not cease. Migration from a place ruled by unbelievers was obligatory and if Muslims would not be able to protect Islam under such rule, their acceptance of the rule was unlawful.[506]There was also the document that became popularly known as the *risala* of the *waziri*.[507] This document offered a more pragmatic position. It is also important to note that it was written after conquest. These two documents pointed to the intellectual debate that raged, on what attitude to adopt. It is however, important to remember that the Caliph had replied Colonel Lugard that: "...between us and you there are no dealings except as between *Mussulmans* and unbelievers [*Kafiri*] war, as God has enjoined us…"[508]Thus in Kano and Sokoto the stage was set for a definite confrontation.

In the collection of letters recovered from the chancery in Sokoto there were at least 10 letters written to the *Amir* of Kano on the unfolding situation regarding the advance of the colonialists' forces. These letters emanated from different places. There was one from *Sarki*n Dilara Muhammadu Wabi on the situation in Azare, and informing the *Amir* of the flight of *Sarki*n Yaiyu and of Ahmadu *Sarki*n Borno. Another letter came from *Sarki*n Jama'ari informing that the Christians have reached Katagum. From Abdulkadir Muhammad Alhaji *Sarki*n Borno, came the letter reporting on the Yaiyu situation and the flight of *Sarki*n Borno. There was the letter from *Sarki*n Borno Ahmadu confirming his flight. Dalhatu *Sarki*n Zaria wrote intimating the *Amir* Kano of the intentions of the Christians to march on to Kano and

[506] Omar Bello, (Ed. and trans.), 1995. *Ulama and Colonialism in Nigeria*.

[507] Adeleye, R. A. 1968. "The Dilema of the Wazir: The Place of the Risala ila ahl al- ilm wa'l-tadabbur in the History of the Cconquest of the Sokoto Caliphate" **JHSN**, 4, ii.

[508] Backwell, H. F. (Ed.) 1969. *The occupation of Hausaland* p.13; Muffett, D. J. M. 1964.*Concerning Brave Captains* ... thinks this letter is a forgery, an excuse used by Lugard to convince the Colonial Office, that the Caliph has turn down all peaceful overtures. As relations deteriorated though, vizier Muhammadu has mentioned that on one occasion the Caliph had turned back Lugard's emissary, and on another replied Lugard by writing his reply on the back of the letter that Lugard had sent. His reply was that all knowledge and all power belonged to God. In essence the Caliph was saying he was not intimidated by Lugard. These actions were after Lugard had started attacking some emirates and deposing emirs.

making people work in Likoro. The *Amir* Kano was also fully aware of the arrival in Bauchi of a military column. The encirclement was almost complete with the French advance from the north-easterly direction.

Amir Aliyu had left Kano for Sokoto on January 2, 1903. In the context of the unfolding tragedy, his decision to undertake the journey was significant. More significant, however, was the fact that he left with absolutely all members of the aristocracy of note, denuding the Emirate of its military machinery. It will be recalled that in the Emrate dispensation, the *Amir* controlled the central fighting machinery. Next in importance were the major territorial administrators. These and all their men under arms accompanied *Amir* Aliyu to Sokoto. Thus whether or not the *Amir* directed that anybody who wavered in the defence of the Emirate would be put to death is academic. Had he wanted a fight, he would have stayed. His unnecessarily long stay in Sokoto[509] is another pointer that *Amir* Aliyu had made up his mind that there would not be a decisive encounter with the invading forces. If further confirmation was needed his deserting his own army rested the matter.

The issue of the technological superiority, which the Maxim gun only symbolized, was crucial in the encounter. Though denuded of most of its fighting machinery in the encounter of February 3, 1903, historians must properly situate the significance of the force arraigned against Kano. In the context of the Caliphate, Lugard expected a more serious resistance from Kano, for he informed his superiors in the Colonial Office that the forces he arraigned against Kano was three times as large as the forces employed on the occasions of the attack on

[509] It has been suggested in one source that he was in Sokoto for over a month. Muffett, 1964 p. 95.

Kontagora, Yola and the Mallam Jibrilla affair. It pointed to the different level of development of the two societies. In the Kano encounter we were told:

> At 6 a.m. on February 3, with a force of twenty-four officers, two medical officers, twelve N. C. O.s, seventy-one artillery-men, 550 infantry, 101 mounted infantry and four 75-mm guns and four maxims, Morland attacked the hitherto impregnable fortress. He left his carriers behind him at the base of the Chalawa guarded by three officers and seventy-five men. They numbered about 1,000, and were securely penned in a zareba, surrounded by thorn entanglements.[510]

Interestingly guns have been employed in Kano since the time of *Amir* Abdullahi (1855-83). Efforts had been made at stock piling guns and ammunitions. This they could hardly use though. Compare the fact that on the other hand for the invading force: "The 75-mm guns as well as the maxims all had to be transported on the heads of their own specially trained and enlisted carriers. ***Vickers, Sons & Maxim, the manufacturers, had admittedly designed them especially for this purpose and provision was also made for rapid mounting and dismounting"*** [511](emphasis mine).

The two societies about to confront each other were at different levels of development technologically and therefore organizationally. Industrialized Britain was qualitatively far superior to un-industrialized Kano at the level of the development of material forces of production, destruction, and organization.

The first encounter in Kano emirate was at Bebeji on February 1, 1903. Bebeji dared the invading forces and was shell fired. The invaders reported a loss of only two officers and 12 men wounded; the defenders lost 30 men including the head of the town.[512] And to send an unmistakable signal to Kano, seven of the bodies were burnt to ashes, including that of the

[510] Muffett, 1964. p. 91
[511] Muffett, 1964. p.113.
[512] Muffett, 1964. P. 89.

head of the town.[513]Dramatic reportage of the assault on and defeat of Kano abound.[514]The defence of Kano was left to two important slave officials,[515] and whatever forces they could muster. Colonel Lugard put the casualty of Kano at 300. He had noted: "We have captured 80 horses, several rifles, 3 of our own carbines, several hundred guns, much powder and some thousand cartridges, many being French."[516]Colonel Lugard intimated that all the dead were of the fighting men. After securing the city Colonel Morland made a gesture of tremendous significance. All the soldiers and carriers were quartered in the *Gidan Rumfa*, the palace. All the slaves in the Kurmi market were released. Conscripted labour, subsequently tagged *aikin talauci*, was used in constructing the barrack, and the Nasarawa Palace was also appropriated. Indeed it was only in 1905 that the emir was granted permission to refurbish the walls of Kano every second year![517] The defeat was so convincing that only a force of 254 was left to guard Kano, when the invaders marched on to Sokoto. It was a poignant way of demonstrating victory.[518]

The defeat of Kano was not the end of the encounter with the Emirate forces. *Amir* Aliyu who was on his way back from Sokoto was confronted with the bitter news at Faru. His reaction was probably what gave room for the notion in the colonial sources that Kano was ordered to be defended to the last man (at least of the remnant of the army which he left behind). It was reported that the bearer of such a bad news was flogged and tied to a stake. The news was confirmed at Birnin Goga by *Sallama* who had escaped with some of the family of the

[513] Tukur, M. M. 1979. "The Imposition of British Colonial Domination on the Sokoto Caliphate, Borno and Neighbouring States: 1897-1914: A Reinterpretation of Colonial Sources." PhD. ABU. Note 153 of page 64.
[514] See Muffett, 1964. For other Colonial sources of the encounter.
[515] Muffett, 1964. P. 99. One was the *Sarkin Shanu*, a slave, a Garewa of Northern Gwari and Sallama. Others mentioned in this source were the *Sarakuna* of Garko and Kunchi.
[516] Muffett, 1964. P. 92/3.
[517] SNP7-1855/1911 Kanoprof summary of Events.
[518] SNP7-1855/1911 Kanoprof summary of Events.

Amir.[519]*Sallama* was an important official and could not have left Kano otherwise, moreover, he had along the *Amir*'s senior wife. What transpired subsequently has been variously interpreted.

After listening to the account of the *sallama*, the *Amir* made the consultations he could, analysed the situation, took his decision, and acted on it. He deserted his army. It is this desertion which has generated interesting analysis. Had *Amir* Aliyu, a renowned warrior, transformed into a coward who fled? The totality of the circumstance did not give room for a simplistic interpretation. *Amir* Aliyu had been involved in the debate on the policy options open to the Caliphate. He had counselled total evacuation, and collected a letter of introduction from the Caliph, as mentioned earlier. The Kano aristocracy was not unanimous on this unfeasible approach. The *madaki* Kwairanga was deposed on the way to Sokoto for allegedly advising accommodation. The interesting thing that happened was that *Amir* Aliyu did not attempt to evacuate his contingent. He did not even bother to nominate or appoint a leader for them. Three things have, however, pointed to the possibility of "hedging their bet" as posited by Tahir.[520]*Amir* Aliyu dispatched his full brother, *galadima* Mamudu, back to Sokoto to intimate the Caliph of the bad news. His fresh bride, the daughter of the Caliph was also sent along. *Amir* Aliyu left his first son, *chiroma* Abdulkadir, to his own devices. *Chiroma* Abdulkadir was not despatched to Sokoto, nor taken along to escape. *Wambai* Abbas, a half-brother, was left behind. Many factors must have informed Amir Aliyu's decision. There was also the possibility that he was aware of the return to Kano of Abdullahi, son of late *Amir* Tukur, ready to accommodate the colonialists. Whatever informed *Amir* Aliyu we may never know.

[519] Muffett, 1964. P. 100.
[520] Tahir, 1975 P.326.

The Kano party broke into three after the flight of the *Amir. Galadima* Mamudu led the party that returned to Sokoto. *Wambai* Abbas led the party that decided to go back and submit. The *waziri, sallama, dan-rimi* with about 300 other members of the aristocracy decided they were not going to submit. It was this group that further engaged the colonial army at Kwatarkwashi on February 25, 1903. It was the main Kano group, for the colonial sources put the number at about 3,500 men. They were defeated. Many were captured, with much booty and prisoners. The *waziri* was among the dead at the encounter in Rawaiya. The significance of the technological superiority was reflected in the casualties recorded. The lost by the colonial forces was one wounded and three horses dead. Another encounter took place at Chambarawa. There, Yamu, the son of the *waziri* also made the supreme scrifice. Others who made the supreme sacrifice included *sallama* and *mabudi*. There was a final engagement in Kano territory during the *Hijra* of the Caliph at Gormi on April 23, 1903. There the invaders lost only two soldiers, but the *hijra* contingent's loss was reported considerable. Finally there were other Kano elements in the final battle at Burmi on April 24, 1903. Meanwhile *Amir* Aliyu was "captured" by *Sarki*n Gobir. Lugard was contacted and Captain Foulkes was dispatched to bring *Amir* Aliyu in. *Amir* Aliyu was treated as a prisoner in a very humiliating manner. He was made to ride on a mare, with no bridle and haltered to a trooper's horse. He was subsequently exiled to Yola and finally Lokoja. There he married Rahamatu, the young woman who demonstrated extraordinary courage by trying to set the armory in the Palace on fire. *Amir* Aliyu died in 1926.[521]

[521]Dokaji, 1978. Muffett, 1964. P. 137.

As the colonialists advanced they had demonstrated that they were going to undermine the *Sarauta* system. The Royal Niger Company had abolished the legal status of slavery in 1897. The advancing colonialists that met the *waziri* of the Caliphate, Muhammadu Buhari, in Zaria with some slaves he had received as part of the tribute to Sokooto, as was customary, was compelled to release them. A proclamation had also been made in 1901, which was supposed to have prohibited all transactions in slaves. By this proclamation all children born after that date were considered free. Other proclamations were also made subsequently.[522] As the invading forces advanced they had collected people and made them work. They were however paid.[523] It is common knowledge that among the enlisted men engaged by the conquering army were some people of Kano origin.[524] Indeed during one of the encounters this assumed a comical dimension. At the encounter in Chambarawa from among the contingent being led by the *waziri* of Kano, the ones that decided to engage the invading forces after the *Amir* had fled, was a village head of the *sarkin dawaki maituta*, named Dan-Gwarzo. Eye-witness account said he was the first to charge, and was felled. Among the enlisted men of the invading forces was a man called Mainasara who hailed from the village of which Dan-Gwarzo was head. Mainasara, recognizing his village head who, had been felled, broke ranks from the opposing side and dragged his village head away.[525]This is an interesting commentary on the consciousness of the commoners of the Emirate. Though ready to earn some pay by being most likely a carrier to a conquering army, primordial sentiment fostered by hegemonic acculturation overcame him during actual engagement. The colonialists have demonstrated their military superiority by a brutal and decisive military conquest.

[522] Numerous sources but see Ubah, C. N. 1990 "The Suppression of the Slave trade in the Nigerian Emirates." Paper presented at the World Conference on Slavery, Kaduna, Nigeria. 26th-30th March.
[523] Backwell, 1969. Letter no. 120.
[524] Backwell, 1969.
[525] Backwell, 1969. p.123.

3.5 THE FIRST TENTATIVE STEPS OF THE COLONIALISTS.

The first step taken was to publicly paste the protectorate proclamation in Kano. Among the issues raised was the reality of conquest. The emir will thenceforth be under Government and was to be chosen by the High Commissioner. Any complaint was to be laid before "the big white man." Ill-treated slaves were directed to report; and all slaves for sale in Kurmi market were released. All firearms were confiscated. The proclamation said every work would be paid.

A message was sent to *wambai* Abbas inviting him to come and surrender and be made emir.[526] A messenger, Adamu Jakada, met the party headed by the *wambai*, which was in any case on its way to Kano to surrender, and informed him that he had been chosen by the colonialists to become emir.[527]Colonel Lugard has intimated that he chose Abbas after some consultations. Morland recorded that Colonel Lugard met with the merchants, local and North Africans, on February 3, 1903, a day after the conquest. In the absence of all the leading men of Kano, they were, the only group he could have conferred with. Among the letters found in the chancery in Sokoto was one from the Arabs of Ghadames living in Kano written to congratulate the newly elected Caliph Attahiru (1902-1903). The import of the letter is not so much in the congratulations being proffered nor in the presents sent, but in the fact that a representative was sent to hold "converse" with the Caliph.[528] It is thus not farfetched that they could have had contact with Lugard and that they were consulted in the choice of the emir. *Wambai* Abbas was responsible for the supply of the *Yusufawa* during the civil war. It

[526] SNP7-1856/1911 Kano Province: Summary of Events. Also East, R. ed. 1970. *Hausawa da Makwabtansu ii*, NNPC. P. 55. Where it was mentioned the colonialist sent *Ma'aji* Auta and soldiers to bring in Abbas.
[527] Muffett, D. J. M. 1964. *Concerning Brave Captains …*p. 125.
[528] Philips, J. E.1993 "Five Letters from Sokoto Archives Bearing on the Kano Civil War." **Sudanic Africa**, IV.

is thus reasonable to assume that the merchant community was familiar with him and recommended him. There has always been intense interaction between the aristocracy and the merchant community.

Wambai Abbas was received by Lugard and was made to appreciate in no uncertain manner that the people of Kano were a conquered lot. Steps had been taken even before the arrival of *wambai* Abbas to that effect. After the conditions of his appointment were spelt out to him, and his acceptance of the conditions, he was appointed on probation. Colonel Lugard then proceeded to Sokoto. *Wambai* Abbas was only formally installed emir on April 3, 1903.[529]

3.6 ESTABLISHING NEW LINKAGES BY THE COLONIALISTS.

It is important to appreciate the working of the High Commissioner Lugard's mind in those early years. On January 23, 1903 before conquest, in a confidential dispatch to Mr. Chamberline, Colonel Lugard had intimated him that: "I have not any great hope that the new emirs will prove good rulers. As in India, in the case of the native states, it is to the second and third generations that we must look for real progress and enlightenment."[530]Later, Major Arthur Festing as Resident Kano opined:

> Taking the emir of Kano as representing a class, his passive resistance and obstruction, partly due perhaps to natural conservativeness renders progress difficult. His despotic, suspicious and jealous temperament makes him as an individual hard to deal with. Whilst his tendency to relapse into old abuses and his uselessness as a government agent in anything where straight dealing is concerned, e.g. collecting

[529] SNP7-1855/1911 Kanoprof Summary of Events.
[530] SNP7-1855/1911 Kanoprof Summary of Events.

> tribute or upholding of justice and order, makes it difficult to describe him as ought but a danger to the administration.
>
> I will go further and say that so far as Abbas is concerned I cannot nominate a successor likely to be less troublesome than himself.[531]

With little knowledge of the intricacies of the aristocracy, High Commissioner Lugard's focus was on the next generation aristocracy. The present aristocracy, of whom not much was expected, was a conquered lot and the first thing was to make them realize this reality. Thus emir Abbas had the initial free hand to choose his team from a thoroughly decapitated aristocracy. Even then he had to comply with the conditionality that none of those who had taken up arms against the colonialists was to be given any appointment.[532]

We have noted the oath of *mubayia* in the last chapter. Emir Abbass' oath of office sworn to the colonialists was:

> I swear, in the name of Allah and of Muhammadu his prophet, to serve well and truly, His Majesty King Edward VII, and his representative the High Commissioner of Northern Nigeria, to obey the laws of the protectorate and the lawful commands of the High Commissioner and of the Resident.[533]

By 1918 the oath was modified thus:

> By God, than whom there is no other God, I promise to serve truly his majesty the King of the English, George V and his deputy the Governor. I will obey without fail the laws of the government and the lawful commands of the Governor and his deputy, unless these are contrary to Mohammedan religion. If they are so (contrary), I will at once inform the Resident in order that he may inform the Governor. I will keep in my heart no sort of enmity or treachery. I will rule my people with justice, without oppression. If I break this promise may God execute judgement upon my head.[534]

Gwadabe suggested that "not much was achieved in terms of checking the powers of the emir."[535] And agreeing with Fika whom he referred to, this was allegedly because Emir

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[531] SNP6/4-139/1908 (Confidential). Emir's Attitude of. Comment on Present Dynasty. In another confidential memo SNP6/4-C111/1908 the emir had resorted to alcohol.SNP6-139/1908 a confidential addenda list the specifics of the offences and the personnel who allegedly committed them in three months.

[532] Those who cooperated were rewarded. *Marafa* Maiturare who marched on Satiru was later appointed Sultan. There are other examples.

[533]Lugard, L. 1965 *The Dual Mandate in British Tropical Africa*, London. Frank Cass & co, Ltd. p.212.

[534]NAK:SNP 10 - 57P/1918 Chiefs (Northen Provinces): Oaths to be taken on Appointment.

[535] Gwadabe, M. M. 2003. "Anglo – Kano relations 1903 – 1926: The Conquest of an Emirate" p. 71. In Hambolu, M. O. 2003,(Ed.). *Perspectives on Kano – British Relations*. National Commission for Museums and Monuments, Gidan Makama Museum, Kano.

Abbas succeeded in placing his cronies in strategic positions. We suggest all of emir Abbas' appointments were from the second eleven of the aristocracy, and were done in the context of the conditionality of his appointment.The first conditionality being none of those who had taken up arms against the colonialists were to be given any appointment. It was only after Emir Abbas' visit to the High Commissioner in Zungeru in 1904 that he could appoint his son Abdullahi as *waziri*. Abdullahi was among those who defended Kano and was reported to have been at Burmi, where the last stand took place.[536]

In only three years the colonialists had become confident of the progress recorded. The relationship with the emir was described in favourable terms. Emir Abbas' attitude was satisfactory and he was always ready to supply human transport labour. This notwithstanding the chiefs were reportedly kept under watch by the Resident and emir such that Dr. Cargill confidently asserted: "… I do not think that there are many chiefs who would now abuse their power nor any who would directly defy our rule …"[537] By 1907 the emir's resistance was described as being on the wane and the district heads understanding the position of the colonialists.

3.7COLONIAL TAXATION AND THE SUBSERVIENCE OF THE SARAUTA.

Lord Lugard has put on record in his valedictory that the tax was, in a sense, the basis of the whole system of indirect rule.[538]This correspondence from the Deputy Governor of Northern Nigeria is revealing. He instructed the Resident of Zaria that taxation of labourers "… is not for purpose of revenue or even primarily for that purpose, it is mainly for the purpose of

[536]I have not seen this in the records. Ciited in: Dalhatu, U. 2005 *Abdullahi Bayero: The Pre-Eminent Emir of Kano*. Woodpecker Communication Services, p.220, 223 points to his earlier appointment as ciroma, which was resisted by the Resident.
[537] SNP7-1545/1907 Report on the Kano Province for ¼ Ending 31/12/1906.
[538] Lugard, 1965. P. 201.

preventing a large community of men from becoming detached from their natural leaders, that is to say the officials of the Native Authority." The Chief Secretary to the Government concurred adding the aim was to delay denationalization or to entirely check it.[539] Lugard also clearly articulated why they chose direct taxation instead of indirect.[540]

The summation of Fika's position regarding taxation was that: "despite the steady rise in revenue from taxation, Kano *talakawa* did not have to pay more."[541] Indeed Fika suggested that the government lumped the taxes to limit the burden.[542]Afigbo also argued that colonial taxation reduced the burden of the *talakawa*.[543]Gwadabe on the other hand opined: "Emir Abbas therefore maneuvered the situation and comfortably controlled colonial policies in tax assessment and collection."[544]These positions are wrong. The colonialists assumed the right of taxation by conquest and decreed the amount to be levied, percentage which government and N.A. got, and the method of collection; the method they changed when it suited them. Lugard the High Commissioner had intimated us:

> Direct taxation ensures the selection of the most capable and most influential men as the chiefs and advisers, and invests them with authority. Both in the assessment, collection and disposal of the revenue they become a part of the Government of the country, and incompetence and dishonesty are soon exposed. With the advent of competent and responsible native rulers, discipline and good order are introduced.[545]

The "Land Revenue Proclamation" to enforce contribution by chiefs was made in 1903.[546] It was with retroactive effect, but no tax was collected in Kano in 1903. In the period 1904 – 1906 government appropriated ¼ of taxes collected using the pre-colonial tax assessment

[539] NAK: SNP/7/12/6667/1910 Deputy Governor Northern Nigeria, to Resident Zaria.
[540] Vide supra discussion of Adamu Fika and Sule Bello's theses.
[541]Fika, A. M. 1978. *The Kano Civil War and British Over-rule, 1882-1940*. Ibadan. OUP. P.187.
[542] Fika, 1978. p. 118 – 119.
[543]Afigbo, "The Establishment of Colonial Rule." In: Ajayi and Crowder, (Eds.), *History of West Africa, Vol. II*, p.456.
[544] Gwadabe, 2003. p.71.
[545] Lugard cited in Palmer, H. R. Political Memo. NAK SNP15/1 ACC.NO. 249.
[546] SNP7- 1281/1903

method, having abandoned the assessment attempt in 1905.[547] In Kano personal tax assessment was commenced in 1906 by Assistant Resident Richmond Palmer from Katsina (a fact resented by the emir), and government started collecting ¼, then ½ of the total. Taxation was the corner stone of colonialism, such that the Resident suggested to the High Commissioner: "I will go so far as to say that if the taxes are regularly collected, paid and accounted for, the effectiveness of the administration may be almost taken for granted."[548]The Resident was convinced that: "… setting aside the authority of native judiciary which is based on religious belief, all authority of native over native and all recognition of authority by native is based on the collection and payment of some kind of material tribute, i.e. rents, taxes or presents."[549]Thus the manner in which the colonialists tackled taxation was what defined the way the *Sarauta* was systematically undermined. The taxes of the Emirate were: *kurdin kassa, zakka, shuka, karofi, jizya* and *jangali*. In the Emirate rents were paid where the farm was located, and not where the owner lived, and this affected about half the population. There was no direct tax on crafts, it was *gaisuwa* that obtained.

In executing the taxation policy the colonialists developed touring into a major instrument in the administration of the emirate; and Dr. Cargill commenced his tours in earnest resuming on the April 16, 1903. The tax work was the backbone of the indirect rule system as developed. Indeed even though the proclamation was made in 1903, they were expected to pay in arrears. For it was recorded that "every chief pay $^{1}/_{4}$ of the amount received by him during the last preceding twelve months in respect of any tribute, tax or rent arising out of any land to the Resident…" This arrears though they were not able to collect. It is worth

[547] NAK: SNP10/1-134P/1913.
[548] NAK: SNP7/10/6415/1909.
[549] NAK: SNP7/10/6415/1909.

noting that the tax as developed was based on potential, not on harvest, as was the case in the Emirate. It was reported that the taxation principle:

> Shall be the amount of produce or profit which can be annually obtained from and of the livestock that can be annually raised and supported on such land by a person cultivating and using the same in the manner and up to the average standard of cultivation and user prevailing in the neighbourhood.[550]

Colonial taxation was thus premised on potential, not harvest. In fairness, room was left for district heads and communities to appeal to the High Commissioner. But from the onset it was made clear to the chiefs that their duty was to answer all questions and assist in the assessment and collection of the taxes. Failure to do so was punished with a maximum of 12 months imprisonment or £500 or both.[551] Lesser punishment was meted to headmen and often the whole community. Show of force was often enough demonstrated in this respect.

By 1905 the colonialists had commenced the re-organization of the Emirate administrative system. Three "coadunate" units were set up: Tamburawa under *dan tube* Abdullahi Kogo; Tsakuwa under *dan kade* Salihu; and Dawaki under *dan iya* Ibrahim.[552] In 1906/1907 the colonialists drove all headmen out to their districts and held them responsible for the government and the emir's share of the tax collected. It was the emir who was made to hand over government share.[553]This was contrary to the situation as obtained before colonialism when the *hakimai* were resident in the capital city and effected the collection of taxes through their appointed clients, with the emir's executive officials (*jakadu)* overseeing affairs to ensure that the emir's share was correctly calculated and delivered. The new method of assessment was unpopular, it increased the rate to two or three times the amount in the pre-colonial days. Indeed it necessitated the intervention of troops, before eventually a return was

[550]NAK: SNP 7-1281/1903.
[551]NAK: SNP 7-1281/1903.
[552] NAK. KANOPROF 2578 Assessment Report Dawaki ta Kudu District, 1938.
[553]NAK: SNP7-472/1909.

made to the pre-colonial method of assessment. This belies the assumptions of those who posited that colonial taxation simplified the method of collection and lessened the burden, Fika for example.[554]

In August 1907 Acting Resident Palmer started the revenue assessment of the Madawaki's district. The assessment was repeated in October by Dr. F. Cargill, the Resident. In November Resident Dupigny was also there for the same purpose of assessment! Extensive touring was reported for Mr. Festing in the endeavor to assess other districts. By1908 the tours of assessment continued, in this instance meetings were organized with district heads and *alkali*. The object was to extract information on tribute. We should recall that all members of the aristocracy were duty bound to answer all questions. Refusal led to prosecution.

Attempts to amalgamate the various produce taxes in Gaya and Dutse failed. The commoners (*talakawa*) and the village heads were accused of deliberate mis-statement. At this point the colonialists sought to collect 1/5 of potential harvest of the commoners.[555]On May 12, 1908 it was reported that the people of Dan Zabua village were unwilling to pay taxes.[556]

Revenue derived from taxation formed 90% of the Native Authority funding. The Governor determined the general rate. The emir was only charged with assessment work. And, even in this regard, the Resident supervised him. The Resident conveyed precise orders from the Governor regarding the amounts to be collected, the mode of assessing and collecting. By 1907 the colonialists had gone some way in the re-districting. The district heads initially

[554]Fika, 1978. P.187.
[555] NAK: SNP 7-9/1536/1908 Annual Report Kano Province 1907.
[556] NAK: SNP7-1856/1911.

protested their being posted out to the districts. They pointed out that they had no accommodation in the new district headquarters. The colonialists agreed that given the large demand they were making for the supply of labour, the district heads could hardly have any hands to construct their new bases. By the estimation of the colonialists, 25% of every large amount of labour they called for never returned to their former occupation.[557] By this time the colonia1ists record that the aristocracy still levied their old tax in ddition to the new colonially imposed ones. Therefore the commoners suffered and were discontented. The aristocracy was accused of claiming the excessive taxes were due to the colonialists and sought to combine with the commoners to drive out the coloniaists.[558] Because of the attendant restiveness in the emirate, the Resident confessed that a whole company of mounted infantry had to accompany him on a ten days tour along the Katsina - Kano border in 1906.[559] By this time the relation with the emir was amicable and he was cooperating in the supply of the ample labour the colonialists demanded. The colonialists determined the pay of the labourers. That the pay was inadequate was amply demonstrated by the desertions, which, by their own admission, commenced at once. There were no fewer than 1,300 engaged in this forced labour in Kano emirate at this point in the first decade of colonialism. The emir was made to arrest deserters. The emir in his newfound role was, with Dr. Cargill, keeping the distric heads under their eyes. Three years into colonialism and Dr. Cargill's confidence was so brim full that he avowed: "I do not think that there are many chiefs who would now abuse their power nor any who would directly defy our rule."[560]And if they dared, scapegoats were always made. The disdain for the chiefs came to the fore in Dr. Cargill's expression of, in his words: "having shuffled them like a pack of cards until there is hardly one who is now head

[557] NAK: SNP 7-5490/1908 Migration: Kano. Report by Major Festing.
[558] NAK: SNP 7-1545/1907 Report on the Kano Province for quarter ending 31st December 1906.
[559] NAK: SNP 7-1545/1907 Report on the Kano Province for quarter ending 31st December 1906.
[560]NAK: SNP 7-1545/1907 Report on the Kano Province for quarter ending 31st December 1906.

of the district he originally belonged to." This was premeditated for Dr. Cargill with glee, informed us that these district heads had no knowledge of their new districts. It was a deliberate ploy to weaken them. Quite a lot of problems immediately cropped up and since initially at least they were only engaged in tax works, and this was seasonal, idleness became their lot. Since the districts were newly created, and the district heads new to them, there was not any extant feeling of community and loyalty to the new district heads by the people. There was thus very little respect and faith in them. District headship (*hakimci*) traditionally entailed more than power. It was authority built over a century of the Emirate; with another eight hundred years historical and cultural conditioning, in the Hausa period. The concept of *chappa* among the Fulani is a good example. We have noted the reaction of one Mainasara at the Chambarawa encounter who broke ranks with the invading forces in order to rescue his village head, Dan Gwarzo who had been felled by the colonialists.[561] This feeling of fealty was what colonialism burst asunder. Since the colonial army backed the powers of the new district heads that were denuded of any judicial functions; and since they only related to the commoners in terms of constant exactions for tax and labour, the people resorted to emigrating from the towns. The emir on the other hand became disillusioned by the changes introduced by colonialism that was sapping his powers. By the end of the year, the colonialists reckoned the aristocracy was becoming reconciled with colonialism. Hitherto, Dr. Cargill had confessed that: "when I first took over the Province the impression created in my mind was that it was the general feeling of both great and small alike that so long as they supplied labour and obeyed orders, albeit with a bad grace, that was all that was required."[562] The people had naively presumed the conquerors were a temporary plague. The wrong assumption of the temporariness notwithstanding, by 1908 in Dan Zabua in spite of the

[561] Backwell, 1969 p.123.
[562] NAK: SNP 7-5122/1907 Report on the Kano Province for September, October & November, 1907.

presence of the Resident and the *waziri*, the people were unwilling to pay taxes. Many people were arrested in Dumbulum, Dan Zabua and Dawaki. Major Festing had reported:

> It was reported to me that although the corn last year was not l\3 of the usual crop, *Zakka* in kind was levied as usual thus making the amount claimed (but not taken) not a tithe as we like to think nor a 1\6 as we sometime admit but as much ½ of what was grown.[563]

There was what the colonial sources described as partial famine in 1908 on account of the 1907 poor harvest. Despite though, the revenue had almost doubled.[564] The coloilaists did not demonstrate any iota of kindness. By this time in the first decade of colonialism, quite a number of the districts had been brought under taxation and land was taxed even when fallow. *Jangali* was ofcourse also collected. Intensive tours of assessment for the tax purpose had characterized the past years. The assessment of Kano town started in 1909. The Kurmi market was rebuilt, and in 1909 the building of the Mandawari market commenced. The emir was said to have personally supervised the construction of the Kurmi market! A major institution of colonialism in Northern Nigeria debuted. The Governor sanctioned the *Beit el-Mali*[565] and the emir was placed on a fixed salary. The cowry rate fell from 12/6 per bag to 10/- in December 1909. The *Bait el-Mali* was located at Mandawari before colonialism.[566]The new *beit-el-Mali* signified that colonialism was indeed taking hold.

By 1909 the following taxes had been abolished: *rafi*, *karofi*, and *shuka*. Compound tax was instituted at 1/6[567] per compound except in the districts of the *wambai*, *barde* and *Sarki*n *dawakin tsakar gida* where the rate was 1/- per compound. *Taki* quadrupled rent. Based on *taki* the farmer pays 40% of the produce of his farm as taxes.[568]This belies the assertion of

[563]NAK: SNP 7-5490/1908 Migration: Kano.
[564]NAK: SNP 7-472/1909.
[565] In the Emirate period there was an officer, the *ma'ajin wateri*, who was in charge of stores. Interview Alhaji Daudu, Kano, October 1998.
[566] Skinner, N. (Ed. &Trans.) 1977 *Alhaji Mahmudu Koki, Kano Mallam*. Ahmadu Bello University Press. P.72.
[567] The money in use was the pound, shilling, and penny.
[568] NAK: SNP7-951/1911.

Fika and Afigbo that colonial taxation reduced the tax burden. Comparatively the Emirate taxes have been estimated at about one week's wages or about 2% of income.[569]Farmers who seldom cultivated more than 2/3 of their holdings were assessed for the whole land size. The colonial exactions had just begun, and would become progressively more so. Prior to the introduction of *taki*, Resident assessment was limited to accepting what was reported by district heads and making on the spot enquiries from village heads. Bebeji, Madobi, Kura, Rano, Barde, and Tsakar gida were Resident assessed. In 1910 little assessment work was done due to shortage of staff, falling as low as 8 administrative officers in July.

In April 1909 to demonstrate how serious they were, the Resident, by His Excellency's sanction, decided on a special additional collection of land taxes because of the accumulated arrears of several years. This was made during the months of April and June. When the arrears were remitted a fresh start was made from June 30.[570]Meanwhile the compound rate tax of l/6p was instituted in the emirate. In some few places it was 1/- per compound. Measured assessment of compounds and farms (*taki*), in and around Kano, commenced at the rates of: farms 1/8 per acre; compounds 20/- per acre; and what was described as "non-native compounds" at 80/1- per acre.[571] Discrimination was deliberately built into the system. This discrimination would later spread to physically seprating peoples from the southern regions into Sabon Gari and separating the jurisdiction of the courts in the Sabon Gari. The initial court in Sabon Gari was the customary court.

[569]Paden, 1986, p. 46.
[570] NAK: SNP 7-1855/1911.
[571]The colonialists pursued a policy of separate settlements for Muslims and non-Muslims. This was what led to the establishment of Tudun Wada and Sabon Gari.

In April 1906 the colonial government's share of revenue was raised to 50%, revenue having increased over last year's with £7,435.00. Hitherto government share was 25% and was based on native assessment. The emir was allotted 25%, and the remaining 25% divided into five, 2 went to the district head, 1 went to the sub-district head (*mai jimmila*), and 2 to the village head who took 1 and disbursed 1 to those under him.[572]At the emir's insistence, the sub-district heads took the taxes direct to him bypassing the district heads. The emir was still preoccupied with form and protocol. The impotant thing, however, was that his control over the resources of the emirate was on the wane. Three years into colonialism, 75% of the revenue derived from taxation was not within the control of the emir. Four years earlier, his control was near absolute!

The colonialists expected the tax returns to attain 1/5 of total value of produce. *Zakka* on the other hand was 1/10, of which the farmer decided how much he paid. As colonialism progressed even the value of corn stalk was added to the income that was taxed. The colonialists believed that the people hid their real worth from them.The colonialists adjudged that due to the smallness of staff at their disposal, they could only make cursory revision of the assessment, despite, their share of revenue had in three years more than trebled.[573] The incidence had not changed, and the political staff was less than 10! The colonialists decided to effect revision yearly in order to keep hold of the resources of the country on the lines they had commenced. Indeed the failure attending the drive in the *Madawaki's* district was adjudged to have some positive sides in terms of insights into the possibilities, number of abuses, knowledge of yield per acre and many useful matters in connection with land tenure and native custom. The reasons adduced for the failure was the poor harvest of 1907 in

[572]NAK: SNP6/4/-C 111/1908.
[573] NAK: SNP7-472/1909 Resident Kano Annual Report 1908.

addition to alleged persecution by the district heads, and incitement by the palace clique! The colonialists did not see it as plain resistance to colonial exploitation, despite the Governor noting that the new assessment was highly unpopular.[574]

The colonialists had estimated the value of stock in Kano and Katsina emirates at £1,400,000.00. The estimated profit derivable was 20%, which amounted to £280,000.00. At this point in 1909 the total rents and taxes paid in the two emirates was about £90,000.00. This meant that only 30% of the estimated profit on stock rearing alone could pay all the taxes for both grazing and farming. The exactions had just begun, and this was the prerogative of the colonial government by right of conquest! The objective of government was to realize 10% of GDP as taxation. This is the sense in which assessments were adjudged inadequate as in the case of Dutsi by the commissioner of native revenue and the Ag. Governor.[575]From the district of *dan makoyo* we learnt that pre-colonial taxation treated the village as a unit, therefore though the population had more than doubled the *kurdin* kasa had remained unaltered and had not increased proportionately with the population and the number of farms. This was unacceptable to the colonialists.

The British were perplexed by the complexity of the Emirate tax system. In view of the system they intended to enforce, it was superfluous and uneconomical. They were preoccupied with both the numerous collectors and the fact that they were largely of servile class (*Jakadu*). The first attempts at lump sum in 1905 and 1908 failed. The British method insisted on territoriality, among other novel changes. Of course this brought its own problems. Some of which were avoidable rivalries and redundancy among the district heads.

[574] NAK: SNP 6/4/-C111/1908 Report Kano emirate.
[575] NAK: SNP7/2715/1911 AssessmentReport Dutsi District 1911-1912.

It had never been the responsibility of the aristocracy to physically collect tax. Given the affront on their cultural position, none of the district heads was able to meet the "standard" of the British. It provided ample opportunities for the colonialists to weed out those not "competent." Objectivity as defined by the British was devoid of any sense of humanity. The attributes required: firmness, honesty to the British, vigour in assessment and collection, and ability to suppress theft, all brought the aristocracy into routine and embarrassing contact with their commoners (*talakawa*), such as had never happened before. Too close a supervision by the administrative officers did not allow them any leeway. Many simply ignored the *malamai* attached to them, those who did the accounting (*masu jimila*), and appointed an assistant (*Jakada).* It was impressed on the emir that every cowry paid must be recorded and accounted for. For the colonialists were convinced that what they considered honest dealing was the exception in the system. Many of the aristocracy lost out often in very embarrassing ways by being sent to jail or deposed or both. By this time it is interesting to know the trajectory of assessment in one district as an example. In 1906 the district of the *madaki* was assessed "according to native returns" at £3,000.00.00. In 1907 a more intensive assessment was done by Mr. Palmer, "taking native valuation of all taxable assets" at £9,000.00.00. This took six weeks. In an assessment that lasted 5 months and covered 70,000 farms in 1908, it was £33,000.00.00! It was too much to bear. Thecolonialists recorded that there was "unrest and a return to native system." What was more interesting was the contradiction that permeated the analysis of their failure. Though conceding that the tax payment extracted from the populace was in excess of what had ever been returned as the taxation, and of what had been paid altogether in taxation, robbery, and extortion, to and by the *Jekada* fraternity, the colonialists still insisted that the unrest was due to:

> The peasantry of the district, always a truculent ignorant lot, resented any change or interference with the custom of centuries; ...That many of them saw in the new

> scheme an end to their habitual concealment of the true amount of their harvest; that their minds and scruples were worked upon by the interested portion of the 'palace clique' in Kano ... being removed by a rigorous systematized amalgamation;…[576]

Many of the populace were ready to pay the *zakka* on religious grounds. But more important to the colonialists was the loss of a year's revenue in 1908. No *zakka* was paid to the emir or government. The colonialists accused the *jakada* group of having consumed most of the *zakka*. And the colonialists would not let that go unpunished. The consequence would be setting a bad example for the other districts. The colonial record indicated:

> The further result of the thorough overhauling that this district received, the appointment of definite responsible sub-district heads, the actual exclusion of the *jekada* class from Kano, and the badly needed lesson taught to the unruly peasantry by the summary treatment they received from a military patrol, is that this is now apparently the best managed district in the emirate.[577]

It should be assumed that the peasantry, thenceforth, had been thoroughly subdued. Each district was ostensibly sub-divided by the colonialists to abolish the *jekada* system. The new divisions were placed under sub-headmen responsible for the taxes, and practically occupied the position of collectors. Major Festing's assessment of the situation by 1908 is very interesting. He was candid in advising his superiors that:

> Again I do not think we can claim to have done anything very much to prove the advantages of our rule so far. We have done nothing as regards education of the rising generation. Today in Kano we can only be associated with constant demands for labour from the *talakawa* and reduction of power and wealth so far as the ruling classes are concerned.[578]

The sub-district heads took to the district headquarters the list collected by the village headmen whom the records indicated were: "assisted by as few hands as possible, and by no one from the palace or Kano gang."[579] These were taken by the *waziri* and compared with the colonial tribute register. Necessary revisions were made by the administrative officers and explained to the district headmen, before the collection commenced. The emir's son, *waziri*

[576] NAK: SNP 6/4-C111/1908.
[577] NAK: SNP6/4-C111/1908.
[578] NAK: SNP 7-472/1909.
[579] NAK: SNP 6/4/-C111/1908 Report Kano emirate.

Abdullahi, was the first *hakimi* made to collect the taxes himself, through the district heads under him. After the colonial administration had demoted Abdullahi from *waziri* to *Chiroma*, he was 'compensated' by subordinating the following lesser district heads under him: *dan isa, tafida, dan amar, dan makokyo, jaidanawa, dan buram, mai unguwa kutumbawa, barde kerrariya, dan iya,* and *dan tube*. The *waziri* was made to check the amount collected, a task hitherto undertaken by the servile officials, the much hated *jekadu* whom the colonialists were bent on eliminating. By 1908 though, the district under the *waziri* and the leading slave *hakimai*: *shamaki, sallama*, and *dan rimi* were abolished. The districts of *magajin mallam nachedi, magajin mallam hausawa*, and *magajin wateri*, were also abolished, and the last two were jailed for embezzlement. *Ma'aji* Sadiku's district was abolished and he was dismissed. The colonialists appointed a new one with reduced responsibilities.The supervision of the town was placed under *ma'ajin wateri*, a stranger. This was described as a very bitter pill for the emir to swallow.[580] The emir had to send for him whenever he needed money.[581]Thus as early as 1908 the aristocracy had been visibly transformed by the colonialists. There was no record of the distric heads listed above ever been directly subordinated to the *waziri*, even though he was of superior rank. There has never been a time from the Emirate period when the leading slave officials did not directly superintend territories. And there was never a time when the *waziri* was directly responsible for collecting taxes.

The colonialists insisted on seasons for collecting all taxes as a vital necessity. They sought to stop the overlapping which they alleged the district heads contrived in order to create confusion. Confusion led to conditions in which arrears of payment were allegedly concealed,

[580] NAK: SNP 6/4/-C111/1908 Report Kano emirate.
[581] NAK: SNP6-4/1909.

and it made detection of embezzlement under the present system much more difficult.[582] As of 1909 the main issues regarding taxation were: checking native assessment by obtaining knowledge of the compound incidence of the taxation; organizing towns and villages under "responsible village heads" or *sarakuna*. That the district heads in their new found roles had become amenable was demonstrated when the issue of evasion of cattle tax (*jangali)* was brought up by the *barde*. It was the *wambai* who devised a strategy to curtail the phenomenon.[583]But the *barde* was not immune to the new contradictions emanating from the exactions of colonialism. Thus in the context of the district head not having developed any serious affinity with the people of the district, and the people not identifying with him (cultural hegemony), and his activity being limited to receiving and forwarding taxes in bulk to the colonialists, he was always able to and seldom unwilling to disclaim moral responsibility for the accuracy of the returns that have been rendered through him.[584]

By 1908 the colonialists had abolished *hurumi*, *biye* and *chappa*.[585]*Hurumi* was commons hitherto excluded from taxation, *biye* was the practice whereby headmen followed and collected taxes from their subject resident in other districts. *Chappa* was a concomitant Fulani cultural fealty where allegiance was owed to a different overlord than where a person resided. In this context fiefdom was conceived of in terms of people and not land. The colonialists decided to collect *jangali* territorially; introduced a system of recounts; and carried out censuses. Hitherto in Kano, tax was paid where farm was located not where the owner lived. It was estimated that nearly half of the inhabitants of the division lived in habitations the head of which did not control the area in which the farms were situated. The colonialists described

[582] NAK: SNP 6/4/-C111/1908 Report Kano emirate.
[583] NAK: SNP7/6166/1909 Assessment 1909-1910 Barde District Kano.
[584] NAK: SNP7/6166/1909. document
[585] NAK: SNP7/10/6415/1909.

this as administrative chaos. In an assessment of Barde district in 1909 it was noted that separate collectors were employed for each tax, but not each unit of the 25 compounds. A unit of the 25 compounds may owe allegiance to 5 separate *ubandaki*, who employs 3 separate collectors each, the total of the taxes shown under that particular unit having been contributed by 15 different collectors.[586] This explains why the *jakadu* were up till then considered a necessary evil.

By 1908 the emir was reported as coming down forcefully on tax collection. Emir and *waziri* reportedly supported dismissal of officials who lagged behind in tax collection. *Sarki*n Madobi was dismissed. And other district and sub-district heads were summarily dealt with. When the Resident complained about Salihi, the *turaki manya*, and brother of the emir, he was dismissed together with *sarkin dawaki mai tuta* and *sarki*n Dutsi. The emir would not allow blood relationship to affect his material interest. And since the emir was a direct beneficiary of the increased return of taxation, he insisted that the sub-district heads took the tax direct to him, not through the district heads. The colonialists insisted *zakka* was inclusive in the tax paid! In 1908/1909 *zakka* paid was £47,033, and in 1909/1910 it was £54,736. Some colonial upstart had argued:

> The idea that *zakka* is a tithe on grain only and is applicable only for charitable purposes is a fundamental error and quite contrary to the teaching of the Koran and the commentaries. The emir and the *malamai* should be directed to correct this idea, and also to point out that *zakka* being payable on nearly every kind of chattel personal, the payment of the general tax as assessed is strictly in conformity with the payment of *zakka*. In fact I am quite prepared to consider the advisability of calling the whole of the general tax *zakka*, if you consider that this will be feasible.

The lieutenant Governor replied in consternation that both the Resident and the writer, Major Festing, did not know what Koranic law was.[587] In 1909 the district heads underwrote *zakka* at the rate of 12,000 cowries per bundle. The same district heads confessed that in many cases

[586] NAK: SNP7/6166/1909 Assessment 1909 – 1910 Barde district, Kano Province.
[587] NAK: SNP7/472/1909.

a bundle was never worth that figure during the period of payment. In certain eastern districts a bundle was hardly worth more than 300 – 500 cowries.[588]

The administration of *taki* was done as follows:

> On the completion of their works the *mallams*(sic) hand in their books which are then collected by the Resident's clerks and a summary showing the returns for each village drawn up, i.e. the number of farms, acreage and tax due. The sub-district head then sends up *mallams*(sic) who take down in Arabic from dictation a copy of the register for each village and this copy will be handed to the village headman as his authority to collect the sums named for each individual in his village.[589]

In Dan Isa the method led to a 63% increase and in Dan Makoyo district to 300% increase. While the colonialists claimed the increase was due to inaccuracies and concealment by *malamai*, both the emir and the *dan isa* protested that the increase was too much. The district heads were accused of inability to adapt to the promptitude of European financial methods, and every headman who failed to pay his taxes in full was deposed. Indeed the district heads of Kabbo and Godiya who had large deficits of *kurdin gidda, kurdin kassa,* and *zakka,* and were accused of having collected the said taxes, were convicted under the revenue proclamation. Yelwa was divided up between its neighbours (Godiya and Karaye) for inability to pay *zakka* for two years. What happened in the Madaki's district in 1908 has been discussed above.

As mentioned earlier the *beit-el-mali* was introduced in 1909. The emir was placed on a fixed salaryof £400.00.00 per month and a civil list was drawn. In a political memo it was explained that establishing a treasury would double return and reduce grant-in-aid from parliament.[590] The 25% of revenue hitherto called the emir's was now subject to control. The whole police work of the emirate was only £1,080.00.00. "That the police are so efficient is

[588] NAK: SNP7-951/1911.
[589] NAK: SNP7-951/1911.
[590] NAK: SNP7-6565/1908 Political Memo No.26 Taxation or land Revenue, Direction for Assessment Mohammedan Districts.

mainly because they are so closely connected with the local *sarakuna* and work with perfect harmony with them."[591]

By 1911 the concerted effort of the colonialists was bearing satisfactory results; the *taki* assessment had stood the test of enforcement. The colonial records showed that: "The land taxes for the financial year ending 31 March 1911 were for the first time in the history of the emirate paid up in full at the due date."[592]The village heads had realized that they had a personal interest in the success of tax collection. Thecolonialists reckoned that the village heads had become poorer due to the reorganization of the courts which eliminated sources of pilfering; noting further that: "… and but for the compound tax there would be some danger that the office of village head would consequently fail to attract good men … Many now go about on foot who five years earlier would have been on horse with a large following."[593]In an assessment report for the *dan Iya* sub district in 1912 where the sub-district headmen (*dagatai)* were suspected of percolating up to 30% of the *zakkat*, they had very little esteem, with the chief of Garazawa twice beaten while attempting to enforce an order of the emir of Kano. The incidence was not an isolated one. That many of the villages were too small to yield enough legitimate income for the *dagachi* to keep up any state. The state of affairs in Ganu and Gogel was not conducive to order. In Gogel there were three independent units in one wall.[594]By 1912 the pacing method had proceeded within 20 miles of Kano at 1/- an acre. This was described as within the taxable capacity of the population, and led to an increase in revenue of nearly 100%.[595] For *zakkat*, from an estimated £30,000.00.00, only £12,000.00.00 was realized. There was considerable concern shown in this period about percolation of the

[591] NAK: SNP 7-951/1911.
[592] NAK: SNP7-114/1912 Kano Provinve Annual Report.
[593] NAK: SNP7-114/1912
[594] NAK: SNP7/4055/1912.
[595] NAK: SNP10/1-134P/1913.

zakkat collected. Cash valuation of taxes was above normal harvest prices. The valuation of cowries was c.1/3 -1/4 of what it was in mid-19 Century and its ratio to silver had depreciated rather more.[596]This was the dire situation the *Sarakuna*, from the emir to the village heads, were superintending.

The assessment of Kano town commenced in 1909, with the division of the town into 10 quarters under appointed officials. Hitherto, Kano was organized into four sections only (*fuska*). In the 1910 – 1911 final assessment for Kano city and Fagge as reported by Mr P. G. Harris, A.D.O., the minimum incidence for an adult male was to be the equivalent of tax on three acres i.e. 4/- per acre or 12/- . The *kudin gona* was deducted from the total arrived at on this basis. Thus if there were four men in a house where the householder paid 16/- *kudin gona*, the *kudin sana'a* payable would be 4*12/- minus 16/- =32/-. The assessment was done using *malamai* pooled from schools, emir, and *waziri's* office, *ma'ajin wateri*, and the *masu ungwani* of Kano City and Fagge.[597]*Kudin sana'a* thus substituted *kudin gida*. The process in this instance involved the interrogation of four representatives of each principal trade at different times in the presence of the emir's representative, the *ma'ajin wateri,* the *mai unguwa,* and where possible a jury of three who had practiced the trade.[598]The trades were divided into five classes according to estimated derivable income. The Resident Kano requested the Colonial Secretary in Zungeru, that the favourable notice of His Excellency be drawn to the exceedingly able and prompt manner in which the Kano *sarakuna* have collected and paid these rents and taxes, and in addition have paid up during 1910 -1911 £9,861.19.90 outstanding from 1909 – 1910. By 1910 only one *sarki* of any importance was

[596] NAK SNP10/1-134P/1913.
[597] NAK SNP7-2109/1911 Kano Province Assessment Final.
[598] Assistant D.O., P. G. Harris, Assessment Report of Kano City and Fagge, SNP7-2190/1911 Assessment Final 1910 -1911.

removed, the *dan tube*, one of the *masu jimilla* of the *chiroma*.[599]When the Trans-Sahara trade collapsed, it was estimated that revenue lost to the administration from customs and which was not shared with the Native Authority was £30,000.00.00. The Governor advised the Resident that he should endeavour to get some of this back: "by assessing more highly the percentage of his income or wealth those who no longer have to pay these duties."[600]Wether they have found an alternative means of livelihood was not a concern of the Governor.

Thus withing the first decade ofcolonialism, using taxation as the means, the aristocracy of Kano had become completely transformed into minions of colonialism. Taxation was used to subordinate the commoners to the NA. The burden of taxation increased many fold. The emir, though loosing out by being placed on salary, gained materialy by the stupendous increase in revenue. The strata of the aristocracy under the emir suffered the most. Re-districting was effected and they were forcibly posted out and made the tax collectors. The new district heads were only associated with tax work and forced labour. They had not developed any authority and the people had not developed any feelings of fealty towards them; but the D.H.s were backed by colonial force. Many of the district and sub-district heads were jailed and deposed for not meeting colonial standards. Taxation was the instrument used to make the *Sarauta* part of government. It was the government that decided the rate and method. Force was often used to achieve collection. The Sarakuna were also made to supply all the labour the colonialists demanded.

We need recall that in 1915 there was an actual increase of £14,000.0.0 over the 1914 tax receipt. Equally important was the conviction of the colonialists that the increase was due to

[599] NAK: SNP7-2190/1911.
[600] NAK: SNP10/2-98P/1914 Annual Report 1913.

the loyal and vigorous action of the central NA when it was brought home to them that unless active measures were taken there would be a serious drop in revenue.[601]Indeed the interest of the NA and the colonial Government had become one.

As demonstrated with the tax issue above, the new aristocracy aligned with the British colonialists. It was ready, willing and empowered to milk the people dry on behalf of the colonialists. The 1914 Annual Report acknowledged the emir of Kano who was instrumental in making a substantive increase in the tax receipts under conditions it described as disadvantageous. Meanwhile the emirs of the province showed loyalty to Britain by contributing £10,800.0.0 and loaned government £10,200.0.0 as their contribution to the war effort.

The desired end of raking in more revenue was being achieved using this new pacing method. However, due to the fact that approved expenditure was not known till May, there were some complications. This necessitated the administrative officers doing some of the tax work direct, instead of the prescribed method of indirect rule. Meanwhile the DHs had been over paid. The attempts to recover the excess led to misappropriation by the DHs. And since the emir was sidelined, it led to his losing touch and interest. The emir was accused of being jealous and hostile to the treasurer, who was in the thick of the happenings. In 1915 very little was done of the new assessment or review of assessment due to the war.[602] The colonialists rather concentrated on the pacing method (*taki*) of assessment, which they reckoned was closest to income tax.

[601]NAK: SNP10/4-170P/1916 A.R. 1915.
[602] Appendixes I – V are examples of what each type of assessment entailed, and appendix VI the directives on how they were done.

By 1913 we are told by the colonialists that the native treasury accounts were kept with remarkable accuracy by the tresurer and his staff. The principle of estimates was explained to the emir. The emir, who 5 years ago was not accountable on how he spent the NA revenue, was subsequently placed on a salary. The descent has been rapid. From an independent sovereign up to 1807; the *sarki* became a governor under the Caliph in the period 1807 – 1903; by 1913 he had been reduced to a paid employee of the colonialists.

The creation of sub-divisions in the district reorganization was designed to facilitate a more intense assessment. Initialy the local appointees did not understand what the colonialists were doing. The 1912 assessment report for Jaidanawa sub-district, told of a sub-district head who took no interest in the work of the assessment officer.The officer recorded that the attitude of the sub-district head was owing to the fact he neither understood what the colonialists were obtaining the information for, nor how it was going to beused.[603]In the process of that assessment, out of the 121 farms measured, the colonial officer could only trace 51 in the books. The 51 revealed an increase of 27% over the *taki* book figure. The review, done with the *tak imallams*, confirmed to the colonialists their conviction that those employed to do the pacing, were open to bribes to conceal farms.[604]

In 1916 each district that was assessed by pacing, had its own pacing assistant (*mallamin taki*) responsible to the district head, and who kept the list of the paced farms, and was responsible for measuring new ones. The district staff now comprised of: an office *mallam* at headquarters, assessment *malamai* in new districts, district *malamai*, and chain survey

[603] KSHCB: SNP7/4817/1912 Jaidanawa Sub-district Assessment Report. This seemed corraborated by the only record available to me of a mallam who participated in the tax work. See Neeil Skinner (Trans. &ed.) 1977 Alhaji Mahmudu Koki Kano Mallam, Ahmadu Bello University press.
[604] KSHCB: SNP10/535P/1915 Gwangwan Sub-district Assessment Report.

malamai. Compound tax was abolished in 1917, and village revenue survey introduced.[605]It was alleged that in every case the cultivated area was greater than was returned by the *taki malamai*. The pacing assisstants were thus suspected of being amenable to bribes. Abolishing compound rent was not expected to lead to a fall in revenue, as the rate per acre for agriculturalists was raised, and in districts where valuation was based on *zakka*, the valuation of crop was also raised.

3.8SUBORDINATING THE *SARAUTA* THROUGH ADMINISTRATIVE AND POLITICAL MEASURES.

Though the Indirect Rule method had been decided upon by the Royal Niger Company at the outset, with the benefit of hindsight, it can be said that the exact nature it was to assume had not crystallized in the mind of Colonel Lugard, the High Commissioner at conquest. Indeed it kept varying depending on who was at the helm of affairs.[606]It was however necessary to put in place some authority. Though a garrison was left behind in Kano, there were only two political officers who knew very little of the situation and circumstances of the aristocracy, the local organization that was going to now administer under the colonialists. At the onset there was not any corpus of guidelines, despite the tremendous powers given to the novice administrators. The guidelines latter developed from colonial dispatches, government minutes, secretariat circulars, and provincial directives. It is important to bear in mind that the population of Kano province was estimated at about 2,000,000 in 1907.[607] There were in all 15 civilian staff, comprised of five political, five medical (largely for the conquering force),

[605] NAK: SNP10/6-179P/1918 Kano Province Annual Report No.53 of 1917.
[606] Kirk-Greene, A. H. M. (ed. & intr.) 1965.
[607] NAK: Annual Report Kano Province 1907. Also NAK: SNP 7/9/1538/1908 where the estimate was reviewd downwards to 1.5 million.

three revenue officers, and one transport officer.[608] This smattering of staff to such a huge population explains the role force played in the scheme of colonialism. Emir Abbas had the initial "freedom" and advantage of literally building his team. It was a situation as never before experienced. It is worthwhile recapitulating the situation on the ground in the last ten years of Kano society prior to conquest.

From 1893 Kano was plunged into a bloody civil war where a substantial number of the experienced members of the aristocracy were either killed or fled the emirate. There was no respite even after *Amir* Tukur was chased out of Kano. It was only in 1895 that he was mortally wounded in the final decisive battle. From 1895 to 1898 Kano battled Hadejia, Damagaram and Maradi. Obviously Kano suffered further loses in these encounters. The colonial encounter had also so decimated the ranks of the aristocracy such that it was only a rump, led by *wambai* Abbas that returned to Kano. A small party had returned to Sokoto and presumably took part in the defence of the capital. Some escaped with the Caliph to Burmi where the final encounter took place. The largest group under the *waziri* engaged the invading forces at Kwatarkwashi and subsequently. Most of the leadership of this group was killed. Yet others latter emigrated and joined the Caliph in Burmi. The colonialists had also decreed that anybody that took up arms against them should not be appointed to any office.[609] That Emir Abbas could still put together a team must be a positive testimony to the methods of the *Sarauta* in training its personnel.The modernization prism assumed that subjectivity and intrigue was what characterized appointment into offices, not competence or the objective interest of the system. We have shown that the appointments and depositions of

[608] NAK: SNP 1855/1911. Kano Province Summary of Events. It is worthy of mention that by 1908 there were only 14 district heads appointed by the colonialist.

[609] Abdullahi, eldest son of emir Abbas was the most prominent exception. Abdullahi was said to have participated in the defense of the *birni* and was at Burmi! When the *Qadi* returned from Sokoto he found that a new one had been appointed.

Amir Abdullahi was based on objective interest of the Emirate. That indeed the basis of the civil war was the jettisoning of objectivity by Amir Bello. The team Emir Abbas could assemble, given the decimation of the ranks of the aristocracy in the decade before conquest, was at best a second eleven. Despite, the colonialists soon eliminated many through imprisonment, dismissal, and banishment. In the report prepared for major Festing when he was assigned to overlook the province, the characterization of the districts head was quite despicable. They were described as: "a set of men of hopeless inutility." That: "the district *hakimai* are an inefficient class mostly as they are, quite properly drawn from the 'ruling class' which in this emirate seem to be unbusiness like and unpractical, and they will need strict drilling."[610]The draconian means employed by the conquerors was through suspension, dismissals, and jailing. Those who suffered this in 1904 included the *waziri*, and *ma'aji* for alleged corruption; the *ma'aji* was goaled six months. The *sarakuna* of Mahuta and Kura were imprisoned for extortion.[611]In October Emir Yero of Katsina was removed and *durbi* Dikko installed. A new dawn was beginning; the very concept of government and role of force had changed. There was riot in Dan Ashita and the town was punished, while Hadejia was occupied. In Takwea on February 4 a police man was killed, "in line of duty." Mr. Palmer and company burnt the town and arrested 90 men. Captain Kempthorne, Mr. Butler with three military sections and a maxim gun visited Jahum and failing to arrest an alleged murderer, burnt the town![612]

Thus Emir Abbass' position was thus dicey. He had assumed the leadership of Kano in circumstances hitherto unknown. He was appointed by Christians when the Caliph and many of the Kano aristocracy had on their own conscious choosing, paid the supreme

[610] NAK: SNP 6/4-c111/1908.
[611] NAK: SNP7-1856/1911.
[612] NAK: SNP 7/2- 1856/1911 KANOPROF Summary of Events.

sacrifice.[613]*Amir* Aliyu would not serve the Christians, and on his betrayal to the colonialists by the ruler of Gobir, was exiled Yola and finally sent to Lokoja. Abdullahi (Abdu Lele), the son of *Amir* Tukur, and a brother of *Amir* Tukur popularly called *mai bindiga*, were waiting in the wings, should opportunity avail itself of regaining what they considered their rightful inheritance, the office of *sarkin* Kano. Indeed they had made overtures to the colonialists. Though Abdu Lele had moved to Katsina, if the colonialists decided in his favour, he was within reach and eager. Some merchants whom the colonialists were trying to woo had outstanding grievances about their confiscated properties during the civil war. Two notable ones were Dantata and Adamu Jakada, both of the well-organized Agalawa merchant community.[614] Emir Abbas had some hard decisions to make in the novel role of being a colonial underling. He chose dissemblance (*taqiyya*).[615]*Taqiyya* was a doctrine propounded by Jafar as-Sadiq (d.765), the sixth Shi'a *Imam*, as "precautionary dissimulation" allowing dissemblance on matters of faith in dangerous circumstances.[616] In Kano *taqiyya* was the assumed disposition during the tenure of Emir Abbas.[617] Hambolu alleges without providing the evidence, that Emir Abbas was able to extract some concessions from the colonialists before assuming office.[618] This is an unlikely proposition. Lugard had incorporated the government of Northern Nigeria in January 1900, and the protectorate proclamation was

[613] Thus *Waziri* Ahmadu who led the forces in Kwatarkwashi is popularly remembered as *mai Shahada*.

[614] Lovejoy, P. E., Mahadi, A., and Mukhtar. M. I. 1993p. 12. The measures taken by emir Abbas in making restitution to some of them bears out this thinking. See Christelow, A. (ed.) 1994 *Thus Ruled Emir Abbas* …

[615] This was appreciated by Palmer, see NAK: SNP6/4-139/1908: Emirs –attitude of. Comment on Present Dynasty.

[616] Afsaruddin, A.2008 *The First Muslims: History and Memory*, one world, Oxford, p.97. Also K. Armstrong, 2002*Islam: A Short History*, phoenix, London. *Taqiyya* as propounded by later Shiite has developed into a very controversial concept.

[617] The nearest to an official position on *taqiyya* can be found in the attitude of the courts in this early phase of characterizing colonial laws they had to enforce as *hukm zamanna*. Christelow, A. (ed.), 1994. Thus Ruled Emir Abbas... In this phase there were also instances when the mere sending of an accused to the native court was treated by the *alkalai* as being guilty. Both emir and *alkali* were too ready to relinquish to the provincial courts offenses against the colonial set up. NAK: SNP 7/10/6415/1909. Report Annual 1909 Kano Province, judicial supplement.

[618] Hambolu. M. O. "Perspectives on the British Colonial Rule of Kano: 1903-1960," p.7 in Hambolu. M. O. ed. 2003. *Perspectives on Kano – British Relations*. Gidan Makama Museum, Nationl Commission for Museums and Munuments.

audaciously sent to Sokoto. The military defeat discussed above did not give any room for extracting enforciable concessions.

Yakubu's conclusion that: "… the emirs were able to function within the colonial milieu without losing their symbolic status as upholders of Islamic traditions, thereby retaining control over the emirate citizens at the local level," is debatable. An *Amir's* status as upholder of Islamic values was not symbolic; it was the reason for the existence of the office. It is also difficult to understand his position that proven cases of maladministration by loyal emirs were overlooked. If we replace the word emirs with aristocracy, we would adjudge the statement as absolutely false. The many depositions and imprisonments shown in the section on taxtion above disprove the assertion.

In the scheme of things as latter unfolded, the aristocracy under the emir, was constituted into a Sole Native Authority. It was charged with the preservation of law and order. The aristocracy was compelled to assist the colonialists develop the trade and communication of the emirate. They were made to protect the interest of the merchants and others whom the colonialists described as engaged in the development of its commercial and mineral resources. The emir, under the direction of the Resident was compelled to prepare a budget, which was formally approved by the Lieutenant Governor. Indeed in Kano not only was the *maajin wateri* appointed by the Resident, the relationship with the emir was not cordial, since the emir had to look for him whenever he needed money. Just as the *Amir* was a total conception, more so was the Resident. Lugard had directed his political officers that:

> It was the duty of a Resident to rule through the chiefs, to endeavour to educate them in the duties of rulers, to seek their cooperation and to maintain their prestige. … The disposal of the annual revenue of the Native Administration, the appointment and dismissal of important chiefs and officers of the native administration, and indeed all

> the important executive acts of a native ruler, though emanating from himself, are subject to the guidance and advice of the Resident.[619]

In 1908 during the *Allah-bar-sarki* saga, Resident Festing counselled that the drive was to make the emir: "**the staunchest and most powerful assistant" of the Resident**.[620] (Emphasis mine). With the abolition of what the colonialists described as the: "emir's so called council," the emir resorted to personally supervising colonial projects: leper quarters, segregation camp for small pox, new burial grounds, cart roads and markets. The aristocracy as minions of colonialism lost its position as a distinct social class. But before these roles matured there were some false starts. By 1908 the district heads were described by the colonialists as: "a set of men with hopeless inutility;" the emir was characterized as: "incapable of ever being really useful or loyal to government."[621] In less than a decade of colonialism the colonialists reckoned that the powers of the emir for open hostility or injury to government had become negligible. The colonialists were poignantly dissatisfied with the emir, and resolved to effect changes whether or not Emir Abbas was in support.

The cultural dilemma the aristocracy was plunged into was graphically demonstrated during the *Allah-bar-sarki* saga. An important indication that colonialism was affecting the consciousness of people was graphically demonstrated in the song of praise composed for *Allah-bar-sarki*. Alluding to insinuations that it was the colonialists that appointed *Allah-bar-sarki* as *waziri*, the praise singer asked derisively whom amongst them the redeemer (*mahadi*) appointed (*cikinsu wa Mahadi ya nada?*). This is important because the esteem of the colonial appointed aristocracy had nose-dived. Note that the reference was not even to the

[619] Lugard, L. 1965 *The Dual Mandate in British Tropical Africa*, London. Frank Cass & co LTD; Kirk-Greene, A. H. M. 1965 (Ed. & Trans.).
[620] NAK: SNP 15. ACC. NO 394.
[621] NAK: SNP6/4-C 111/1908.

Caliph, who had by then been reduced to sultan by the colonialists. The full stanza of the song ran thus:

Mamman fadar turawa	Mamman by the authority of Europeans
Mamman fadar jajaye	Mamman by the authority of whites
Wace naka nadin bature ne	who so ever deride your being appointed by Europeans
A cikinsu wa Mahadi ya nada?	Lo who amongst them was appointed by the redeemer?[622]

The post of the *waziri* in Kano has elicited some interesting commentary. The antecedent of the office is related to the advent of Islam in Kano. Al-Maghili who wrote a treatise on Islamic government for *Sarki* Muhammadu Rumfa in the 15 Century recommended it.[623] Yamusa suggested that it made its first appearance under Al-Mansur of the Abbasid Caliphate.[624] The triumvirate of the Fodio discussed the post of *waziri* in their many political writings. There are many kinds of *waziri*.[625] In a sense it is more of a concept than an office or title.[626] The important thing is that the function of the office must be specified. Sheikh Abdullahi Fodio specified three kinds of *waziri*.[627] The first and the one that obtained in Sokoto was the one whom the Caliph had delegated the authority to run all the affairs of the state. While discussing the *wilaya* in the "*Bayan Wujub Al-Hijra Ala L-Ibadi*" Sheikh Usman

[622] In a report by Major Festing NAK: SNP15.ACC. NO.394 Miscellaneous on conditions on the Kano-Zaria border, he warned of the *waziri* undermining of the emir's authority and possibility of a *waziri* clique cropping up.

[623] El-Masri, F. H. 1978. *Bayan Wujub al-hijra 'ala 'l-'ibad, by Uthman Ibn Fudiy*, Khartoum University Press:O.U.P. P. 67.

[624] Yamusa, S. 1975. "The Political Ideas of the Jihad Leaders: Being Translation, Edition, and Analysis of 1. Usul ul-Siyasa by Muhammad Bello and 2. Diya ul-Hukkam by Abdullahi B. Fodio, M.A, ABC/ABU, p. 36. See also A. Afsaruddin, 2008*The First Muslims: History and Memory*, Oneworld, Oxford.

[625] Harun al-Rashid (786 – 809) was said to have left government to his vizier. K. Armstrong, 2002 *Islam: A Short history*, Phoenix, London. P.47.

[626] In the translation of the Kano Chronicle done at the translation bureau in Kano and under the directive of emir Abdullahi Bayero '*wazirci'*was used in many instances as a concept, but not specifying any particular office or title. East, R 1979.

[627] Yamusa, S. 1975 "The Political Ideas… P. 38.

Fodio described *waziri* as:"the first support who wakens the ruler if he sleeps, gives him sight if he cannot see, and reminds him if he forgets."[628]There were also the executive and the consultative *waziri*. These two were not authorized to make independent decisions.[629] The title of the *waziri* in Sokoto was, in the words of *waziri* Muhammadu Buhari: "…the commander of that which is beneficial, the possessor of good advice…"[630] In Kano it was reported that on the appointment of his friend *dan gyatuma* as the *waziri, Amir* Bello said: "I place in your hands the affairs of Kano." Lovejoy, Mahadi and Mansur said he was *sarki*n *fada* though but performed the functions of the *waziri*. This is one of the confusions that surrounded the office in Kano. Earlier, Yusuf the oldest of *Amir* Abdullahi's children was variously referred to as *waziri* and or *galadima*. It seem to me that what obtained in Kano was that the functions were initially assigned to the *galadima* following the decision to employ the pre-*jihad* titles. The *Amir* was at any rate not constrained. Some functions may be removed from one office and assigned to another. A title may even be allowed to atrophy. All these were within the dynamics of the *Sarauta* system. Nothing except the office of the *Amir* was sacrosanct.

Thus when Resident Cargill decided to audaciously appoint *Allah-bar-sarki*, who was the *dan-rimi*, a slave official, as the *waziri* in 1908, he plunged the colonial administration into a crises of defining what the limits of indirect rule must be, at least its form. A comparison of the pedigree of Abdullahi Bayero and *Allah-bar-sarki* is as interesting as it is revealing. The office in contention was the second most important office in the emirate. Abdullahi Bayero, hitherto *ciroma*, was the oldest of Emir Abbas' children, being groomed, logically enough,

[628] El-Masri, F. H., P. 67.
[629] Sheikh Abdullahi Fodio '*Diya ul-Hukkam*' in Yamusa, S. 1975 p.36 ff.
[630] Philps, J. E. 1993. "Five Letters From the Sokoto Archives Bearing on the Kano Civil War" *Sudanic Africa*, IV, p. 88. "*Amir al-masalih wali al-nasa'ih*."

for the exalted office of emir. *Allah-bar-sarki*, of Warji extraction, on the other hand was a first generation slave, captured in c.1871. His trajectory was a veritable testimony of the opportunities that the *Sarauta* system offered. He was trained in the palace, and favoured by the opportunities that opened up from the civil war. When Abbas was the *sarki*n *dawakin tsakar gida*, in charge of supplies during the civil war, *Allah-bar-sarki* was his assistant and was charged with the responsibility of stockpiling grains. That was the beginning of their association. When *dan-rimi* Nuhu had to be replaced following his role in the anti-colonial encounter,[631] Emir Abbas readily favoured *Allah-bar-sarki*.

The traditional responsibilities of the *dan-rimi* were many.[632] He was one of the three most powerful slaves who had executive powers. The *dan-rimi* was in charge of many slaves who were lesser executive officers in the palace bureaucracy. Many more were under him in some of the royal plantations that he supervised. The *dan-rimi* was in charge of communication between the palace and the outside world. Indeed some noble territorial administrators reported to the *Amir* through the *dan-rimi*. The *dan-rimi* collected the *Amir's* share of tax gatherings from the territorial administrators. The *dan-rimi* was also a military commander. It can be said that the responsibilities assigned to the *dan-rimi Allah-bar-sarki* in the context of the changing times under colonialism were in consonance with his traditional role. The *dan-rimi* was reported to have diligently carried out his assignments, especially in the context of the passive resistance policy adopted by the Kano leadership. That the life of the early colonial officers was made very difficult, as they have confessed was in no small measure due to the capabilities of the *dan-rimi Allah-bar-sarki*.

[631] It should be remembered that the colonialis had decreed that none who took up arms against them was to hold any office.

[632] Lovejoy, P. E. Mahadi, A. and Mukhtar, M. I. 1993 "C. L. Temple's 'Notes on the history of Kano' [1909]: A lost chronicle on political office" Sudanic Africa, IV, p. 26.

However, the colonialists were, logically enough dissatisfied with the affairs of Kano as being steered by Emir Abbas. Thenceforth the leadership was transformed from *Amir* to Emir. The *Amir* was a Governor under the Caliph, charged with commanding what was good and restraining what was bad; with among others, military responsibilities. The emir was a chief with limited powers under the Resident; and stripped of military responsibilities, and whose relationship with the Caliph, now Sultan, has been terminated. In contradistinction with what obtained during the Calphate era, when the *Amarau* regurlarly visited the Caliph in Sokoto; in April 1904 the emir headed to the High Commissioner in Zungeru.[633]

The *Allah-bar-sarki* saga emanated from the attitude of Resident Cargill to indirect rule. Resident Cargill decided to flagrantly disregard the directives of his superiors in Zungeru and sought to effect the desired changes by direct appointment of NA officials, among the methods he adopted in Kano to give colonialism a push. Temple who was appointed to replace Cargill as Resident, reported after an inquiry into the whole *Allah-bar-sarki* saga that:

> I find in August that the *waziri* has become the only permissible medium between the district heads and their emir, and between them and government; and that, of several drastic changes made in the administrative organization, none is so unpalatable as this to the emir, who has become (I think naturally) extremely jealous of the unique power thus placed in the hands of his old slave.[634]

Resident Temple continued in his report that he thought part of the objective was to: "isolate the emir from his extensive and powerful 'palace clique', and to keep him from unduly interfering with the newly-appointed resident district heads; and probably the new *waziri* was part of this scheme."[635] Five years had elapsed since instituting colonialism. Resident Cargill probably thought he had seen enough and learnt enough. He reportedly had been to every

[633]NAK: SNP7-1856/1911. Zungeru was the then capital of Protectorate of Northern Nigeria. The policy in place was for the emir to make the appointments. The appointments would be vetted by the Resident.
[634]NAK: SNP7-1856/1911. P. 45.
[635]NAK: SNP7-1856/1911.

town of significance in the emirate. Hitherto the conquerors had been content to receiving their share of the tax revenue, which they had decreed to be half. Up till 1906 though, they were able to collect only one quarter. *Dan rimi Allah-bar-Sarki* was the official assigned this responsibility. By the time Resident Hewby sent in his report to the High Commissioner, even though he confessed his ignorance, two important deductions were made. On the emir he confessed "I hardly know sufficiently well to discuss … I believe him incapable of ever being really useful or loyal to government, but his power for open hostility or injury is negligible under the present system."[636]Secondly Hewby further opined that: "the 'palace clique' and *jakada* circle included the ablest men in the country, many of them so called slaves; …"[637] The objective of colonialism was not just collecting a quarter of the revenue as determined by the emir. In destroying the Emirate system, the colonialists decided to employ the services of an insider whom they believed had a natural grudge and whose capabilities they have witnessed. They chose *dan rimi Allah-bar-sarki* and made him the *waziri*.

The *Allah-bar-sarki* saga was the culmination of the propensity of the early administrators to encourage the officials they have appointed to be responsible to the Europeans and flout the emir. Thus it was ironical if not out-rightly contradictory that Cargill who insinuated and sought to remove the baneful influence of the slaves on the emir turned around and foisted on the Kano aristocracy a slave as the second in command. In reality his new powers overshadowed the emir's powers. In Kano, a slave was a slave, no matter how highly placed. Some royal slaves who developed wings had them clipped under *Amir* Bello. Of those who had the audacity to complain to the Caliph, some were publicly decimated. Indeed the

[636]NAK: SNP 6/4-c.111/1908.
[637]NAK: SNP 6/4-c.111/1908.

circumstances that led to *dan-Rimi Barka* leaving office was related to this incidence.[638] In Kano that the *waziri* was the second in command was demonstrated by what happened after *Amir* Aliyu had deserted. Both *sallama* and *dan rimi* were there. They might have been assigned the responsibility of physically leading some contingents; indeed they could even have their own contingents; but the overall leadership fell to the *waziri*.

The change in the role of *dan rimi Allah-bar-sarki* and the crisis attending the attempt by Resident Cargill to define new functions for him, in a more holistic sense reflected the changes in the role of the aristocracy and the direction and delimitation of Indirect Rule. It was not only *dan rimi* whose official functions were being steered to a new direction. Every office and official the colonialists met in place was steered to a new colonially determined direction. The people of Kano probably considered the colonialists 'a temporary plague.' To the colonialists, the initial calm was a period of respite until they had put in place enough resources to effect the desired changes. The reaction and response of Emir Abbas was logical. He had been forced to seize forthwith the relationship that existed between the Emirate and the Caliphate. The whole raison d'etre of his rule was subjected to continual assault. This had been graphically demonstrated during the resistance, which Caliph Attahiru put up, when it required concerted colonial action to stem the tide of those flocking to the Caliph when he passed through Kano territory on his way to Burmi, where the last stand was made.

Indeed it was Resident Cargill while reporting on the two days the Caliph spent in Belli, in the extreme southwest of Kano territory on April 20, 1903, before he could harry him on, who noted that the Caliph must have quadrupled his following! Half of the population of the

[638] Lovejoy, Mahadi, and Mukhtar, 1993 p.25.

territory was said to have flocked to him. This included the most important s*arki* in the area, the s*arki* of Karaye. Other lesser territorial administrators emigrated. Also in May 1903, Resident Cargill reported on the disturbing nature the *hijra* of the Caliph had assumed. He noted:

> As it is, half of the population of the district he has traversed, including the majority of the s*arki*s (sic), have joined him, his following growing larger the further he goes… The *madaki* of Kano, ironically the man accused of urging accommodation, stripped of his title by *Amir* Aliyu also joined the Caliph.[639]

To curtail the exodus the Resident took extreme measures. Armed patrol was dispatched, and especially for the aristocracy, anybody that joined the bandwagon automatically lost his position and his property was confiscated.

Thus to the populace, the esteem of the aristocracy had waned. It was only five years but already the people were wary. The colonialists were, on the other hand getting impatient with the pace of change. The resistance, in many forms, was more than they had bargained for. The colonialists recorded their frustrations. In a confidential report by Arthur Festing dated December 29, 1907 the situation of the colonial officials in Kano was described thus: "at times one's position has been short of untenable."[640] Thus the contradiction that needed resolution was how much acquiescence was the aristocracy to proffer and still command some modicum of respect and acceptance among the populace. The colonialists were faced with the dilemma of how fast to push the pace of change, since change there must be. Some of the reasons adduced by Festing for the untenable situation of the colonial administrators were due to the rapid changes of Residents. Festing also thought the emir's attitude was due to lack of moral courage, and inherent pride. Festing also thought the weaknes was, in his words: "always so noticeable in an effete race, and inability to grasp the Whiteman's idea of

[639] It was reported that the *madaki* was reinstated by *chiroma* Abdulkadir, after the flight of *Amir* Aliyu.
[640]NAK: SNP7-472/1909 Report Annual Kano 1909.

straight dealing."[641]He belatedly confessed though that up to that time (1908) so far all the colonialists had done was to extract money and labour from the Kano people.

Emir Abbas designed many methods of resisting the erosion of what he presumed were his inherited traditional duties and responsibilities. He therefore needed to know what the colonialists were up to. A surveillance apparatus was put in place. To garner the intelligence from his overlords, he found ready use for the royal slaves[642] who had always held executive responsibilities. Palmer and Festing, two young administrative officers in Kano, have revealed the extent the Kano aristocracy went to monitor them. The spy, Adamu Jakada was put under surveillance. Those of the aristocracy who were tempted by and were readily disposed to the colonialists, paid dearly. Some territorial leaders were reported to have lost their posts on mere suspicion of collaboration with the colonialists. Some were even plundered.[643]On the other hand the colonialists terminated other local leaders whom they suspected of exercising 'baneful influence'on the emir. Among these were *maifunfa* and the *ma'ajin wateri* Sadiku who was exiled to Lokoja.

Dan rimi Allah-bar-sarki was, logically enough, one of the officers employed by the emir in this respect. The assignment was reminiscent of the role of his office before conquest.[644]He was thus put in charge of communication with the Residency, and of course whatever it was that the emir directed him to do. The objective of the emir was to impede the setting up of direct communication, bypassing him, between the colonialists and the substrata of the aristocracy who were reassigned by the colonialists. The colonialists wanted to break the hold

[641]NAK: SNP7-472/1909 Report Annual Kano 1909.
[642] A number of writers do not make the distinction between the royal slaves and the personal slaves.
[643] Lovejoy, Mahadi, and Mukhtar, 1993 p. 13.
[644] See Chapter four and also Lovejoy, Mahadi, and Mukhtar, 1993 p.26.

of the emir on the aristocracy. This was what made Resident Cargill to make some key appointments all by himself. He started with the office of the *waziri* which was not in any case vacant. Indeed the occupant was the eldest son of the emir, whom, everything being equal, the emir would want to succeed him. The Resident had abolished the territories under the *shamaki*, *dan-Rimi*, and *sallama*. When Resident Cargill unfurled his new tax system he chose the districts of important members of the aristocracy. The districts of the *madaki, dan-Iya,* and *turaki manya* were chosen.

The appointment of *Allah-bar-sarki* as *waziri* was part of the changes Resident Cargill undertook in order to spur the aristocracy in the direction desired by the colonialists. It is one of the 'ifs' of history, which bears out our position articulated earlier on in chapter one, on the ignorance of those who had conquered the emirate. Had Cargill known that strong value underpin the *sarauta* system, he would not have appointed a first generation slave to such an exalted position, especially as the person humiliated out of the office was the oldest of emir Abbas' children. The objective of Resident Cargill was to put the emir in check, the belated rationalization of *Allah-bar-sarki*, being the trusted slave and businessman of the emir notwithstanding. *Allah-bar-sarki* as *waziri* became the "gate" through whom the colonialists gave instructions, and he was availed with a network of agents at his disposal. The important thing though was that this role and network was independent of the emir. Indeed it was despite the emir. All the functions could have been performed amicably had he remained *dan rimi* and a royal slave at the beck and call of the emir.

Allah-bar-sarki and a coterie of other slaves thought their salvation had come. Many palace slaves traditionally under the supervision of the *dan rimi* flocked to him. This included some

palace praise-singers who composed a most offensive song against the whole aristocracy that have been alluded to above. The followers of *Allah-bar-sarki* instigated deliberate slights in protocol against the emir and the *chiroma* on public occasions. This further steeled the resolve of the Kano aristocracy against the methods of Resident Cargill.[645]

By 1909 the emir, *waziri, alkali*, and others were reduced to salaried employees of the Colonial Government.[646] It should be recalled that the emir's council had been suspended January 11, 1908. A whole year elapsed before it was restored on 19 February 1909. The new council constituted for the emir comprised: emir, *waziri*, treasurer, *alkali*, and five *malamai*. Gidado was made the *waziri*, and Ibrahim who was secretary to the emir was appointed the *alkali* of Kano.

By this time a détente had been reached between the emir and the colonialists. Resident Temple in a 1909 report had advised:

> I am prepared to say this however; there are no half way course between direct administration and indirect administration. If the native administration (especially the Fulani administrations) are to be maintained, then they must be maintained more or less intact, the native system and etiquette must be adhered to, the sensitive character of the Fulani must be taken into account, and the delegation of authority from the emir down the village head adhered to strictly in their case as it is in a British regiment from the colonel to the corporal.[647]

Resident Temple was frank in summarizing the situation thus: "The policy for some time in Kano has been to first of all deprive the emir of all power and influence by ignoring him and dealing direct with his subordinates, and then to blame him because orders not his own and not given through him were not executed."[648]The district heads were encouraged to regard themselves as responsible to 'the big white man' and flouted the emir whenever opportunity

[645]NAK: SNP7-1856/1911 Kano Province Summary of Events in.
[646] Hitherto he was not allowed to draw more than £300 per month.
[647]NAK: SNP6 – 44/1909 Kano Provoince Report: Preliminary.
[648]NAK: SNP6 – 44/1909.

occurred. Commenting specifically on the appointment of ma'ajin *wateri* to superintend the town, Temple opined: "it is impossible to try and administer the town through an official whom the emir does not like."[649]

By the conclusion of the *Allah-bar-sarki* saga, Governor Percy Girourd, in a speech, warned the Native Authority officials that disloyalty to the emir by them would not be countenanced by Government. Emirs were his representative and disloyalty to them would be akin to disloyalty to his majesty the King whom he represented. By this time in 1909 the indirect rule system of colonialism had attained a certain levelof development and the emirs had become sufficiently malleable to appreciate their subordination to the Resident. That was what they swore to on appointment, as noted above in their oath. Governor Percy Girourd was emphatic; the emir needed to appreciate: "the guiding principle adhered to in every detail of the advice given to him by the Resident …"[650]The Native Authority must be assisted, strengthened as well as criticized. The Native Authority it was desirous, must be loyal to each other. The colonial authority has been forced by circumstances to revise the initial approach of encouraging lesser chiefs to wantonly flout the emir. Subsequently progress was recorded in indirect rule. The subsequent period witnessed an empowered emir issuing directives to district heads appointed by the colonialists.[651] These directives emanated from the colonialists and the colonialists were the ones that enforced them. The High Commissioner had noted that the Resident was backed by the full force of Government. It is important to cite this example titled 'orders to native chiefs from *Sarki*n Kano':

1. Emir's order to *ma'aji* as to the keeping of the *beit-el-mal* accounts.
2. Manner in which *gado* is to be collected (*ujera*).
3. Manner in which judgment debt (*arashi* and *diyat*).

[649]NAK: SNP6 – 44/1909.
[650]NAK: SNP7/10/6415/1909.
[651] See Appendix I

4. List of books to be kept by *ma'aji*.
5. *Pansa* for flogging and imprisonment.
6. List of *unguwas* (+ some of their founders).
7. List of *kofofi* (+circumstances of erection).[652]

In enclosure No.3 Kano Report 39, orders to native chiefs No.8 the emir ordered the district heads that no village head was to be appointed without his sanction. He in turn needed the sanction of the resident.[653]The Ag Resident reported in a 1911 confidential report on Emir Abbas thus: "I have always found him thoroughly loyal and trustworthy. He has expressed more than once his gratitude to the government for having maintained and strengthened his authority and his anxiety to do nothing to forfeit the confidence shown in him."[654] In 1908 at the peak of the *Allah-bar-sarki* saga, the same Emir Abbas had been driven to drunkenness. Resident Cargill had in a confidential memo to the Governor of Northern Nigeria reported that:

> One morning at Nasarawa, he turned up at about 6 AM to see me at the old Residency for no ostensible purpose, and talked a lot of nonsense, trembling in his limbs, and frequently flopping on the floor in order to ask me some favour … Came to the private conclusion that he was recovering from a drinking bout.[655]

That major Festing has reported also seeing him drunk on several occasions.[656] Little wonder that Dalhatu reported that Emir Abbas died from injuries sustained from a kick to the ribs inflicted on him by another Ag. Resident, Mr Beckles.[657]

Some of the changes seemed so innocuous that one may tend to ignore them. Cumulatively however, they had the effect of denuding the *Sarauta* system, e.g. stopping the *dan lawal* and *dan sanka* from collecting pittances for services rendered in the market. These lowly officials

[652] See also appendix 1. KANOPROF 2953: Emirs Instructions to District Headmen.
[653]NAK: SNP6 - 44/1909.
[654] AREWA HOUSE: Confidential Reference on Chiefs for 1917.
[655] AREWA HOUSE: Confidential Reference on Chiefs for 1917.
[656] AREWA HOUSE: Confidential Reference on Chiefs for 1917.
[657] Dahatu, U.2005. *Abdullahi Bayero: The Preminent Emir of Kano*. Woodpecker Communication Services p.250.

cleaned the market, fed the destitute, and buried those who died in the market. The offices were abolished by the colonial administration.

There was no political or administrative development of any importance that occurred in 1913, and there was little touring and Resident assessment. Emir Abbas who had a very turbulent relationship with Resident Cargil, had by the beginning of this period painfully realized that after all the colonialists were not a temporary plague. The initial passive resistance had been abandoned; and the colonialists were appreciative. The Resident, Mr Tomlinson opined:

> I have been constantly impressed by his shrew and practical common sense. This quality is perhaps most evident when a question of policy being settled, discussion is concerned with the method of carrying it out in detail. Initiative in regard to larger questions is less apparent and although his views are often definite enough they are not always readily expressed. He is at all times extremely anxious to keep within the letter of the law and therefore relies greatly on the *waziri, liman,* and other legal members of the judicial council.[658]

The emir of Kano was appointed an unofficial member of the Nigerian Legislative Council. Though appreciative of the honour, he could not attend the 1914 meeting. He had become reconciled with a subordinate role in the scheme of colonialism. It is difficult to judge whether he actually knew the import of the appointment. The Nigerian Council was the highest organ that advised the Governor. In theory it made the laws used in governing the country. It was the body that exercised sovereignty on behalf of the British government. The Nigerian Council was established in 1913, and by the constitution of 1922, could only discuss matters pertaining to the Northern Region with the express permission of the Governor.

[658] NAK: KANOPROF 95/1914 Annual Report No.46 on Kano Province for 1913.

Though the country had been amalgamated in 1914, the North was administered as a separate unit.

The scheme to place all district and sub-district heads on regular salaries was submitted and approved by the Colonial Government in 1914. The aristocracy were divided and ranked in the following order. The first division was between the relations of the emir and the nobility. Of the relations, the *ciroma*, a son, was placed on £1000 per annum, the same as the *waziri*.[659] Next was the *turaki manya* on £550; the *wambai* was placed on £240, and lastly the *galadima*[660] who was on £200. Of the nobility the *madawaki* was the highest with £1000; the *makama* £800; *sarki*n *dawaki maituta* £420; s*arki*n *bai* £260; and the *barden* Kano £160. There were also the *sarakuna* of the important towns who were placed as follows: *sarki*n Karaye £600; *sarki*n Dutsi £380; *sarki*n Rano £300; and s*arki*n Gaya £250. *Sarki*n *dawakin tsakar-gida*, with no definite precedence, was placed on £360. After the introduction of the treasury which effectively limited the emir's control of the resources of the emirate; and his placement on a salary; these colonial ranking and placement of the dominant members of the aristocracy on colonially determined salaries clearly demonstrated their loss of power. We disagree with Yakubu that these were fat salaries to woo the aristocracy. In nearby Gumel, the emir was accused of frequent extortion due to the smallness of his income.[661]The British estimated that the *ciroma*, *madawaki* and *makama* were receiving adequate salaries. They however confessed that *sarki*n *bai*, *sarki*n Gaya, *wambai*, *galadima* and *barde*, "all of high rank cannot be supposed to be living on their salaries, and must be augmenting their incomes from other sources."[662]As will be proved subsequently, and by the admission of the

[659] The *waziri* was not a member of the royal family.
[660] Muhammadu Bello, d. 5/6/1927.
[661] From Ag. Resident Kano, 17 March, 1911. In: AREWA: Confidential Report on Chiefs for 1917.
[662] NAK: SNP10/4-170P/1916 Annual Report 1915.

colonialists, the salaries were inadequate.[663]In a communication from the Acting Lieutenant Governor to the Secretary, it was revealed that the emir of Kano spent about £800.0.0 annually more than his salary, on departments in the palace and charity.[664]This puts into perspective the ease with which the colonialists found the DHs and others guilty of percolation or similar charges; for if the salary of the emir was inadequate, it was highly improbable that the salary of the lesser chiefs would have been adequate. We have alluded to this above when the colonialists informed us that many who went about on foot were riding horses some few years back.

It is worth repeating that by this time none of the members of the aristocracy so mentioned was engaged, or assigned, anything remotely connected with his purviews and responsibilities before colonialism. None had the basis from which to act as such. None pretended that he was engaged in such. The British colonialists were conscious, indeed deliberate in what they were doing. They ranked the aristocracy as they saw fit; and they assigned the responsibilities. The new aristocracy all demurely accepted their lot. In this regard we disagree with Mahadi who had opined the *Sarauta* has survived successive invasions including colonialism and that the NA conveniently adopted the names and functions of the various offices.[665]

The above listed were the quintessence of the aristocracy. Thus if there were financial improprieties as often alleged by the coloniaists, it must be due to one of two, or both factors of different conceptions of what constituted public monies and how they were to be utilized.

[663] Vide supra review of yakubu's Emirs and Politicians.
[664] NAK: SNP10/9-120P/1921. Palmer in his political memo estimated the emir of Kano would need 1/3 of his gross salary to maintain his houses. NAK: SNP 15/1 ACC. N. 249.
[665] Mahadi, A.1979 "Some Observations on the Emergence and Development of the Sarauta (Kingship) System in the Central Sudan before 1804." Seminar: History of Central Sudan before 1804, Zaria.

Contrary to Yakubu's[666] position, we are convinced that inadequate remunerations were deliberate designs by the colonialists to humiliate the aristocracy by making sure they lacked, from official sources at least, the resources, financial and otherwise, necessary to maintain their roles appropriately. Their placement on salaries and the ranking it entailed meant that the sub-district heads gained considerably in remuneration at the expense of the district heads. Salaries were officially delimited remuneration; but at this point the sub-district heads answerable to the DHs were placed on percentages of the revenues generated in their localities. It was thus possible for a sub-district head to garner more than his superior, the DH, was paid. Consequently some sub-district heads assumed airs and tried to usurp the powers of the DHs. It needs be remembered that the district reorganizations effected in the period up to 1918 had messed up the pre-colonial districting, ranking, and the nature of their responsibilities. It is important to mention that the British colonialists were aware of the effects on the DHs. In a backhand way the British mentioned that these reductions were in "legitimate share," by handing too much to the sub-district heads. The British had also changed the method of collecting and rendering tax revenue. They have recorded that they made it difficult for the DHs and sub-district heads to obtain pickings, by forcing immediate payment of sums hitherto taken in kind and realized at leisure. At this juncture, it is important to point out that to pauperize the aristocracy was a definite but unannounced colonial policy.

Thus in the context of such a smattering of political officers, 5 political officers to a population of 1.7 million; and the novel and strict new methods of revenue mobilization and collection, little wonder then that the Resident was forced to give a backhand compliment. Ignoring his paternalistic prejudice, his opinion was very revealing. With WW1 on and the

[666] Vide supra, review of Emirs and Politicians.

consequent depletion of staff, and with little new assessment in 1915, the Resident noted in 1916:

> Our administration and revenue depend on the comparative honesty, competence and energy of the village and district headmen. These men have all their lives and their forebearers' before them been accustomed to live in a certain style. It is expected by their people, and a certain degree of state, open-handedness, and the equivalent of European entertaining is necessary. Otherwise they lose caste and respect…They are expected by government also to do for nothing a great deal which done any other way would be vastly costly to government.[667]

The colonial machinery, the indirect rule, and especially the foot soldiers, the aristocracy, having been moulded to the British ways, were becoming efficient.

The proposal to place district headmen on salary was approved in 1914.[668] Thus in the context of the new taxation dispensation: rate, method of assessment, collection, accounting and disbursement; and the inadequate salaries for the DHs; a lot of cultural contradictions regarding public monies ensured. But since the colonialists had assumed their position by right of conquest, they continued to steer the DHs to their own ways by meting out sundry punishments for alleged infringements of the financial and tax regulations. Thus two sub-district heads were deprived of office due to alleged incompetence and embezzlement. The DHs had become amenable and there was effusion of praise for the *ciroma, madawaki, turaki manya, makama, Sarkin bai, Sarkin* Gaya, and *Sarki*n Karaye. Reports indicated that the others: district heads of Rano and Dutsi; and *wambai*, *galadima* and *barden* Kano, had not shown much energy in the collection of taxes, the mainstay of colonialism. It is worth pointing out that the last three were brothers of the emir. Nothwithstanding, the report concluded that: "the district administration is efficient, the general security of life and

[667]NAK: SNP10/4-170P/1916 Annual Report 1915. This may be the sense in which we can agree with Yakubu that the Emirate system appropriated was cheap.

[668] The structure of colonialism was that major decisions could emanate from the Region but often needed the approval of the Governor General.

property compare favourably with many parts of civilized Europe."[669] The annual report for 1917 also stated that: "the attitude of chiefs and people in the province throughout the period under review has been entirely satisfactory in all important matters."[670]

3.9THE ROLE OF THE JUDICIARY IN DENIGRATING THE SARAUTA SYSTEM

The highest tribunal in the country was the Supreme Court. In the scheme of colonialism:

> The judges of native courts administer native law and custom, and exercise their jurisdiction independently of the native executive but under the supervision of the British staff, and subject to the general control of the emir, whose judicial council consists of his principal officers of state, and is vested with executive and judicial powers.[671]

In theory a Native Authority except through a regular tribunal was not allowed to inflict punishment. While the native courts were empowered to administer 'Mohammedan Law' (sic), that law was superseded by any ordinance enacted by government, through the legislative council, and the Islamic law must not be repugnant to natural justice and humanity as defined by the colonialists. Land and inheritance, pivotal aspects of the S*arauta* and colonialism, were areas where this principle was applied.[672]

While initially the authority of the emir over his people was presumed absolute, aliens were excluded from his jurisdiction. They were under the direct control of the British staff. Townships were also excluded from the emir's jurisdiction. To mark their subordination, warrants were given to the native courts by the High Commissioner in 1904.[673]The judicial council in Kano was initially left with the power of judging cases involving the death penalty.[674] By 1907 there were 14 district courts which have been reorganized in 1906, and

[669] NAK: SNP10/12-98P/1914 Annual Report 1913.
[670] NAK: KANOPROVINCE 140/1918 Annual Report Kano Province 1917.
[671] Lugard, L. 1965 *The Dual Mandate in British Tropical Africa*. London, Frank Zass & Co. LTD. P.202.
[672] Lugard, L. 1965 *The Dual Mandate in British Tropical Africa*.
[673]NAK: SNP7-1856/1911.
[674] NAK: NDC 102: Native Courts Ordinance Review of.

described as "so far of little use."[675]This was because the colonialists discovered to their chagrin that the native courts were averse to dealing with cases against the colonial administration. The passive resistance was more readily acted out in the judicial role of the emir and the judges. In a confidential memo by Resident Arthur Festing, he noted that both emir and *alkali* were most respectful, but:

> I found that neither court considered that it had any responsibilities as regards the punishments of offences against our rule and that though each felt it must mete out punishment when ordered to do so by us it would be clearly understood by the offenders and people in general that such punishment was inflicted because no other course was open to the court except to carry out our wishes. With us however was to remain the responsibility.[676]

That notwithstanding the colonialists were satisfied with the way the slavery cases were handled. Resident Festing noted: "In this and other matters it was said that they have shown a surprising and most gratifying desire to carry out the policy and wishes of Government, even when these wishes went beyond the enactment of their own statute books.[677] This is not surprising since the Resident had access at all times to a native court and may transfer any case from it to the Provincial Court. It should be remembered that the Resident had the powers: "to suspend, reduce, or otherwise modify a sentence, or to transfer a case at any stage of the proceedings to the Provincial Court."[678]

Up to 1907, by his own admission, Dr. Cargill had not tackled the native courts of Kano. The 1908 Annual Report, probably due to the failure of crops, recorded increase in crimes in 1907. Theft, extortion and blackmail were reported. The unleashing of the *jakadu*, who then did not have anything to do, was probably a contributory factor. Hitherto the *jakadu* were also justices of the peace. They settled cases that were beyond the administrators (*dagatai*) of

[675]NAK: SNP7-472/1909.
[676]NAK: SNP 7 – 472/1909. This was the concept of *hukm zaman* employed by emir Abbas in his recorded judgements. See Christelow, A. (Ed.) 1994 *Thus Ruled Emir Abbas*.
[677] NAK: NDC 102: Native Courts Ordinance Review of.
[678] Orr, C. 1965. *The Making of Northern Nigeria*, Frank Cass& Co. LTD.p. 235.

smaller town, and reported the general security situation back to their masters, the distric heads. The *jakadu* did exploit their old influence and connections. This was recognized by the colonialists who insisted that the *jakadu* existed with different names.[679]

Dr. Cargill's method of administration was very high handed and it involved corporal punishments. 18 floggings were recorded in 1907, and floggings continued in 1908.[680] The deposition of, at least in the case of Gwarzo, an innocent *Sarki*, was admitted to. Three people were publicly flogged for a fracas that resulted when a soldier tried to extort meat. All these were despite of the soldier involved not being got! Dr. Cargill held the *Sarakuna* in such low esteem as demonstrated in the way the Baure affair in Daura was settled. Major Festing ousted the district heads and Dr. Cargill commented wryly in his report that the incident was of interest because it showed how easily ousted chiefs accept their loss of power and dropped into obscurity, and their former slaves and retainers returned to farming. Several of the emir's local police (*dogari*) were accused of allowing prisoners to escape and prosecuted and convicted in the Provincial Court.[681] This thus entailed humiliating both the emir and his *dogarai*. Dr. Cargill considered the *Qadi*'s judgment just, accusing him only of erring on the side of leniency. It was alleged that miscarriage of justice was more frequent in the emir's judicial court than the courts of the *alkalai*. That the emir's court was simply a means of settling old scores and overruling the *Qadi*'s awards. The Resident decided that the emir's court was not only useless, it was dangerous.[682] He abolished it in1908. It was restored in 1909. The High Commissioner having admitted that:

> We, as executive officers, have frequently gone beyond the pale of the law, by imposing executive fines, at times perhaps only too necessary with primitive

[679]NAK: SNP 6/4-C111/1908.
[680]NAK: SNP 7-472/1909. Resident Kano Annual Report 1908.
[681]NAK: SNP 7-472/1909, Resident Kano Annual Report 1908?
[682]NAK: SNP 7-472/1909, Resident Kano Annual Report 1908.

> communities. Great care should be taken not to impair or lessen the prestige of the emirs, the integrity of the bench may be a very high ideal, but where it treads on the toe of our native executive, I fear we must support the executive for the present.[683]

True the colonialists were hardly able to keep to the initial posture that punishment could only be through regular tribunal. The *ma'ajin wateri*, was not a judge, he was described by the colonialists as: "a capable and pushing fellow of whom the emir is rather jealous;" was head of town taxation jail, and "control in general;" he had powers of seven days imprisonment. Though the market *alkali* is a regular tribunal, he had also seven days stock and twelve lashes, with no fines or fees. Every district head, who was not heading any regular tribunals, had powers of arbitration and twelve lashes and seven days imprisonment, but with no fines or fees. The most ridiculous of all was the punishment meted to the people who refused to remove their sleepers and hats (*malfa)* and line up when British officers were passing. Culprits were imprisoned for three days.[684]

Major Festing reported that he discovered more worrisome tendencies. All the courts including the emir's and the *alkali's*courts were averse to trying cases against the administration. It was as well that Dr. Cargill had dealt with most of the cases directly. By the time the new Resident was inundating the native courts with cases, he realized that both emir and *alkali* accepted his sending a case as conclusive of guilt as defined by the colonialists. The emir and judges made sure the poor victims realized that it was a colonial imposition (*Hukum siyasat*). The records of the court of emir Abbas published by Allen Christelow recorded numerous instances where the judgments were described as *hukm zamanna*.[685]When the Resident started sending only minor cases to the emir's court, the ones he described as

[683]NAK: SNP6- 116/1908.
[684]NAK: SNP 6/4-C111/1908.
[685] Christelow, A. (ed.) 1994*Thus Ruled Emir Abbas*,

cases that: "could often be settled out of court by a common sense man in authority should go to the emir," the emir reacted by transferring cases from the *alkali's* court. The colonialists were generally dissatisfied with the emir's court. This explained its dissolution.

The 14 district courts, we are told, have only been reorganized in 1907. And that so far they have been of little use. The colonial sources recorded pervasive crimes among the "white-man's boys." By 1909 there were 13 district native courts.The courts were also an important source of revenue for the Government. In 1909 the 42 native courts tried 15,301 cases. The provincial courts handled only 342. By the 1912 Annual Report the Kano courts were described as doing excellent work, with the crime of personating soldiers and government agents so peculiarly rife in the early years of British occupation having almost disappeared.[686]

Thus in the first period up to 1912 the colonialists reorganized the judicial system they met. The first principle was the subordination of what they categorized as the native courts to the colonial courts. They then delimited their powers as they deemed fit by the issuance of warrants. The emir was stripped of his powers of being the chief judge of the emirate, and his powers of management re-defined and transfered to the *waziri*. The emir was made to chair a judicial council comprised for him by the colonialists. Though the emir and the *alkalai* resisted, they could not stop the colonialists' drive to remould the judicature in their own image. As in the administrative and taxation changes introduced by colonialism, the *sarauta* capitulated in the changes effected for the judicature.

[686] NAK: SNP7-114/1912.

In 1908 followig the dissatisfaction expressed by the colonialists subsequent to the passive resistance stand, the emir's court was suspended. The aim was to curtail the emir's powers and those of his slaves over the newly instituted district system. By this time it was reported that a good deal of the court work had to do with trials of unauthorized collectors of taxes under proclamation No. 2 of 1906.[687] The district courts were of B grade, i.e. they could imprison for up to two years. The prison warder (*sankurmi)* was paid by the *alkali* and district head. In August 1909 Resident Arnett visited and inspected the 13 district courts and native courts in Kano emirate, and the court of the *alkali* of Kano. These visitations were in order to constantly instil at the popular level, the fact that it was the colonial power that was in control. This was in fulfilment of the "big whiteman" proposition at conquest.

However, the native courts still persisted in the passive resistance and were reluctant to handle cases against the administration. The colonialists made sure the most important work done by the emir's court was the alleged 200 cases of wrongful appropriation of farms by village heads. In a correspondence to the Acting Governor from the Acting Secretary to the administration on the situation in Kano by 1907, he lamented that slave cases were not being handled by the emir's judicial council. It was the emir's judicial council which the colonialists wanted to free itself from the Islamic canon law.[688] It should be borne in mind that the main duty of the aristocracy at the onset of colonialism was to answer all questions the colonialists asked in the many probings into the pattern of life, and especially the earnings of the popuace. The members of the aristocracy who failed to provide the answers were liable

[687]NAK: SNP7-472/1909.

[688]NAK: SNP7/9/1538/1908 Annual Report Kano Province 1907. Latter in 1933 Acting Resident Lindsell would refuse the issuance of the translated *risala* to *alkalai* because it sanctions war against infidels and slavery, both contray to British laws. KANO PROVINCE 1059 Mohammedan Law in Northern Provinces: Notes on.

to imprisonment to a maximum of 12 months, or £500.00.00, or both.[689]When considerable desertions ensured from the forced labour imposed on the people, it was the emir and the DHs that were made to arrest the deserters. When the telegraph lines were sabotaged the DHs were made responsible for them. Indeed the emir suggested that his son be made the one to handle it. The emir's court was made to handle the very vexatious taxation cases. Deliberate attempt was made to restrict the emir's court to administrative and political cases, with all legal cases being transferred to the *alkali's* court.[690] The direct administration propensity of Resident Cargil did not facilitate the development of the native courts in the desired direction. Resident Cargil insisted on trying cases against proclamations in the Provincial Court. It need be recalled that by 1907 even junior Residents[691] were given full judicial powers. By 1907 some of the populace had realized they could complain to the colonial government. It was an opportunity to further interfere with the judicial system. Once a case was sent to a native court by a colonial administrative staff, demand was made on action taken by the court. The colonialists did not wait for the *waziri,* who the colonialists made in charge of the native courts. Several of the emir's body guards (*dogarai*) and messengers were arraigned and convicted in the Provincial Court for allegedly allowing prisoners to escape.[692] At this time the Resident reserved the cases of extortion, slavery, and cases involving government employee for the Provincial Court. And on slavery cases, the attitude of the colonialists were that they were such that could not be dealt with equitably if Moslem common law was strictly adhered to.[693] All the courts other than the Kano court had to obtain the permission of the *waziri* before they could administer an estate. The courts had not then become completely subordinated to the British colonial system. In each district court the Native Authority

[689]NAK: SNP7-1281/1903.
[690]NAK: SNP 7/9/1538/1908.
[691] Residents were ranked first, second, and third class.
[692]NAK: SNP 7/9/1538/1908.
[693]NAK: SNP7/10/6415/1909.

attached three lowly administrative assistants (*dogarai*) supplied from Kano. It was a means of keeping an eye on the courts by the emirate aristocracy.

By 1909 the colonial authorities were getting woried at the slow progress the native courts of Kano were making. They had occasions to complain about some aspects of the native court system they had instituted. Due to the way they ordered their priority and the very scanty staff available, enough attention was not immediately given to the courts by the administrative staff. The attitude of the emir and judges (*alkalai*) was also causing problems. They were too anxious to relinquish to the Provincial Courts offences against the colonial system, while tenaciously holding to some of their traditional purviews. The village heads were reluctant to report crimes. Thus it was with glee that Resident Arnett reported in 1909 that the cases the native courts of the province prosecuted amounted to a total of 15,301, and nearly 2/3 were from Kano emirate.[694]In 1910 the courts handled over 20,000 cases. Kano emirate had 16 courts and tried over 1,500 cases per month. The colonialists reckoned that this was due to the increase in the growing prestige and reputation of the judges. By this date the judicial personnel had also been placed on salaries. Only .07% of the population committed offences that called for judicial action; "and that serious crime is so small that even European countries would lose rather than gain by the comparism."[695]

Subsequent report for this period (1903 – 1912) informed us that colonial administrative action tended to be limited more and more to what could be enforced by the courts of law. The courts were described as: "of very great assistance to the administration and their value

[694]NAK: SNP7/10/6415/1909 Report Annual 1909 Kano Province: Judicial Supplement.
[695] NAK. NDC 102: Native Courts Ordinance Review of.

will be enhanced with every year that passes."[696] The courts were more efficient in civil rather than criminal cases, and were reluctant to pass adequate sentences on serious crimes such as theft, robbery, and extortion. The colonial administrators opined that they objected to the trial of murder cases in the native courts because they admitted evidence which was inadmissible in a British court, e.g. admission of crime was sufficient for conviction.[697] One reason adduced for the reluctance to pass what was decribed as adequate sentences was the inadequacy of jail houses and inadequate arrangement for the maintenance of the prisoners. It was in 1908 that the Kano jail house, with a capacity of 400 was completed, and the building of 13 district jails was started. Inspite, when the Governor visited in January, the emir and his chiefs were harangued. The Governor alleged that Kano emirate was notorious for insecurity of life and property.The Governor impressed upon the aristocracy the necessity of strenuous repression of crime. Subsequently a campaign was carried on, under the Resident, against thieves and the village heads who were accused of the practice of lodging and maintaining thieves in their villages.[698]

In 1909 the colonialists appointed Ibrahim as the *alkali* of Kano. He was described as capable and efficient, but corrupt. By 1911 he was reprimanded by Resident Arnett. In 1912 he was suspected of releasing a criminal. He was also allegedly indebted to a European firm, and of stealing the property of orphans. When he was finally dismissed Emir Abass wrote: "you know that we do not agree that one whose character is of such a kind should deal out justice to our people. On this account trouble has been brought to us, as his sins and wrong doing affect ourselves."[699]By 1911 the courts were described as too hard worked. The provincial

[696]NAK: SNP7/10/6415/1909
[697] NAK: SNP 7 -472/1909.
[698] NAK: SNP7/10/6415/1909.
[699] Dated 27/11/1914 NAK: SNP8-347/1914 Alkali of Kano. Dismissal of.

court was largely concerned with slavery and offences committed by employees of Europeans in the court stations.

Since it was established by warrant, the class of cases which the judicial council of the emir was given jurisdiction was listed.[700] The delimitation of jurisdiction and the inclusion of other *malamai* in the council, in addition to appointing the *waziri* to supervise the native courts, was to deter the emir. Though *dogarai* were attached to make arrests, this police duty was assigned to district heads, and if the culprits were outside their area of jurisdiction, application was made to the *waziri*. Mr. C. L. Temple, first class Resident who took charge of Kano January 1909 made Mr. Gowers and Mr. Arnett to visit all the courts of the division between August 9 and September 17, 1909. Captain Hamilton Browne a third class Resident was detailed to judicial work.

The cost of running the emirate justice system was very cheap. In the districts new jails were provided by the district headmen. The total cost as rendered in 1909 was:

Alkalin Kano	£50.0.0 per month
4 Mallams @ £4.00	£16.0.0
13 District alkalai@ £5.00	£65.0.0
26 Malamai @ £4.00	£104.0.0
Total	£235.0.0

The suspended emir's judicial council was only reinstated under sanction of his Excellency Sir Percy Girouod and under warrant. It now comprised in addition the *waziri, ma'aji, alkali,*

[700]NAK: SNP8-41/1915 Confidential. Judicial.

and five *malamai*. It was the court of appeal for Kano emirate. The *malamai* were described as of high standard. The emir's judicial council administered Islamic and customary laws; and colonial proclamations. Acting Resident E. J. Arnett was boastful: "I have no hesitation in saying that its decisions are probably as just as those of any court, not excluding European courts in the protectorate. They are accepted unhesitatingly as final by the natives from the highest to the lowest."[701]

By 1912 there were also 19 *alkalin Kasuwa* (market) courts, grade D, and a lower court grade C to assist the *alkalin* Kano's court. There were 12 district court guest houses built for the convenience of the touring officers. Each court had its warrant. This defined its jurisdiction and powers. The courts were classified: A. B.C. and D.[702]Originally in Kano there was no concern for the separation of the judicial from the executive powers of the NA. The judicial council of the emir, a grade A. court could inflict the death penalty. This was reviewed by the Resident and had to be concurred to by the Governor in council before execution. There were also grade B courts of single judges under *alkalai*. These courts could only handle cases involving non-natives; and Government employees with their consent or the consent of the Lieutenant Governor. The Governor could exempt any person or class of persons from the jurisdiction of any court. It should also be remembered that there was also the Provincial Courts to which the NA had no authority. The Provincial Court dealt with British subjects and those to whom English law applied. The colonialists bosted: "the political advantages of the system was beyond dispute …" (sic).[703]

[701] NAK: SNP/7/10/6415/1909

[702] Native Court Grade 'A' had unlimited power of punishment; 'A' Limited, has powers as in 'A' but could not impose the death sentence; 'B' could imprison up to three years, or a fine of £150.00.00, or both; 'C' imprisonment up to 1½ or a fine of £30.00.00 or both; 'D' imprisonment for 9 months or a fine of £15.00.00 or both. In: Dudley, 1968. pp. 30 – 31.

[703] NAK: NDC 102: Native Courts Ordinance Review of.

With the arrival of the railway and the tremendous boost in the economy occasioned by the groundnut trade carpetbaggers swarmed into Kano. Subsequently many disputes arose among the populace.The need for arbitration meant more cases for the Provincial Court. The Provincial Court was largely concerned with police work of the station and township and what the colonialists described as petty litigation between "native foreigners." In the 1913 Annual Report we are told the cases had more than trebled to 309. Even the cases in the native courts were reflective of the changing times. The various civil cases recorded were classified as: debt, landed property, loss of property, faulty sales, divorce, alimony, paternity, taxation, slavery, deprivation of office, and administration of estates. In 1912 and 1913 the native courts tried 44,602 and 48,116 cases respectively. The increase continued in 1914. Comparatively the Provincial Court tried 73 cases in 1911 and 111 in 1912.[704] The report described the administration of justice as satisfactory, and in a backhand compliment to the native courts added they did: "… more than any European magistrate could – due to ignorance of custom, language and habits."[705]

Probably due to the famine of 1914, there was an increase in violent crimes and theft in Kano emirate. Seven Arab caravans were plundered in June and July 1915.[706] A new "native prison" was opened, meant for people described as: "… who are not of real bad character."[707] Up to 1915 whipping was still a mode of corporal punishment inflicted on the convicted by the Provincial Court.[708]The district and village heads, depended on for the suppression of

[704] NAK: SNP 10/1-134P/1913.
[705] NAK: SNP 10/1-134P/1913.
[706]NAK: SNP10/4-170P/1916 A.R. 1915.
[707]NAK: SNP10/4-170P/1916 A.R. 1915.
[708] The whole of NAK: KANPROF 787 Vol.II is titled Corporal Punishment Ordered by Native Courts – Instructions.

crime by the colonialists, were suspected of collaborating with the thieves. This, the British colonialists reckoned, was due to the closure of what they considered the avenues of extortion. The colonialists prohibited fining; instituted closer assessment; introduced the pacing method of assessment which was more exact; and placed the district and village heads on fixed salary. In the light of the measures that reduced their income, district and village heads were thought of collecting cuts from the proceeds of theft.[709]

The control of the native courts was still under the firm control of the Resident. He could transfer any case at any stage from the native court to the Provincial Court. He could substitute any sentence already rendered. Sentences of over two years, and all death sentences passed in the Provincial Court, were subject to review at the headquarters.[710] This hardly took place since the headquarters was invariably over worked. Mr. Temple thus described the role of the political officer in this regard as: "…the officer, having filled all the functions of the police, the judge, the jury, the counsel for the prosecution and the counsel for the defence, gives his judgment."[711] There can hardly be a better description of the tremendous amount of power the administrative officers wielded. The administrative officer was the prosecutor, jury, and judge!

The First World War severelly affected colonial administration. The war led to the depletion of political officers, who were hardly adequate even before the war started. WW1 thus affected touring and Resident assessment, the main methods of institutionalizing colonialism. Captain S. C. Tylor inspected the native courts in the months of February-March 1914. Thus

[709]NAK: SNP10/4-170P/1916 A.R. 1915.
[710] Orr, C. 1965. *The Making of Northern Nigeria*, Frank Cass & co. LTD. P. 235.
[711] Temple, C. L. 1968 *Native Races and Their Rulers: Sketches and Studies of official Life and Administrative problems in Nigeria.* Frank Cass & co. LTD. P. 185.

despite the circumstances of shortage of staff, the *waziri*, the local officer superintending the judiciary was not trusted, and was still supervised. It should be recalled that it was *waziri* Gidado, among the aristocracy, who was entrusted with the reorientation and reorganization of the judicial system. This was a purview of the emir in the Emirate period. By 1914 the judiciary had not attained the standard envisaged by the colonialists. The highest *alkali*, the *alakali* of Kano, was dismissed by the Lt. Governor. He was accused of corruption. The emir readily concurred to the dismissal; and subtlly reminded the Lt. Governor that the *alkali* was chosen by the British. It seemed the emir was saying, had you allowed me choose the *alkali*, a man of such lowly character would not have occupied such an exalted position of trust. The *alkali* was accused of embezzling the property of orphans. By 1914 the colonialists complained that there was more demand than supply of the *alkalai*. Many competent people were not ready to serve the colonialists.

The emir's judicial council, established by warrant, functioned as both an original court and as a court of appeal from the district courts. The purview of the judicial council was: homicide, land and houses, taxation, NA employees, and political offenses.[712] The emir delivered judgement, but it must be on the opinion of the council. The classes of cases which the judicial council had authorities were:

CIVIL

1. Debt of over £100.
2. Property - houses and farms.
3. Taxation – *haraji* and *jangali*.
4. Slavery – desertion or kidnapping, children.

[712] NAK: SNP17/2-16687 Vol. 1 Kano Province Annual Report 1931.

5. Deprivation of office.

CRIMINAL

1. Murder or manslaughter.
2. Extortion by district or village head.
3. Highway robbery.
4. Grievous assault.
5. Sedition or *jihad* by fanatical preachers.

The court of the *alkali* of Kano had jurisdiction over the whole emirate, and was an appeal court from all district native courts. Thus though commoners could appeal to Kano, the frequency was limited by: the distances to and from Kano; the time (days) spent in Kano; and the complexities of city life in Kano that often overwhelmed the rustic. It was due to demand outstripping supply of *alkalai* that the colonialists took over the education of *alkalai*, which up to 1915, was still done in the pre-colonial manner. In the first half of 1916 no case was tried by the Provincial Court. We have noted the backhand compliment the colonialists gave the native courts in 1912. Again in 1916 the non availability of any case for the provincial court in the first half of the year was acknowledged as due partly to the: "… efficiency and capability of native courts; less crime; and native executives suppressing crime." Resident Palmer concluded that "the *desideratum* is to prevent crimes being committed – an object which can best be attained by the maintenance of the authority of emirs, chiefs, and heads of families, and the existing social order."[713] The emir's court could still pass death sentence, but the sentence was reviewable by the Governor General. The Governor General was not happy with the tendency developing in Kano, described above, where the native courts were

[713] NAK: SNP10/4 – 518P/1916.

superseding the Provincial Court.[714] Despite the relative popularity of the native courts, the colonialists complained that some of the *alkalai* had still not come to terms with their methods. The courts were also expected to be generating revenue. It was recorded that there was serious falling off of revenue of the native courts since 1914. This was attributed to what the colonialists described as irregular administration of estates by DHs and the appropriation of court fees by the *alkalai*. In 1917 there was not a single application to transfer any case to the Supreme Court. And there were not any appeals.[715] It was very embarrassing for the colonialists to note that both Europeans and natives preferred the native courts in the first instance! Thus when an over enthusiastic Gowers had the *risala* translated, Acting Resident H. O. Lindsell objected saying: "It seem entirely wrong to issue it as a government publication to *alkalai*, as it appears to give official countenance to archaic formulae sanctioning war on unbelievers, sale of slaves etc. which are contrary to British law."[716]The colonialists were in a dilemma, the resistance from the *alakali* was more than what was expected. Not only have qualified *malamai* refused appointment as *alkalai*, those who accepted continued to show apathy towards colonial laws. We have earlier mentioned the development of the concept of *hukm zaman*, by which the judges let litigants know their hands were forced. And by 1916 the *alkalai* refused to deploy the power to make rules conferred on the native courts by the colonialists.

3.10 COLONIAL TERRITORIAL ADMINISTRATION AND THE TRANSFORMATION OF THE DISTRICT HEADS.

[714] NAK: SNP10/4 – 518P/1916.
[715] NAK: SNP10/6-179P/1918 Kano Province Annual Report No.53 of 1917.
[716] NAK: KANOPROVINCE 1059 Mohammedan Law in Northern Provinces: Notes on.

To achieve the desired objectives in territorial administration, the colonialists went beyond re-districting and the change of *hakimai*, whom we have noted above, had been reduced to tax collectors. Touring by administrative officers to ensure that the designs of the colonialists was implemented, was developed into a major instrument of colonial administration.[717] The High Commissioner and other senior colonial officials from the regional office regularly visited, consulted, and gave directives. The High Commissioner visited 1904; January 1907 (Sir William Wallace); May 1907 (Sir Percy Girouard); June 1908; January 1909 he visited again.[718] In February 1909 both the General Officer Commanding and the Inspector General of Police visited Kano. Indeed in the early stages, and given the restfulness of the situation at hand (Takwea, Hadejia, Daura, and Dan Zabuwa), each visit was an occasion for a show of force that the colonialists had the military wherewithal to maintain their rule. In Tofa for example nine men were arrested "owing to their threatening attitude." During the tours, passing British officers were received by the people standing up with slippers and hat removed. Three days imprisonment was meted for non compliance.[719] Indeed even the emir was not allowed to sit on a settee in front of a European official.[720] During the visit of the Governor, His Excellency Sir Bell, described as the most important event of the year, "the emir of Kano came out and was presented to His Excellency."

> The emir of Kano … led the way. His followers under their headmen lined up on each side of the road between the camp and the town gates. The other emirs and their followers lined the route through the open spaces of the town and each emir in turn dismounted and saluted His Excellency as he passed, and followed in the procession to the Residency.[721]

When the Dan Zabuwa villages refused to pay tax, the subordinate villages of Dumbulum attacked that town in solidarity and tried to drive out the *sarki* who had become the symbol of

[717] See Appendix vii.
[718] The High Commissioner in May was E. P. C. Girourd.
[719] NAK: SNP 6/4 - C111/1908 Confidential Notes for Major Festing 16/10/1908.
[720] NAK: SNP 6-44/1909 Kano Province Report Preliminary. This was a directive from the Resident to the emir. Enclosure 4 enjoined *ladabi* (respect) of natives to Europeans.
[721] The visit was on 29/2/1910, each emir was separately interviewed by the Governor together with his headmen in the court house. NAK: SNP7-951/1911.

oppression. The colonial administration sent in 19 patrols, and made arrests in Dumbulum, Dan Zabua, and Dawaki. The High Commissioner himself was on ground on tht occasion. He was met by Major A. H. Festing and Lieutenant Colonel C. W. Barlow and two companies M.I. with full compliments of officers that had come through Kazaure and Daura. Dr. Cargil, the Resident was fond of touring. In January 1905 he toured the districts of Gaiya. And in May: Duchi, Bungeli, Katagum, Lafia, Kude, Tudun wada, Jimagu, Birnin Kudu, Ganza, Buji, Gwaram, Fagan, Missau, Shira, Yelwa, and Azare; 800 miles being reported covered between March 16 and May 1. In May and June he reportedly covered 376 miles, traversing 253 towns; in June 398 miles was reported covered, traversing 456 towns; in July 574 miles reported covered, traversing 560 towns; and in August 404 miles reported covered, traversing 500 towns.[722] This was on a scale the pre-colonial leadership never attempted and did not have the capacity to, even if it was desirable. Hitherto the Caliph had an official in charge of Kano affairs (*kofa*), the *waziri*, who often toured; and the *Amir* Kano regularly visited Sokoto. *Amir* Abdullahi b. Ibrahim (1855-1882) was reported to have visited Sokoto 15 times.

The division of the emirate into "coadunate" districts is dated to 1905 when Dr. Cargil unilaterally and arbitrarily carried out the reorganization. The first division was into eight large and 26 small districts. This exercise he described as very successful. The most important ditrict heads, by his reckoning, were assigned districts furthest from the capital. This deprived the emir of their role as advisers, and ensured that the aristocracy could not act as a corporate group in that early period. Since the colonialists had decided to deprive the royal slave *hakimai* of responsibilities as DHs, the Resident, Dr. Cargil noted that in

[722]The sources did not indicate means of travel. By this time motor travel was the exception, and the roads built were for carts. It seemed horses were what was used to cover these stupendous distances.

appreciation of the emir's cooperation he agreed to the concession of placing some villages under his head slaves. The emir had earlier been described as been greatly aversed to compelling his DHs to become permanently resident outside Kano, in their new HQs. Prior to colonialism Kano emirate had only four homologous districts. These were Rano, Karaye, Gaya and Dutse. In 1906 when the district reorganization proclamation was made, the records indicated that all the DHs were driven out to their districts and held directly responsible for the government's and emir's share of tribute. The share appropriated by the colonialists was handed over immediately through the emir.[723]This contrasted with the 1/5 of the revenue that accrued to the Caliph and which was determined by the Amir. Consequently there was stiff opposition from the emir and Mr Palmer noting that it would reduce the emir's power by 90% suggested its full implementation even if it would require increasing the military presence to ensure compliance.[724] In 1908 Dr. Cargil redistributed the DHs, and reduced the 34 districts to 14. In this exercise he was inadvertently consolidating the lineage of the emir, five of the 14 being brothers of the emir, four were from the hereditary noble families, and the others were the *sarakuna* of major towns. Each district was further divided into sub-districts whose heads became the actual collectors of taxes.

By 1907 among the aristocracy and populace, the nature of colonial subjugation had not been properly comprehended. By the estimation of the colonialists in 1907 the people still thought that supplying labour and obeying orders was all that was required of them.[725]The colonialists claimed that the aristocracy still levied their former share of tax plus thecolonialists'. They conceded that the people suffered and were discontented. The reaction of the colonialists was

[723]NAK: SNP7 -472/1909.
[724]NAK: SNP 15/3 No.377, Letter from His Excellency, Re-Resident Assessment which Contains Further Remarks in Connection with Above Three Papers.
[725]NAK: SNP7-5112/1907.

that removal of one or two DHs would bring the headmen who were opposed to colonialism to their senses. The report for the last quarter of 1907 though claimed that the disposition of the emir, headmen, and people throughout the province had become more favourable. The DHs had allegedly understood their position and the resistance of the emir had waned. This assumption of favourable disposition contradicted the Residents' Annual Report of 1908 where it was stated that the regime was very unpopular to all four parties: emir, district heads, underlings and household slaves, and unpleasant to the populace.[726] The Resident always moved about with armed escort. Indeed political memorandum No.24 advised that the force that accompanied the Resident must be adequate, not a small one that may lead to disaster.[727] Latter in 1908, Mr. Hewby thought that in some of the emirates of the Caliphate, where the conditions had become settled, the time had come when they could rely upon the emir or local chiefs to furnish the escort for the Resident. The Resident, Central Division Kano, Mr. Hamilton opined: "as a matter of safety, generally speaking, escorts are not necessary in this division."[728] This should be understood in the context of the political officers and the police being less than seven in number. It underscored the role force had in establishing the colonial order. Between 1903 and 1907 the conquered had been made to understand that the colonialists had the military capability, and often used it to enforce colonialism. This position had been attained such that by 1907 the police were used exclusively as warders and guards in the prison. This situation of amity radically changed in 1908 such that Emir Abbas made arrangements with the *Etsu* Bida, and started dealing in cattle, as a possible cushioning,

[726]NAK: SNP7-472/1909.
[727] NAK: SNP7-1278/1911 Political Memo: No.24. Instructions for Control of Expeditions, Patrols and Escorts: Observations on.
[728] 4095/1908 "Escorts to Residents" Addendum to Confidential Memo: No.24 Modification of Existing Practice.

should he be deposed.[729] Resident Cargill noted in an answer to a query from the Ag. Governor:

> I have always endeavoured to cooperate with the emir whenever I found that he was disposed to act loyally along lines of government policy. On occasions where I have found it necessary to work without his cooperation it has been due to his covert opposition to the district headman policy and the constant intrigues of the palace slaves to nullify it.[730]

Palmer advised that nothing would be gained by changing the emir, and recommended a more direct administration and the destruction of the power base of the *Sarauta*, which he described as the *gidan* s*arki,* should be carried out at all costs.[731]

The colonialists decided to make scapegoats. In 1908 s*arki*n Bagwai was deposed for alleged extortion. In 1909 the emir who himself allegedly persistently hoodwinking the colonialists, was forced to bring *turaki manya, sarkin dawaki mai tuta, and sarkin dutsi* before the Resident; they were all deposed. Indeed the report recommended that the emir himself be brought to book. The Acting Secretary to the Northern Provinces agreed that the emir must be made responsible.[732] The s*arakuna* of Azare, Diga and four others received sentences ranging from six months to five years for outrage on the flag and flagstaff at Katagum. In 1908 Resident Festing's characterization of the emir was very disparaging. He had noted:

> Taking the emir of Kano as representing a class his passive resistance and obstruction, partly due perhaps to natural conservativeness renders progress difficult. His despotic, suspicious and jealous temperament makes him as an individual hard to deal with. Whilst his tendency to relapse into old abuses and his uselessness as a government agent in anything where straight dealing is concerned, e.g. collecting of tribute or upholding of justice and order, makes it difficult to describe him as ought but a danger to the administration.[733]

[729]NAK: SNP7-1538/1908.
[730]NAK: SNP7/9/1538/1908 Annual Report Kano Province.
[731]NAK: SNP15/3 No.377Letter dated 2/9/1907 to Major Festing by Palmer (?) from Damergu.
[732] NAK: SNP6/3 No.136/1907 Kano Province Assessment of (Confidential).
[733] NAK: SNP6/4-139/1908 Emir's Attitude of: Comment on Present Dynasty.

By 1908 though, according to the Resident, when the colonialists had realized that some of the most notorious raiders and despots of the Emirate period have proved the most energetic and capable headmen in the service of colonialism, he decided to push on with his changes. Resident Temple who took over from Dr. Cargill, then invalidated, citing Major Festing's report noted in regard to the manner in which Resident Cargil carried out his changes, that: "it would appear that the Resident summoned all district and sub-district heads before him and from his personal knowledge redistributed them."[734] We have alluded above to his propensity to, in his words: "shuffle them like a pack of cards." Dr. Cargill had divided the districts into eight large and, 26 small districts. He boasted that he visited and mapped every town and village, noting: "… I therefore felt myself qualified to revise the grouping of districts."[735]

The High Commissioner Colonel Lugard reported that the villages visited were upwards of 1100.[736] The district heads that were compelled to relocate to the new districts were not allowed to take any executive assistants of servile background (*jakada*) with them. This was a very tall order given the nature of the *Sarauta*. The colonialists latter confessed that the *jakada,* continued to exist in different names and continued to administer many villages.[737] At that point in time the main assignment, impressed on the new DHs, was that they had to collect the tribute themselves. It was in 1906/07 that the coloniaists boasted that they drove them out to their districts and held them directly responsible for government and emir's share of tribute. The *jakadu* strayed out to their masters, and remained probably as numerous as

[734]NAK: SNP – 472/1909 Resident Kano Annual Report 1908.
[735]NAK: SNP – 472/1909 Resident Kano Annual Report 1908.
[736]NAK: Annual Report No. 516 1905 Lugard to Colonial Office.
[737]NAK: SNP 6/4 – C111/1908.

ever, and less under control.[738] Moreover the colonialists noted that the villagers looked up to the *jakadu* rather than the village heads. The districts under the *shamaki, sallama* and *dan-rimi* were abolished. It would be recalled that these three were the most important and powerful of the royal slaves. By 1909 the provincial revenue had increased ten folds.[739] By this time also some key members of the aristocracy favoured by the Resident had been relieved of district administration. These were the *waziri*, *Qadi*, and Treasurer (*ma'aji*). Since these officers according to the Resident: "being at the beck and call of government could not possibly live in or even superintend their districts." We need recall that the *waziri* had been made a member of the emir's council and made in charge of the *alkalai*; and the position of the *ma'aji* drastically transformed with the introduction of the *beit-el-mali*.[740]More districts and offices were abolished. It was easy to find the DHs guilty of embezzlement. The standards used, and indeed the criteria were radically different from what the aristocracy was used to. Many officers lost their ranking. Moreover the Resident was trying to circumvent the emir. One of the tactics employed was divide and rule. All the changes effected were against the emir's wish. The emir was manoeuvring to place members of his family in strategic positions. Though the Resident initiated a weekly meeting with the emir, he confessed that: "he regularly met with *waziri, Qadi, Imam,* and other notables and such Arab and native traders who had matters to discuss, at the residency." Dr. Cargill had literally side-lined the emir and was administering the emirate directly.

With regards to decentralization, His Excellency the Governor visited Kano in January and April 1916. He held discussions with the emir on the question of village administration, the

[738]NAK: SNP6-44/1909.
[739]NAK: SNP7-472/1909.
[740]The pre-colonial beit-el-mali, which sered a different purpose was located at Mandawari. See Skinner, N. (Ed. &Trans.) 1977 *Alhaji Mahmudu Koki, Kano Mallam*. Ahmadu Bello University Press. P.72.

most important issue at that point. There were still problems with the collection and accounting of taxes. Initially, with the introduction of compound tax, the efficiency of the village heads (VHs) was reported to have increased as was anticipated by the colonilists.[741]But the touring officers were reporting considerable leakage of taxation, due to percolation. Part of the problems identified was that the sub-district heads were not collecting the tax themselves, but using agents who had no permanent interest in the units from which the collection was made. The situation of not rendering proper accounts was intolerable since the excuses of war, famine, and shortage of staff had disappeared.[742] By this time the village headmen were salaried, and the 4000 units had been reduced to about 500; all in a drive to increase efficiency.[743] The aim was to reduce to the barest minimum the number of what was described as, unnecessary links between the emir and the peasant.

3.11THE ROLE OF COLONIAL LAND POLICY IN SUBORDINATING THE SARAUTA

The Government virtually became the landlord of every acre of land in the Protectorate. This was based on the Lands and Native Rights Ordinance. No occupier may alienate his right of occupancy by sale, mortgage or transfer, without first obtaining the consent of the Governor. Leases to aliens were granted by the central government; this had the effect of developing real property in land. Sale of land was reported as having commenced as early as 1909.

The 1907 Annual Report recorded 200 cases of wrongful appropriation of farms by village heads in Kano. All the land cases were handled by the emir's court. Colonial capitalism was sprouting. The tax system instituted permanently altered the land tenure system in Kano.

[741]NAK: SNP7-114/1912 Kano Province Annual Report.
[742] NAK: SNP 10/4 -518P/1916 Kano Province, ½ Yearly Report ending June 1916.
[743]NAK: Provincial Gazetteer, Kano 2568 Vol. ii. Also, NAK: SNP10/4 518P/1916 Kano Province ½ yearly Report Ending June 1916.

Mahadi opined that failure to pay tax by the first half of the 19 Century often led to loss of land or expulsion from Kano. By this date he posited: "semi-permanent or absolute land tenure," had emerged with the rights vested in household heads. Leasing and sub-letting were said to be common, so also were the Fulani becoming sedentary.[744]In 1907 Dr. Cargil noted that land purchase from headmen obtained and hereditary rights had developed as long as land and produce tax was paid to the colonialists. Peasants could be dispossessed for crime, and the emir may dispossess without compensation.The coloniaists noted that: "*telekawa* (sic) are not admitted to have proprietary rights outside the will of the emir or suzerain."[745]The land issue was becoming critical. Liruen Kano was leased to a mining company and it was being contemplated to eject the *sarki* for according to the colonialists: "it is difficult to see how a *sarki* who is an integral part of the native administration can exercise his functions if he is, so to speak, an occupier at will of land leased to a European."[746]In 1913 we see the colonialists preventing the serving of court summons on the Emir of Kano by London and Kano.[747]These were the the beginings in the first decade of colonialism.

3.12SLAVERY POLICY, FORCED LABOUR AND THE ARISTOCRACY.

The slavery issue loomed large in all aspects of colonial policy. It was the pretext used by the Royal Niger Company to attack Bida. It was used in the subsequent invasion of the rest of the Caliphate. We are told also that: "the attitude of the administration towards slavery made it impossible to leave the government power in the hands of the chiefs, since non-recognition of

[744] Mahadi, A. Ph.D 1982 p.449-450.
[745]NAK: SNP15. ACC. NO. 373 Papers from Dr. Cargil on Slaves, Land Titles, Customs and Preventive Services, Education, Land Tenure and Assessment.
[746]NAK: SNP7-951/1911.
[747] NAK: SNP7-2923/1913 Process: Serving on Emirs.

slavery affected every question: labour, taxation, land tenure, criminal and civil law, estates, probate, currency etc."[748]

In l906 there was report of slave traffic between Northern and Southern Nigeria.[749]In 1907 we are told of slave raiding in the Katagum- Bauchi border. And in the report for the last quarter, no slave had been redeemed, nor any liberated. By 1907 Dr. Cargill was dissatisfied with the way the freed slaves register was being kept. The entries were rather general. They were categorized as: sent to freed slaves home; allowed to follow their own inclinations; returned to their relatives; died; married; allotted guardians; enlisted in the Northern Nigerian regiment; and apprenticed. The disposition of the aristocracy showed that it was not in a hurry to lose its investment. In 1909 the colonialists stopped the appointment of slaves of slave parentage (*cucanawa)* into palace offices. [750]

The Annual Report for Kano Province in 1908 was dissatisfied with the performance of the courts regarding slavery. Fifty six cases were handled in Kano and none got his freedom. [751] Equally unsatisfactory was the Hadejia situation where 58 cases were handled and all were freed. Some freed slaves were enlisted into the Northern Nigeria regiment.[752]In 1909 a circular was sent to the *alkalai*: "… that the big Whiteman, the Governor does not allow, if a man should die, that his estate in slaves be divided, let the slaves be given a letter of freedom."[753]

[748] Orr, C. (Sir) 1965. *The Making of Northern Nigeria*. Frank Cass & co. LTD. P.200.
[749]NAK: SNP7 – 2099/1906.
[750] Kwaru, I. A. "Waziri Allah bar Sarki 1865 – 1917: A Neglected Personality in the History of Kano." M A (history), Usman dan Fodio University, Sokoto. P. 112.
[751]NAK: SNP7/9-1538/1908.
[752]NAK: SNP7/9/1538/1908
[753]NAK: SNP6 – 44/1909.

By 1912 the slavery situation was summarized by the colonialists as there being an adequate facility for whosoever wished to earn money and ransom self. That every slave who was dissatisfied with his status has renounced it. To rationalize their attitude, the colonialists claimed the name which they translated as slave has no degrading association for the Hausa.[754]This contradicts the situation of slaves as described by Imoru which we discussed earlier.

If the Colonial Government was ostensibly preoccupied with ending slavery, it systematically instituted forced labour. The construction of the road to Katsina commenced in December 1903, with forced labor. Other constructions were of barracks and rest houses. Between June and July 1,400 labourers were sent to work on the railway earthworks at Minna for several months and 500 were sent to carry tools from Minna to Zaria. In the last quarter report we are informed that 2,000 Kano men were on the road. A large percentage of them were not professional carriers and did not like the work.[755] During 1907, 400 labourers were brought in to clear the Geza stream. They were paid three pence per diem. In addition the emir had roads made to the headquarters of the districts.

In 1909 commenced the construction of 33 rest houses in Kano emirate. By 1912 there were 47 such guest houses kept by the *beit-el-mal*. This called for considerable labour demands on the people. Earlier the people had been forced to construct the courthouse that would be used to jail them. In the construction of the court houses the towns' people were forced to carry weekly, 1000 selected stones to the new native courthouse.[756] "Natives" were to effect road repairs before and after the rains. All these were of course organized and supervised by the

[754] NAK: SNP10/1-134P/1913.
[755]NAK: SNP7-5112/1907.
[756]NAK: SNP6/4-C111/1908.

aristocracy. In the Annual Report 1910 credit was given to the emir and other headmen for supplying labour despite the commencement of the rains. The daily average for May was 7,502, exclusive of those who deserted. Each district had to contribute per its population and distance from the place where work was going on.[757] It is therefore not surprising when there was public booing of the village head in Karaye district when commoners were being conscripted.[758] With the advent of the construction of the railways the chiefs were made to provide labour. We are told: "… the native emir took the greatest possible interest in the works, visiting them, and rendering every assistance in arranging for an ample supply of local labour."[759] The railway was opened on April 1, 1912.

3.13 THE ROLE OF THE INTELLIGENTSIA

In 1914 the colonialists recorded for Kano Province 14,000 Quranic schools with 550,000 pupils, ages from 5-12. This was the pool from which colonialism recruited its foot soldiers in taxation (*taki* and *masu Jimila*) and native courts judges (*alkali*, and support staff). The colonialists preferred those with mathematical education for tax purposes as recorded by Mallam Mahmuda Koki.[760] The ones with the knowledge of Islamic law, whom were ready to serve the colonialists, were employed as judges. The ones with no specialization were employed as clerks. Some of the traditional scholars translated some *jihad* works for the administrators. The *mallami* remained as the leaders of religious rituals. It was the hitherto intrinsic linkage between the *malamai*, the cosmology, and the *sarauta* that came under systematic assault, and was consistently undermined. The local intelligentsia appropriated by the colonialists as judges were painstakingly moulded through supervision in Kano and

[757]NAK: SNP7-951/1911.
[758]NAK: SNP7-114/1912 Kano Province Annual Report.
[759] Orr, 1965. P.187.
[760] Skinner, N. (Ed. & Trans.).1977. Alhaji Mahmud Koki: Kano Malam. ABU Press.

touring in the districts. It was only in 1909 that the school for the sons of chiefs was started in Kano. The school thence produced the clerks, *taki, jimila,* and *alkali malamai*, hitherto sourced from the *malamai* schools.

3.14 THE ROLE OF THE MILITARY AND POLICE

After conquest in 1903 a military detachment was stationed in Kano. The military capacity of Kano was systematically destroyed. All armaments were confiscated, and these included bows and arrows. By 1903 a police officer was attached to each province to take command of the detachment of the civil police and to act as deputy sheriff, having charge of the jail and all civil prisoners. He also acted as justice of the peace and as public prosecutor.[761]Between 1903 and 1907 the military was called out several times and meted out bloody punishments. The administrative officers were accompanied by patrols. The policy was to poignantly demonstrate the military and police capability of the colonial state. By 1908, due to merciless demonstration of force, which we have mentioned severally above, the *sarakuna* and populace had become sufficiently cowed. In 1908 the military was called out to action six times. Pax Britanica was not going to be as easy as was initially assumed. It is worth noting though, that in 1907 the average number of European staff including police officers, present throughout the year was seven! And the average total European population was twenty-three. The role of force is better assumed. By 1907 the Colonial Police Force was withdrawn and replaced with *dogarai* [762](the traditional bodyguards of the emir who, however, doubled as the police of the *Sarauta*). Hitherto they were attached to other personages of the *Sarauta* especially the *Qadi*.[763] The territorial administrators also had some. The ostensible palace

[761] Orr, 1965.
[762] Plural of *dogari*, the personal body guards cum police of the *sarauta*.
[763] Ado, 1988 p.3.

clique, the slave *hakimai* and *jakadu*, being systematically eased out of direct administration, were found useful as police and warders.

By 1911 the whole police work of the emirate cost only £1,080.00.00. Their efficiency was attributed to the reliance on *dogarai* and *jakadu* whose effectiveness was because they wereso closely connected with the local *sarakuna*, and worked in perfect harmony with them."[764]Though sourced from *dogarai* and *jakadu*, they were in the employement of the colonialists and not at the bek and call of the aristocracy as executive assistants.

3.15 CONCLUSION.

The changes imposed on Kano society between 1903 and 1918 were revolutionary. The *Sarauta* in Kano, after the brutal conquest, lost all initiatives and dynamics. Military defeat was followed with complete dissolution of the armed forces. From 1903 the emir swore an oath to the King of England. Though passive resistance stance (*taqiyya*) was espoused, the colonialists succeeded in making the aristocracy abandon it; the aristocracy realized that their interest had become identical with the colonialists, the exploitation of the populace. By 1914 the Emirate administrative set-up had been destroyed. By 1916 the villages had been re-grouped from 4,000 to 500.[765]The changes fundamentally altered the role and function of the *sarakuna* into serving colonialism pure and simple. The ideal of the Emirate to establish Justice and equality had lost out. Taxation and the judiciary were used to dominate the populace and keep the *sarakuna* under control. Disciplinary measures which included depositions and jailings were meted out to all from the high and mighty, to the lowly.[766] The

[764] NAK: SNP7-951/1911.
[765] NAK/KANOPROF 628/1931 Provides a Review of all Previous Political Reorganizations.
[766] NAK/KANOPROF 202/1914 -1917.

colonialists could not enforce the tax on their own; and the aristocracy became dependence on the British for their new wealth and power.

In 1913 when Lugard sought to include the expenditure of the Native Administrations in the estimates of the Protectorate Government, Downing Street was firm in rejecting the proposal. That it would be a breach of faith with the emirs. The confidential letter went on:

> But to treat the expenditure of the Native Administration as protectorate government expenditure will tend to increase centralization and to lessen the authority of the emirs. This must eventually lower the emirs in their own eyes and in those of their people and weaken their power and usefulness…[767]

The esteem of the aristocracy in the eye of the populace had waned. Nine years into colonialism and the people were wary. On the other hand the colonialists were getting impatient with the pace of change. The resistance, in many forms, was more than the colonialists had bargained for. We are told: "at times one's position has been little short of untenable."[768] Thus the contradiction that needed resolution was how much acquiescence was the aristocracy to proffer and still command some modicum of respect and acceptance among the populace. The colonialists were faced with the dilemma of how fast to push the pace of change, since change there must be.

Since its establishment Kano emirate revenue was adequate for the payment of all services.[769] Four years into colonialism in Kano, Resident Cargil summarized the situation as characterized by resistance, restricting the Residency, sabotage of the district headship scheme, and persistence of the power of the royal slaves. By 1914 the emir of Kano and his

[767] NAK: SNP 8 – 39/1915 Native Treasuries, Extent to which Native Administration should be allowed to Depart from Precise Provision of the Estimates or to Incur Unforeseen Expenditure Not Provided Therein.
[768]NAK: SNP7 -472/1909.
[769] NAK: KANO PROVINCE 2568 VOL.II Provincial Gazetteer Kano, 1934.

chiefs wrote a letter of loyalty to the Governor and offered their widows' might contribution of £6,542 to the war effort with the words: "… **to the mighty representative of the King of the English, the great Whiteman, the Governor, Mr Temple**."[770](Emphasis mine).

During WW1 (1914-1918) the administrative staff and the garrison, inadequate at best, were depleted. It was the period the aristocracy proved to the colonialists, they could handle the affairs of the emirate on behalf of the colonialists, despite the depletion of staff and troops. Conscious of the few hands on the ground, the colonialists were most cautious and there was minimal interference with Islam. This was the period that demonstrated that the budding new aristocracy was amenable to the methods of the colonialists and had indeed come to accept that to survive it would have to minister to the needs of the Colonial Government. The aristocracy had accepted its being a minion to the Colonial Government.

In the next chapter we tackle the progress of colonialism from after WW1. We shall demonstrate the continued subordination of the *sarauta*.

[770]NAK: SNP10 – 645 P/1914 Native Administration Letter ...

CHAPTER FOUR

THE *SARAUTA* AS THE NATIVE ADMINISTRATION 1918 – 1945:DELUSIONS OF POWER

4.1 INTRODUCTION

> In British West Africa under the system of indirect rule we have Kings loosing their sovereignty but as 'chiefs' increasing their powers over their subjects because the traditional checks and balances to the exercise of their authority were neutralized by the same colonial authorities.[771]

In the last chapter we have seen how colonialism, through a very brutal military conquest, and subsequent forceful administration, instituted its rule. By the beginning of the second period 1918 – 1945, the *Sarauta*, a complete social system whose workings we have seen under the Emirate in chapter two, had become unrecognizable. Key structures like the military had been eliminated; the basis of the power of the nobility had been destroyed; and the section of the *malamai* that found relevance was only as related to tax collection or the enforcement of laws that facilitated the development of the colonial system. Having thus laid the foundation of colonialism in the first period; the basic articulation and workings of the colonial system was laid in this period (1918 – 1945). The Native Authority (NA) both as agent and instrument of development was the last link in the structure of the colonial government. Juxtaposed above the NA were the Province, the Region and the Central Government. Colonial policy as formulated from above was suggested to the NA and furthermore the methods to be employed were also advised.[772] It was during this period that the roles and methods of the administration and the judiciary were systematized. The essence

[771] Introduction, in: Crowder, M. & Ikime, O. (Eds.), *1970 West African Chiefs: Their Changing Status under Colonial Rule and Independence.* University of Ife Press, Ile – Ife. Nigeria p. xiv.
[772] NAK: SNP6/4-C111/1908; SNP7/10/6415/1909.

of the administrative reorganization was the subordination of the emirate to the needs of the colonial state. The NA using the organizational bases of the *Sarauta,* which by this time had been fully appropriated by the aristocracy, was employed. Whatever aspect of the *Sarauta* was left, (power, structure, or modus operandi), was at the convenience of the colonial state. Denuded of their raison d'être, defaced and devalued, the only aspects left was geared towards oiling the colonial machinery, with emphasis on form. Thus the quotation above from a major study appropriately titled *West African Chiefs: Their Changing Status under Colonial Rule and Independence* needs some modification.

4.2 ADMINISTRATIVE AND POLITICAL: FURTHER SUBORDINATION OF THE *SARAUTA* TO COLONIALISM 1918 - 1945.

In the 1919 Annual Report we are told the emir deserved a special word of commendation for the assistance rendered when the political staff had been reduced to a minimum, averaging nine for the whole province. The colonialists had demonstrated symbolic appreciation of the emir in January 1918 by presenting him the order of Saint Michael and Saint George![773]It has been indeed a long time from *taqiyya*, the passive resistance which Emir Abbass had instituted at the onset of colonialism. The Governor General accompanied by the Lieutenant Governor visited Kano in January and February. It was noted that law, order and tranquillity reigned throughout and there has not been disturbances or riots of any kind. The groundwork for the development of commerce, which Lugard had defined as the basic responsibility of the *Sarakuna,* had been firmly laid. In 1918 *Sarki*n Taura was deposed; *danlawan* district head Dutsi was deposed; *ma'ajin* Kano was deprived of office for embezzlement. Baballe, euphemistically described as 'a *baran* s*arki*,' was appointed. Twenty three village heads were

[773] NAK: SNP10/7-93P/1919 Kano Province Annual Report 1918.

deposed, 11 of which were for embezzlement. Re-organizations were done by abolition and mergers as soon as occasions allowed the colonialists. Village re-organization continued apace by emphasizing more the population under village headmen rather than the number of villages in groups. There is no discernable basis for the notion of absolute control allegedly exercised by the emirs.

The appointment of the important personnages of the *Sarauta* by the colonialists was always an occasion to formally and publicly remind all concerned, that the *Sarakuna* were minions. The cultural import of issuing a staff of office and swearing an oath, were poignant public demonstration of power. Emir Usman Abdullahi 1919-1926, was formally installed by the Lieutenant Governor, Mr Goldsmith, who received deputations from all classes at the occasion. The colonialists had chosen as emir, Usman who was both elderly and by colonial account, almost all his tenure a chronic invalid.[774] By 1924 Emir Usman could not give more than one hour a day to public business.[775]The colonialists adjudged that this led to recrudescence of old abuses and the slipping back to power of irresponsible elements. Resident Arnett's handover notes indicated that subsequent to Emir Usman's inability to superintend, all the senior ranks of the NA have been first and foremost intent on filling their pockets and those of their numerous and rapacious hangers on.[776] The new emir tended to ignore the *waziri*,[777] who had become very powerful under colonialism. The district head of Gaya and *dan kadai* were deposed. This afforded the colonialists another opportunity to reorganize the emir's council. The *madaki* and *galadima* were brought in from their districts. The colonialists regretted their earlier action of what they themselves described as "the rigid

[774]NAK: KANOPROF 2568 Vol.II Provincial Gazetteer Kano.
[775] NAK: SNP9/12-635/1925 Kano Province Annual Report 1924.
[776] NAK: SNP 10/8-316P/1920.
[777] The *waziri* had supported the choice of Usman against *ciroma* Abdullahi.

expulsion of district heads from the capital," which given the circumstances of the emir's ill heath had paralysed the NA.[778]In 1924 Emir Usman was still ill and the colonialists who had become dissatisfied with the downturn in NA took steps to remedy the situation. The *hakimai* in the council were transferred, and subordinates of the emir who had acted as his agents and advisers were removed. They introduced into the council a group they described as "responsible official advisers," these were: *madakin* Kano, the district head of Tofa; *Sarki*n *bai*, the district head of Danbatta; and the *waziri*. They were appointed the official advisers and were made to be in immediate touch with the ailing emir. Even the emir's messengers were changed by the colonialists. Meanwhile the Senior Resident and the D.O. visited the emir at least once in a week, after provisionally discussing NA matters with the council. This apparently enhanced the efficiency of the NA.[779]Thus ill health made Emir Usman just a figure head and the colonialists seized the opportunity to further steer the council to the means and manner they wanted. It also explains the changes effected for Emir Abdullahi Bayero at his inception.[780] The colonial sources inform us that the proposed changes were made a conditionality of his appointment. A set of executive rules were made in the name of the emir, to regulate the conduct of district native courts and relations between the *alkalai* and district chiefs. The colonialists thought the DHs were exercising too much control over the *alkalai*. Thus at this point the latitude left for the emir in terms of real power was not much.

The availability of motor transport enhanced touring by both the Resident and emir. The emir bought a car in November 1918. The 1921 report indicated that not less than 16 districts were

[778] NAK: KANOPROF 693 Kano Emirate: Decentralization of Executive Responsibility in Emir's Council. Report by Mr.Ward.
[779] NAK: SNP17/8-K105 Vol.1 Kano Province Annual Report 1925.
[780] Interview (1998) with *dan rimi* and *shamaki* indicate their being overwhelmed and perplexed by the changes wrought by colonialism.

toured and supervised in the last nine months of the 15 months reviewed.[781] And among the notable developments as reckoned by the *waziri* was the visit by a reigning emir to the south eastern districts of Kano for over 40 years![782] The reorganization continued with the removal of the *jakadu* and the introduction of paid messengers. The new *jakadu* were different from the first set inherited from the Emirate era whom the colonialists spent a lot of time and energy combating. The report indicated that the activities of this new corp were limited to proper lines.[783]Salaried *malamai* were provided to all DHs. The hereditary principle was cultivated, and some DHs were reverted to village heads, and their salaries reviewed downwards. All other sub-district heads were abolished except those of Dawaki and Bichi, under *madawaki* and *ciroma*.

Emir Abdullahi Bayero was appointed in 1926. By this time the colonialists had decided that all emirs grades 1 and 2 would first be appointed on probationary period. That it stabilises the NA and prevented the new emirs from making sweeping changes in personnel. In this particular incidence it allowed the changes effected before his appointment consolidate their positions. In 1927, His Excellency the Governor, at the installation of Emir Abdullahi Bayero delivered a speech.[784] The Governor unequivocally stated that:

> During the last two years you have begun to improve your town in a way which gives me great pleasure and satisfaction … astonished at the difference between the narrow and dirty streets … and the broad roads which your rulers have made, and the filling up of holes and pits which are all bad for health and are a great cause of sickness.[785]

[781] NAK: SNP 10/9-120P/1921 Kano Province Report for 15 Months Ended 31st March 1921.
[782] This was reported in the 1931 Annual Report. Though reference was to Emir Abdullahi Bayero, the specific year was not mentioned. NAK: SNP17/2-16687 Vol. 1 Kano Province Annual Report1931.
[783] NAK: SNP 10/9-120P/1921 Kano Province Report for 15 Months Ended 31st March 1921.
[784] AREWA K 4013 Appointment of Emirs: Probationary Period. The colonialist had bypassed ciroma Abdullahi in 1919 in favour of *Wambai* Usman. A 1916 report indicated that the Ag. Resident considered him unsuitable. See KSHCB R.461 Emir of Kano – Succession.
[785]NAK: MLG.R 673 Emir of Kano Abdullahi Bayero

Thus by 1927 the colonial conception of development for the colonies was very limited. That the objective of colonialism was the exploitation of the resources of the colony was clearly brought out in this speech for what it did not say. Otherwise how the development of the most important emirate could be reduced to the widening of roads and the filling up of potholes is astonishing! And this from the Governor!

The Governor, continued with the definition of relationship even among the aristocracy, noted that it was with his sanction that the Lt. Governor has directed the emir that power and authority must not be placed:

> in the hands of the servants who live in the emir's house and do his household work for him, but the descendants of the great men who had ruled Kano in the past, and the *mallams* and other people who have knowledge and are of distinguished birth should assist the emir to govern the country.[786]

It was a clear case of British double talk. Numerous reports, some cited in chapter three, clearly indicated the awareness that the category of slaves being referred to were executive officers who did no household work at all let alone in the sense of menial jobs. Earlier the colonialists had confessed that "the 'palace clique' and *jakada* circle included the ablest men in the country, many of them so called slaves; …"[787]

Indeed by colonial conquest some of the royal slaves were assigned superior responsibilities, in comparison to a number of other political office holders, royal and noble alike. The characterization by the Governor of royal slaves and *jakadu* as those who did the household work of the emir was an effort to deny the qualitative difference between the kind of slavery that obtained in the emirate and the archetypal one the British had ostensibly wanted to

[786]NAK: MLG.R 673 Emir of Kano Abdullahi Bayero. There were important slaves very close to the emir. These were in charge of domestic affairs of the emir and the court. These were the *kasheka*, *turakinsoro* and *kilishi*. They did not do any household jobs.
[787]NAK: SNP 6/4-c111/1908.

eradicate; and which was one of the avowed aims of colonization. The colonial reports had indicated that some of these royal serviles were the most capable hands available. And on a number of occasions they utilized their services. It is important to note that this category of slaves did not understand the diabolical nature of the British methods. Perhaps that was the aim. For in my interview with the *shamaki* he gave the impression that the royal slaves thought the changes originated from Emir Abdullahi.[788]Emir Abdullahi was compelled to free the royal slaves. They were, like the DHs before them, sent into the districts of the emirate. Equally important was the fact that though the palace invariably contained the household of a 'reigning' emir, it cannot be called a household. The *Gidan Rumfa*, by any standard, physically, structurally, organizationally, and functionally cannot be called a household.[789]

Finally the Governor advised that the criterion for selecting future minions of colonialism should be based on acquisition of Western education. The aristocracy recognized this. The message sank in for *ciroma* Sanusi went out of his way to become literate in English, and made considerable effort toget his son Lamido educated in London. While in that capacity, *ciroma* Sanusi also made considerable efforts to get his other children educated.[790]

A new council was composed for Emir Abdullahi Bayero at appointment in 1926.[791] Gidado retained the position of *waziri* and the role of chief legal point-man of the colonial dispensation.[792] His role as the leading legal adviser in the council apart, he was also made to supervise the returns of the council and the district courts. He scrutinized the records to detect

[788] Interview 16/10/1998, *Gidan Rumfa*, Kano.
[789]In chapter three we discussed the palace, the *Gidan Rumfa*.
[790] Ado Sanusi, Personal File. Kano Province 5405/S.10. Ado Sanusi is the father of Sanusi Lamido Sanusi ii, the emir appointed in 2014 when Ado Bayero died.
[791] KSHCB R.461, Emir of Kano – Succession. It should be noted that this was the second time the *waziri* was a member of the council, composed by the colonialists, which chose an emir.
[792] During the Emirate era it was the *Babban Mallam* from Madabo ward who was the legal adviser (Paden, J. N. 1973. P. 48).

irregularities in all aspects, legal, administrative and financial.[793]This responsibility was delegated to a senior *mallam*, Mukhtari.[794]Though the emir was informed of irregularities detected, it was the *waziri* who acted in his name.[795]During colonialism the office of the *waziri* was subjected to many changes and finally when *waziri* Gidado died the office was made to lapse and a new one of *wali* was created.[796]

The colonialists reckoned that the choice of Emir Abdullahi Bayero[797]accorded with the views of all senior political officers who had served recently in the province.[798]The Governor's approval of the appointment was received on 10 May 1926. He was formally installed by the Lt. Governor on February 14, 1927.[799] The council which selected Emir Abdullahi comprised: *waziri, madawaki, Sarkin bai, Sarkin dawaki mai tuta,* and *makama*.[800] The council members were excluded from contesting. Emir Abdullahi was summoned to the Residency and told unequivocally that rule through slaves was a matter of the past and was on no account to be revived directly or indirectly.[801]The emir loyally accepted as an accomplished fate the abolition of royal slaves. He thus freed the slaves who were employed in the emirate. The colonialists extracted from him a promise to provide Kano emirate with a machinery of government adequate for its progressive development, and at the same time enhance the prestige of the *Sarki*, who epitomised in his person the *Sarauta* of Kano, which is

[793]NAK: KANOPROF 2568 Vol.ii Provincial Gazetteer Kano.
[794] NAK: KANOPROF 693 Kano Emirate: Decentralization of Executive Responsibility in Emir's Council. Report by Mr.Ward.
[795] NAK: KANOPROF 693 Kano Emirate: Decentralization …
[796]*Waziri* Gidado was appointed in 1909 as Chief Alkali by the colonialists.
[797] Emir Usman died 23/4/1926. His estate was only £17,735.00.00
[798] NAK: SNP17/8-K105 Vol. 1 Kano Province Annual Report 1926.
[799] This was 10 months after the death of his predecessor! The probationary period was to ensure that he was properly reigned in.
[800] The *waziri* was not a member of the selection council during the Emirate. During colonialism he became very influential. He supported candidate *wambai* Usman against *ciroma* Abdullahi in 1918. NAK: KANOPROF ACC. 225 Reports on Office Holders and DHs for 1920 -1921.
[801] NAK: SNP17/8-K105 Vol. 1 Kano Province Annual Report 1926.

the governing factor of the emirate, and from which its authority is derived, and to which the aristocracy and the people loyally subscribe.[802]At the meeting in the Residency, the Governor did not mince words noting: "We give you the power to rule your people but only as long as you rule well and we are satisfied that you are ruling justly."[803] Emir Abdullahi thus manumitted all the palace slaves.[804] His son Sanusi was appointed *ciroma* and DH of Bichi;[805] Muhammadu Aminu his second son was appointed *dan Iya*. The emir was cautioned that in the appointments he would make the first qualification was to be experience and ability. The colonialists recognized though that having connection with the ruling family adds very materially to the prestige of a DH and is a distinct asset.[806] The DH of Gwaram was deposed in 1926; that of Kunya district in 1927; so also the DH of Ungogo, "… who had frequently adopted an offhand manner towards the emir, and whose administration had been marked by continued incapacity to control..."[807] There was an average of 6 political officers present in the province, with 133 days of touring. In 1927 one year after his appointment, the emir and his new council were adjudged satisfactorily by the colonialists. The executive council comprised of the emir, *waziri, madaki,* and *galadima.* It transformed into the judicial council when the designated *malamai* participated in its meetings. By 1930 the colonialists reported that the council was "… hampered by an unnecessary susceptibility to the *malamai*."[808] It was the colonialists that checked the influence of the *malamai* of the judicial

[802] NAK: SNP17/8-K105 Vol. 1 Kano Province Annual Report 1926.
[803] Ministry of Local Government 673: Emir of Kano (Abdullahi Bayero) 1. Death of Usman 23/4/1926; 2. Appointment of Successor.
[804]*Dan Rimi* … thought it was emir's initiative. Interview, Kano Palace 1998.
[805] Bichi seemed to have been reserved for senior princes. Those who were DHs there included Abdullahi Bayero, Muhammadu Sanusi, and in 1998 Aminu Bayero, elder brother of the emir Ado Bayero.
[806] NAK: SNP17/8-K6892 Kano Province Annual Report 1927. Emir Abbas had advised on the desirability and effectiveness of appointing his son then Chiroma Abdullahi in charge of P & T lines that were being vandalized. The issue of the effectiveness of appointing children of the sarki came up again with the start of district reorganization and subordination of some chiefs to others of who they could have been at par before the reorganizations. This led to much friction, and one way of stemming it was to make a direct son of the emir the DH to which others were then subordinated to.
[807] NAK: SNP17/8-K6892 Kano Province Annual Report 1927.
[808] NAK: SNP17/2-14686 Vol. 1 Kano Province Annual Report 1930.

council in executive council matters.[809]The *malamai* were going beyond what the colonialists had assigned them.

All the other offices of the *Sarauta* were subjected to the same discontinuity at the instance of colonialism. A new *madaki,* Mamudu, who was appointed in 1914, was brought in from the district and placed in charge of district administration and revenue. The *madaki,* though under the close supervision of the Resident, also undertook all actions in the name of the emir. His job definition meant that the annual revision of taxes took place in his office based on data sent in by the touring officers. The traditional assessment method was abandoned for the more intensive and more accurate one of pacing and others that were introduced latter. The *madaki* often accompanied the Resident or D.O. to tour the districts and to enable them make on the spot decisions. The *madaki* had no disciplinary powers. This was, by colonial discretion, the prerogative of the emir.

Discontinuty also characterized the office of *galadima* Abdulkadir, appointed in 1918 and also brought in from the district and assigned the responsibility of the new departments (Native Administration) that developed as colonialism progressed. These were the: Prisons, Sanitary, Police, Buildings, Market, City wards, Sabon Gari, Education, Medical, Local Public Works, Veterinary, Printing, Water and Electricity. These were the nascent modern sectors and as they developed, became crucial agencies of control and patronage. The emir's formal approval was always necessary for appointments and dismissals. When the *galadiman* Kano Muhammadu Bello died (6/7/1927), the emir and council recommended Abdulkadir,[810]the then *dan iya* and DH Dawaki ta Kudu. In 1930 a *wakilin sana'a* was

[809] Imam Isa waziri had indicated to me the *ulama* in council were influential. Interview, October 1998.
[810] Held office as head of administration of Kano from 1927 to 1939 when he died.

appointed. He combined the function of the emir's representative and the deputy of the *galadima*.

Malam Sule was appointed the *ma'aji* in 1933. The *ma'aji* controlled the purse strings. He received the revenue and disbursed it. *Malam* Sule was described as well travelled, having sojourned briefly in North Africa. He had neither royal nor noble background, and had other interests outside the Native Administration. The emir had to seek him whenever he wanted funds. The colonialists said the emir was jealous of him. By this period from c.1933, the *ma'aji* prepared the estimates and rendered the returns. The DHs doubled as sub-accountants to the treasurer and also supervised all the departments in their districts, and the proper disbursement of funds. The *ma'aji* therefore had tremendous influence on them. Thus with these developments, the influence and power of the emir began to dwindle.

The roles that these councillors were called upon to perform had absolutely nothing to do with their traditional roles in the Emirate setup up to 1903. Equally important was the fact that these corps were hardly selected by the emir. The Resident in consultation with the Lt. Governor selected and defined their jobs. They were only symbolically accountable to the emir. The Resident supervised all their activities. The role of what developed into portfolio councillors had become systematized by 1932.[811]In this respect the role and power of the SNA was waning and that of the Native Administration on the rise.

[811] NAK: KANOPROF 693 Kano Emirate: Decentralization of Executive Responsibility in Emir's Council. Report by Mr.Ward.

The consolidation of the ruling house, vis-à-vis the nobility took place in the Emirate period.[812] The colonialists were the ones who partly resuscitated the nobility. But before the resuscitation, the principal title holders were initially pushed to the colonially created districts furthest from Kano, and forced to reside there. Thus though in theory they still remained members of the emir's council (*majalisa*), in practice they could not partake in its activities due to logistical constraints. They were subsequently gradually ignored; and suffered many indignities as discussed in chapter three (eg. shuffling them like a pack of cards, demotions, dismissals, and imprisonment), or pauperising them. The colonialists initially decided to reduce the influence a corporate and cohesive aristocracy could have. The emir was thus denied the services of the council. The colonialists rehabilitated the ones they adjudged could better serve them in the emir's council as and when they deemed fit. The colonialists had also chosen free clients to serve in the council when it suited them. The council, both in composition and function, was what the colonialists wanted it to be. The cases of *waziri* Gidado, *ma'aji* Abdullahi,[813] and even a slave, *Allah-bar-Sarki*, readily come to mind. When the *magajin gari* died on April 26, 1924, Muhammadu a younger brother of the emir was appointed. Also with the death of the *wambai*, eldest son of emir on September 3, 1924, *turaki manya* the DH Kura was promoted *wambai*; *tafida* the DH Ungogo was made *turaki*; and Muhammadu Malle, the youngest son of emir was made *tafida* and DH of Debbi. He was under 18 years of age when he was appointed.

[812] It should be recalled that we have in chapter four discussed how from the administration of Ibrahim Dabo, the Royal Sullubawa had consolidated into the royal family and the other four prominent families at the onset of the Jihad became the nobility, and progressively became inferior to the progenies of Ibrahim Dabo.

[813] Appointed in 1919 and removed in 1931 for irregularities. His father was an Arab.

In 1926 Katsina, Katagum, Misau, and Jama'are were excised from Kano Province.[814] The colonialists subsequently made some administrative changes of the colonial structure. The Residency was moved from Bompai to Nasarawa, "… thereby enabling the Resident to be brought into close touch with the emir and the NA and to assume a more direct control over the activities of the emirate."[815]Further more the status of the Resident Kano Division was abolished, and the affairs of Kano division placed in the hands of the Resident of the Province.[816]

Though the Resident was the man on the spot, the colonilists constantly reminded all concerned that the Resident had officers who were superior to him. This was done through regular working visits that facilitated those superior to the Resident some visibility. In this respect the Governor visited Kano in 1927 and 1928 and carried out a full inspection of all activities and institutions, both government and native.[817]The Governor visited again in August to open the bank of British West Africa and Wudil Bridge. Also in June and December, the Lt. Governor visited and carried out a thorough inspection of headquarters, both government and native. Yet in August Sir Samuel Wilson, Permanent Under-Secretary of state and Dr. Stanton, medical adviser to the colonial office also: "… carried through a very long and complete programme of visits of inspection of all government and emirate activities in Kano."[818]Following these visits the colonialists decided that condition in Kano called for the best of the younger chiefs to cooperate with the emir. The Native Administration (NA) was different from the SNA, and the focus was now on rehabilitating

[814] See Map 3.
[815] NAK: SNP17/8-K105 Vol. 1 Kano Province Annual Report 1926.
[816] Hitherto Kano Division was of such importance that the DO Kano was of Resident rank.
[817] NAK: SNP 17 K100 Vol.II. H. E. The Governor's Visit to the Northern Provinces, Notes on. The record shows that these were indeed working visits, detailing the activities he undertook.
[818] NAK: SNP17/8-9043 Vol. 1 Kano Province Annual Report 1928.

the aristocracy whose cohesion and effectiveness they had hitherto undermined. Hitherto in all matters of NA it was the emir that was the focus. To rehabilitate some of the aristocracy, the *galadima*, younger brother of emir was brought in from the district to replace the s*arki*n *bai* in the council. *Sarkin bai* was described as elderly and conservative. It would be recalled that the *sarki*n bai was brought in from Dambatta in 1925 by the colonialists. With the transfer of the *galadima* advantage was taken to make some changes in Fogolawa. Some other shuffling was effected. The uncle of the emir and district head Kumbotso, described as of good reputation for ability and integrity was selected to go to Taura, where the record showed that he effected material improvement in the administration of the district. *Dan buram*, another uncle was moved from Minjibir and advanced to Kumbotso. *Dan maje* was demoted from Taura to Minjibir. *Barde kerrariya* was moved from Zakirai to Gwaram as *sarki*n *dawakin tsakar gida*. The new *barde kerrariya* took over Garki, and *dokaji* was posted to Babura. *Wambai*, eldest son of emir Usman was admonished. He was disappointed at not succeeding his father. Again all the changes were carried out by the colonialists, in the name of the emir. Yakubu declared that as reward for their loyalty, the emirs enjoyed absolute control over local administration and services.[819] In some instanced he rendered it as absolute monopoly.[820]The absolute control of the Native Administration the emir was thought to have by Yakubu was only a mirage. Systematic touring was maintained to ensure compliance with colonial policies, and district administration was reported as steadily improving in the direction it was steered by the colonialists.

In 1929 a new Lt. Governor and a new Resident were appointed. The staffing situation was at an average of 10.72 political officers for the province, and was described as having been

[819] Yakubu, 2006, p.156
[820] Yakubu, 2006, p.157

considerably strengthened. This increased staffing enabled an extensive scheme of touring to be carried out. Extensive touring to assess on the ground situation was necessary in view of the general increase of taxation contemplated.[821] The Acting Governors visited in April and June and Mr. Palmer the Lt. Governor visited in October. The *madaki*, who had become very powerful,[822] was doing well in district administration on behalf of the emir. The treasurer became a member of the emir's council in 1930. It was reported that the *ciroma* was doing fine, but the *dan Iya* was said to be full of youthful exuberance. The colonialists had decided that DHs were now to give more attention to roads; they were made responsible for payments, and acted as sub-accountants to the NA treasurer. But the VHs were placed on salaries from the treasury instead of receiving payment from DHs. This marked the beginning of decentralizing activites from Kano. It was reported that district administration improved and the people continued to pay allgiance to the emir of Kano. Rather than the influence of the emir diminishing with improved district administration, by 1930 the DHs were accused of looking far too much to Kano. They treaded cautiously and with circumspection, avoiding any bold moves, but showing a sense of responsibility. This hegemonic relationship, the colonialists reckoned, has always been very noticeable in Kano and is a tribute to the power of the ruler than an indication of lack of ability in his subordinates.[823]Those who dared the emir, as *sarki*n Arewa who was accused of pursuing acts capable of undermining the authority of the emir, and substituting his own, was deposed. In a comment to the Secretary dated March 3, 1930 the Governor said:

> It is in my opinion, necessary as has recently been emphasized in a circular, to take every possible means of inducing the emir and his councillors to take every advantage of the best possible technical advice, but it is equally necessary that the central control

[821] NAK: SNP17/2-12004 Vol. V Kano Province Annual Report 1929.
[822] Interview *Shamaki* Kano 1998. Others who became powerful as portfolio councillors were: *waziri, Galadima, and Ma'aji*.
[823] NAK: SNP17/2-14686 Vol. 1 Kano Province Annual Report 1930.

> of the emir and his council, as advised by the Resident, should remain within the province, dominant and unquestioned.[824]

The emir was painfully aware of the reality of being a colonial minion, the facility they availed him of being the point man notwthstanding. It is doubtful for the emir to have known of the above quoted communication between the Governoer, Lt. Governor and Secretary to the Government. Practically however, the deposition of the Sultan jolted him. The emir of Kano resorted to trading to cushion himself should the need arise for him to resign.[825]This was reminiscent of Emir Abbas' reaction to the deposition of the Emir of Katsina in 1904. Even as SNA, the position of the emirs as disposable minions to the colonialists remained a constant albatross, they could be removed, and the emirs never lost sight of this fact.

Despite the unprecedented economic depression of 1930, caused by slump in prices of groundnuts, taxes were not reduced. Indeed the normal increases on reassessment or revision were carried through, and the taxes collected. By 1932 the colonialists praised the emir's council for the progress attained in the devolution of duties to its individual members, and this continued through to 1933. The functions of the *galadima* were decentralized for him with the appointment of deputies in charge of four different areas of the city. The *waziri* was relieved of touring and the function delegated to a *mallam* member of the judicial council, under the supervision of the D.O. on tour. In a correspondence concerning the council, the Governor communicated his thought through the Chief Secretary to the government thus:

> The members of council require training and supervision in learning the complicated art of administration on modern and civilized lines and it is a pity in His Excellency's opinion, that the Resident (or the D.O.) is not a member of the council and more

[824] NAK: SNP17/2-12004 Vol. V Kano Province Annual Report 1929. Letter No. 12682/156 from Chief Secretary's office to SNP, noting that the Governor was in agreement with the Lt. Governor's remarks.
[825] NAK: SNP 267 (1931) Special Report (Secret) for Quarter ending 31st March 1931 "Political and Religious Influece."

> actively in touch with the day to day transactions of the emirate, apart from routine affairs.[826]

Further developments in village administration emanated from the proposal of the Secretary to the Northern Provinces of periodic meeting of VHs under the presidency of the DHs. The DHs were thus enabled to better represent the situation on the ground at the meeting of the DHs with the emir, which also took place at the instance of the colonialists. The comment of the Governor quoted above, and the proposal by the SNP elicited a detailed response from the Resident of Kano on the method of indirect rule as of 1933. We are told that the D.O. Kano emirate was almost in touch daily with the members of the emir's executive council, e.g. the *madaki* and the *galadima*, responsible for important portfolios, through sundry interviews either in the divisional office where they were often summoned to; the Native Administration executive offices in the city; or on development sites. In addition to the meetings, the D.O. maintained regular telephone contact with the councellors as necessary. Whenever matters that are not routine cropped up, the D.O. held discussions with the council member concerned, and once agreements was reached the council member reported to the emir. The emir's was expected to concur or he could request for further explanations, or proposed amendments. This follow up was taken at the regular weekly meeting of emir and council with Resident. The D.O. kept the Resident fully informed on all matters through correspondence in files, frequent discussions, and on phone. The Resident also visited the executive offices and the NA institutions, through which it maintained a close personal touch with the council members. The Resident or D.O.also had informal meetings with the emir than the official weekly interviews. The D.O. Kano emirate was also in touch with the emir

[826] Correspondence from Chief Secretary of State to Secretay Northern Provinces No. 12682/475 of 6/5/1933. NAK: SNP17/2-18956 Vol. II. Correspondence Kano Province Annual Report1932. The visitations continued with the Governor visiting Kano March & December; the Lt. Governor in February; the Chief Commissioner in December 1933.

and council through the emir's representative, a confidential messenger appointed for the emir. The messenger attended, four days a week, at the divisional office, as a courier between the emir and the D.O. Complaints were laid to the D.O. in this manner. On judicial matters which dealt with judgments, or actions of some DHs, all communications from the DHs to the emir were also brought and read out and in any matter which required action, the emir's representative informed the D.O. what action was decided upon or proposed by the council.[827]It is significant to note that the records indicated that no action was ever taken without the emir and council being encouraged to make an input. The summary of the situation was that the decision was not the emir's to make. The Resident thought direct participation would stifle initiative; and direct control leads to abandonment of responsibility. In each case, each department was also under the supervision of a European:

DEPARTMENT	NATIVE HEAD	COUNCIL HEAD	EUROPEAN SUPERVISOR
Agriculture	Wakilin gona	Madaki	Superintendent of agriculture
District administration	District heads	Madaki	Resident etc.
Forestry	*Sarki*n dawa	Madaki & galadima	Assistant surveyor general
Legal	Waziri & alkalai	Waziri	Resident etc.
Education	Various	Galadima & madaki	Provincial

[827] Correspondence No.923/82 of 14/6/1933 from resident Kano to S.N.P. NAK: SNP17/2-18956 Vol. II Correspondence.

			superintendent of education
Health	Mallam Sani	Galadima	Medical officer
Police	*Sarki*n gadi	Galadima	Commissioner
Treasury	Ma'aji	Ma'aji	A.D.O. finance[828]

The table above shows the devolution of powers and responsibilities to portfolio councillors. Once satisfied with the progress of the central administration, the colonialists shifted attention to district and village administration. All districts were provided with office buildings, meant to facilitate efficiency and easy supervision by touring staff. In the 1930s rural development projects included: designing layouts; building of markets; digging of wells and public latrines. Colonial development trickled down with construction of roads, building of court houses, building of schools, and tsetse clearings etc. Each DH was empowered to ustilise voluntary and paid labour, but it was mandatory to keep a cash book for the daily disbursement of funds. The colonialists continued meting out disciplinary measures to keep appointees in line. Thus *ma'aji* Abdullahi was removed, while the district heads of Kumbotso, Kiru, Kunya, Kuru, and Minjibir, were all deposed in 1932. The DH of Babura was described as 'earnest but somewhat stupid' and since he was accused of showing little initiative and imagination, but ran his tax collection excellently, he was first transferred to Damberta, where we are told he fell into complete decay. The record stated that he was prematurely retired on a pension and dishonour in January 1943.[829]

[828] It was from this that the difference between Native Administration and Native Authority developed.
[829]NAK: KANOPROF 6/1 Acc. No. 29-34 Babura Vol. 1 Inspection Notes.

Village council in an undeveloped form had become noticeable by 1934. The touring officers were directed to inquire into and to collect history of village headships and general local histories. The colonialists decided to pay greater attention to the process of selecting VHs and insisted that persons selected must have the support of the elders of the village.[830] The organization of village councils also enabled intensive head count of representative village units. The closer count of adult males revealed that in many areas the assessment has been unduly inflated by the inclusion of youths below the taxable age, amongst the adults.[831]The DHs and VHs taxed the under aged to meet the target returns!

By 1935 the colonialists recorded their satisfaction, adjudged that the tide of outside influence and modern development was flowing strongly. And to add a dose of cultural reorientation, the air of euphoria was marked with the celebration of the jubilee of His Majesty late King George V at Kano on May 6 and 7, 1935 with route march of the military, police, Boy Scout etc. There was a service of thanksgiving in St. George's church. Picnics and bonfires were also held. Hitherto as discussed in chapter three, the *Gidan Rumfa* was the locus of major cultural activities of the Emirate. The celebration of the jubilee of a late King of England marked the beginning of attempt at shifting the cultural orientation of the people. New occasions for celebration and the manner of celebration were thus introduced.

By 1936, with the spate of colonial development activities, it was decided to carry out some reorganization within the Native Administration works department.This led to the creation of a branch directly concerned with work on rural development in the districts. The salaries of VHs and scribes were revised. They were paid 25% of 10% of general tax and *jangali*

[830]NAK: KANOPROF 1324: Annual Report 1934 Part 1.
[831]NAK: KANOPROF 1324: Annual Report 1934 Part 1.

collected.[832]The increased material development also enabled some bold religious cum cultural move by the aristocracy. In 1937 the emir, *galadima*, *ma'aji* and some members of the emir's household performed the Hajj. This significant religious undertaken never took place before colonialism. But the colonialists were still in firm control. The colonialists made the *wali* the legal expert in council. A new *ma'aji*, Mallam Salim who had been acting was confirmed, but without a seat on the council. On the otherhand the *ciroma* was appointed a member of the council in 1938 and charged with handling financial matters before the council. Both *Galadima* Abdulkadir, brother of emir, and *madaki* Mahmudu died in 1939. The deaths led to further changes of the portfolio councillors in the Native Aadministration. The changes effected favoured the emir. *Ciroma* Sanusi was appointed to replace the late *madaki* in district administration, *dan lawan* was appointed *galadima*; *dan iya*, second son of emir, was moved from Minjibir to Dawaki ta Kudu and became *galadima*. *Dan buram*, a half-brother of emir was moved from Kumbotso to Kiru, and was appointed *turaki*; Faruku, son of emir became *dan buram* and DH Minjibir. When the DH Gaya was deposed and that of Sumaila died, their offices were kept in the temporary charge of the emir's representatives.[833] Sa'adu son of late *galadima* and nephew of emir succeeded Faruk as *wakilin gadi*. The district *alkali* of Ringim was promoted *alkalin* Kano. The shuffling of the personnel of the Native Administration was a prerogative of the olonialists, and this was repeatedly demonstrated.

The colonialists were pleased with the Native Administration and praised them for accepting increased responsibilities which had been placed on them by the development of administrative organization. Though the colonialists praised the will of the Native

[832] NAK: SNP17/3-27810 Kano Province Annual Report 1936.
[833] NAK: SNP 17/4-32098 Kano Province Annual Report 1939.

Administration to perform, and noted their desire to cooperate in every way, they insisted: "… it is the work of European staff to impart the knowledge of how to discharge functions which are becoming daily more complex."[834] The recorded assessment of the colonialists indicated that lack of suitably qualified clerical staff was hindering the organization of district and village administration. By 1941 some new appointments of district heads were made with the death of DHs Karaye and Tudun wada; and the dismissal of DHs Taura and Gezawa. The replacements had earlier served the administration well in different capacities. Much was expected of the new appointees. Slowly but surely, the colonialists appreciated improvement in the work of the village headman, the men they considered as the foundation of the organization of indirect rule.[835] Thus far we have noted the gradual shift in emphasis and increased decentralization. At the on set, it was DHs that were created first and the DHs posted out and forced to reside outside Kano. Subsequently some were brought back to the reconstituted council and made councillors. In the same vein colonially defined district administration was evolved and functions decentralized from Kano. When the colonialists were satisfied with the stride in district administration they then moved to village administration. In all the changes the colonialists remained in firm control.

Outwardly the outbreak of WWII had little effect on the chiefs and Kano populace. The shift in allegiance, demonstrated earlier with the celebration of the silver jubilee of the death of King James, was confirmed by the offering of prayers all over the emirate when the emir proclaimed that Britain was at war. Little wonder then that by 1940 the confidence of the colonialists was brim full. The records noted that it was unlikely that the ordinary peasant ever imagined himself as anything other than an inhabitant of territory that must remain

[834] NAK: SNP 17/4-32098 Kano Province Annual Report 1939.
[835] NAK: SNP17/4-34242 Kano Province Annual Report 1941.

British! And that any temporary uneasiness was dispelled by the example of steadiness shown by his leaders, the *sarakuna*. The colonialists noted that the promptness with which the taxes of Kazaure and Kano emirates were paid at the end of the year was a reliable reflection of both the peasantry's prosperity and their loyalty.[836] In addition to the prayers offered in mosques for the success of Britain, the emirs allegedly voluntarily surrendered a fixed portion of their salaries as their contribution to the war effort. Kano emirate contributed £20,000.0.0 per annum for three years to the war effort, and to make the 1940 contribution the Kano Native Administration had to sell securities held in England at a loss of £950.0.0! In this respect the colonialists were effusive in praise of the whole gamut of Native Administration, noting: "… to both the district and village heads of all emirates must go a great measure of the credit for keeping the peasantry in the contented condition in which they have passed the year."[837] The regular quarterly visit to Kano by village headmen, suggested by the Secretary to the Government earlier, had commenced.[838] Formal weekly meetings between the emir and the heads of the various departments of the Native Administration started in 1941.

DEPARMENTAL REPRESENTATION AT TEUSDAY COUNCIL MEETINGS WITH EMIR[839]

1	*Wakilin gona*	Agriculture	Mal. Isa
2	*Wakilin daji*	Forestry	Mal. Abba
3	*Wakilin asibiti*	City hospital	Mal. Maikano Dutse
4	Chief surveyor	Survey department	Mal. Habibu

[836] NAK: SNP17/4-33147 Kano Province Annual Report 1940.
[837] NAK: SNP17/4-33147 Kano Province Annual Report 1940.
[838] This was a suggestion that emanated from the SNP, mentioned above.
[839] NAK: KANONA 203 Departmental Representation (*Talata*) Meting with emir and council.

5	Chief printer	Printing	Mr G. Booth
6	*Wakilin sana'a*	Works	Mal. Munir
7	Chief sanitary inspector	Health	Mal. Sani Ungogo
8	*Wakilin kasuwa*	Markets	Mal. Dauda
9	Headmaster middle school	Schools	Mal. Bello
10	*Wakilin dabobi*	Veterinary	Mal. Rabiu
11	*Wakilin waje*	Sabon gari	Mal. Ahmadu
12	Sabon gari	Sabon gari court	Mr Balatt Hughes
13	Chief scribe, *ciroma*'s office	District writer	Mal. Alh. Abubakar
14	Scribe i/c staff office	Establishment	Mal. Garba Karaye

In a number of instances, both the D.O. and the emir consulted with the Resident before decision was taken. This marked the formal commencement of the Native Administration council. Hitherto the SNA had a council, the emir's council. The emir's council was transformed into the judicial council when the *malamai* participated in its meetings. The members of the Native Administration Council on the other hand were portfolio councilors under the direct supervision of the European colonial staff. In 1947 the colonial Government further reaffirmed that Native Administrations were both agents of Government and organs of local self-government. The shift was gradual but steady as agents of the colonial Government as against being at the beck and call of the emir. It defined what was exclusive and what was

concurrent. It was the duty of Government to formulate general policy and ensure NAs conformed to that policy.[840]

Touring was considerably curtailed due to lack of administrative staff. The colonial record indicated that consequently village administration suffered. By 1942 with touring still at a minimum, the situation in Danbatta was described as deplorable. This led to the removal of the administrative and judicial staff in to-to, and their replacement with new ones. Disciplinary actions were also taken in Jahun, Sumaila, and Dawakin Kudu districts. Final warnings were issued to Gaya and Dutsi districts. The aristocracy must not be allowed to forget who was in charge of the affairs of the emirate and indeed that the colonially defined method was the only acceptable method. Appendix vii is an example of entries for a district notebook by a touring officer.[841]

The Second World War was indeed a reality that impacted on the colony. By 1940 the needs of the war affected all departmental activities in the colonial administration. There were new restrictions and with numerous other wartime activities, led to the depletion of the European staff. It meant a great deal of responsibility was passed on to the Native Administration. In Kano combatants and tradesmen were recruited and the Public Works Department (PWD) was fully occupied in erecting military buildings. The colonial report also indicated that the emirs and their staff carried out the additional responsibilities creditably.

However, the colonialists did not leave matters in the hands of the Native Administration entirely, inspite of the effusive praise of its palpable commitment. Thus in 1942 with the

[840] NAK: PUBLICATIONS PP4 Apportioning of Duties Between the Government of Nigeria and the Native Administrations: Statement of Policy, 1947. Government Printer, Lagos.
[841] See also Smith, J. 1968 Colonial Cadet in Northern Nigeria.

increased demand for tin to prosecute the war, the Northern Provinces Conference of Residents discussed the need to raise taxes to compel labour to work in the mines. It was recorded that:

> The conference understood that any extra special taxation will accrue to the native treasuries and recommended that it be lent free of interest to His Majesty's Government for the duration of the war; but that if this were not possible the money should be invested in war savings certificates or other war subscription.[842]

The above is an example of colonially inspired activities during and in support of the war, designed to further exploit the populace. Secondarily was the supply of conscript labour for the mines. The colonialists had realized that the number of people who wished to work for the amount paid as daily wage was negligible. They also realized that enlisted labour through the aristocracy was more compliant, noting that these category drawn from a law-abiding farmer class and, under proper treatment and supervision, performed its task promptly, obediently and cheerfully.[843] The press-gang method employed by the *dan iya* in his and neighbouring districts to meet his labour quota, belie the alleged cheerfulness and obedience noted for the peasants. This was part of the war effort demanded of the colony. Also the campaign to produce maximum quantity of groundnuts for export to Britain due to the needs of the war, was the main activity that overshadowed all others in 1943. Due to shortage of imported goods, prices of everything rose; and from May to August 1943 there was semi-starvation over parts of the province. But there was praise for the *ciroma* who was becoming the second in command to his father, the emir, and critical in the success recorded in the war effort.

There was lamentation, that inspite of the release of a senior officer from the education department to organize the Native Administration clerical system, not much was achieved.

[842] NAK: Publications NH3Northern Provinces Conference of Residents, April 1942 Summary of Proceedings.
[843] NAK: SNP 15/1 Palmer, H. R. Political Memeo, 1926.

The colonialists indicated that for the kind of progress desired to be achieved, there was need for the close supervision of a European staff which was not available. For several months in 1944 there were only a Resident, three administrative officers, and a confidential secretary in the emirate. Despite this shortage of administrative personnel, some reorganization was still made in Native Administration. The emir's council was increased by the inclusion of three younger men, two of whom were products of the old Katsina Higher College. Re-districting continued with four small districts amalgamated into two larger ones. Though by and large the activities of the DHs were found satisfactory as noted in the praise above, two inefficient district heads were removed. And to keep the DHs on their toes there were further changes of personnel and posts.

4.3 THE COUNCIL OF CHIEFS AND THE HOUSE OF CHIEFS DURING COLONIALISM

The advisory council of chiefs Northern Provinces was inaugurated in 1930. There were three representatives from each province. The representatives from Kano were the emir, *waziri*, and *madaki*.[844] The avowed aim of the colonialists was to enable the chiefs proffer advice to the Governor on any proposed legislation affecting Northern Nigeria. At this juncture the colonialists considered the chiefs the most representative and authoritative opinion, especially when the advice was derived from deliberative assembly. It was also envisaged that the conferences would also enhance closer contact with the Central Government. Hitherto the horizon of the emirs hardly went beyond the Lieutenant Governor in Kaduna. The colonialists were convinced that the council would be an important institution in the progress of administration in the Northern Provinces. The meetings provided opportunities where issues were anticipated and or problems as manifested in particular situations or emirates

[844]NAK: SNP 17/2 - 14686 Vol. 1 Kano Province Annual Report 1930.Meeting held 27 – 31 march 1930.

tackled. An example was when the chiefs wrongly assumed that the power of arrest was inherent in them. They demonstrated aversionat applying to *alkalai* for issuance of arrest warrant. The *sarakuna* considered it demeaning, applying to an *alkali*, a surbodinate. The colonialists had to firmly but diplomatically insist the chiefs could not, based on custom, claim powers not conferred on them by statute.

For the inaugural meetingof the chiefs' conference in Kaduna, the four emirs of Kano province held a preparatory meeting. The Kaduna meeting afforded the emirs of the Northern Provinces opportunity to exchange views with the sultan and fellow emirs; and with the Chief Commissioner and Residents. By the 1934 meeting the chiefs were allowed a session to meet alone under the chairmanship of the Sultan of Sokoto.

This was the first time that the emirs and other chiefs of the Northern Provinces met. It was a facility provided by the colonialists. Prior to the commencement of the conferences in 1934, the Governor, Donald Cameron, in 1931 intimated of his concern that the attitude of the NAs towards Nigeria needed to change. He had noted: "I found a tendency of the Northern Provinces to regard the Provinces as a separate political unit, a Province is a Province of the Northern Provinces and not a Province of Nigeria; a NA is a NA of the Northern Provinces and not of Nigeria."[845]As discussed below, the deduction of the Governor was that the emirs did not want interference from the South and did not want to interfere with the south! Broadening of outlook was thus expected to make the work of progress easier to accomplish and prejudices easier to breakdown.[846]At that point the attitude of the emirs was for each region to mind its own business. The impact of the conferences on the psychology of the

[845] AREWA CC.0038 Administrative Policy (Northern Provinces).
[846] NAK: SNP17/2-14686 Vol. 1 Kano Province Annual Report 1930.

emirs is a matter of conjecture. The colonialists expected its value to lay in a realization of responsibility; which was hoped would lead to greater activity in improving the details of administration and preventing abuses. It was of such importance that the Governor presided over the opening session of the conference. The subsequent conferences were chaired by the Chief Commissioner. That the advisory council of chiefs of Northern Region was transformed into the annual conference of chiefs should be taken as an indication that it met the aspiration of the colonialists.[847]Records of the conferences indicate they were the facility used by the colonial administration to goad the chiefs into making rules and enforcing measures at the instance of the Government. Undoubtedly the initiative was with the colonialists, and the colonialists were ready to shift gear.

Thus by 1939 the Governor, Sir Bernard Bourdillon, put forward a memorandum on the future political development of Nigeria. The import of the memo was that again the impetus for change was from the colonialists. But it was a controlled change with the colonialists gauging how much of the change was needed and in what context. The Governor observed:

> I see no need for any modification of principle, there will be modifications of form, but these will come about naturally and gradually if the NA remains the living organisms which I believe most of them to be at the moment … I see no reason why the NA and the elected parliament should not be complimentary parts of one harmonious system, nor why the eventual representative government should not be representative of and function through acknowledged NA[848]

The colonialists were thinking ahead. There was nothing to indicate that the members of the conference of chiefs were thinking of loosing out to an institution called parliament.

[847] The Residents also had their annual conferences.

[848] NAK: C.145 Sir Bernard Bourdillon Memorandum on the Future Political Development of Nigeria, Lagos 1939. The Governor put on record a bare faced lie that there was not in the whole of Nigeria a single N.A. who has been personally selected by the government!

In 1942 the Governor wrote another memo on the same subject, noting that: "… the emirs, it would appear take the view that they wish to have nothing to say in the affairs of the South and wish the South to have nothing to say in their affairs."[849] Up to that point, in matters concerning the Northern Provinces, the Governor only received advice from the Chief Commissioner Northern Provinces, and the informal advisory committee of chiefs from the North. The North was not represented in the Council in Lagos.

In attendance at the conference of chiefs' meetings were both the Resident and the D.O. Departmental heads were also in attendance.[850]The presence of the Residents and D.O.s was not symbolic. Subjects for discussion at the meetings were submitted to the colonial government by the Residents.The Residents were advised to consult their chiefs before submitting such subjects to Government.[851] Indeed majority of the subjects were also discussed at the Residents' conference. These subjects, sundry issues of development of the day, were often edited by the colonialists.[852]The subjects for discussion from Kano for the 1936 conference were: licensing of dogs in Mohammedan (sic) towns; suppression of trade in houses to people from southern provinces; and administration of *Sabon Garis* (sic) … After the conferences the Residents forwarded to the colonial governmentd opinions of the chiefs that attended.[853] The chiefs seemed so overwhelmed at the beginning that their major request was for the accommodation of the council members who accompanied them to Kaduna to be near them. This was what led to the establishment of the Unguwar *Sarki* quarters in Kaduna. One of the major issues placed before the chiefs in 1935 was the decentralization of the NA

[849] NAK: C.145 Sir Bernard Bourdillon A Further Memorandum on the Future Political Development of Nigeria, Lagos 1942.
[850] Director Geological Surveys, Asst. Director Agriculture, Chief Veterinary Officer, I. G. Police, Asst. Chief Inspector Education, etc.
[851] NAK: SNP 17-21249 Conference of Chiefs Kaduna 1934.
[852] NAK: SNP 17-24335 Conference of Chiefs 1936. For 1939 Kano wanted discussed: subdivision of house property inherited under Muslim law; custody and care of harmless lunatics; air travel for Hajj.
[853] NAK: SNP 17-21249 Conference of Chiefs Kaduna 1934.

councils. And at the 1941 meeting, the Governor, speaking from the throne, noted that the empire was ready to help the King and England, then at war. The Provinces subsequently helped Britain with a loan. We have noted that Kano emirate sold its bond in Britain at a loss to loan Britain the money. During the 1942 conference there was not a single suggestion from the chiefs![854]They however passed resolutions on sundry issues tabled for discussion by the colonial government. These resolutions were only advises for the consideration of the Lt. Governor or the Governor, as the case may be. Inspite of all the pharaphenalia, the council was only an advisory body. That the perspective of the chiefs had not changed much was revealed by their reaction to the suggestion from the West African Students Union (WASU). WASU suggested the alteration in the composition of the legislative and Executive Council. The issue was tabled before the 1942 chiefs' conference. The resolution of the chiefs was recorded by the Resident. It was that the Northern Provinces did not desire that, "… because it was impossible to find any one person to represent all the Northern Provinces in Executive Council and because Legislative Council should not have any powers in the Northern Provinces. It is the Governor whom they recognize."[855] They also opposed the proposed universal franchise and other outlandish suggestions especially the proposal to recognize only one form of marriage. In a message to the 1943 meeting, His Excellency the Governor, Sir Bernard Bourdillon encouraged the chiefs to continue their support for the war efforts until victory was won. He also cajoled them to draw closer to the Governor. The Governor advised them to make room for their subjects that were educated.[856]On his part His Honour, the Chief Commissioner, Mr. Pattterson, J. R. Esq. (C.M.G.) discussed with each of the chiefs as the conference progressed, and collectively after. Among the many resolutions considered was the establishment of a unified civil service for the Northern Provinces. At the 1944

[854] NAK: SNP 17-33872 Conference of Chiefs 1942.
[855] NAK: SNP 17-33872 Conference of Chiefs 1942.
[856] NAK: SNP 17-35252 Chiefs Conference 1943; Subjects for Discussion and Conference Proceedings.

conference, the focus of the message of His Excellency was to further gird up as the end of the war was not in sight. The carrot and stick method was deployed. For while the Governor made the important observation that: "it is essential to ensure that the constitutional machine of Nigeria, however it may be revised, should be one into which the North will fit and retain its individuality;"[857] the Chief Commissioner was scathing noting that: "Some officials of your administration have in the course of the year proved themselves unworthy of the trust placed in them."[858] Thus if by 1942 the chiefs of the Northern Provinces did not recognise the Council, only the Governor, by the 1946 conference, which was its last, the emirs of Gwandu and Zaria had been made members of the Governor's council. It always seemed so easy to sway the chiefs.

The 1946 Richards constitution introduced the Regional Houses of Assembly and the House of Chiefs.The House of Chiefs consisted of 13 first class chiefs sitting as of right and 12 representatives of the second class chiefs. It was, like the conference of chiefs also an advisory body only.[859] In accordance with section 52, subsection (3) of the Nigeria (Legislative Council) Order in Council of 1946, the House of Chiefs considered the budgetary estimates for 1948-49, 1949-50, and 1950-51. Throughout the life span of the House of Chiefs, through the constitutions, the House of Chiefs was a second fiddle relative to the House of Assembly. For example its major contribution regarding the 1948-49 estimates was its resolution: "That the Governor be advised that the House concurs with the resolution of the House of Assembly 'that His Excellency the Governor be advised to approve the estimates of expenditure for the service of the Northern Region during the year

[857] NAK: PUBLICATIONS CFR 2/3 Northern Provinces, Resident and Chief's Conferences 1944; Summary of Proceedings. The Governor was Authur Richards who midwifed the constitution that bears his name, The Richards Constitution.
[858]NAK: SNP 17-37055 Chiefs Conference 1944.
[859] AREWA: 40463/S.2 House of Chiefs Northern Nigeria; Selection of Members.

1948-49'"[860] The statutory role notwithstanding, the colonial administration recorded that in reality the chiefs did not know how the budget was framed! In addition to the alleged ignorance of the way the budget was framed the House did not develop the capacity to debate topical issues. This was why Smith scornfully described the House of Chiefs as: "The only major Legislative body in the world which conducted the majority of its business in silence."[861]The House of Chiefs was hardly more than a rubber stamp to the needs of the colonialists.

4.4 THE ROLE OF THE *SARAUTA* IN THE NEW COLONIAL TERRITORIAL ADMINISTRATION 1918 – 1945.

In 1917 the colonialists realized that the village grouping were too large, having been carried out too hastily. In 1921, population per village headship was 4,500. In the mid-thirties it was reduced to 1,600. The units had been increased to 1,200. The record noted the resurgence of *Jakadu* who the colonialists thought they had eliminated. The colonialists decided that paying VHs sufficient salary would enhance their standing and respect. This would enable them collect their own taxes, instead of relying on the *jakadu*. It was at the same time that Resident Palmer made a call for the review of the salaries of the DHs, cautioning against raising tax until the reviews were carried out.[862]

It would be recalled that the village units were constituted at different periods. One of the earliest was in the district of the *Sarki*n *dawakin gida*. It comprised of four sub-districts and 19 village units under salaried village headmen established in 1916. Dissatisfaction by the

[860] Premier's Office R1281 (M. I. A. 2/42 2ND Collection) House of Chiefs: Resolution on Finance.
[861] Smith, J. 1968 *Colonial Cadet in Nigeria*. Duke university Commonwealth Studies Centre.
[862] NAK: SNP10/4 518P/1916

colonialists due to the pervasive influence of the *jakadu*, and slow development of accountability by the appointed VHs led to its review. The district was considered unwieldy and the village headmen generally irresponsible.[863]In Kiawa district the colonialists were dissatisfied with the DH, *dan Lawan*, for not asserting his authority over his VHs; and his VHs for not asserting theirs on the hamlet heads. The colonialists accused them of readiness to connive with the *talakawa* at concealing their material condition for tax assessment purposes.[864]The issue went beyond the Resident, and up to the Lieutenant Governor who opined that the attitude of the *dan lawan* might be related to his not being popular with the late emir. When the villagers showed discontentment the warnings came from the A.D.O. and not from the emir. In the case of Minjibir district, the administrative organization in 1919 was described as very backward. The sub-district heads seemed to work almost exclusively with *Jakadu*, and that there were practically no VHs in Jahum. And in the places where there were, the VHs were accused of being very ignorant in all matters that concerned taxation.[865] On the other hand their newly appointed sub-district heads were described by the colonilists as not been accustomed to any authority. Consequently the sub-district heads had neither prestige nor a past record of work to serve as a guide to their individual capabilities. That was why the colonialists decided to appoint the VHs, so that they could assist the sub-district heads.[866]In some other incidences the colonialists abolished the sub-district heads for VHs. In Taura a schedule of candidates for the post of VHs, were interviewed, and sent for the consideration of the Resident. That the emir was not in charge was demonstrated by the A.D.O. Kore, Mr. Carrow, who wanted to transfer Galadimawa from Taura to Gidan Maza. The request was made to the Resident and not the emir. The emir was directed to send the orders to the DH

[863]NAK: SNP10/332P/1918.
[864] NAK: KANOPROF4/10-248A/1925 Kiawa District Kano Division Reassessment.
[865] NAK: KANOPROF4/5/69/1919: Minjibir District Review of Assessment.
[866] NAK: KANOPROF4/5/69/1919: Minjibir District Review of Assessment.

accordingly. But when the DH *Magajin Malam* Ahmadu made a direct request to the emir to change five VHs, both the Resident and D.O. did not agree because they were not consulted.[867]It is thus clear that the emir was not in control and was powerless vis-à-vis the colonial administrators.

Thus the early phase of village re-organization was characterized by false starts. The colonialists wanted to eliminate the pervasive influence of the *jakadu,* whom they confessed were more influential and more effective than the VHs. They bypassed the emir in creating the new groupings and often in the appointment of the sub-district and VHs. Many of those appointed could not cope with the assessment work, the main activity in the buid up to tax reviews.

Re-districting, that is creating single contiguous territories, and sending the DHs and sub-district heads to reside in these new districts were all geared towards decentralization, an issue formally placed before the conference of chiefs in 1935. The objective of decentralization, according to the colonialists, was to relieve the emir of: "Work he could not properly perform, limits the opportunity for mal-administration by him, increases the Resident's opportunities for supervision, and facilitates the delegation of powers by government, with confidence that they will not be abused, and so enables government to rule through the chiefs."[868]Thus even before the Native Administration was introduced, the colonialists systematically reduced the power of the emir through decentralization. The proverbial power of the emir as the SNA was exercised in the context of the advice of the Resident, which must be obeyed. The colonialists decided that power must be decentralized.

[867] NAK: KANOPROF 203A/1927 Taura (Dan ma'aji) District Village Units.
[868] Kirk-Greene, A. H. M. (Ed. & Trans.) 1965. P.134.

Ostensibly in the SNA context, the emir chose the district headmen. He, however, needed the approval of the Resident. The reality was that the emir could not choose anybody not sanctioned by the Resident. In this regard the colonialists kept intelligence track of all potential office holders. In the villages they sought to create hereditary headship. When it suited the colonialists, they insisted as much as possible that those appointed as VHS, must be locals.

The emphasis on decentralization and creating responsible village heads notwithstanding, the colonialists continued to demonstrate that real power lay with them. To remain in office all appointees must abide by the ways and means of the colonialists. Those of the aristocracy, who fell foul of the colonialists, were dealt with mercilessly. Thus in one fell swoop, the top echelon of the Kano aristocracy was dealt with. The *makama* and *madawakin* Rano were tried and found guilty of extortion and were deposed in 1920; so also the *sarki*n *dawakin tsakar gida* and the *wambai*. The *wambai* was the emir's son, and for his replacement the emir nominated four persons. The Acting Resident chose *Mallam* Zakirai from the list, and informed the emir that the appointment was provisional, subject to his Honour's approval.[869]This is a further confirmation of the loss of power of appointment by the emir.

In order to properly comprehend the changes the colonialists introduced, a brief recap of the Emirate district pattern is worthwihile. For example various members of the aristocracy previously held what emerged as Gwarzo district in the 1920s. The territories that became Gwarzo were traditionally under the *dan maje* and comprised of Getso and Dutsin dan Bakoshi. The districts of Gwarzo, Riji, Gabasawa and Lekwaya were held by the *dan iya*.

[869] NAK: SNP 8 -128/1920 Wambai District Chief of – Embezzlement of Jangali by.

Kabo was the territory of the *madakin* Kano. Dugabou and Massanawa were the territorries of the *ciroma*n Kano. Howade was the territory of the *dan lawan*. Gammu was first the territory of *taffida* and was subsequently made that of the *wazirin* Kano. And Badari was the territory of *sarki*n *shanu.*[870] Thus the colonialists amalgamated seven territories and placed them under a single DH. On the other hand Babura district was constituted in 1928 when Fogolawa was split up. On the split of Fogolawa its five village units were divided into 14; further sub-divided in 1933 into 17. When Fogolawa was split, the DH was appointed the *galadiman* Kano, while *sarki*n *bai* was relieved of the membership of the emir's council and returned to Dambarta. The DH appointed was *dokaji,* a nephew of sa*rki*n *bai*. Both are descendants of Dabo Dambazau.[871]In the pre-colonial days the *dagacin* Babura had *ikon kassa*. It meant he could handle homicide cases and retain the tax collected in the area, merely informing the emir of the amount collected.[872]This was one of the reasons the colonialists described the emirate tax system as confusing.

Four phases can be identified in the district administration in the first 30 years of British administration in Kano. Using the Dawaki ta Kudu Assessment Report for 1939,[873] the phases as follows:

1. The record described the first phase, 1905 - 1912 as that of partition. It was characterized by the establishment of coordinate districts and village areas. The existing village headmen were confirmed, and mergers effected only to enhance territorial responsibility.
2. The second phase, 1912 - 1918 was described as that of amalgamation. It was characterized by the creation of new village groups by subordinating rural *dagatai* to those in the towns.

[870] A title now extinct.
[871]NAK: KANOPROF Acc. No.31 Babura Volume ii; Gazetteer.
[872] The area was located between Daura and Gumel, and was constantly at war till colonialism. NAK: KANOPROF Acc. No.31 Babura Volume ii; Gazetteer.
[873] Appendix ii is Dawakin Kudu Test Assessment.

Each of the seven towns became the headquarters of a very large area comprising 12 to 15 natural villages, the groups being politically artificial. Extraterritoriality, the practice whereby tax was paid to officials resident in a different district was abolished.

3. The third phase 1918 - 1922 was described as reallocation.It was characterized by controlled amalgamation whereby large towns were replaced by smaller artificial groups, of five to six villages each; in some cases it meant subordination of the DH to one of their members.
4. The fourth phase in 1922 was described as disruption. In this instance the colonialists decided that the groups were too large for administrative convenience. They were broken into arbitrary units that consisted of approximately equal groups of hamlets. This involved the disruption of long established village areas, particularly the original territories of the larger towns, and the promotion of agents or local hamlet heads to be *dagatai* of units including other hamlets which had never acknowledged their authority. Disruption produced a fresh crop of anomalies. The existing village and hamlet boundaries had not then been surveyed and the new grouping was based on tax and population statistics, not on any map, and often conflicted with the traditions and sentiments of the communities affected. The people called this reorganization tearing asunder (*yayaga).*[874]

There is absolutely no evidence to show that the emir in particular and the aristocracy in general, had any meaningful input in the reorganizations. Indeed Resident Cargill indicated that for the first phase of the colonially created districts, he did it alone and carried out the postings of the DHs. That was his proverbial shuffling the DHs like a pack of cards discussed in chapter three. The reorganizations invariably led to more revenue accruing to the colonial government. Once the emir realized that his own emoluments increased, because it was

[874]NAK: KANOPROF ACC6, 1939 Dawaki ta Kudu Gazetteer Vol.11. Also, NAK: KANOPROF 2578 Assessment Report on Dawaki ta Kudu District 1939.

initially determined as a percentage of the revenue, he became a strong supporter of the reorganizations, despite its demonstrating as anything could, his lost of power.

Touring was the means by which the colonial government ensured that its policies were carried out in letters and spirit.[875] Touring was carried out by administrative officers (D.O., A.D.O., and cadet officers). It was the means by which the new districts and DHs were moulded by the colonialists. These have been graphically captured in the district notes, a series of records documented by touring officers.[876] Sundry issues that came to the fore and were tackled in Dambarta district between 1929 and 1951 were recorded thus: The village head of Dukawa allegedly allowed the escape of a prisoner; there was alleged petty extortion by some VHs; some VHs were also accused of keeping thieves and imposing fines (VH Gwauran maje); one VH who did not report a murder was arrested. The report described the condition of the prison; extortion by *yan ijara*; failure by VHs to supply labour, etc. Abubakar the VH of Maitsidau, an ex *dogari* was accused of theft and excluding some persons in the tax list. Eight of the 11 excluded were his relations. Even issues that seem trifling like tall grass and cultivation of groundnuts around canteen were referred to the DHs. During or following from the tours, when the administrative officers wanted the DHs disciplined, the DHs were reported to the emir. The emir ensured that the will of the Resident was carried out. Indeed in 1932 one such DH was *dan makoyo*, the third son of Emir Abdullahi Bayero who was punitively transferred from Ungogo to Garki. The transfer was a definite relegation in disgrace for the son of the emir, and the disgrace rubbed off on the emir,

[875] See Appendix VII for an example of a District Note Book.
[876] The specifics which will be cited apart, John Smith, 1968. *Colonial Cadet in Nigeria*, No.34 in a series published for the Duke University Commonwealth Studies, Duke University press, is an illuminating record of a particular touring officer's experience in Kano emirate.

who was powerless.[877] Ten years on, when it was reported that *ciroma* Sanusi and the *wali* were trying to force their favourites on the DH, precise orders was given to the emir at the council meeting of February 2, 1943. In the district notes even the erection of a building without permission was an issue. A 1939 entry ran thus: "Regret that it has been necessary to report both the DH and *Alkali* in the space of a week, but they have both been warned on several occasions that they were heading for disaster and must amend their ways."[878] A 1943 entry from the D.O. Kano Mr. Rowling, directed that touring officers should observe as closely as possible the work and capabilities of all district staff in every department, and report either to the D.O. Kano Division or to the head of department. Touring officers were directed to: "whenever feasible state expressly whether or not in the opinion of the officer staff being commented upon are, or are likely to be deserving of further increments or of promotion to a higher grade as the case may be."[879]Thus when the DH *sarki*n *bai* Abdulkadir died on March 5, 1938 the choice of his successor and his salary was determined at a meeting with emir and council at which the Senior Resident, the Senior Divisional Officer and the D.O. were in attendance. The colonialists would not let the emir and council handle the choice alone. Muhammadu Abdurahaman, the then *dokaji* and DH Babura was chosen with the title *sarki*n *bai* but at a reduced salary. The district scribe Mallam Adnanu Aliyu was promoted and appointed DH Babura as *dokaji*. An example of communication by the Resident in respect of appointments read thus: "With reference to paragraph 2 of section 11 of chapter x of the office guide, I have to inform you that the following appointments have been recommended by the emir of Kano in council and have been confirmed by me."[880]The meeting of that council was, as noted above, attended by the Resident, the DO, and the ADO!

[877] NAK: KANPROF Acc. No. 48 Vol. I. Garki Inspection Notes.
[878] NAK: KANPROF Tou/6 Dambatta District Notes, 1930 - 1955.
[879] NAK: DIST. NOTES Dutsi Vol. ii, Gazetteer.
[880]NAK: KANOPROF 2724 Rano District Notes. From Resident Kano, to the Secretary Northern Provinces, dated 29/3/1938.

Thus the issue of promotion or demotion was the preserve of the colonilists, though carried out in the name of the emir.

The D.O. on tour, accompanied by a DH, often gave administrative judgement on landed property. This was an area which Emir Abbas regarded as his exclusive preserve. This meant that as colonialism progressed emirs were stripped of the power over land and landed property. At the district level, the DHs did not have a hand in who was appointed as a district *mallam*. The district *malamai* were the clerical staff appointed to help keep records of the workings of district administration. It was the records they kept that were scrutinized and which often formed the basis of colonial decisions. They were thus an important group. Meanwhile the DHs, realizing they had lost out in Kano, became preoccupied with consolidating their own progenies and clients in their new locales. In Dawakin Tofa, of the 10 district staff, two were the children, and seven members of the household of the DH.[881]

In Birnin Kudu on February 3, 1932 the touring officer met the DH at Gamtsa. The DH had allegedly on several occasions drove complainants away or forced them to retract by show of temper. The touring officer reported that he had to compel the DH to take the cases properly. In 1943 the DH apparently connived at tax evasion. The emir fined him £30.00.00.[882]In Dambarta in 1943 the district notes showed that all the VHs were interviewed by the colonialists, with the *ciroma* and *dokaji* in attendance. The duties of the VHs were spelt out as: prevent thieves, keep town and market clean, report inheritance at once to DH, send their scribes to adult class in February and March annually, and send all sick animals to the

[881] NAK: DIST.NOTES Acc. No. 42 Dawakin Tofa Vol. 1. Inspection Notes.
[882] NAK: DIST. NOTES Birnin Kudu Vol.1. Inspection Notes; KANPROF ACC. NO. 35.

clinic.[883]The D.O. instructed that all the bad ways had to end. And in Dawakin Tofa in the same year, 1943, the DH was accused of not doing well as regards recruiting labour for the mines. But he has got the groundnut propaganda going; and was doing his best to be made *madaki*.[884]He escaped the axe.

By the time portfolio councilors were introduced in 1918, the *madaki* handled all district affairs in the name of the emir.[885] Meanwhile the total money left by the late *sarki*n *bai* Abdulkadir was £26.7.2. There was no mention of houses or farms. He was on £800.0.0 per annum. The Resident wryly commented that if anybody has been milking the returns, it was not the old man. This was in reference to the assumption by the colonialists that percolation of revenue was the lot of the DHs. At the death of the DH Gwarzo, *sarki*n *dawaki mai tuta* in 1942 there was also no property left.[886]At the death of Adamu the DH Rano, because he left a large estate, the colonialists suspected him of extortion.[887] However the problems recorded were similar to those of the other districts. The VH Badari had about 300 unregistered farms; in Getso the VH refused to appoint hamlet heads (HH) for 10 hamlets. Other promlems recorded included the use of forced labour on the emir and DH's farms and in constructing Gwarzo market. Thus the revenue from the district was considered by the colonialists as below its real value. The district had undergone many changes territorially and organizationally. It was a veritable example of the way in which colonialism defaced the Emirate administrative set up it met on the ground. By the 1920s not even the lowliest appointments could be made without the approval of the Resident. By a letter of November 9,

[883] NAK: DIST.NOTES Dambarta Inspection Notes Acc. No.5 (38).
[884] NAK: DIST.NOTES Acc. No. 42 Dawakin Tofa Vol. 1; Inspection Notes.
[885] This was corroborated in an interview with *shamaki* in October 1998.
[886] NAK: KANOPROF 2757 Gwarzo District Notes.
[887] NAK: KANOPROF 2724 Rano District Notes.

1927 from the emir to the Resident, request was made for messengers;[888] and by another letter of April 2, 1931 the emir was reporting on the establishment of markets for skins as he was instructed. In yet another letter the emir provided a list of VHs who have absconded with tax money, as he was directed to do.

The emir, DHs and VHs were all required to carry out police duties in form of investigations into all manner of commissions, from tax issues to highway robbery.[889]Form and appearance was still the policy in place. Thus when the A.D.O., Mr G. H, Payton gave the DH Gwarzo *sarkin dawaki mai tuta* Muhammad Bello instructions and it was reported to the emir, the Resident wrote him a letter of caution. Indirect rule was to be indirect. An overzealous cadet who arrested a VH when the assisstants of the village head allegedly committed murder, was cautioned by the D.O. Kano emirate Mr J. H. Carrow, noting that arbitrary and hasty arrest and imprisonment of VHs is to be deprecated because it damaged their prestige and hindered good administration.[890]

There were notable deaths of senior DHs in 1938.[891]Progress in district administration was described as slow, with those of Gaya, Sumaila, and Garki being the least satisfactory. The same slow progress was recorded for village administration. Consequently several VHs were dismissed.[892]As noted above when the colonialists dismissed the children of the emir who were DHs but found unsatisfactory; being related to the emir through marriage only was not enough to guarantee district headship as was demonstrated in Gaya where the DH was

[888] In 1947 the recommendation of the *ciroma* that Usuman *sarkin yaki* be retained as messenger to dokaji was turned down. NAK: DIST. NOTES ACC. 5 (38) Dambatta Inspection Notes Vol. 1.
[889]NAK: KANOPROF 1926 Taura District Notes for a number of such.
[890] NAK: KANPROF Tou/6 Dambatta District Notes. Actually it was the *yara* of the VH that were accused of beating a tax defaulter to death. The DH was *sarkin bai* Abdulkadir, brother of the emir.
[891] DHs Rano, Dambatta, Gezawa all died. NAK: SNP17/4 30847 Kano Annual Report 1938.
[892] NAK: SNP17/4 30847 Kano Annual Report 1938.

married to the daughter of the emir and a progeny of the marriage was the wife of the *alkali*. The DH, Safiyanu, was deposed in 1939 and sentenced to one year imprisonment. His successor Hamidu was transferred in 1943.[893]By 1945 Gaya district was still problematic and the report scathing, noting:

> The administration has turned to the bad old ways prevailing in the time of Safiyanu. The present district head is weak and corrupt, lacking in initiative, of little intelligence, non-cooperative, disinterested in the affairs of his district, dishonest, deceitful, and lazy, an accomplished liar, and thoroughly undesirable in every way. There is absolutely no other answer in this district except a bold and sweeping purge of the present administration.[894]

Thus following the dissatisfaction of the colonialists with the progress of both district and village administration as indicated in the reports cited, and the disciplinary measures taken, the colonialists decided to introduce those whom they have nurtutred through formal colonial education at the district level. In 1939 mallam Shehu, a graduate of Katsina College was appointed DH Kumbotso with the title of *dan maje*. He was the son of late *madaki* Mahmudu. It was reported that he represented a new type and era, and much was expected of him. He had been secretary to emir on the trips to England in 1934, and Mecca in 1937. As for the district scribes, courses were organized for them by 1943.The coloial administration directed its officers on tour to pay particular attention to the matter. They were to ensure, by prolonged, patient and reinterated advice, that district scribes put what they were taught into practice.[895]

4.5THE ROLE OF THE *SARAUTA* IN THE COLONIAL FISCAL AND TAX POLICIES AND MANAGEMENT 1918 – 1945.

[893] NAK: Acc. No.ii Gaya Vol.ii Gazetteer.
[894] NAK: Acc. No.ii Gaya Vol.ii Gazetteer.
[895] NAK: DIST. NOTES Dutsi Vol. ii, Gazetteer.

By the beginning of this period the people employed for pacing purposes (*malaman taki*) were accused of not doing the pacing themselves and were open to bribes to conceal farms.[896] It should be recalled that this period commenced with WW1. The war caused trade depression, and a most debilitating one hit the groundnut trade. There was in addition famine and some cattle sickness. In spite of all the above, revenue did not fall. The revenue did not fall due to the simple fact that the colonialists refused to reduce the tax incidence, and the reorganizations undertaken were designed to make its collection more efficient.

It was assumed that the land a man farmed was, roughly speaking, proportional to his wealth. Mr H. O. Lindsell's report for the *sarki*n *dawakin tsakargida's* district for 1918 informed us that the assessment using the pacing method worked out at 5% only, of the total estimated income of the district. The 5% represented an 80% increase on the old rate.[897]In Dutsi it led to a 90% increase in 1921. Mr H. O. Lindsell further opined that he was convinced that it could be paid without difficulty. It is difficult to fathom how Fika arrived at the conclusion that colonial taxation in Kano did not lead to an increase in the rate.

The only reason adduced by the colonialists for the assumption that the increased tax could be paid without difficulty was the swiftness with which the collection was done. The colonialists then concluded that the tax burden was light. The drive was for 10% of the taxable income of the populace as determined by the colonialists. The colonialists decided that the collectors were too many. The collecting units were thus reduced from 270 to 167

[896]NAK: SNP10/535P/1915 Gwangwan Sub-district Assessment Report on. In a Re-assessment of Dutsi District the colonialist confessed that the first reaction to *taki* in every district was emigration. NAK: KANOPROF/4/7/-195/1921. Emmigrations from 1917 – 1919.
[897]NAK: SNP10/332P/1918 Sarkin Dawakin Tsakar Gida district Assessment Report by Mr. H.O.Lindsell.

village units.[898]The colonialists also alleged that a great deal of the leakage occurred in the hands of the smaller *dagatai* (VHs). The colonialists thus found both levels of leadership, the districts and the sub-districts wanting. This led to a series of further depositions. The district head, *madakin kila*, who was appointed in 1911 on the deposition of his predecessor was deposed. *Sarki*n Gwaram who was appointed in 1915 on the deposition of his predecessor, was also deposed. The same deposition was effected on *Sarki*n Fagam. Four chiefs and five other minor ones (Biyi, Gwadayi, Gamsa, Yayari tukr and Igi) were proposed to be placed on salaries. The village headmen were to get a percentage of their collections. Being placed on salary was akin to punishment since it enabled junior officials, who were paid on percentage basis, to rake in more monies for themselves.

Though all tax was levied in the name of the emir, the whole sum collected under the revenue proclamation was paid into the treasury, and a re-grant was made to the NA.[899]The share, which the government appropriated, was initially 1/4. This was reviewed first to half, and then in 1928 it was reduced to 30%. This was further reviewed to 40% in 1933.[900] The colonialists reported that since its establishment, Kano revenue has been adequate for the payment of all services.[901]The colonial policy was that if revenue exceeded expenditure continuously, the share of the revenue retained by the Native Administration should be reduced.[902] More than 90% of Kano revenue came from direct taxation. Other sources were court fees, fines, interest on investment and miscellaneous receipts.

[898]NAK: SNP10/332P/1918.
[899]This obtained up to 1913.
[900]NAK: KANOPROF 2568 VOL.II PROVINCIAL GAZETTEER KANO
[901]NAK: KANOPROF 2568 VOL.II.
[902] NAK: SNP 8 – 39/1915 Native Treasuries, Extent to which Native Administration should be allowed to depart from Precise Provision of the Estimates or to Incur Unforeseen Expenditure Not Provided Therein.

The pacing method (*taki*) of tax assessment was abolished in 1927. The emir initially resisted this decision. The emir was overwhelmed by the amount collected using the pacing method. The Resident made the emir realize that the decision on the method employed in tax assessment was beyond both of them. And that the matter had been referred to His Honour for a decision.[903] The abolition of the pacing method of assessment led to the opening up of bush-land; and stemmed emigration.[904]Pacing was replaced with an assessment based on accurate land survey combined with industrial assessment. Farms were normally counted and the acreage determined. 100 sq. yards were measured up in each. The grain bunch was then counted and worked out in bundles per acre. The average was 15 bundles per acre or 900lbs in stalk and 675 threshed grain per acre. The same was done for groundnuts, cotton and *rafi* farms.[905]The same detail was employed in assessing industrial tax.[906] The change from family to individual tenure, the colonialists averred, has been "a process of social erosion" not a revolutionary change in social structure.[907]

Jangali, the tax mainly directed to the Fulani, and on cattle, was in essence the same as the general tax. The colonialists informed us that its separate collection was simply a matter of convenience. By 1920 in Kano, *kudin sana'a* was imposed on every adult male that did not pay tax as a farmer. *Kudin masu arziki* was introduced on the super wealthy. Approval was given for certain extended powers of expenditure at the discretion of the Resident for native treasuries without application for the Lieutenant Governor's sanction.

[903] NAK: KANOPROF 4/7-195/1921: Dutsi Districts Re-assessment.
[904] NAK: KANOPROF4/10-1925 Tudun wada District Assessment Revision 1925-1926.
[905] NAK: KANOPROF 4/7-195/1921: Dutsi Districts Re-assessment.
[906] NAK: KANOPROF 5/1/-1523 Test Assessment Rano District 1935. See Appendix v.
[907] NAK: KANOPOROVINCE 767A Land Tenure Kano Province: Report by Mr. C. W. Rowling, 1946.

Despite the rinderpest outbreak in 1920, *jangali* revenue increased from £28,212.0.0 to £35,355.0.0. The colonialists thus concluded that embezzlement in 1919 must have been wholesale. The price of cattle increased by 100%. The price of groundnut was high and there was concerted effort to bring it down, by collaborating with the banks to refuse further advances to the middlemen, who were accused of speculation. Local firms were ordered to cease buying. The resultant cash squeeze meant the firms had to dispose of the trade goods below the cost price to meet bank obligations. The crisis affected trade in hide and skin, and the exchange value between the silver and notes depreciated by 40% in. The NA did not have any say in these challenges faced by the commercial sector.

Reassessment was often inspired by the inability of the colonialists to realize tax estimates. The reassessment of Fogolawa, Sumaila and Tudun Wada; Debbi, Taura, Dutsi and Kiawa districts was because it was realized that the rate per acre was most suitable to densely populated areas to the North-West of Kano. In this instance, a revision was made to lump sum assessment. Thus by 1925 there were four concurrent methods of assessment. All of the following were in place: pacing; chain; revenue survey; and lump sum. The method chosen was the prerogative of the colonialists. Industrial tax was also reviewed such that every handiwork was taxed, not just non-farmers. By 1931 tax revision was an annual event, done by an administrative officer. The Native Administration was allowed to retain 70%. In revenue surveyed districts "alterations must be made only by the survey department and after verification by a surveyor."[908]

In the 1918 Assessment Report of *Sarki*n *dawakin tsakargida's* district, an 80% increase was recorded. The Resident, Mr. Gowers, had no doubt it could be paid without difficulty. This

[908] NAK: KANOPROF 17/1927 Kuru DistrictTax Collection and Reassessment.

was at 5% of the total estimate of the district. The drive was to attain 10%! To encourage the village heads it was proposed they should be paid in percentages. The period witnessed the development and enlargement of the survey staff.[909] In 1919 in Minjibir it was found that the delay in the payment of taxes was due to *falle*, i.e. appropriation of the taxes by sub district heads with intent to pay the amount back later. In this instance, the *barde* had to make up the deficit,[910] most likely for fear of deposition. In any case the DH was found guilty for not reporting his sub-district heads, a situation he found beneath his dignity. The DH was indeed in a difficult position. The sub-district heads placed under his control were of comparative standing with him before colonialism. This was the fallout of the district organization effected up to 1912, where ranking was not observed as discussed in chapter three. The newly made sub-district heads resented being placed under the new DH most poignantly. None of the three sub-district heads could produce the amount of *zakka* collected.[911]In this instance, *zakka* had been collected before the review. The report indicated that the *talakawa* let the matter rest. They believed that there was no possibility of the same condition arising again, as each village knew the exact amount of annual tribute (*zakka* included) which they had to pay.[912]The review of assessment team comprised of: Mr. Glenny; Audu Rahabu, a political agent; four *malamai* engaged in census work; Mallam Muhammadu of the survey department, who measured farms and cattle track (*burtali)*; emir's representative, and six *dogarai*, four of whom, for effect, were mounted.[913]

Direct taxes comprised 90% of the revenue of Kano, which amounted to, in round figures:

[909] Interview with shamaki (October 1998) indicate the survey staff were the elite of NA staff.
[910]NAK: KANOPROF/4/5/69/1919 Minjibir District Review of Assessment.
[911]NAK: KANOPROF/4/5/69/1919 Minjibir District Review of Assessment.
[912]NAK: KANOPROF/4/5/69/1919 Minjibir District Review of Assessment.
[913]NAK: KANOPROF/4/5/69/1919 Minjibir District Review of Assessment. Alhaji Mahmudu Koki has provided some perspective into the role played by the mallamai in assisting the colonialist in tax work. See Neeil Skinner (Trans. & Ed.) 1977. Alhaji Mahmudu Koki Kano Mallam, Ahmadu Bello University press.

- 1908 – 1909 £30,000.0.0
- 1920 £150,000.0.0
- 1934 £300,000.0.0

The reserve of Kano was in excess of 50% of its annual revenue. This was mandatorily invested abroad and on deposit with local banks. 50% was the minimum permissible by the colonialists.[914]

It was in taxation that continuous increase was recorded. This is not surprising since taxation was described as the backbone of the system by Lugard. The preponderant effort of the colonialists was directed at taxation. In 1924 out of the assessment of £158,684.17.80; £158,257.17.30 was collected. £217.90.00 was allegedly embezzled, and there were 19 defaulting village heads, of whom 13 were imprisoned. Earlier in 1922, 152 defaulted and 86 in 1923. There were 1,175 salaried *dagatai* in 1924.[915]*Jangali* collection was also progressing satisfactorily. Such was the effort directed at ensuring maximum return that the colonialists subjected the counterfoil receipts to very thorough scrutiny at headquarters. Touring officers also carefully checked many of the originals.[916] Of the only four cases of deliberate attempt to defraud, the money was recovered in full; three of the village heads were deposed, one was sentenced to corporal punishment and returned to his duties![917] Despite the severe punishment meted, all the *taki malamai* who hitherto were responsible for reporting complaints, transfers, and the tenancy of new farms, were withdrawn from the districts. The reason adduced was that with no adequate supervision or control, "… and exposed to

[914] For the whole of the Northern Region the same increase was recorded as: 1919 total revenue over 1913 was 64.8%; for 1929 – 30 over 1919 was 102.1%. See NAK FINST/1/3/3 Papers on N.A. Finance No.2: A Survey of N.A. Finance in the Northern Region. Some Problem & Statistics: By G. R. I. Dees, 1959.
[915] NAK: SNP9/12-635/1925.
[916] NAK: SNP9/12-635/1925.
[917] NAK: SNP9/12-635/1925.

temptation which few natives could have resisted, these men have long been enriching themselves at the expense of the revenue."[918]Though the facts mentioned above did not support, let alone prove the accusation of self enrichment, the entire staff was then pooled centrally and despatched to field work as and when occasion demanded. Furthermore chain measurement was introduced to replace *taki*, and the first town assessed was Minjibir. The results indicate that it would lead to nearly 100% increase at the same rate. Farm grading was also started in Ungogo. Irrigated garden (f*adama)* was taxed separately. The revision of surveys of abandoned, divided, or transferred farms was carried out in Kumbotso and Ungogo districts. The use of compass with native administrative staff accompanied by government surveyors was introduced in Dutsi, Kiawa, Sumaila and Wudil. By 1925, of the 30 districts in Kano emirate, 24 had been surveyed or being surveyed by major compass traverse, the method that was more accurate than the various ones hitherto used for assessment.[919]

Reassessment was the main tax activity in 1926. The continuous increase of tax revenue was again recorded. Twenty three village heads were accused of defalcating, 13 of them were deposed and imprisoned. The colonialists instructed the new emir and political staff to undertake frequent visits and inspection of the treasury. In 1926 the rains were bad, prices were high, and there was threat of famine. This led to considerable population movement. The revenue from general tax increased by £32,000; and from jangali by £362 over the estimate. Again in 1927, 11 of the 18 village heads who defalcated were put to trial. It was gleefully stated in the annual report that: "Statements that the population in Kano city found great difficulty in paying were proved to be exaggerated and when the city tax was taken in

[918] NAK: SNP9/12-635/1925.
[919] NAK: SNP17/8-K105 Vol. 1 Kano Province Annual Report 1925.

hand seriously, practically the whole of the outstanding amount was got in one day without difficulty."[920]In 1928 revision of assessment and conversion to lump sum assessment continued in Bichi, Dawaki ta Kudu, Tofa, Gabasawa, and Gezawa. Others were under graded agricultural tax assessment based on accurate survey. All the advances recorded in terms of continuous increase in revenue from taxation were achieved with the cooperation of the aristocracy. The annual Report for 1928 acknowledged that: "The conversion of the method of assessment in so large a number of districts was carried through only owing to the great assistance afforded by the emir and his council."[921] In April 1928 "much to the gratification of the emir and his advisers the survey institute at Dan Agundi became definitely part of the emirate administration. The control of the survey institute increased the avenue of patronage and control at the disposal of the emir. The work of the department proceeded with its customary efficiency.[922] And the revenue survey attained its maximum output during the year. Despite the continuous increase in revenue generated, the 1929 Annual Report concluded: "The limit of the taxable capacity of the people has not yet been reached."[923] During the slump of 1930 which affected severely the price of groundnut, which fell from £9.15.00 in October 1929 to £3.10.00 by the end of 1930; and which affected hides and skin and kolanuts; the colonialists did not reduce the tax in any district.[924]Despite the colonialists and the aristocracy's avowal that the limit of the taxable capacity of the *talakawa* had not been reached, all petty traders allegedly lied when asked about their profit, and it was reported that often the *talakawa* "all and sundry would maintain the same mean of falsehood

[920] NAK: SNP17/8-K6892 Kano Province Annual Report 1927. The very oppressive nature of collecting the tax was to become a major issue in 1979 under the government of peoples redemption party.
[921] NAK: SNP17/8-9043 Vol. 1 Kano Province Annual Report 1928.
[922] NAK: SNP17/8-9043 Vol. 1 Kano Province Annual Report 1928.
[923] NAK: SNP17/2-12004 Vol. V Kano Province Annual Report 1929.
[924] NAK SNP17/2-14686 Vol. 1Kano Province Annual Report 1930.

and the most ridiculous yields would be sworn to."[925]The situation the peasants found themselves in 1930 was such that some people ran away in Birnin Kudu. Meanwhile after identifying some reasons for the tax problems, the cadet in charge of the district did not suggest any relief, and inspite of the fact that both the cadet and the DH "visited the houses of some and was convinced they could not pay – often not even corn or goats to sell;"[926] the cadet recommended: "… a short reign of terror to make the people believe that the administration of this district means business ..."[927]The peasants were not spared and the DH, *dan buram* Hashimu, a relation of the emir was reported to both the *madaki* and the emir. In 1932 the DH Kiru, *Sarki*n *yaki*, was removed due to alleged muddled tax collection. Food stuff had to be sold to pay taxes. And in 1933 it took the peasant twice as much in groundnuts to meet his tax and there was little left for expenditure.[928]The slump continued in 1934, the only year a drop in taxation was recorded.[929]The 1938 Dawaki ta Kudu assessment report noted that "After visiting a large number of rural hamlets during the period May – September and lodging on various occasions in farm houses I am strongly impressed with the general lack of accumulated wealth – buildings, clothing, horses, and stores of grain … which would suggest a normal margin of income over expenditure."[930]A similar situation of penury was described for Gezawa.[931]Thus at this point in the mid 1930s, with the active collaboration of the aristocracy, the Kano populace, were under a very severe colonial yoke. Thus if the emir was in any control, it was as an instrument to exploit his populace for the benefit of the colonialists.

[925] NAK: KANOPROF /5/1-764 Kumbotso District Reassessment of.
[926] NAK: KANOPROF 925 Kumbotso District Tax Review 1932/33.
[927] NAK: KANOPROF 925 Kumbotso District Tax Review 1932/33.
[928] NAK: SNP17/3-21326 Vol. 1 Kano Province Annual Report 1933.
[929] NAK: SNP17/3-25673 Kano Province Annual Report 1935.
[930] NAK: KANOPROF 2578 Assessment Report Dawaki ta Kudu District, 1938.
[931] NAK: KANOPROF 3023 Gezawa District Review of Assessment 1939. The chiroma complained that the incidence was too high.

In 1933 and 1936 all native treasuries were audited. In no case was any discrepancy of importance reported. All recommendations were carried out by the administrative officers and the native authority. The summation was that the Kano treasury had about reached the limits within which it can function effectively under the present system of accounting and the stage of development then reached. In 1935, we are told the effect of the provision of facilities in terms of offices in the districts was showing. It had enabled better organization of assessment control and tax accounting, and other administrative details. The ensuring simulative psychological effect of the offices that had been provided had enabled touring officers to organize the work of the districts. And we are told "it is not beyond the capacity of some of the more intelligent DHs to carry out an assessment with little assistance from the administrative staff."[932] But in Birnin Kudu the *haraji* count was reported to be deplorable. A recount was ordered on line of a demonstration count organized for and which all VHs attended. The recount resulted in an increase of 500 tax payers.[933]Up to 1947 the colonialists were not satisfied with the tax situation in Birnin Kudu.

In 1934 Government commenced an exhaustive auditing of all branches of the native treasuries' account of the Native Administration. By this time the Native Administration was paying the salaries of some government staff engaged in some duties in the medical departments and police. 1936 was a bumper year and the estimated tax was £290,000.0.0. And 98% of it was collected in just two weeks. This was an indication that the colonial tax machinery run by the Native Administration had become quite efficient. In recognition of the contribution of the Native Administration to the success of colonialism, new administrative offices were built, and it was the Governor who commissioned the offices in July 1936. By

[932]NAK: KANOPROF 1324: Annual Report 1934 Part 1.
[933] NAK: DIST. NOTES. KANOPROF ACC. NO. 35.

this date the VHs had been provided with salaried scribes, and instruction in adult literacy was started for them. The village councils were becoming more articulate. But in 1938, with a record slump, only a little over 1/3 of the assessment was collected.[934]5% of the general tax and *jangali* was further appropriated by government. The Native Authority has never been in a position to negotiate what it got. When the *madaki* died, the VHs allegedly attempted to destabilize tax collection. The figures they brought in were considered worthless. This afforded the colonialists an opportunity to effect a wholesale revision, and instituted the campaign for a quicker and more orderly collection of tax. Due to the continued economic slump in 1939, a year described as of exceptional gloom, default in tax payement was highest. And though it was the district and village heads that were punished, the colonialists confessed that it was: "… probable that in some cases the VHs were shielding their tax payers and themselves accepting the blame for non-payment."[935]Approved assessment for 1939/40 was less than the tax collected in 1938/39, a very rare occurrence. Inspite of that, the general tax in the province was approximately £300,000.0.0. In the same year the estimated groundnut production was 90,000 tons. Groundnut was sold at the export price on an average of just under £3 per ton. The total cash receipt for groundnuts was therefore less than the assessment! All the groundnuts produced could not pay the tax! And in 1939/40 tax assessment was £300,000.0.0, and expected earning was £480,000.0.0. Despite the semi-starvation situation described for parts of the emirate in 1943, the tax was allegedly easily and speedily collected. Indeed after consultation with the emir and council, a general average increase of 6d was made, and by 25% i.e. to 2/6d per head for cattle tax. We are told they were paid without difficulty. The effect of the 1943 bumper harvest was still being felt in 1944, and despite the presence of only four European staff, general tax was collected in one

[934] NAK: SNP17/4-30847 Kano Annual Report 1938. 1939 was a year of exceptional gloom. NAK: SNP17/4-32098 Kano Province Annual Report 1939.
[935] NAK: SNP17/4-32098 Kano Province Annual Report 1939.

month, despite increase of 1/- per tax payer.[936]The time has arrived when the tax could be collected by the aristocracy with minimum supervision from the colonial officials.

4.6THE ROLE OF THE *SARAUTA* IN THE COLONIAL LAND POLICY AND MANAGEMENT 1918 - 1945

Land was one area where the impact of colonialism on the aristocracy was palpable. The decisive intervention of the colonialists had started showing effects in the first period to the First World War as discussed in the last chapter. Colonial land and tax policies affected both land holding practices and sale. The enactment on land had appropriated all land to government, only entrusting the *sarakuna* with its administration. The attitude of the native courts in Kano did not reflect this changed reality. There was no ready submission to the colonial dispensation in the land matters that came up. The emir, and through him the judicial council, appropriated all land cases, insisting that "the judgment of land is ours."[937] All the *alkalai* concurred and they readily transferred all land cases to the emir's court. Indeed in the districts, land matters were allegedly investigated by the DHs (and not the *alkalai*) and sent to the emir. Rowland has un-ambiguously recognized this in his report. He noted:

> Certainly in Kano, the authority in all land matters is the executive, though to fit in with our judicial set up we treat the emir's land tribunal as a court. Other courts have no standing where 'real property' is concerned, not even in administration of estate, and custom, not Moslem law, underlined the bulk of the practice.[938]

This was most manifest in the treatment of inheritance of real property by women. Unless absolutely necessary, women were hardly allowed ownership of real property through inheritance. This was what obtained before colonialism. In the new dispensation as it unfolded, individuals bagan laying claims to land. This had the effect of increasing the rate of sale and doubling the price of land. While taxation severely affected land holding practices of

[936] NAK: SNP 17/4 39157 Kano Province Annual Report 1944.
[937] This is a proverbial refrain with which Emir Abbas concluded land cases. See Christelow, A. (ed.) 1994*Thus Ruled Emir Abbass*…
[938]NAK: KANOPROF 767A Land Tenure – Kano Province: Report by Mr. C. W. Rowling, p.14.

the commoner class; taxation, districting, and slavery policies affected the land holding capabilities and therefore practices of the aristocracy.

The emir's judicial council and the *waziri* of Kano, the chief legal point's man of colonialism in the local judiciary, made it perfectly clear and were emphatic upon the point that they did not recognize the legality of sales of land.[939]They insisted that the right in land was user only. This position persisted, for in 1948 when the question of compensation for the persons affected by the creation of dangora reserve was raised at the Tuesday council meeting with the emir, the emir refused monetary compensation, insisting that they should be provided with other farms when available.[940]The government tolerated the position of the emir and council. The colonial government had, in a 1929 rural land policy avowed that it was not the duty of government to implant new ideas, " … but to safeguard the people against the too rapid and possibly enthusiastic adoption of new principles or practices which though alluring at first sight may bring disorder in the long run."[941]The NA was presumed the ultimate owner of land and reserved the right to dispossess a person for some kinds of crime. But where land is *taki* assessed, provided the owner continued to pay tax, he could not be deprived of his rights. Though land was unequivocally under the control and subject to the disposition of the Governor, in practice the Government did not find it necessary to intervene between the emir and the people under his jurisdiction, either as to the disposal of lands or as to the conditions of tenure on which the lands were held.[942]The real thrust of Government policy was that it did

[939] NAK: SNP 10/9-120P/1921. See also NAK: KANPROF 767A Land Tenure instructing that Mr. C. W. Rowling's report on Land Tenure in Kano Province should be read and studied by every administrative officer. Also, NAK: KANOPROF 2578 Assessment Report Dawaki ta Kudu District, 1938.
[940] NAK: KANONA 203 Departmental Representative (*Talata*) Meeting with Emir and council.
[941] NAK: C.57: Land, Rural Land Policy (Not Concerned with Rights of Occupancy) 26/8/1929.
[942] NAK: SNP 15/1 ACC.NO 249 Political Memo by H. R. Palmer, 1926.

not want the emergence of large scale farmers, it preferred to preserve the system of peasant proprietorship.[943]

4.7 THE ROLE OF THE COLONIAL MILITARY AND POLICE 1918 – 1945 IN ENHANCING THE POWER OF COLONIALISM OVER NATIVE ADMINISTRATION

In the last chapter we have shown that the district and village headmen employed *dogarai* in their law and order duties. Whenever situations went beyond the capacity of *dogarai*, the district and village heads were provided the central police. The *dogarai* were used in transporting money due to the depletion of troops and police. Their performance was remarkable as no loss was recorded. In 1918 the police was strengthened by the increase of the Non Commissioned Officers (NCOs) to 14, and the *dogarai* who were attached to the native courts were removed and placed at the disposal of the DHs. Though all the decisions emanated from the Resident, disciplinary measures were still carried out in the name of the emir, who dismissed three *dogarai*. By 1924 the authorized establishment of the NCOs was 100. A new police force, the *yan gadi* comprising 151 men, 100 from *dogarai* and 50 from ex-soldiers was created in 1925. They carried out police duties in Kano and environs. The establishment of the police reduced the internal security dependence on the emir. The *dogarai* were reduced to couriers and escorts posted to railway stations and trading centres. The colonialists were dissatisfied with the emir's *dogarai*. The colonialist said that the *dogarai* were useful as messengers, outriders and escorts, but when employed in police duties proper they were allegedly, "untrustworthy, undisciplined, and frequently extortionate."[944] It should be recalled that the colonialists expected everybody to facilitate the development of trade. This underlied the significance of law and order in the scheme of colonialism.

[943] NAK: SNP 15/1 ACC.NO 249 Political Memo by H. R. Palmer, 1926. See, Leninham, L. 1982 "Rights in Men and Rights in Land."**Journal of Contemporary Studies**, 3, 2.
[944] NAK: SNP9/12-635/1925.

The emir, native authority and the wealthy were said to be appreciative of the *yan gadi* established in 1925. Subsequently the *dogarai* proper was reduced from 275 to 100 men (70 mounted on horse and 30 on foot), employed by the NA. The recruitment of ex-soldiers into the *yan gadi* was a further step in divorcing the nascent police from the *Sarauta.* Both the *dogarai* and the *yangadi* comprised of freemen. Since the *dogarai* were no longer slaves of the emir, they became legally responsible; and the emir was also enabled to shed moral responsibility for their actions. However, in 1928 when the need to bring in a man of position and influence to take charge of the police was felt, the *galadima* was brought in; and in addition he supervised the prison. He was in charge of the city, where he supervised the NA personnel and the PWD; and reported to the emir. The city was divided into three main wards, each with a police barrack. The wards were subdivided for purposes of patrol. By 1929 the colonial records indicated that the *yan gadi* were performing to expectation. The *dogarai* in the districts were also favourably reported on. The *yan gadi* were increased from 175 to 206.[945] By 1933 it became noticeable that not many people of northern origin who were literate were willing to join the police. In order to boost their prestige, in 1936 Mallam Faruku, the youngest son of emir, was appointed *wakilin yan gadi*. And by 1944 the Kano Native Administration force was reported as working in close cooperation with the government police.

4.8 THE ROLE OF THE SARAUTA IN THE JUDICATURE

In a 1919 confidential memo by Resident E. J. Arnett we are informed of the drafting of the "emir's orders" on various subjects, in the shape of rules under native authority ordinance, enforceable by the *alkali* courts as well as the emir's judicial council.[946] These though were

[945] NAK: SNP17/2-18956 Vol. 1 Kano Province Annual Report1932.
[946] We have produced as Appendix I KANOPROF 2953 Emirs Instructions to District Headmen.

described by both the council and the *alkalai* as '*hukumcin siyasat*.'[947]In the districts, the *alkalai* were made to tour and propagate the proclamations the emir was made to send on behalf of the colonialists. When some courts were declared wanting by a touring officer and the D.O. decided to reconstitute them, the decision was implemented in the name of the emir, to whom the approval by the Resident was communicated. It was the emir who made the formal report to the Resident on findings that were made by the touring officers. A typical example was titled 'report of investigation into *alkalin* Wudil Abubakar's office,' from *Sarki*n Kano Abdullahi Bayero to the Resident.[948]Indeed when it came to the judicature, even who was appointed a court messenger (*dan ijara*) and the condition of the appointment was determined by the colonialists.[949]

Colonial supervision of the courts was intense. 1920 was a bad year for *alkalai*, as several of them were removed, namely: the *alkali* of Kano Muhammadu Aminu, and those of Dabi, Jahum, and Gwarzo. *Alkali* Muhammadu Aminu was tried in the Provincial Court for aiding and abetting slave dealings. He was sentenced to three years imprisonment. When *alkali* Muhammadu Aminu was removed in 1921, it was the acting Resident, Hastings, and the D.O. who interviewed the prospective candidates, and not the emir.[950] The *waziri* was present at the interview. But when the emir showed preference for Ahmadu, and the *waziri* showed preference for Jafaru, the acting Resident recommended the *waziri's* choice. The emir latter concurred with the recommendation; they were, however, overruled by the government, and Mallam Ahmadu the preferred candidate of the emir was appointed by the Governor.[951] In

[947] NAK: SNP10/8-316P/1920 Kano Province Report for ½ Year Ending 30/6/1920. The cases classified as such re-echoed in Christelow, A. (Ed.), 1994 Thus Ruled Emir Abbas…
[948] NAK: KANOPROF 244 Wudil District, Alkali and Prison: Report on.
[949]NAK: KANOPROF 543 General Instructions on Ijara Fees.
[950] NAK: SNP 8 ACC.NO. 10/21 *Alkalin* Kano.
[951] The *waziri* did not challenge the emir directly, NAK: SNP 8 ACC.NO. 10/21 *Alkalin* Kano.

1922 the Governor approved the appointment of Mallam Jafaru as the *alkali* of Kano. He replaced Usmanu who had been appointed on probation and found wanting after one year in office.[952] In 1923 the emir fined the *alkali* of Wudil £3.0.0 and with a warning. The touring officer had reported that "…the court was thickly surrounded with corruption."[953] Though the *alkali* was adjudged capable, the appearance of his two assistants was decribed as not inspiring respect or confidence, and they looked like dreadful ruffians.When the colonialists decided on a change in personnel, the emir was made to put in the request to the Resident.[954] It was the Resident who ensured that all the circulars (*umurnin sarki*) and the rules (*dokoki*) were catalogued and made all the *alkalai* to study them.[955]In 1923 Resident Gowers formally appointed the court as a judicial council.[956]The appointment had to be approved by the Lt. Governor. One year on in 1924, there were 36 appeals against judgments passed by the emir's judicial council and 11 against judgements from the senior *alkali's* court. Thirteen of the appeals were quashed, seven were upheld, the sentences of four were reduced, and eight were transferred. From the *alkali's* court 10 cases were quashed and one transferred. There were 15 appeals to the Lt. Governor in Kaduna, nine of which were unsuccessful.[957]To demonstrate the extent to which justice was said to have been perverted, the emir's judicial council was accused of passing judgment first and seeking evidence only when appeals were initiated. The Resident thought the emir's court was inadequate, and the emir an autocrat who did not listen to the counsel of the *waziri* and the other members of the judicial council.[958] It should be noted that in 1925 a new judicial council was formed which excluded the emir. But

[952] NAK: SNP 8 ACC.NO 10/1921.
[953] NAK: KANOPROF 244 Wudul District, Alkali and Prison: Report on.
[954] NAK: KANOPROF 244 Wudil District, Alkali and Prison: Report on.
[955] NAK: PUBLICATIONS CIRL/1/5/1/ Kano Emirate: Emir's Numbered Circular Instruction to all *Alkalai*.
[956] NAK: KANONA 96/1926 Judicial Council Kano.
[957] NAK: SNP9/12-635/1925.
[958] KSHCB: R.257 Emir of Kano's Court Grade A. Memo from Resident Kano to Senior Resident Kano Province. Appeals from Sentences of Judicial Council August 13, 1924. The other mallamai in the council were Mallam Ibrahim, and imam of Yola, Galadanci, and Kano central mosques; and malllam Abdulkadir.

in 1926 the emir was formally appointed president of the court by Resident Alexander.[959] In theory the emir was supposed to be in effective control of the judiciary. All the rules were made in the name of the emir. In practice it was the *waziri* whom the colonialists entrusted with the control of the judiciary. The emir was just the nominal head. The late Alhaji Isa Waziri, *wazirin* Kano, thought the *alkalai* were under the control of the emir, and that the emir was in control of their appointments and dismissals.[960] The records showed the contrary. That the legal system was run for the colonialists can be gleaned from the number of cases handled by each category of court as follows:

1925

- Magistrate court 1,006
- Provincial court 28
- Native court 48,550

1926:

- Magistrate court 943
- Provincial court 12
- Native court 39,724

The statistics above shows, and this was confirmed by the Lt. Governor Palmer that 9/10 of all judicial work was done by the native courts. Subsequent to the statitics was the surprised admission by the colonial authorities that more justice obtained in the native courts than in Provincial Courts.[961]This view is corroborated by Alhaji Abubakar Saeed.[962]Consequently the conference of Residents 1926 and 1927 requested that the jurisdiction of the Native Courts be

[959] It need be noted that this was the period when the emir Usman was incapacitated by ill health. The emir died in 1926, and subsequentlt emir Abdullahi was appointed. He was then made to head the judicial council again.
[960]Alhaji Isa Waziri was interviewed on October 19, 1998 when he was the Imam Murtala Muhammed mosque.
[961] NAK: SNP 15/1 ACC. NO. 249 Political Memo by His Honour Lt. Governor H. R. Palmer, 1926.
[962]Alhaji Garba, interviewed Kano in 1998 worked in the court in 1949.

extended. This was in view of the proposed extension of taxation to all classes in 1928. In nearly every big centre, taxation jurisdiction anomalies were sources of great embarrassment to the Residents.[963]They wanted to extend the jurisdiction of the native courts over "native foreigners." The conference reported that there were non-natives who have expressed the wish to subject themselves to native courts. This contradicts the accusation of pervertion of justice leveled against the courts. It is evident from the statistics; and the submission of the Lt. Governor mentioned above, and the corroboration by Alhaji Garba Saeed, that the people considered the justice metted out in the native courts was better than that of the Magistrate and Provincial courts.

By 1926 the *waziri* was made a member of the emir's judicial council. Indeed a 1921 report on office holders acknowledged the indispensable role of *waziri* Gidado in the stride made by the judiciary, nay in the affairs of the emirate.[964]According to Alhaji Garba Saeed, Gidado was promised the post of *alkalin* Kano to dissuade him from going to Burmi to join the Caliph. If true, he fully justified the confidence reposed in him. The strides not withstanding, the whole staff of the district courts of Sumaila and Gwaram, accused of general inefficiency, were removed by the colonialists. In 1927 with the enthronment of Emir Abdullahi, the colonialists noticed alleged unnecessary transfer of cases from the court of the *alkali* to the judicial council. In 1929 due to what the colonialists described as serious irregularities, the *alkalai* of Gezawa, Dawaki ta Kudu and Sumaila were removed. The colonialists reckoned there was lack of understanding of their respective functions; hence a redefinition was therefore effected. This was first done verbally and was followed by a written memo,

[963] AREWA: K 7352 Native Courts, Extension of Jurisdiction. Letter from SNP to Chief Secretary to the Government.

[964] He was appointed *alkalin* Kano in 1903, *waziri* in 1909. He was the son of Abubakar, grandson of Mallam Mustapha who immigrated to Kano from Marwa in Adamawa. NAK: KANOPROF Reports on Office Holders and DHs for 1920 -1921 ACC 225.

regarding what was and has been the position of the functions and relations of the emir's council and the *alkali's* court and the district courts.[965] Prior to 1928 the custom was for a representative of the judicial council to report daily at the Divisional office. From 1928 a representative of the emir reported to the Divisional office where he also carried out other businesses. The Shahuci Judicial School was established in 1928 to teach both Islamic and western education. Additional responsibility was placed on the chief *alkali*. He liaised with the station magistrate in the matter of native cases which arose in the township. Hitherto the *alkalai* were gotten from the traditional *malamai*. They were dispensed with in 1928. Thence, in order to properly steer the *alkalai* in the ways of the colonials, a judicial class was introduced to improve on the younger ones.[966]

The prisons were also regularly inspected. In this instance also the power of the emir was ephemeral, and this case in 1934 at Babura proves the fact. The jailer (*kurmi*) was reported old and infirm. The touring officer suggested to the D.O. and not the emir, that the *kurmi* be replaced by a Kano warder.[967]The women cell in Dawakin Kudu collapsed in 1929 and the women prisoners were reported accommodated in the s*ark*in *kurmi's* house. Ironiclly by 1934 both *sark*in *kurmi* and wife were living in the women's cell, "in spite of a good house in the compound."[968]Its either the cell was more comfortable, or that he had amorous relationship with the prisoners, or he fed from their meals. For in Birnin Kudu the *alkali* was alleged not to have a prison register; and warrants were reported not properly made out; there was also neither sentence nor date of completion. The confused situation was such that between the

[965] From Resident Kano to SNP, 19/7/1927. In NAK: KANOPROF 693 Kano Emirate: Decentralization
[966] NAK: SNP17/8-9043 Vol. 1 Kano Province Annual Report 1928.
[967] NAK: KANOPROF Acc. No. 30 Babura District Notebook Vol.ii.
[968] NAK: DIST.NOTES Acc. No. 40 Dawakin Kudu Vol. 1, Inspection Notes.

alkali and the *sarkin kurmi* there was disagreement on the feeding allowance. They did not know how the prisoners were fed![969]

In Hadejia, Ringim and Taura, the *alkalai* showed capability to deal with new types of cases coming up by the advent of strangers along the railway line. The records gave tribute to the *alkali* of Kano and the system, for making the progress attained possible. The inspection afforded the opportunity to improve on the method of summonses and the administration of estates. Notwithstanding, in 1930 the dismissal of several district *alkalai* was still reported, and that there was little love lost between the *alkali* of Kano and members of the judicial council.[970]The native court Garki was established in 1930, but the entire staff failed to survive a year in office, they were all dismissed by the colonialists![971]The records did not specify their offences.

By 1930 cases of farm dispute predominated in the council. The emir dealt with the whole of land cases in the emirate as a prerogative. This is the notable issue where the emir put up a stiff resistance, albeit to no avail. The emir's insistence that all land cases was his preserve was causing delay in settling land cases. Colonialism was affecting inheritance, and heirs were demanding their share of landed property, thus the number of real property cases increased.

The D.O. was normally accompanied on tour by *malamai* from the *waziri's* office to assist in the supervision of district courts. A court of non-Mohammedan (sic) character was established in Sabon Gari. All courts had learnt to realise that no disability must lie before

[969] NAK: DIST.NOTES Acc. No. 40 Dawakin Kudu Vol. 1, Inspection Notes.
[970] NAK: SNP17/2-14686 Vol. 1 Kano Province Annual Report 1930.
[971] NAK: KANOPROF Acc. No.48 Garki Vol. 1, Inspection Notes.

any court because of one's creed.[972]The legal school served as recruiting ground for junior assistants (*muftai*).

The unsatisfactory situation of the district courts was such that in 1931 the emir summoned all district *alkalai* to Kano and lectured them on their duties, and pointed out their failings. The colonialists did not leave the matter to the emir alone. The 1931 assembly in Kano was followed at the end of the year by a tour led by the D.O. It included the *madaki*, and representatives from the judicial and record office. Court records were again scrutinized and errors pointed out. It was alleged that the *yan ijara* were, on their own account, visiting villages and hearing mostly divorce cases. Thus in 1932 on the re-amalgamation of Kiawa and Dutsi, the Kiawa *yan ijara* were disbanded.[973]Native courts records were scrutinized monthly. Each court was expected to classify the number of each type of cases during the previous month, a brief extract of each case, and final action taken recorded. These were checked by the *waziri* and his assistant. If there were any discrepancy or irregularity, the district *alkali* was made to submit a formal report. The D.O.was then notified. But despite many harsh disciplinary cases as pointed out severally above, the courts were adjudged, ironically enough as dispensing justice impartially![974] The courts were moving in the direction the colonialists did not desire. Thus in 1932 the SNP wrote to the Resident Kano at the direction of the Lt. Governor. He was reminded of the decision at the last Residents' conference that:

> His honour desires to emphasize the necessity for care to be taken in the native courts which for general or legal reasons should or can only be properly taken in the provincial court, or for the trial of which native courts or a particular native court in any particular case, are not suited or adequately qualified.[975]

[972] NAK: SNP19/2-16687 Vol. 1 Kano Province Annual Report 1931.
[973] NAK: DIST. NOTES Dutsi Vol. ii, Gazetteer.
[974] NAK: SNP17/3-21326 Vol. 1 Kano Province Annual Report 1933.
[975] NAK: KANOPROF 757 Native Courts: Cases Unsuitable to.

In 1932 the Lieutenant Governor, I. W. Alexander issued another political memo, and as usual the issue of the judiciary was touched upon. He was critical of the Provincial Courts; that they were executive ridden, lacked coordination, had inadequate provision for appeals and excluded counsel.[976]Yet he did not want complete separation of the executive from judicial functions, nor of the personnel of the judiciary from that of the administration. The Lt. Governor noted that the contrast between the two systems would be too marked and might well engender a feeling of opposition between them. He opined that some machinery of mutual understanding and cooperation was necessary. This discourse on the situation of the courts was of course limited to colonial official circles. No input was sought from the NA and there was no avenue for them to have provided any opinion even if they had wanted.

In 1933, at the instance of the Lt. Governor, the SNP directed the Resident Kano that orders should be given to administrative officers that in future no native court was to try any issue involving the interest of Europeans. The Native Courts Ordinance No.44 of 1933 was promulgated. Though it established an appellate court for every native court, it reaffirmed the absolute control exercised by the Resident and the DO. The Native Courts Ordinance No.44 of 1933 provided for a Resident or DO:

> May revise the proceedings of a native court, quash a conviction, substitute for a sentence imposed by a native court any sentence which seems to him to be more suitable or may order a case to be retried by the same or another native court or he may transfer the whole proceedings to the Supreme Court or to magistrate's court or to some other native court.[977]

The power to make rules was taken away from the native courts that have been decidedly reluctant to employ them, and given to the NA. The High court and the magistrate court were

[976] NAK: SNP 15 – ACC. NO. 280 (1935) Further Memo on the Policy of "Dependent Rule."

[977] NAK: NDC 102: Native Courts Ordinance Review of. Meanwhile admittance into the prisons from the Native Courts was based on warrants signed by either emir; *alkalin* Kano, or a district *alkali* endorsed by the emir. All prisoners were seen within a week by an administrative officer, NAK: KANONA 2182 Native Courts Powers & Development of.

enabled to handle cases involving non-natives and natives, or persons who are subject to the jurisdiction of a native court, once within their jurisdiction. They could be designated courts of appeal for native courts. In 1930 the advisory council of emirs passed a resolution that they were unable to suggest any departure from the strict "Mohammedan law" (sic).[978]The *Sarakuna* refused to publicly accede to losing the last veneer of religious toga they had, at least not yet. Subsequently they did. Thus from1933 to 1945 there were three categories of courts in the protectorate: Supreme Court, magistrate court, and native courts. Progressively, the native courts were made inferior to the other courts.

The 1936 Annual Report expressed satisfaction with the courts, and if there was weakness in the control of crimes it was thought it had to do with the decrease in whipping as a form of punishment owing to the stringent new regulations, the new magistrate court systems, and the "weakened authority of the Mohammedan courts" (sic).[979] The report continued that *alkalai* considered an appeal against their judgement as a challenge to their probity and confidence. In the Emirate period appeal was to the Emir and ultimately to the Caliph. The *alkalai* were passing through a phase when the colonialists encouraged and popularized appeal. The colonialists faced a dilemma though; the "Mohammedan court" (sic) was one of the pillars of the social system, they must not be undermined. What was presumably required was tactful guidance. Another issue confronted was duality of criminal law. The colonialists needed to ensure that criminal law was the same throughout Nigeria. Thus it was deemed neither necessary nor desirable to safeguard what was described as Mohammedan criminal law.[980] "Mohammedan courts" (sic) can now administer both the criminal code and the protectorate

[978] NAK: KANOPROF 267 Advisory Council of Chiefs Northern Nigeria, Kano Regional Meeting. This was the first meeting.
[979] NAK: SNP17/3-27810 Kano Province Annual Report 1936.
[980] NAK: NDC 102: Native Courts Ordinance Review of.

ordinances which they were empowered to; and rules and regulations made under NA ordinance. This created a problem for some of the *malamai* refused to serve as *alkalai* who will adjudicate based on colonial laws. This was their dissemblance (*taqiyya*). As a matter of principle some of the *alkalai* refused to administer sections of the criminal code, where the offence was also an offence under Muslim Law.[981] The colonialists had insisted, the punishment meted out in such cases had to be as prescribed in the ordinance. When such situation arose, the administrative officers were advised to exercise their powers of transfer, as per the Native Courts Ordinance No.44 of 1933.The issue was raised in a letter from the Resident Kano to the SNP, complaining of the older *alkalai* who were unwilling to take cases outside the scope of Muslim law.[982] Thus though the aristocracy appreciated the need for Muslim courts to administer laws other than Muslim law for fear of the judiciary being dominated by "strangers," the record of the consultations revealed that: "it is however significant that no one witness, except official witnesses and those from the Southern Provinces, has suggested that any law other than Moslem law should be applied to him."[983]

There was increase in the number of cases recorded for 1936. This was attributed to 1936 being prosperous. It was the prosperity that apparently led to increased civil litigations. The increase in the number of cases was also due to the expansion of the purview of the *alkalai* to include traffic and sanitary offenses. This was beyond the *hukumul siyasat* alluded to earlier. The capacity of the courts was being stretched because of inundation with cases emanating from progressive legislation, which the new ordinance of 1933 allowed. In the rural areas the record indicated that much of the litigations never reached the courts. They were settled in the

[981] NAK: NDC 102: Native Courts Ordinance Review of.
[982] AREWA: K 7352 Native Courts, Extension of Jurisdiction. Letter from Resident Kano to SNP No. 2182/295 of 22/3/1938.
[983] NAK: NDC 102: Native Courts Ordinance Review of. Commercial law for example must be the same for everybody.

porches of the village elders, and the colonialists recognized that in such cases it was the forces of tradition and public opinion that combined for the equitable settlement of disputes. Thus only five cases of adultery reached the official courts during the 1937.[984]Other aspects of the judiciary were unsatisfactory. In Dawakin Kudu it was reported that messengers took up to a week to effect summons of about eight miles! The *alkali* was instructed that he must keep his messengers literally on the run. [985]By the time the *wali* took over as the inspector of *alkali* courts, the chief weakness alleged was not keeping adequate records. What the colonialists wanted was a verbatim record of questions and answers that happened during proceedings. Thus in March 1938 a conference of all district *alkalai* was held in Kano to remedy the situation.The *alkalai* were advised to send their children to Shahuci Law School and subsequently only those who graduated from Shahuci from the Sudanese Sheiks were employed in the Judicial Service.[986] It was hoped, graduates of the Shahuci law school would be equal to the challenges faced by the district courts. Consequently when several *muftai* died, the opportunity was seized to replace them with graduates from the Shahuci law school. The report indicated that the new breed had positive impact on the quality of the work of the *alkalai*. In 1939 the salaries of *alkalai* were re-graded in accordance with the amount of work at the various courts. This had its fallouts, for example Garki got all the dud *alkalai* demoted from higher paid courts. Mr Rowling was scathing of the Garki court in 1943. The DH was alleged to have bribed the *wali* with two horses to get the *alkali* removed. This was refused. It was a decision Mr Rowling regretted, he noted:

> I almost regret that outraged sense of propriety forbade my acquiescing in the *wali's* request to get rid of this *alkali*, veritably a dreadful creature, presiding over a pitiful simulacrum of a court. The records are muddled. They represent:
>
> 1. The muddied shallows of the *alkali's* own mind.

[984] NAK: SNP17/3 -29652 Kano Province Annual Report 1937.
[985] NAK: DIST NOTES. Birnin Kudu Vol. 1, Inspection Notes. NAK: KANOPROF ACC. No. 35.
[986] NAK: KANONA 2808 Conference of *Alkalai* Kano Emirate.

2. The resulting jumbled procedure in which he entwined himself.
3. The futility of his chief *mufti*, who would cloud a record of the alphabet if set down to copy it out.

> I write without having my comment of 19 months ago before me; but recollect finding the same inadequate minutes, the same apparent mass of outstanding cases un-dealt with and no means of discovering why. A good many of the *alkali's* decisions are, I suspect, bad law (the records are so abominably inaccurate it is frequently impossible to tell what was said and done); I found a prisoner who had been sentenced, although everyone but the *alkali* thought his case unfinished (and even the *alkali* was retaining him 'pending the conclusion of certain related proceedings'), and whose warrant was all wrongly made out (the chief *mufti's* responsibility, which he sought to evade by pleading inability to understand English – with Arabic equivalent written all over the form). I found cases in which the *alkali's* explanation contradicted or made further nonsense of already nonsensical minutes until I gave up the struggle. And the cash columns I did not even pursue. *Yanijara* are sent off without being told who they are to call, at whose instance, or why. I doubt if it matters; or whether the court would even discover if a wrong party answered its summons."[987]

The *alkali* had no wife but presumably managed with women who came for divorce! In Gaya a prisoner was found serving an unspecified period for contempt of court. There were two men serving 14 days but with nothing on their warrant to date the commencement of their term. There were also five men for un-authorized farming on *hurumi* (a case of punishment before trial, described as an old Kano custom).[988]

In continuation of the effort to bring changes to the native courts, two sheikhs were brought in from the Sudan for the law school. The standard of work in the native courts was improving due to the injection of the new corps of graduates from the law school. In spite of the improvements, the colonialists insisted that "… it is now through the advice of European staff and their chiefs that an effort is being made to prepare them for the changes that the cessation of hostilities may bring and to fit them to take advantage of the opportunities that

[987] NAK: KANOPROF Acc. No.48 Garki Vol.1, Inspection Notes.
[988] NAK: DIST. Notes. Acc. No. 49. Gaya Vol. I, Inspection Notes.

may present."[989]Though the courts continued to function satisfactorily, the colonialists insisted that "… but the main safeguard against irregularities remains the supervision which is given by administrative officers, both by inspection of records and, of even more importance, attendance and supervision at the courts when on tour."[990]Indeed to ensure that the *alkalai* were following procedure and implementing the colonial laws, all prisoners sentenced in criminal cases were invariably interviewed by administrative officers immediately after admission to prison.[991]

There is such a wide discrepancy in the repoted progress of the courts and the records of the touring officers, with the long extract presented above as one of the most damning. The vicissitudes of the judicature in this period most graphically illustrated the damnation under which this sector of the *sarauta* subsisted. The emir was removed and reinstated as head of the judicial council by the colonialists. The *alkalai* were re-assigned, removed, and jailed by the colonialists. The staff of the judiaciary also suffered the same fate. The touring officers were on their neck and ensured that the methods defined by the colonialists were followed, and progressive legistlation complied with.

4.9 CONCLUSION

Theemergence of portfolio councellors under Europran supervision represented the stripping of the Emir of the powers he had as a SNA. Colonially inspired and executed re-organizations and depositions continued especially due to the ill heath of Emir Usman. Touring, the instrumentwith which the colonial foot soldiers ensured that the new appointees (DHs, sub-DHs, judges, scribes), and the new structures (districts, villages), and institutions

[989] NAK: SNP17/4-34242 Kano Province Annual Report 1941.
[990] NAK: SNP17/4-37005 Kano Province Annual Report 1943.
[991] NAK: SNP17-43495 Annual Report Kano Province 1947.

(courts), created by colonialism functioned as intended was intensified.[992]The Teusday Council meetings of the portfolio councilors with the emir, that had supplanted the emir's council, was in place in Kano. The Portfolio councilors with fanciful *sarauta* titles were subordinated to the European departmental heads. The period also witnessed the creation of the Council of Chiefs, which the colonialists teleguided. Further changes were instituted in the the judiciary. The colonialists delimited the purviews, meted out disciplinary measures, and eliminated the traditional *alkalai*, replacing them with those trained in the Shahuci Law School. This was the only area where the colonialist encountered any meaningful resistance, but they continued the subordination of the native courts to colonialism. Whether the emir knew or not; agreed or not, every activity was done in his name.

By the enthronement of Emir Abdullahi Bayero on probation, he was compelled to the conditionality of eliminating the use of royal slaves. In any case with the new bureaucracy in place, the emir realized that he could do without the slaves. District councils were introduced and village consultative meetings commenced. Decentralization continued the sapping of the Emir's powers. The situation discussed in this chapter does not support the position of dominance of the emir. We have attached as appendix 1, NAK: KANOPROF 2953 Emirs Instructions to District headmen. This covered the period 1922 – 1939. Though all were in the name of the emir, they were all colonially inspired, and often specifically directed by them. The British colonialists never left the issue of appointments and tenure of the NA personnel, from DHs, sub-DHs and *alkalai* to the emir of Kano. In the next chapter we examine how the situation of the Sarauta continued to worsen in relation to the state and the emergent elite.

[992]*APPENDIX VII:* An Example of Contents of a District Notes.

CHAPTER FIVE
THE ROLE OF THE *SARAUTA IN* THE TRANSITION TO INDEPENDENCE 1945 - 1960

5.1 INTRODUCTION

This chapter examines the role of the *Sarauta* in the Native Administration from 1946, focusing on the challenge to the NA by the educated elite. The chapter also discusses the place of economic development in the scheme of colonialism as manifested in the Native Administration; and the role of the *Sarauta* in the Northern House of Assembly. Also discussed are the further changes in the judiciary; and the continual ascendance of the Region and the Central Government. The chapter examines the significance by 1949 in Kano, of rudiments of a vibrant civil society in the making; the retrogression in the management of district and village areas which the colonialists recorded. The Provincial Adminstration continued with the tours, the main means the colonialists deployed in moulding the NA personnel, including the district and village heads. During the tours they continued to weed out the category described as incompetent staff; they trained the clerks, and meted out firm disciplinary measures.

5.2 FURTHER CHANGES THAT DIMINISHED THE *SARAUTA* IN BOTH THE NATIVE AUTHORITY AND NATIVE ADMINISTRATION FROM THE 1946 RICHARD'S CONSTITUTION.

Yakubu declared that as reward for their loyalty, the emirs enjoyed absolute control over local administration and services.[993] In some instances he rendered it as absolute

[993] Yakubu, 2006. P.156.

monopoly.[994] On the contrary it was the colonialists that determined when and how departmental responsibilities in the Native Administration developed. As the colonialists initiated developmental strides, they effected reorganizations which transformed the Native Authority into the Native Administration.[995] Consequently they reorganized the offices of the emir[996]in the first instance; that of the *waziri*, *madaki*, *galadima*, *ma'aji*; [997]and the *ciroma*.[998]The colonialists defined the relationship between the emir's council and the Alkali's court.[999]They changed the *modus operandi* when they deemedit fit. For example in 1954 the D.O. Kano directed that the *madakin* Kano who was in charge of district administration should be bypassed in communication. He directed:

> I understand that at present all letters whether of administrative or departmental nature, which are originated by a DH must be addressed to your office. The SDO considered that the time has come when DHs on routine matters, might correspond direct with departments. **Anything affecting policy, and any subject on which you should be kept informed would be copied to your office for information**.[1000](Emphasis mine).

The regular shuffling of the membership of the emir's council continued when *madaki* Umaru, in charge of city affairs, died. He was replaced by *dan maje* Shehu of the same Yolawa family as *sarki*n *shanu*. The former s*arki*n *shanu*, DH Dawakin Tofa, was appointed *madaki*. Both were appointed members of the emir's council. When *wali* Abubakar died in 1949 he was replaced by the chief *alkali* of Kano Muhammadu Bashari to the emir's council; Mallam Umaru was appointed chief *alkali*. When the DH Gaya was removed, it provided yet

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[994] Yakubu, 2006.P. 157.

[995] See Kirk-Greene, A. M. K. (Ed. & Trans), 1965. The Principle of … p. 30 note 1. He accepted Native Authoriy as the unit of government constituted under the Native authority law of 1954. The Native Administration was the administrative units. Also Yahaya, A. D. 1980. The Native Authority System …Yahaya defined a Native Authority as a unit of government constituted under an emir, while the Native Administration was the bureaucratic organization established to support the native Authority.

[996] NAK: SNP 9, 1782/1923 Emir of Kano's Office: Organization of.

[997]Report by Mr. Ward, 1932. Decentralizationof Executive Responsibility in Emir's Council. In: NAK: KANOPROF 693 Kano Emirate.

[998] NAK: KANOPROF 322/S.1 Chiroma's Office Kano – Organization of, 1952.

[999] From Resident Kano to SNP 19/7/1927 Relation of Emir's Council to Alkali's Court and to District courts Kano Emirate. In: NAK: KANOPROF 693 Kano Emirate: Decentralizationof executive Responsibility in Emir's Council.

[1000] From DO Kano to *madakin* Kano 18/3/1954 in NAK: KANOPROF 322/S.1 *Chiroma's* Office Kano – Organization of, 1952.

another opportunity to shuffle the DHs in three districts. *Dan Makoyo* of Jahum was moved to Gaya; *dan amar* of Gabasawa was sent to Jahum; *dan Lawan* of Ungogo was sent to Gabasawa; and a new appointee, the *dokaji* was sent to Ungogo. Mallam Muhammadu Dutse, the supervisor of prisons, was appointed *sarkin dawaki mai tuta*, and DH Gwarzo. By 1951 the DHs in Kano were appointed by the emir-in-council.[1001] Hitherto it was done by the emir alone in consultation with the Resident. And by 1962 the permission of the Premier was needed in the appointment of the DH Ungogo. The next generation alluded to by Lugard was coming of age. Many of the DHs had become literate and capable of inspecting the books and records of their staff. Though the DHs still collected the tax, they had little to do with the meagre expenditures in their districts. If there was a prison they often served as contractors to provide the feeding of the inmates. In 1951 at Dawakin Tofa, feeding of prisoners was 6d per head. The *madaki* provided the food.[1002] An experiment in financial responsibility was started in the district and village councils. Subsequently in 1949 four new councils were formed in Dawaki ta Kudu,[1003] Karaye, Gwaram and Gaya. By 1950 Dawaki ta Kudu also had a district council. They were encouraged to propose and carry out schemes for the benefit of their communities. The representation into the councils was by election, and frequently it was not the VH that got elected. The initiative was from the colonialists; these councils were designed to be representative of local interest, a miniature, nay caricature of the emir's council. The emergence of district councils marked a diminution in the role of the emir's council. In 1949 a five years development plan was inaugurated for the region by the colonialists. The concept of development was still limited, often to the construction of wells and markets. At the central administration the preoccupation was with rural water supply, with 85 wells sunk in

[1001] KSHCB: R.426 District Heads Kano Province Appointment of.
[1002] NAK: DIST.NOTES Acc. No. 42 Dawakin Tofa Vol. 1, Inspection Notes.
[1003] The DH was *galadima*, third son of emir Abbas and brother of emir Abdullahi. He had been district *malam* Bici 1926 – 27; DH Ungogo 1928-32; *turaki* of Minjibir 1932; and transferred to Dawakin Kudu 1939.

12 months in 1949, and 23 reported in progress; Kano Girls' Training Centre and a hostel for sanitary inspectors in Kano city were built; and some roads. Other constructions undertaken were the headquarters of the Kano Native Authority Police, market stalls in Sabon Gari; an elementary school at Wudil; a new wing at Yada kunya leper hospital; maternity ward at city hospital; city mosque; elementary school at Dutsi; dispensary at Gwaram; drainage of Jakara and Sabon Gari. A tractor demonstration farm was planned for Danbatta, and a textile training centre at Minjibir. In addition to mixed farming, progress in agriculture included the multiplication of improved groundnuts; contour ridging; commencement of superphosphate fertilizer campaign; poultry; tobacco crop; and agricultural shows. The funding of the projects was from the Colonial Development Welfare Fund; Government; and the Native Authority. The main limitation still remained shortage of technical staff. By 1953 with an array of development projects going on, it was found necessary to issue circulars and instructions, defining the aims and objectives of rural development. It was made the responsibility of DHs to ensure compliance and execution in most of the activities. They ensured: that pupils attended schools; women attended ante-natal and infant welfare clinics; checked on speed and standard of work in construction (market stalls, schools, slaughter slabs and dispensaries). It was the duty of the DH to publicize the availability of ambulance service.[1004] By the 1950s the range of developmental activities was many.

5.3 LEGISLATIVE COUNCIL, NORTHERN HOUSE OF ASSEMBLY AND FURTHER DEROGATION OF THE *SARAUTA*.

[1004] NAK: KANOPROF PC/1 KANO Province Development Communication: Rural Development Circulars and Instructions, 1953.

From 1943 the colonialists took it upon themselves to ready the North for the imminence of constitutionalism.[1005] This was sequel to both international and local developments beyond Northern Nigeria. Decolonization was one of the main fall outs of WW11. The lethargic situation of the Northern Region by 1947, inspite of the regular meetings of the conference of chiefs, was reflected in the chiefs not knowing how government framed its budget! Up to that time the North did not have an un-official representative in the Legislative Council in Lagos. The Governor expressed his wish to hear the emirs themselves instead of through the Chief Commissioner and Residents; the Chief Commissioner and some Residents were official members of the Legislative Council.[1006] The Governor lamented that the situation of him legislating for the North could not continue. The Governor assured the emirs, who were apprehensive, that the internal affairs of NAs and local finance would not be discussed in the Legislative Council. With the introduction of the Richard's constitution in 1946 the Provinces had to be represented in the Legislative Council. It is significant that the North was not represented in the Legislative Council that adopted the Richards Constitution.[1007] The constitution created Ministers whom the Governor described as councillors to the Lt. Governor in the Regions. The emirs were confronted with a precipitous descent in their stature. In one fell swoop, Ministers superseded them. For if the Ministers became councilors to the Lt. Governor, they, *ipso facto*, were only councillors to the Residents. The Ministers together with the Heads of Departments became responsible for carrying out policies they formulated with the Lt. Governor. The fact of the region superseding the NAs had just begun. However as events were gathering pace the first step was some democratization of the emirate councils, hitherto restricted to members of the aristocracy. With the establishment of

[1005] AREWA: 35252/S.2 Chiefs Conference 1943.
[1006] AREWA: 26749 His Excellency's Visit to the Northern Provinces. He was in Kano 10 – 15th February 1943.
[1007] Dudley, B. J. 1968.

the House of Assembly subsequent to the 1946 Richards Constitution, control and tutoring by the administrative staff, reminiscent of the control exercised on the Conference of Chiefs continued. Thus issues to be raised in the House of Assmbly were discussed first with the Resident. The Resident in turn had to seek clearance from the Lt. Governor. In the following example of Mallam Iro from Katsina, though the question he wanted to ask was adjudged harmless and sensible by the Resident, since the Resident could not raise it with the Lt. Governor, mallam Iro was discouraged from asking the question.[1008]Thus when the Northern House of Assembly was inaugurated, it was kept on a short leash.

Based on the 1946 constitution, the Chief Commissioner in 1950 directed the Residents to convene conferences for the purpose of reorganizing NA councils; and to decide on representations to the Northern Legislative council.[1009] This was sequel to the Balewa motion of the same year. The Chief Commissioner directed that the conferences be held to assess the progress that had been made in modernizing the NAs up till then, believing that the unofficial members of the legislature who supported the Balewa motion were ignorant of the strides and accomplishments colonialism had made in modernizing the NAs. It was the report of the conferences that culminated into the setting up of the joint Committee of the House of Chiefs and the House of Assembly which we have discussed earlier. The "Report of a Joint Committee of the House of Chiefs and House of Assembly" was the end result.[1010]The Northern House of Assembly comprised of official and unofficial numbers. It had no legislative powers; and the unofficial members, with a majority of one, were nominated from and by NAs. In reality then, the House did not have much power. The representative for Kano

[1008] AREWA: SNP 41355.
[1009]NAK: KANOPROF 6661/S.4 9(A) Kano Province Conference 1950; and (B) Resident's Opening Address November 6, 1950.
[1010] AREWA: 47946. The membership of the committee is attached as appendix ix.

to the legislative council under the new constitution was Mallam Bello, the headmaster of the middle school. In the Northern House of Assembly were: *walin* Kano, *dan Iyan* Hadeja, and Alhaji Tajudeen of Kano city.

Meanwhile, labour as represented in the employees of the Native Authority was becoming more vocal in its demands for improved conditions of service. This was part of the restive situation discussed above, of the new interest groups becoming organized and challenging the *status quo*. Subsequently, Native Authority Staff Regulation was formulated. A labour office was established in February 1949.

Many topical issues of the period were handled through Committees that reported to the Parliament in London; the Colonial Government in Lagos; or the Regional Government in Kaduna. Some of these Committees included: the committee on the future administration of urban areas in1953; the exchange of customary presents report was presented in 1954. The two notable reports were the ones on the fears of minorities;[1011] and on devolution of powers. The Willink report was laid before the Parliament and the Hudson Committee report on the devolution of powers was laid before the Northern House of Assembly in February and March 1957.[1012] The Government accepted the recommendation of setting up Provincial Administrations as the executive arm of government in each Province, under the general direction of the Minister for Local government. It was to relieve the NAs of work hitherto done on behalf of the Regional Government. The emirs who were members of the Regional

[1011] Proceedings at the Sir Henry Willink's Commission Appointed to enquire into the Fears of Minorities and the Means of Allaying them, Vol. 1. League for Human Rights, 2003 (Researched, Reviewed and Reproduced). [Also Arewa: Publications RP/A28].
[1012] AREWA: Reports WP/A23. Preliminary Statement of the Government of the Northern Region of Nigeria on the Report of the Commissioner Appointed to Advise the Government on Devolution of Powers to Provinces, 1957.

House of Chiefs were made ex-officio members of the Provincial Councils. But the real politik was clear; relieving the NAs of executing work on behalf of the regional government not only denuded them of avenues of patronage, but created other persons who could dispense this largesse in the Provinces. The forces stacked against the emirs became over bearing.

That the North was no longer quiescent was reflected in the activities subsequent to the making of the 1951 Macpherson's Constitution. We have noted the impact of the Balewa motion on the situation of the NAs. The other issues of the moment related to boundary adjustments, and the basis of representation at the national level. The discussions leading to the drafting of the constitution were organized via conferences, from village levels upwards. In these discussions, the aristocracy had the opportunity of influencing the direction into which politics developed in the Northern Region, in their favour. In 1951, both the NEPU and the NPC, were in their formative stages. The NPC indeed became the majority party in the Northern House of assembly, not by winning any election at the time, but by the NA members of the House switching to become members of the party. The Macpherson constitution gave the Northern Region internal autonomy, but subjected it to the House of Representatives in Lagos. The Macpherson constitution was the harbinger of political parties in the Northern Region. Political party activities had by then considerably developed in the Southern Regions of Nigeria. Indeed by 1957 the Eastern and Western Regions became self-governing; while the North did not become self-governing untill 1959. Ironically it was partly the developments in the South, and the requirements of the Legislature in Lagos, that steeled the resolve of the NPC, in dealing with the emirs. With the formation of the Northern Nigerian Non-Muslim League (NNNML) in 1950, the minority question in the Northern

region became more topical. The NNNML transformed into the Middle Zone League in 1951. Thus the constitution; the North – South dichotomy; and minority issues, were critical in steeling the resolve of the Northern politicians, that they could not allow the emirs to become an albatross.

Instances of the whittling down of the power of chiefs and of NAs abound. One notable example related to land. It should be recalled that one of the changes emir Sanusi was compelled to make in 1954 was the setting up of a land registration office. In 1956 the issue of land registration came up again. This was in the new context of Provincial Authorities, which now had superior powers relative to the NA. Communication between the Resident Kano and the Civil Secretary showed that Government did not favour allowing the NAs to grant rights of occupancy and levy rents. It was feared this would tip the scale in their favour when independence approached. It was thus decided that the powers should be with the approval of the Resident.[1013]It was the powers of the Resident that was transferred to the Provincial Commissioner. Thus both the Legislative Council and the Northern House of Assembly were, by law and real politik, superior to the NAs and their emirs. Thenceforth, the two institutions gradually but surely, denuded the NAs and the emirs, of the powers they had always wielded as residual powers of the Government, and made new legislations to consolidate the emergent situation as independence neared.

[1013] KSHCB: R.959 Land Registration, Kano.

a. THE CHALLENGE TO NATIVE AUTHORITY FROM THE EDUCATED ELITE

The defining tone from 1950 was set by Malam Abubakar Tafawa Balewa in his proverbial motion, moved on the floor of the Northern House of Assembly in August 1950. Balewa was very critical of the SNA, condemning it in no uncertain terms noting: "I may go so far to say that 'Sole Native Authority' idea may even be said to be against the broad principles of Islam."[1014] He called for a review of the NA ordinance and the making of the chiefs to act in council. He demanded that accommodation must be made for the new educated northerners and traders. He was trenchant on corruption in the NA, and the rapidity with which administrative officers were changed by government such that in one division there were 18 D.O.s in 82 months, an average of 4.5 months per D.O. in a location. Honourable Yahaya Ilorin supported the motion and noted that for over 50 years, instead of people being trained to think for themselves, all the thinking was done for them by the administrative officers.[1015]

Consequently the Governor set in motion machineries to ascertain the situation on the ground, believing the unofficial members were ill informed. The convening of Provincial Conferences was one such machinery. The conferences with defined terms of reference were convened by the NAs.[1016] In an address by the Resident Kano to the conference, and preparatory to the imminent constitutional changes, the issue of the future of local governments in the North was focussed on.[1017] Issues of representation and financial allocations were broached on, noting, ironically for a colonized people, that the people have

[1014] AREWA: 122/47946 Abubakar's Motion. It was moved on 19/8/1950. A good discussion of the motion may be found in Yakubu, 2006 Emirs.
[1015] The vote was 20 for; 19 against; and one absent. AREWA: 122/47946 Abubakar's Motion. It was moved on 19/8/1950. Up to that time the NA was still very strong in the House.
[1016] NAK: KANOPROF 6661/S4 Kano Conference 1950.
[1017] NAK: KANOPROF 6661/S.4 Residents Opening Address 6/10/1950.

very little control on who ruled them, how much tax they paid, and how much money was spent in their areas. There was acknowledgement by Government and the unofficial members of the need to accelerate development in local government. This was what led to the appointment of the Maddocks and Pott's Committee. The emir of Kano was not in support of the commission, nor the other emirs, and neither was the SNP. The breach subsequent to the Balewa motion was such that in December an informal meeting had to be arranged to reconcile the emirs and the leading members of the House of Assembly. The SNP reported that the emirs greatly resented what they regarded as an attack on themselves and the NA system. This intervention by the government culminated into the setting up of the committee that produced the "Report of a Joint Select Committee of the House of Chiefs and House of Assembly" in 1951.[1018] For Kano, both Emir Abdullahi Bayero and his son *ciroma* Sanusi served on the Committee.[1019] The very first paragraph of the report was an endorsement of the outer council system:[1020] "The Committee examined the whole structure of village, district, advisory and native authority councils, and agreed that this system is the best method of enlisting public interest and participation in local affairs and administration. Such councils should be formally recognised by the NAs."[1021] The spur to accommodate the emergent educated elite had been initiated by the colonial government. In a memo from the SNP to all Residents dated July 9, 1946, the Governor had adviced upon the necessity for the emirs to consult the young educated men (the 'intelligentsia') in matters concerning the administration of their areas.[1022]The memo urged the educated young men to be availed of'opportunities to

[1018] AREWA: 47946 Abubakar's Motion.
[1019] AREWA: 47946 Abubakar's Motion.
[1020]The Outer Councils were created by the colonialists as the first step at making changes to the SNA. They were advisory and had some elected members. Further discussion here under, and see: Outer Councils, circular No.15/1964. In: NAK MLG/S/REF/5.
[1021] AREWA: 122/47946 Abubakar's Motion. It was moved on 19/8/1950.
[1022] AREWA: SNP 41236 Participation of Educated Elements in Local Government.

air their views in a dignified manner to a responsible audience."[1023]The Governors's memo recognized that the NA normally consulted the *malamai* who constituted a large and influential section of public opinion, but that the young men could not be ignored. The memo also noted that the returned soldiers were also becoming influential. It advised that it was necessary to forestall what happened in the Southern Regions, thus the need for the help and tuition of administrative officers, so that the right perspectives can be developed.[1024]Indeed the Governor had himself at the 1947 meeting of the conference of chiefs urged the emirs to embrace the young and educated, and to broaden the basis of participation.[1025]A previous Governor had actually touched on this topic in his farewell address in 1943 noting:

> The educated non-traditional element is not yet very strong; but it is there and it is beginning to get restive…I regard the task of inducing the emirs to realise the existence of a young educated class that is beginning to think for itself, and the necessity for allowing them to say what they think instead of bottling it up as one of the most difficult tasks that lie before you. **But it is a task that must be faced at once for the sake of the emirs themselves**.[1026](Emphasis mine).

The emirs indicated that they welcomed advice on the matter. Indeed it was this deliberate guidance by the colonial administration that led to Abubakar Tafawa Balewa's appointment into the emir's council in Bauchi.[1027]Bryan Sharwood-Smith also facilitated Sardauna's appointment into Sokoto NA council, so that he could become a member of the House of Assembly.[1028]This was also the period when the government showed concern for the poor quality of DHs and the need to organize some training for them. In an instance, a formal investigation into the activities of Bici district was launched.[1029] To improve the quality of governance at the DH level, again resort was made to the administrative officers who could

[1023] AREWA: SNP 41236 Participation of Educated Elements in Local Government.
[1024] See Strictly Confidential (SC) No. 179/8 Bauchi 22/8/1946 to SNP Bauchi Emirate Central and District Administration. In AREWA: SNP 41236 Participation of Educated Elements in Local Government.
[1025] AREWA: 42679 Governors Conference with Chiefs, 1947.
[1026] AREWA: 35099/S.2 Residents' Conference 1943: His Excellency's address.
[1027] Strictly Confidential (SC) No. 179/8 Bauchi 22/8/1946 to SNP Bauchi Emirate Central and District Administration. In AREWA: SNP 41236 Participation of Educated Elements in Local Government.
[1028] Sharwood Smith, B. Sir. 1969 Reflections of British Administration in the Cameroons and Northern Nigeria 1921 – 1957: But Always as Friends. Duke University Press, p. 191.
[1029] NAK: KANONA MH.160 Bichi District Administration of, 1956.

be relied upon to give what the Colonial Government described as that "sympathetic and personal tuition to which the administrative machine in the Northern Provinces owes so much."[1030]

Subsequent to the Balewa motion, series of activities were commenced to limit the damage. One such was the Joint Select Committee of the two Houses. The Committee was as powerful as it could be, judging by its membership. It comprised of the sultan and 11 emirs and 12 Members of House of Assembly (MHA) that included the *sardauna* of Sokoto.[1031]They discussed various aspects of the Native Authorities and Councils and made important suggestions that invariably favoured the NA. The Committee acknowledged the critisicm that colonialism has empowered the emirs as SNA vis-à-vis the pre-colonial situation.

> The Committee examined, at length, the relationship between Chiefs and their Councils. It became apparent in the course of these discusiions that the traditional authority of a Chief in the Northern Provinces prior to British occupation was exercised with the advice and support of an equally traditional council. In the years immediately following the British occupation, Government policy has tended to place undue emphasis on the authority of the Chief, and this was reflected in the appointment, under the Native Authority Ordinance, of Chiefs alone as Native Authority without reference to their council.[1032]

The Joint Select Committee noted that the various structures in place; village, district and advisory, and Native Authority Councils were: "the best method of enlisting public interest and participation in local affairs and administration." They opined that the councils should be formalized and their functions properly defined. Specific suggestions were made regarding each. On Native Authorities the Committee wanted a proper definition of the term Chief-in-Council that was proposed, and wanted the Residents restrained; indeed the Committee wanted the Lieutenant Governor restrained, for in cases of disagreement with the Resident

[1030] AREWA: SNP 41100 District Heads, Training of.
[1031] See appendix …. AREWA: 47946 Abubakar's Motion.
[1032]"Report of the Joint Select Committee of the House of Chiefs and House of Assembly. In Arewa House 47946 Abubakar's Motion.

they wanted the matter to be reported to the Lieutenant Governor-in-Council. Other issues tackled by the Joint Select Committee included delegation of financial responsibilities to the NAs, such that as a general rule the annual estimate of Native Authorities would be approved without amendment by the Chief Commissioner. The Joint select Committee wanted NAs to be granted powers to approve supplementary expenditure and advance accounts.[1033] They also wanted the powers of administrative officers curtailed. The Committee considered the administrative officers as advisers, but who were usurping NA powers. The report went on: "The Committee was of the opinion that the Native Authority Ordinance and all other ordinances affecting Native Administration should be carefully examined in detail in order to ensure that they conform to the policy and principles recommended in this report." Judging from this report prepared by the most important of the Northern emirs and their cronies in the House of Assembly, it is clear that the emirs were living in a false world.

At a latter date there was an occasion of complaint by the emirs, of non-consultation by Ministers and interference by politicians in NA affairs. The chiefs threaten to resign. The Lt. Governor warned: "**They could resign if they insisted… Ministerial government had come to stay, and for the sake of the region, chiefs and political leaders must learn to live together. Better far that they should keep their counsel until I had spoken with Sardauana**."[1034](Emphasis mine). The unifying spectre was still the fear of the Southern Regions. Henceforth it was smooth sailing all the way to independence for the politicians; the colonialists had pitched their camp. By the Lyttleton Constitution of 1954, when the Southern Regions did away with all the British staff, the North decided to retain some key ones. Indeed

[1033] AREWA: 47946 Abubakar's Motion.
[1034] Sharwood-Smith, 1969 p.310. Those who expressed resentment included the sultan, emirs of Kano and Zaria.

Nuhu Bamali acknowledged that the British used emirs in the NPC to counter excessive demand for independence from the Southern Regions.[1035]

By 1952, in the midst of the unfolding challenges, we were told that the emir's council, appointed by the colonialists, was neither representative nor democratic; that on almost every issue, the unanimity was astonishing.[1036] It was in the mist of all these rumbling that emir Abdullahi died on December 24, 1952; he had been emir for 27 years. The council unanimously elected *ciroma* Alhaji Muhammadu Sanusi the following day.[1037] Three contradictory assessment of *ciroma* Sanusi are availabe. *Ciroma* Sanusi erstwhile DH Bici, was brought into the council in 1931 and by 1947 was assigned the portfolio of district administration. An official report noted in respect of Sanusi that:

> There is no question that it is due to his success in this last that he owes his election. The successful establishment of district councils has been greatly assisted by his vigour. He has attended and addressed every district council meeting held in the 24 districts of Kano during the past year and the rural development which has proceeded from their deliberations has won him more popularity than any other activity in the emirate.[1038]

John Smith on the other hand opined retrospectively that: "There was not a single administrative officer with knowledge of Kano who thought the *ciroma* would make a good emir. It took a decade of misrule and the combined efforts of the *sardauna* of Sokoto and David Muffet to break him."[1039] In 1950 when the Resident was asked to provide information on Northern Regional Council members, of which *ciroma* Muhammadu Sanusi was one, he opined that Sanusi was: "pleasant but unreliable. Too much swayed by his personal interests." On his attitude towards the constitutional changes, the Resident noted that *ciroma*

[1035] Paden, 1986. P.176.
[1036] NAK: KANOPROF 7956 Annual Report 1952.
[1037] Emir Sanusi was installed 1/1/1954 at the Residency.
[1038] NAK: Premier's Office 2/6, 2nd Collection. E4159 Alhaji Muhammadu Sanusi, Emir of Kano: Personal File.
[1039] Smith, J. "The Relationship of the British Political Officer to his Chief in Northern Nigeria." In: Crowder, M. & Ikime, O. (Eds.) 1970. West AfricanC: Their Changing Status under Colonial Rule and Independence. University of Ife press, Ile – Ife, Nigeria.

Sanusi: "acquiesces but views with disfavour anything which might detract from the power and prestige of the Fulani aristocracy."[1040] Yakubu was emphatic that Sanusi became emir by hoodwinking the colonialists.[1041] This contradicts the position of the Lt. Governor, Sharwood-Smith, who informed us that he made up his mind earlier that Sanusi was going to succeed his father.[1042]It would have been suprising, giving Sanusi's anticidents and the political configuration of 1953, for any other person to have been chosen as Emir. As was the case with all the emirs since Abbas, the new emir was compelled to effect some changes by the Lt. Governor: the court session was moved outside the palace; he opened a land registration office, and made further reorganization of the *Gidan Rumfa*.[1043] The colonialists as usual seized the opportunity to effect further changes especially since *wali* Bashari also died in December 1952. Thus in March 1953, before he was formally installed, emir Sanusi's council was reorganized. *Madaki* Ibrahim DH Dawakin Tofa retired and mallam Bello, Minister for Community Development resigned to become the *dan amar*;[1044] and the *alkali* of Dutse was made the *wali*. Others brought into the council were: The DHs of Danbatta, Jahum, Ungogo, and Alhassan dan Tata. The membership of the council rose to 10. It is important to note that the new appointees were those of the second generation that had been tempered by colonial education. The colonialists had prepared the scions of the aristocracy by the establishment in 1909, of the school for the children of chief in Kano. Products of the school were prepared to replace the older and uneducated members, whenever the opportunity presented itself. The colonial record noted regarding the council constituted for Emir Sanusi that, "if seven of its members come from the traditionally great families of Kano

[1040] AREWA: 40463/S.12 Miscellaneous Information Northern Regional Council Members.
[1041] Yakubu, A. M. 2006. pp. 139-140.
[1042] Sharwood-Smith, 1969. p.220.
[1043]NAK: Premier's Office 2/6, 2nd Collection. E4159 Alhaji Muhammadu Sanusi, Emir of Kano: Personal File.
[1044] That a minister of the Northern region resigned to become a traditional title holder and member of the emir's council should not be surprising, because the resources at the disposal of Kano emirate, and the challenging and exciting times, could hardly be matched by the region's.

it is because these were the first to welcome modern education and the best qualified to benefit by it."[1045]Having missed out formal education, Ciroma Sanusi had appreciated the role literacy would play in his chances of succession to the emirship. We have discussed how he strove to become literate.

The Lt. Governor informed us that after settling on Sanusi as the most probable successor: "John Purdy and David Lloyd Morgan, the two D.O.s working in Kano city, were equally sympathetic (in addition to Douglas Pott) in their outlook,[1046] and between us we built up, at least on paper, a team of potential leaders for whose energies and abilities we tried to find acceptable outlets in preparation for higher things in the future."[1047] With the death of *madaki* Ibrahim in December, *sarki*n *shanu*, Alhaji Shehu Muhammadu (MHR), and a delegate to the London conference, who had been in charge of the city, was promoted *madaki*. The emir promised to consult the council the colonialists appointed for him. However, emir Sanusi was strong willed, again Sharwood Smith noted: "**Occasionally, however, he overstepped the mark, and it took all the tact and diplomacy that Weathead, the Resident, could muster to persuade him to vary or reverse his court judgements rather than risk the humiliation of having them upset on appeal in the British Courts."[1048]**(Emphasis mine). In 1955, the colonialists again tampered with the composition of the council of emir Sanusi. Two new members were added, and a thorough re-distribution of duties was effected. Councillors were relieved of district administration and given specific duties. A DH, and brother of the emir was dismissed for gross incompetence. Henceforth the Resident addressed Native Administration through the D.O.s and they were expected to reply without

[1045] NAK: KANOPROF 8328 Annual Report 1953.
[1046] To allow Sanusi succeed his father.
[1047] Sharwood Smith, B. Sir. 1969, p.212.
[1048] Sharwood Smith, B. Sir. 1969, p.280. Indirect rule was still what it was; the advice of the Resident must be adhered to.

prompting, i.e without consulting with the NA. In Kano this was the gradual whitling down of the powers of the emir in action; this was what the Balewa motion gave impetus to. The Outer Councils were initiated by the colonialists, the subsequent changes followed from the Balewa motion under the control of the colonialists.

Further reforms had been undertaken by the colonialists with the introduction of Outer Councils which elected their own chairmen and met three times in a year. Again the idea was not that of the emirs. The idea emanated from the 1945 Northern Provinces Residents' Conference. The Outer Councils were an advisory body that asked questions and made criticism, all of which the NA council was bound to reply to. It was a small beginning of making the councils accountable. The colonialists had decided to reduce the powers of the emir's council. But when on November 5, 1952 the Outer Council passed a motion of non-cooperation with the NA, it was suspended by government on November 7. By 1953 the Kano City Council operated as a District Council, meeting quarterly and was elected partly on occupational basis and partly on territorial basis; guilds and wards electing members. Hitherto only the emir's council, which was appointed by the Resident, was in place. Eight more district councils which met quarterly were started in Kano emirate. The newly introduced outer councils developed at different rates. Ungogo and Danbatta were two such councils. The City and Waje Councils met monthly. Each council was given some financial leeway through estimates provided for them. Encomium was showered on these councils by the Provincial Administrationfor gaining responsibility and learning to manage funds. By 1953 all villages in the province had village councils, or village group councils. In 1955 all district councils were reconstituted by the colonialists, and the number of elected unofficial members was doubled; and greater financial responsibility was allotted to all councils

simultaneously. The councils were made responsible for executing the smarttering development projects of the day. These included construction of market stalls, wells, roads, e.t.c. These developments were despite the inertia of the Emir.

At the same time there were changes in village administration. By 1942 the choice of VHs was no longer the prerogative of the emir, it was by consultation. The candidates nominated were sent to the emir via a form signed by the *ciroma* and the D.O.[1049] The building of council rooms was in vogue; the colonialists produced the agenda for the district council meetings. The thrust of development projects the councils were empowered to handle included: market stalls; wells; arrest of thieves; broadening town roads and building new ones; and maintenance of cattle tracks and grazing grounds. By 1953 there were seven wind mill pumps, and eight villages at their request, have layouts surveyed, and moved into them from scattered hamlets that was the pattern before. Congregating in one place enhanced water supply and offered other advantages of corporate life. Such was the tendency that Gwarzo district council voted for a supplementary tax of 6d and Gaya town of 2/- per head each, for an ambulance service and pump water supply respectively. With the enthronement of emir Sanusi, he was firm against VHs who betrayed his trust. About a dozen such village heads were dismissed for corruption, usurpation of the powers of the native courts, and interfering with the right of the peasantry in land. The role played by the emir notwithstanding, the real power was with the colonialists.

The emergent educated Northerners whom the colonialists have been trying to get the NA to accommodate were assuming the capacity to organize as interest groups from the 1950s.

[1049]NAK: KANONA 219 Village Head Tudun Wada 1945 – 1952.

There were other groups. By 1949 the Kano citizens trading company was formed, and by 1953 some Kano people were importing and exporting directly.[1050] There was a Northern Elements Peoples Union (NEPU) cell in Ringim by 1951; a Northern Askianist Movement and a *sharifai* union in 1952. In 1953 a meeting of *Jam'iyar Neman Alheri* was reported.[1051] This was ostensibly formed to protect the honour and integrity of the leaders (the rulers, the wealthy and *malamai*). The *Jam'iyar Neman Alheri* wanted everybody (royalty and commoner) to act according to his status in the society. The formation of the *Jam'iyar Neman Alheri* was an indication of the challenge the NA and the aristocracy was facing. By 1954 the Kano Peoples Party held its first meeting on October 10.[1052] There was a report of a rally by the *Rundunar Samarin Sawaba*[1053] October 23, 1954 with complaints of police harassment and denial of permit and imprisonment.[1054]Some of the activists of NEPU included Mudi Speaking and Sabo Bakin Zuwo.[1055] There was also a Teachers' Union in Kano by 1954. The formation of proto political parties meant organized groups had emerged which were ready to challenge the staus quo. With the probable exception of the *Jamiyar Neman Alheri*, all the others exhibited tendencies that challenged the status quo.

As in the Lgistlative field, in the field of education, the momentum was with the colonial government. The 1948 Annual Report indicated that the number of elementary schools in Kano had risen to 37;[1056] and enrolment to the Middle School had reached 280. There were

[1050] This organization did not find any problem in being accommodated by the establishment.
[1051]NAK: KANONA 337/S.8 *Jam'iyar Neman Alheri* (minutes of meeting); a.k.a. *Jam'iyar Mahaukata*. While *Jam'iyar Neman Alheri* can be translated society for goodness or kindness, that of *Jam'iyar Mahaukata* translates to society of the deranged!
[1052]NAK: KANONA 337/S.13 KPP Union. Its President General was B. Useini Balamganchi, while the National Secretary and Party manager was S. L. Abubakar Yola.
[1053]This can be translated to Youth Organization for Amity.
[1054]NAK: KANONA 337/S.11 *Rundunar Samarin Sawaba* Union. The records indicate it had no coherent programme; was against *zalunci* (oppression).
[1055] Sabo Bakin Zuwo became an elected Governor of Kano State in 1983.
[1056] The number had risen to 43 by 1948. KANOPROF 6882 Annual Report 1948.

20 students at Kaduna College; 13 at Katsina College; 11 at Kaduna Trade Centre; 14 at School for Arabic Studies; and 11 at Girls Training Centre.[1057] By 1952 effort was directed at refurbishing the schools, most of which were hitherto in shacks, into permanent buildings of standard design. By this date there were 45 adult literacy centres with 1225 pupils. Yet by 1955 Kano Province had a smaller proportion of children at school than any other province in the North. This worked temporarily in favour of the old guard of the *Sarauta*. It meant proportionally the potential number of those capable of challenging the NA based on education was less. It was reminiscent of the small number of colonial administrative staff per the population of Kano and how the situation empowered the aristocracy. The design was to replace the uneducated elements with the product of the schools, thus the less graduands the more time for the old guard. Despite the rumblings of the emergent civil societies mentioned above, it is probable that it was the low number of the educated from Kano that had some bearing on the powers the emir wielded between 1954 and 1963. Kano also had less people at the regional public service.[1058] Paden opined this was due to the attractive career at Kano NA.[1059]Through out this period, the inertia to speed up the development in the education sector came from the colonialists rather than the aristocracy. This has its own history and relates to the fear of the development of the southern regions type nationalism.[1060]

5.5SUPERSEDING THE ARISTOCRACY THROUGH ECONOMIC DEVELOPMENT AND THE HEALTH SECTOR

[1057]NAK: KANOPROF 6882 Annual Report 1948.

[1058] Comparatively Borno had 1/3 of the civil servants. By 1966 Borno had six permanent Secretaries while kano had none. See Bello, 1962 p.341 and 590.

[1059]Paden, 1986. P. 235.

[1060]Tibenderana, P. K. 1985. "The Scare of Nationalism and the Restriction of Missionary Enterprise in the Muslim Emiratesof Northern Nigeria, 1900 – 1930." History Department Seminar, Faculty of Arts, Ahmadu Bello University, Zaria.

It was more in the economic field than in the legislative and educational field, that the superseding of the emirs and the aristocracy heading the NAs became more readily apparent. The Second World War adversely affected the economy. Shortage of materials and increase in wages led to inflation. By 1945–46 accumulated revenue had reached £2,294,438.00.00, an increase of 151% over 1939-40. By 1948-49 it had grown by 26.8% to £2,909,768.00.00 over the 1945-46 figures. The total revenue of all NAs has been growing at approximately 10% per annum over the last 50 years, with the exception of the recession years of the 1930's.[1061] The prosperous situation of 1947 and 1948 demonstrated the absolute dependence of the Native Authority on the Colonial Government. The pace of development was the purview of the colonial government. The amount of groundnuts produced was such that the railway was not able to cope with transporting the produce to Lagos; [1062]and yet there was not an agricultural officer on ground to advise the farmers during production, nor during storage; and the supply of ploughs could not be met. This indicates that the potential of Kano was being undermined. The first five years development plan 1949–1954 commenced on April 1, 1949. The foci areas were 12: agriculture, education, forestry, medical, veterinary, communications, public buildings, urban development, rural development, public utilities, miscellaneous, and unallocated.[1063] We have noted above that by 1949 the Kano citizens trading company had been formed, and by 1953 some were importing and exporting directly. The airport was becoming increasingly important; indeed the *ciroma* went on pilgrimage by air, and in 1952 an upsurge of pilgrims was reported. The economy of Kano was prosperous, and in 1952 all emirates increased the incidence of taxation by 3/-. This was ostensibly to

[1061] NAK: FINST/1/3/3 Papers on N.A. Finance No.2: A Survey of N.A. Finance in the Northern Region. Some Problem & Statistics, by G. R. I. Dees, 1959.

[1062] This was what led to the proverbial groundnut pyramids of Kano called dala, after the landmark hill in Kano city of that name.

[1063] NAK: FINST/1/3/3 Papers on NA Finance No.2: A Survey of NA Finance in the Northern Region: Some Problem & Statistics, By G. R. I. Dees, 1959. The NAs achieved 86.9% of their original plan.

cater for the revised labour wage rates and the increase in salaries; to provide a reserve for a further five year plan; and in Kano emirate to increase district council funds by 100%. The report concluded that "the difficulty in Kano is less how to raise funds than how to expend them on development."[1064]The second five years development plan was for the period 1954–1959, and it was on similar lines. There was also the third five years development plan 1959 – 1964. The developmental imperative brought its own logic, the need for development to be channelled through modern bureaucratic institutions. Both the NA and the aristocracy were becoming moribund. The Northern Region Development Board became increasingly the means through which business men assessed resources beyond the capacity of the NA. Some businessmen nurtured by the NA started shifting attention to Kaduna. Though the emirs and their NAs were very busy in their localities, the dominance of the region in the most important aspects of the economy, had assumed a momentum of its own.

The same scenario noticed of power slipping from the emirs, the aristocracy and the NAs in the legistlative houses, education, and the economy, was also replicated in the health sector. At the hospitals, with the doubling of those attending, shortage of drugs and dressings were the problems. Drug importation was outside the purview of the NAs. For the whole of the province with a little over 2 million population,[1065] the whole senior medical and health staff comprised: one specialist in charge of the city hospital; one European medical officer; one medical officer of health; one pathologist, and one laboratory superintendent; three African medical officers; four nursing sisters; one sister tutor; and two sanitary superintendents. The colonialists were quick to remind us that the Kano native administration hospital was the

[1064] NAK: KANOPROF 7956 Annual Report 1952.
[1065] The drop in population was due to the excision of some emirates from the Province in 1926: Katsina, Katagum and Azare.

largest in West Africa.[1066] These were capacities where the Native Authority could do very little; the momentum depended on the colonialists.

5.6 THE EMIRS IN THE NORTHERN HOUSE OF ASSEMBLY AND THE NORTHERN HOUSE OF CHIEFS.

The first facility for deliberation as a body which the colonial administration provided the emirs with was the Advisory Council of Chiefs that was convened in 1930. From 1934 the colonial administration transformed the advisory council of chiefs into the Annual Conference of Chiefs. When the Richards constitution was adopted in 1946, the Conference of chiefs was transformed into the House of Chiefs. It comprised 13 first class chiefs as of right; these were basically the emirs of the abolished Caliphate that had been constituted into SNAs. Thus whoever was the emir of Kano was automatically a member. There were 12 representatives from among the second class chiefs who were 27 in number. The assembly of emirs and chiefs, despite their transformations, never demonstrated any desire for independence in their deliberations. The House of Chiefs was not as independent as the name suggested. The High Commissioner had always chaired the meetings, and most of their discussions were on matters referred to them by the Residents' Conference. Despite the fact of the Colonial Government keeping a tight control on the House of Chiefs over the years; and inspite of the salient conviction that the emirs were the vortex around which their communities revolved, by 1947 the colonialists had a very low opinion of the House of Chiefs. This low opinion was reflected subsequent to the House's discussion of a proposed bill on motor transport and agriculture referred to the House by the Governor. The Residents

[1066]NAK: KANOPROF 6882 Annual Report 1948.

did not have the time to discuss the proposed bill with their chiefs. The subsequent report of the conference noted disparagingly that:

> Some 2/3 of the members showed an intelligent interest throughout the proceedings **and in the future given proper time to discuss matters in advance with their Residents, their council and among themselves, they should be able to contribute valuable advice to the Governor both on matters referred to them and of their own initiative.** Their considered judgement on matters of principle as they affect the Northern Provinces is always sound: **they will need careful tuition upon the implications of detail which appears in much of the legislation** (emphasis mine).[1067]

It was this body which the coloniailits had very little respect for that the Nigeria Legislative Order in Council 1946 had empowered to exercise, in respect of the estimates, powers similar to those of the Northern House of Assembly.[1068] Thus initially the House of Chiefs had a veto power over the Northern House of Assembly. But often, in spite being considered the "Upper House" by the colonialists, they could not take the lead; they waited to know the opinion of the "Lower House" before taking decisions.[1069] In one notable incidence on whether the press should be allowed into the proceedings, the Resident Kano wanted the opinion of the emirs of Hadejia, Gumel and Kazaure. They declined, noting it was a matter for the more important emirs to decide. The Resident then sought the opinion of the emir of Kano, who also wanted to consult with the sultan. The Resident did not allow that, but insisted that it was the opinion of the emirs of Kano Province that His Honour wanted![1070]It seemed the hegemony of Sokoto which the colonialists broke at conquest, and emasculated during 1903 – 1918, was beginning to be resuscitated. Though it was the colonialists who made the sultan the chairmen of the House of Chiefs, and indeed ranked the other *sarakuna* in order of precedence, they were wary of his leadership becoming real in an organizational sense.

[1067] AREWA: 41830/S.3 House of Chiefs: Reports on Meetings. Confidential House of Chiefs 30/7/1947.
[1068] NAK: Publications NH3 Northern Regional Council House of Chiefs Debates. First Session 10 -11 February 1947. The recommendations of the House are subject to confirmation, amendment or veto by the Lt. Governor, or Governor. AREWA: 36169 Admission of Press to Proceedings.
[1069] AREWA: 41830/S.4 Northern Region Council. House of Chiefs – Procedure, Miscellaneous. The colonialist considered the House of Chiefs as the Upper House!
[1070] AREWA: 36169 Admission of Press to Proceedings.

On its part the Northern House of Assembly comprised official and un-official members as follows: The Senior Resident Northern Provinces as President; 12 other Residents of the Northern Provinces; the SNP; Secretary of Finance Northern Provinces; Deputy Director Medical Services Northern Provinces; Deputy Director Establishment; Deputy Director Agriculture; Deputy Director Public Works; and the Senior Crown Counsel. The official members were not allowed any independence of action. They needed the concurrence of the Chief Commissioner before any decision was undertaken. The un-official members, not less than 20 and not more than 24 Provincial members were selected as the Governor may from time to time direct in writing. Six other members were appointed by the Governor to represent special interest or the communities which he thought were not adequately represented.[1071]Despite this preponderance of the influence which the Governor had on the House of Assembly, the House did not have legislative powers! In 1949 *ciroma* Muhammadu Sanusi became a member of the Northern Region House of Assembly. But as seen from the composition which was skewed in favour of the Government; the institutional practice that required the Governor's consent before the official members could offer an opinion; and the statutory limitation of being just an advisory body, the drive for indepence from the Northern Region could only move at the speed determined by the colonialists.

The House of Assembly appointed four of its members to the Legislative Council in Lagos. There were also joint sittings of the two Houses. In one such sitting of April 29 and 30, 1949 they agreed in principle to form the Northern Nigerian Tribal Union. It was designed to be political in nature. This organization never took off because the emirs developed a lukewarm

[1071] AREWA: 40463 No. 44164/S.41 Nigerian Secretariat Lagos, 30/4/1946 to SNP.

attitude towards it.[1072] The most notable incidence indicative of the change of tide in the scheme of Native Authority was the motion of Mallam Abubakar Tafawa Balewa[1073] of August 1950 in the NHA. Mallam Abubakar was one of the educated members of the NHA that the British had nurtured. His motion sparked a series of activities that marked a watershed in NA system in Northern Nigeria.[1074] The spate of activities subsequent to the Balewa motion commenced with the meeting of the Governor and the Lt. Governor Northern Region, where the motion was discussed.[1075] The Government concurred with the views of the unofficial members of the House that there was need to accelerate the pace of change in local government administration in Northern Nigeria. The immediate step taken was the appointment of Mr K. P. Maddocks, a Senior Divisional Officer and Mr D. A. Pott, a Divisional Officer, to visit all the Northern Provinces and gather material upon which a survey covering the overall situation in the Northern Provinces was prepared. The Committee was to determine what public opinion was, through a factual survey. In this regard provincial conferences were convened. For Kano it is important to know that the representation to the conference was decided by the colonialists, though in consultation with the emir and council. The representatives for Kano were: Alhaji Tajudeen, Mallam Munir Najoda, Alhaji Sule Na'ata, Alhassan Dantata of Kano citizens trading company, Ibrahim Musa Gashash, and Mallam Abdulkadir, chairman *Jam'iya ta Arewa*. The official members of the conference were all the emirs and their council; *dokaji*, the DH Ungogo represented the employees.[1076]Thus juxtaposed were the emergent elite and the Native Authority. The

[1072] AREWA: 45986 Political Intelligence 1949.
[1073] He was to become Alhaji Sir Abubakar Tafawa Balewa and the first and only Prime Minister of Nigeria. He was killed in the January 15, 1966 military coup.
[1074] The West African Pilot of 5/9/1947 reported Malam Saad Zungur as saying "The July meeting of the House of Chiefs can safely be considered as the beginning of the end of British tutelage of Northern Nigeria." I do not know what gave him such optimism. See AREWA: 41830/S.4 Northern Region Council; House of Chiefs – Procedure, Miscellaneous.
[1075] The discussion of the motion by Yakubu, A. M. 2006 Emirs and Chiefs …, is detailed.
[1076] NAK: KANOPROF 6661/S4 Kano Provincial Conference 1950.

Maddocks – Pott report indicated that progress was made notably in the establishment of advisory outer councils and urban councils, which we have discussed above, but not much in village councils. The colonialists came to the conclusion that: "The 'classical' emirates of the north had accepted the paradox that devolution of executive power and authority will, by satisfying modern local aspirations, self-expression and initiative, result in the strengthening and not the weakening of their own authority."[1077] Mr Sharwood-Smith, the Resident Kano, opined in 1951 that the "present political trend in the North are not, in any degree, the result of popular demand, neither are the people as a whole in any sense ready, still less anxious, for a more responsible part in the management of their affairs."[1078] He went on that what was happening in the North was a class movement; and that neither the NPC nor NEPU had popular backing. That: "90% of the population unsubjected (sic) so far to outside influence, is completely loyal, sometimes blindly loyal to its chiefs."[1079]By this assessment the hegemonic influence of the *sarkuna* was beyond what the nascent educated elements could tackle unaided by the colonialists. The Resident concluded that it would be the height of political unwisdom to forfeit the confidence of the chiefs, and that the report of the joint committee represented a considerable advance. This attitude of the colonialists is why it is often posited that the Northern educated elite were up against the British administrators, chiefs, and Southern politicians. Up to that point the colonial authorities had more sympathy for the chiefs. But as discussed earlier, it was the colonial authority that was goading the chiefs to accommodate the emergent educated elite. The determinant of the nature and pace of change was the colonialists. It was the colonialists that nurtured the north as the other.[1080]In 1947 at the Governor's conference with chiefs; and ostensively talking to them as a friend, the

[1077] NAK: ADMIN/1/9/1.
[1078] AREWA: 51069 Letter from Resident Kano to SNP 11/10/1951.
[1079] AREWA: 51069 Letter from Resident Kano to SNP 11/10/1951..
[1080]AREWA 35099/S.2 Residents' Conference 1943: His Excellency's Address.

governor advised on the need for spreading education in order to have qualified staff from the North to avoid the kind of situation in the railways where the southerners dominated. That should be avoided in the future.[1081]Eductional and political development was geared towards avoiding the emergence of virulent nationalists, which the production of an array of lawyers and journalists produced in the south.[1082]This was why the colonialists were fastidious about nurturing and mentoring the emergent northern elite.

We have noted above that in 1949 *ciroma* Muhammadu Sanusi became a member of the Northern Region House of Assembly. Paden concluded that *ciroma* Sanusi encouraged the western educated administrators to participate in politics: Bello Kano, Bello Dandago, Abubakar Dokaji, Inuwa Wada, Maitamam Sule, and Sule Gaya, all title holders in Kano. *Ciroma* Sanusi was also re-elected to the House in 1951.[1083]By virtue of its population, Kano members of the NHA formed the largest block. The 1951 election was sequel to the constitutional agreement of 1950. This was what led to the formation of Government with Ministers. It is logical, and especially in the context of contestations with the Southern Regions, that the Minsters from the North had to be from the educated Northerners. The Sardauna did put on record the challenge of the Northern Region finding 13 full time Ministers that went to Lagos. Further changes included the abolition of dual membership of the Houses; it meant one could not be both a MHA and Member House of Representatives (MHR).[1084]The Regional Government had been formed in 1952. Bello Kano was the member from Kano who became a Regional Minister. By 1953 Sardauna had been appointed Minister for Local Government, and by 1954 Premier. In the same year, 1954, Inuwa Wada became a

[1081]AREWA 42679 Governor's Conference with Chiefs 1947.
[1082] Tibenderana, 1985.
[1083] Paden, 1986 p.146.
[1084] Bello, A. 1962. My Life. Cambridge University Press.

Federal Minister, though without portfolio. Thus whatever the Northern politician wanted could only be found within the institutions the colonialists created and in which the Northern politicians were not in the driving seat.

The emirs had accepted the need for the devolution of powers by the inclusion in both their councils and the Native Administration, an array of interests outside the aristocracy. Indeed it was the sultan of Sokoto who moved the motion for the replacement of the SNA with NA in councilin 1952. The House of Chiefs latter assented to a bill originating from the House of Assembly, defining the functions of a NA in council. In 1951 the chiefs, via the joint select committee of the House of Chiefs and House of Assembly, had the opportunity and occasion to canvass for the kinds of changes they envisaged. Invariably they sought to convert all the organs under the NA into advisory ones only. The idea of chiefs-in-council was muted; but not understanding its implications, they sought for a legal definition. The emirs wanted to curtail the powers of the Resident by proposing for the emirs powers similar to that of the Governor-in-council, i.e making it mandatory for Resident to report matters to the Lieutenant-Governor-in-Council, should the chief decide to ignore the advice of his council. They agreed broadly with the Local Government Committee system suggested by Mr Hudson. On the delegation of financial powers they wanted: "the annual estimate of Native Authorities would as a general rule, be approved without amendment by the Chief Commissioner …" They were stringent that the Administrative Officers were exceeding their powers, assuming executive powers that properly belonged to NAs.[1085] The Hudson report had suggesed that NAs will not be subordinated to Provincial Administration.

[1085] AREWA: 47946 Report of a Joint Select Committee of the House of Chiefs and House of Assembly, 1951.

We have discussed the establishment and challenges of district and village administrations in chapter four. The touring administrative staffs were a key figure in the nature of progress attained in that respect. In Kano emirate the *waje* council was the first urban council that had financial powers delegated to it. It possessed its own finance committee, general purpose committee and standing rules. Though the establishment of NA (outer) councils marked some progress, it did not amount to much, they were essentially advisory. In Kano emirate 24 of its members were elected by six electoral colleges drawn from 24 district councils, each college electing one DH, one VH, one trader and one farmer. All Kano House of Assembly members were ex-officio members. *Waje* and *SabonGari* councils had representatives, and the council elected its chairman. The NA did not attend their meetings. The SNA was further modified by the allocation of portfolio to some councilors.

The simmering conflict between the Northern and Southern Regions manifested in Kano on May 16, 1953 with the proverbial Kano riots where 36 people were killed. It lasted from Saturday to Monday. In July 1953 there was some incidence at the airport between the NEPU and representatives from the NPC going for the London conference. 15 people were sentenced by the junior *alkali*; the sentence was quashed by the Supreme Court. This incidence led to the emergence of the *Jam'iyar Mahaukata* with the avowed aim of countermining NEPU.[1086] A local newspaper, Sodangi debuted in 1953, and attained 10,000 copies circulation. It was closed down ostensibly for lack of registration. The closure most likely had to do with the fear by the colonialists that it would follow the Zikist tradtion, as the papers in the south had turned out, opposition organs against colonialism.

[1086] NAK: KANOPROF 8328 Annual Report 1953.

In 1947 the Chief Commissioner was still the presiding officer of the Northern House of Chiefs. Their main function was to send a representative to the Legislative Council; and voice an opinion on legislations they would be expected to execute. In 1954, the year the Premier was appointed and a new NA law passed, the Lieutenant Governor still thought that the chiefs "more than any other body of its citizens, great or small, have it within your power by nature of your wide experience and authority, to ensure the success of the great experiment on which the region is now embarking."[1087]

5.7 THE ASCENDANCY OF GOVERNMENT, FEDERAL AND REGIONAL OVER THE NAs.

It was the Nigerian Constitution Order in Council 1951 that ushered in a new system of government. Hitherto executive powers rested in the Governor who was advised by an Executive Council most of whose members were officials. The Chief Commissioners, Residents, and HODs, were communicated to, through Secretaries. Their duties were ensuring execution of Government policies. In 1951 the situation was changed to the Government and the Council of Minsters; 12 of the 18 were appointed from the Regional Legislatures. The advent of Ministers with portfolio necessitated a redefinition of the duties of the administrative officer in the provinces. This was the precursor of the Provincial Commissioners and Provincial Secretaries.

The 1954 Lagos constitutional conference had provided for the establishment of both Federal and Regional Public Services. Of course this was a new institution whose basis was educational qualification and training. In that regard, and with the fear of southern

[1087] Premier's Office R105 Succession of Chiefs – Message from the Governor Northern Nigeria. This was in addition to the message from the Governor sent through all Residents.

domination the major issue, the situation increasingly favoured the educated Northerners, who through the Northern Civil Service Union (NCSU) were exerting tremendous pressure to Northernize.

In the political scene it was still the Governor in Council that that made the electoral regulations. In a 1958 secret and personal memo, not to be seen by anyone else, that originated from the Permanent secretary Ministry for Local Government, it was observed that while: "considering the advisability of producing new models for electoral rules and instruments made under the NA law," government expressed its fears they could be misconstrued and exploited by unscrupulous politicians insinuating that government wanted to push for electoral majority council by secret ballot.[1088] It was the Governor who was setting the tone bearing in mind the experience in the south. The civil secretary had written at the instance of His Honour, quoting the feeling of His Excellency who directed that it was of "… essence how to tutor the young Northern educated elites on self-government to avoid the wild and reckless utterances indulged in by Southern politicians and the Southern press."[1089] He went on:

> The fact, however, remains that it is of paramount importance to recognize that today, to all intents and purposes, the Native Authorities and what they represent constitute public opinion, either expressed or dormant, and that it would be disastrous for the future of the region if that authority were undermined and replaced by some other form of unfamiliar, untried and inexperienced authority.[1090]

The summation in 1953 was that self-government was not a burning issue in the Northern Provinces.[1091] The report produced by the NA committee was castigated as showing: "how

[1088] KSHCB: R.211 Electoral Rules and Instruments.
[1089] KSHCB: R.219 Self Government.
[1090] KSHCB: R.219 Self Government. This was discussed with the council of the emir of Kano (1953).
[1091] The *Askianist* movement, affliated to NEPU, and by extension NCNC was clamouring for self-government now by 1952. See KSHCB: R.154 Northern *Askianist* Movement.

extremely hazy even comparatively well informed people are as to the meaning of self-government." A new draft was proposed by the government that eliminated the misconceptions, and some of its omissions were filled in.

The NPC did not contest the 1951 election, having come on board October 1, 1951. The electoral process was such that the NA had tremendous influence. Voters had to be males; from age 21; paying tax; and voting was by lining up behind candidates. The NA also injected 10% of the number elected. The NHA and the NHC elected a joint council of equal numbers, 80 in all. This selected the 68 members that went to the House of Representatives in Lagos. Up till this point the ordinary configuration of forces seemed in favour of the emirs. However, the ace was held by the colonialists. Thus in 1953 the colonialists favoured the Northern Region Government by whittling down the influence of the NA by abolishing its 10% injection into the final electoral colleges as has been the case since 1951. It was felt the time had come for elections to proceed normally from the Primary Electoral College to the Final Electoral College without a step between.[1092]Despite, it was believed by many, that the poor showing of NEPU in the 1954 elections in Kano was because the emir was so strong, and not in favour of NEPU. Indeed the emir was the patron of the *Jamiyar Masu Neman Alhairi* a.k.a. *Jamiyar Mahaukata*, formed specifically to curtail NEPU. With both the police and NA courts at the disposal of the emir, the organisation was above the law; NEPU suffered its excesses.

[1092] NAK: Publications RG7 Report of Electoral Reform in the Northern Region. Government Printer, 1953.

The delimitation of constituencies was also done by the colonialists.[1093]The choice of candidates was not left to the NA. In an instance the Resident pressurised the emir on whom to nominate, ans persuaded the *Sarki*n *shanu* Mallam Muhammadu Sani, and the wakilin *waje* Mallam Sani Ungogo, to step down. The predominant method in Kano Emirate, it has been suggested, was that candidates were chosen between a party caucus and an NA caucus, with the emir acting as the final arbiter. In Kano the dominant figures for the party were: Mallam Ibrahim Musa Gashas, Alhaji Maikano Dutse, Mallam Baba Daradara, and Alhaji Inuwa Wada. From the NA we had the *madaki* Mallam Shehu Ahmed, *Sarki*n *shanu* Mallam Muhammadu Sani, and *dan amar* Mallam Bello. They were all of the yolawa family.[1094]Dudley had actually opined that in Kano the nomination was done by the emir.[1095]And Aminu Kano concurred that the emir was so strong.[1096]

By 1952 the issue of a Minister for local government became topical, and the *wali* of Kano, Muhammadu Bashari, was reported to have made the speech of the year in opposition to the appointment of such a minister.[1097]With the probable exception of the educated elite in the NHA, from whose ranks the Minister would emerge, it was sheer consternation for everyone else. Again it need be emphasized, the forces at play was progress being made at decolonization. The colonialists were in cahoots with both the emirs and the Northern educated elite. It was therefore its responsibility to steer them out of a seemingly impending crisis. To persuade the emirs to agree to the appointment of a Minister for Local Government, a list of don'ts was drafted for the Minister. Sharwood-Smith, hitherto Resident Kano, and

[1093]KSHCB: Simple List of Records Removed from the Cabinet Office R.211 Regional Legislature –Electoral Rules & Procedure.
[1094]KSHCB: Simple List of Records Removed from the Cabinet Office. R.222 Control of Election.
[1095] Billy J. Dudley, 1963-64 "The Nomination of Parliamentary Candidates in Northern Nigeria." **Journal of Commonwealth Political Studies,** 2.
[1096]Feinstein, A. 1987. African Revolutionary: The Life and Times of Nigeria's Aminu Kano. Enugu. Paden, 1986. P.170 -171.
[1097] NAK: KANOPROF 7956 Annual Report 1952.

now Lt. Governor said: "It was not until I gave them a personal assurance, as Lieutenant Governor, that the proposed Minister would not come between them and their people and that he would be concerned with policy and not with domestic affairs that they would even consider the matter."[1098]The minister was appointed in 1953.

On October 1, 1954 the *Sardauna* became Premier of Northern Region. Earlier that year Muhammadu Sanusi was formally appointed the emir of Kano. They collaborated on a number of issues and occasions, but their paths crossed a number of times. It was the 1954 Littleton Constitution that gave the Northern Nigerian Government exclusive jurisdiction in local government and chieftaincy, election to regional parliament, judiciary and legal institutions, regional public service and education. Such measure of autonomy was ostensibly because of the orchestrated campaign that Southern politicians neither understood nor respected Northern institutions. This was dramatically acted out in the 1953 Kano riot mentioned above. The NA law of 1954 had placed NAs under the Regional Government. This was the context in which the Premier acted thence. Subsequently, chiftaincy affairs was placed under the Regional Government. This was the legal framework with which the region superseded the NAs. Initially at least, the views of both the House of Chiefs and the House of Assembly were congruous. In 1958, through secret circulars, the region, through the Minister for Local Government, continually assumed powers of regulation with ominous implications for the NAs: salaries of *alkalai*, appointment of native courts presidents and other members of the native judiciary; training courses for future Assistant District Officers; revision of salaries of DHs; inquiries as to efforts at northernization of staff; need for Provincial Council elections without delay; need for application to approve general tax; need for estimates to be

[1098] Sharwood-Smith, 1969. P.240.

presented to Kaduna (the executive council ruled that requests will be considered on merit); relationship between NAs and subordinate councils; powers of the Minister to remove members of councils (section 61A of NA law 1954 as amended in October 1960); powers of Provincial Councils; stoppage of works done by NAs on behalf of government; inclusion of MHA into Provincial Councils; inquiry into methods of appointing VHs; issues of councils incurring overdrafts; refusal or inability of councils to answer queries; concern with declining standards of native treasuries; defining the procedure to be followed by NA tender's board, were among the many aspects of governance that the Region decisively exercised influence. And section 52(2) of the NA law conferred the power of approving new standing orders on the Minister.[1099] The Governor assented to a law for the establishment of Provincial Councils in the Northern Region on March 25, 1959. The procedure for the election into the councils was decided between the Permanent Secretary Local Government and the Residents before the NAs were informed.[1100]Aminu Kano surmised the year as eventful. It was the year the Governor announced that Ministers were superior to the emirs. That the emir of Kano was shocked at this and subsequently boycotted government functions.[1101] Kano being mono-dynastic, it has been assumed that: "the emir's authority over the NA, within the limits of the law, was almost total."[1102] With Kano members of NHA constituting the largest provincial interest group, and with most of them owing their election to the emir, one would have thought the situation was ominous. Though 96% of all those elected to the Federal Parliament were associated with NAs,[1103] we have observed above that the interest of the educated scions of the aristocracy was becoming diametrically opposed to those of the emirs, majority of whom were uneducated.

[1099] NAK: MLG/S/REF/5 Ministry for Local Government; Secret Circulars.
[1100] NAK: KANOPROF NAC/121 Provincial Councils Policy and Instruction.
[1101] Cited in: Paden, J. N. 1986 p.170.
[1102] Dudley, 1968, p. 212.
[1103] Dudley, 1968, p. 145.

As pointed out by the Resident Kano, the new tendency of Provincial Council was at logger heads with extant practice of executive traditional councillors with portfolio, who work full time; and appointed traditional or representative councillors who have other duties. The Resident wanted to know the future position of these men and what future direction was put in place.[1104]The pressure was on from the House of Assembly. On April 8, 1960 Mallam Usman Ango Soba indicated he wished to move the following motion: "that all the present NA councils in this region be dissolved and replaced by elected members."[1105]Indeed in the instruction sent out in 1959 the Regional Government had decided that although emirs would not be excluded from sitting on Provincial Councils they should be relieved from the compulsion of being members. Indeed the position was:

> That you make it quite clear to chiefs who wish to sit on the council that it is Governments direction that they should be treated exactly as other ordinary members and that they cannot expect by reason of their position to be safeguarded from any embarrassments that might arise in their participation in a council as an ordinary member together with other persons who may be supporters of party antagonistic to chiefs. In other words chiefs may become ordinary members of the council if nominated by their councils, and at their own risk to their personal prestige.[1106]

This was indeed a remarkable descent from Sole Native Authorities! The council was responsible to the Regional Government. It was the Minister for Local Government who was in charge. Indeed by 1958, through the Council of Chiefs, the Premier had become dominant. The Council of Chiefs, chaired by the Premier, had the exclusive power to discuss issues affecting chiefs. By a constitutional amendment: "the grading, discipline, and appointment of chiefs were matters not within the competence of any Ministry, thus excluding the executive."[1107] The Premier's responsibility for chieftaincy affairs was thus personal to

[1104] NAK: MLG/S/LGA/1 Local Government Policy.
[1105] NAK: MLG/S/LGA/1 Local Government Policy.
[1106]NAK: MLG 4177/S.7/16 of 26/10/1959 Perm. Sect to Residents in: NAK KANOPROF NAC/121 Provincial Councils Policy and Instruction.
[1107] Whitaker, C. S. 1970 p.302.

Sardauna. When the Minister wanted advice on who was to represent trading, commercial and pastoral interests, it was to the Resident he turned to instead of chiefs. The same thing happened when he sought recommendation for the appeals committee; it was directed to the Resident. The baton might have changed hands with the scions of the aristocracy in the driving seat, but the system remained the same; the emir was a minion in the scheme of government. Logically there was no great enthusiasm amongst the NAs in Kano Province for the establishment of the Provincial Council. The Premier had to write reminding that it was a decision of the London Conference and the decision had to be complied with. An instruction had also come from the Executive Council on its establishment.[1108] By this time it was the members of the Outer Council who formed the returning council to the Provincial Council. In Kano 12 members of the House of Assembly and Parliament were selected for nomination to membership of the Kano Provincial Council. The secretaries of the council were administrative officers. One of the first duties assigned to the Provincial Council was to review the composition of those Provincial advisory committees which were established locally and to replace them, excepting committees whose establishment and membership was subject to approval by a Minister or outside body such as the Public Service Commission. The newly constituted Provincial Councils accepted reports from such Provincial advisory committees and boards for information only. They took charge of all subsidiary legislation which required coordination beyond one NA; they coordinated the tax policy within the Province. They became responsible for NA in so far as they related to Provincial services; and Provincial Local Government Training scheme in its local aspects.

[1108]NAK: MLG. 4177/S.7/43 of 21/9/1960 from Permanent Secretary to Resident Kano. In NAK: KANOPROF NAC/121 Provincial Councils Policy and Instruction.

From about 1953 the NAs had to make requests to the Financial Secretary Northern Region in order to transfer funds from different sub-headings.[1109]By the Native Authority Law of 1954 all standing rules previously made by the NAs were revoked. Several letters emanated from the Permanent Secretary Ministry for Local Government, under the direction of the Premier and Minister for Local Government on sundry issues. An interesting one on the police is worthy of mention. It directed that any NA which wished to restrict delegation to NA police forces, needed to fill a form from the Ministry specifying details of restriction required. When the NAs ignored the letter a fiery letter was issued warning: "it will be appreciated that until this has been done the legal position of NA police forces will not have been regularised so far as this Ministry is concerned."[1110] By another letter we are told the Minister for Local Government has been delegated the power: "to revoke any order which he is advised should not have been issued or should not be enforced and he is bound to exercise that power where necessary."[1111] Indeed it was advised that all NA orders be submitted to the Ministry for vetting before being gazetted in the Northern Region Legal Notice (NRLN) as per His Excellency's direction. Thus any attempt for a review was an opportunity for alteration in favour of the Regional Government. The whole issue of policy was the purview of the Residents' conference and needed the concurrence of His Honour the Lt. Governor, before it was suggested to the NAs. By the 1955 – 1960 development plan period power was with the Regional Executive Committee which submitted it to the legislature in the form of a white paper.[1112]

[1109] NAK: KANOPROF NTE/17 Kano NA Second Five Year Development Plan 1954 – 1959.
[1110] NAK: KANOPROF LAW/27 NA Law 1954 – Policy.
[1111] Letter of 10/1/1955 (MLG 501/78) NAK: KANOPROF LAW/27 NA Law 1954 – Policy.
[1112] NAK: KANOPROF NTE/170 Second Five Year Development Plan 1954 – 1959. No.FS.155/416 of 15/6/1955 to Resident Kano Province 1955 – 1960 Development Plan.

The speed of the changes that took place between 1950 and 1960 was dizzying. The changes belied the accusation that the colonial government inhibited either change or its speed. Indeed in the speed with which the changes were effected, there were external forces emanating from the conclusion of the Second World War regarding self determination. The Balewa motion of 1950; the changes in the NA that ensured; the appointment of the minister for Local Government in 1953; the NA law of 1954 and the appointment of a Premier; the constitutional context in which all these changes were taking place; systematically sapped the NA of its powers. The speech of Bello dan Dago against the appointment of Local Government was to no avail. The boycott of government function by Emir Sanusi did not change the fact that the emirs were on the loosing side. The colonialists had pitched their camp with the educated elite and systematically eased them into the driving seat. Most of the residual powers the NA hitherto exercised on behalf of government were withdrawn. It was a period that was marked by the continual wittling down of the powers of the emirs and the NA.

Perhaps the challenge of Northern unity reflected the quandary of the Regional government. At the Willink Commission the Regional Government was at pains to be very inclusive, not only of the minorities, but also of the emirs and chiefs. It would be recalled that 1954 when Ahmadu Bello became Premier coincided with the introduction of a new NA law. This law enabled the Regional Government to direct the affairs of the NAs. It introduced the principle of election into subordinate councils. The appointment of NA officials of salary £350.00.00 per annum needed the written approval of the Governor. [1113]Up to 1965 the powers of the

[1113] Whitaker, C. S. 1970, p. 109.

Regional Government vis-à-vis the NAs was on the increase. In the same way was the decrease in the influence that the emirs wielded over the NAs.[1114]

Critical in the power configuration was the increasing resources at the disposal of the Regional Government. Between 1949/50 and 1958/59 NAs received at least 50% more than they paid into Government. 1949- 54 also witnessed the inauguration of the first five years development plan. The other powers in relation to groundnut and cotton marketing which was still the purview of NAs were delegated powers from the Regional Government. However, despite this decisive shift, the resources at the disposal of the NAs, even after independence, was still immense. The annual recurrent expenditure of the NAs in the period 1959 – 1964 was between £10.5m and £12.5; that of the Region was between £14 - £16m.[1115]

[1114] NAK/MLG/S/REF/5. Circular No.80/1962 MLG.4123/S.1/100 Statement of Government Policy Regarding the Position of Chiefs in Relation with their Native Authority Councils and in General.
[1115] Whitaker, C. S. 1970, p. 194.

5.8TAMPERING THE JUDICIARY AND EXTRICATING IT FROM THE *SARAUTA* 1945 - 1960

In 1945 there was reform of the judicial system. The Protectorate Courts Ordinance was repealed, and the High Court was merged with the Supreme Court. By the reforms the NAs retained the powers of arrest, and the duty of maintaining law and order. These were instruments that empowered the aristocracy vis-à-vis the populace since the onset of colonialism. The power of arrest and the duty to maintain law and order was inherent with the Emir and the aristocracy during the Emirate in a totally different context of being vice regents of God; and commanding what was right, and preventing excesses. More over this was in the context of the checks and balances of the *Sarauta*. During colonialism the emir as SNA administered with the leave of no one other than the Resident. The NAs could establish NA police, and with the approval of the Governor constituted NA prisons. The leeway afforded the NA was immense, intense supervision by the administrative officers notwithstanding. The emirs valued the powers conferred on them. Symbolically they were still *sarakunan yanka*.[1116]This explains the perplexity expressed by the emirs when the colonialists decided to enforce the law that required the emirs to apply for arrest warrants from the *alkalai*. The emirs thought the powers inhered in them; that they were the ones who delegated the powers to the *alkalai*![1117] Could it be that the emirs did not know of the existence of the law? What explains this apathy at this late hour?

[1116]Meaning they could pass the death sentence. This was a power they had as *Amarau* in the Emirate period.
[1117] Letter from Resident Zaria to SNP seeking guidance; AREWA: 41122.

Topical issues of the time also manifested at the judiciary. The subordination of the Muslim laws to Protectorate laws was always simmering. At the onset of colonialism, Muslim law was permissible to the extent that it was not repugnant to natural justice or morality as defined by the colonialists; and not in conflict with any protectorate laws. Indeed there was not any mention of Muslim law in the legislation of Nigeria up to that time. It was subsumed under native customary law, the orchestrated promise not to tamper with Muslim religion notwitstanding.[1118] Test cases soon emerged in Kano, Sokoto, and Gwandu. In 1943 the ruling of the chief *alkali* of Kano was reversed in a case of inheritance by a non-Muslim from a Muslim. This was not allowed in Muslim law, but was considered contrary to natural justice by the colonialists. Also in 1946 from Sokoto, there was a notable case of fornication and manslaughter. In the case of fornication, the chief judge (*alkalin alkalai*) of Sokoto passed a sentence of five years. The Colonial Government directed the sultan that the sentence be reduced to one year. Both the sultan and the emir of Kano objected to the slide in moral standards, but not in the more basic issue of the conflict underlying the review.[1119]The Tsofo Gujba case brought to the fore the issue of what criminal law was to be administered by the *alkalai*; criminal law of Nigeria or Muslim law? A case which might be criminal in Muslim law may be civil in the Nigerian law; rules of proof also differ.[1120] The colonialists proclaimed what had been obvious all along, that the problem was not in the dual nature of courts, but in the dual nature of laws. In regard another appeal to the Supreme Court on judgement from the court of the emir of Gwandu we had this frank opinion expressed, that "… the native court is being required to administer a law they have not access to, and if they

[1118] AREWA: 38780 Muslim Courts of Northern Nigeria Memo on by Mr Justice G. Carlow (1945).
[1119] AREWA: 41107. CONF NO.23/1933/111 OF 16/8/1946.
[1120] AREWA: 44326 NO.K/52A/1946/54 of 2/6/1947. Issues regarding the West African Court of Appeal (WAC.2567).

had they could not understand or appreciate. Indeed to follow such a law may be at direct variance with religious (i.e. Muslim) conscience."[1121] Concomitant with the issue of what law was the issue of what training for the native court personnel. Given the logic of colonialism, the training was decided by the colonialists and not the NA.[1122] In Kano Province when a refresher course was conducted, the colonialists decided that both city and district courts required more consistent visits by the *wali*. The *wali* advised the *alkalai* in legal and other matters, and ensured that what was learnt was put into practice. The *alkalai* were tutored in: complaints, civil and criminal cases registers, cash book, receipt, remand and imprisonment warrants, monthly returns, voucher, court warrant and files.[1123] Subsequently the NA council in consultation with the D.O. agreed to institute courses for the clerks (*muftai)* of village courts. The Attorney General advised that the criminal code of Nigeria superseded all other kinds of native law, Muslim laws inclusive. Thus in the Tsofo Gujba case, the judgement of the emir of Gwandu's court was quashed. The Attorney General was however frank noting that the judgement "has created a situation in which the whole system of the working of native courts throughout Nigeria has been undermined to a degree that it is difficult to estimate."[1124] The Chief Commissioner Northern Provinces noted that it was the reason why the most highly respected and the most learned jurist opted not to work for the colonialists. They did not want to compromise their conscience. He advised caution in making changes.[1125] These concerns led to the setting up of the Legal Committee, and finally the Native Courts Ordinance of 1948. This ordinance empowered the native courts to convict in criminal case also. "They could rehear and determine the whole case on the same charge or on any charge which might have been laid on the facts as disclosed by the evidence, and

[1121] AREWA: 44326 NO.K/52A/1946/54 of 2/6/1947. Case No. K/52A/1946. Judgement 13/2/1947.
[1122] NAK: KANOPROF 5574 District Alkalai, Training and Courses of Instructions for.
[1123] NAK: KANOPROF 5574 District Alkalai, Training and Courses of Instructions for.
[1124] AREWA: 44326 NO.K/52A/1946/54 letter No. 0214/44 of 28/10/1947.
[1125] The Chief Commissioner was J. R. Patterson

make such order or pass such sentence as to the court or other authority may seem just; …"[1126]

The Colonial Government considered that the Provincial Court "… was a necessary alternative to the purely native court jurisdiction in 'native' cases. The second is as a convenient alternative to the Supreme Court machinery."[1127]Inconvenient cases were steered to the court that would deliver favourable judgement. In any case we need remember that the Resident and lesser administrative officers had the power to transfer cases at any stage of proceedings, or substitute judgements. Up to 1949 it was the Resident and not the emir that had powers to establish native courts. Some criminal cases were excluded in the warrant of the native courts. By January 1948 Kano Province had four emirs' courts, two chief *alkali* and 31 *alkalai* courts. There was the mixed court grade C with extended B grade powers in civil actions only. By 1949 these courts had matured, judging from the number of cases they handled. They handled 69,700 casesout out which there were only 40 reviews, and 220 appeals.[1128]

In 1952 the "Report of the Native Courts (Northern Provinces) Commission of Inquiry," was presented to the House of Representatives. Issues tackled by the report included: organization, procedure, functions, constitution, composition and jurisdiction of native courts. Rules were prescribed for evidence, procedure, and the general principles of criminal and civil law.[1129]Subsequently in 1956 during the emir's absence on holiday in London, when the colonialists wanted to constitute *alkalai* and assessors' panels, the Resident sent in a letter

[1126] AREWA: 44326 NO.K/52A/1946/54 letter No. 0214/44 of 28/10/1947.
[1127] NAK: NDC 102: Native Courts Ordinance Review of.
[1128] NAK: NDC 102: Native Courts Ordinance Review of.
[1129] NAK: NDC 102: Native Courts Ordinance Review of.

requesting for recommendations. Neither the *madaki* nor the other counsellors complied in the absence of the emir. The colonialists might still be in the driving seat, but the emir was still influential in who the personnel would be. When it came to form the colonialists often let the emir have a say. This, however, did not stop the inauguration of the Muslim Court of Appeal in 1957.[1130]It was renamed the Sharia Court of Appeal. It comprised of a bench of judges, and advocates were not allowed.

In 1959 the Northern Region Government undertook further reform of the legal and judicial system of the Northern Region. The Government introduced a codified system of criminal law enforceable in all courts. Subsequently the native courts could no longer pretend to be Muslim courts. A penal code and code of criminal procedure based on the Sudan codes was adopted. Moreover, Muslim law was limited to the law of personal status. Provincial Courts staffed with regional public servants appointed by the Judicial Service Commission would hear appeals from grades B, C, and D native courts; thereby removing the appellate powers of the Chief *alkali* and of the Native Courts of Appeal. A native court appellate division of the High Court was established to hear criminal and civil matters coming up from grade A, and A limited and Provincial Native Courts.[1131]In Kano at the establishment of the Provincial Court, communication between the Resident, R. E. Greswell and B. Greatbatch (secretary to the Premier and a former Resident of Kano) indicated that the emir objected to the appointment of Alhaji Jibir Daura. Again the emir was more concerned with the person appointed rather than the basic change introduced. He preferred Mallam Muhammadu Sani, the junior *alkali*.

[1130]See NAK PUBLICATIONS: PPI Statement by the Government of the Northern Region of Nigeria on the Reorganization of the Legal and Juducial System of the Northern Region.

[1131] NAK: Publications PP1 Statement by the Government of the Northern Region of Nigeria on the Reorganization of the Legal and Judicial System of the Northern Region.

His preference was respected.[1132]The House of Chiefs passed into law the new penal code in 1959.

5.9 CONCLUSION

Up to the institution of development programmes, the policy of the colonialists regarding the position of the emirs was that their position must not be jeopardized by undue impositions on its form, once the *sarauta* did not threaten colonialism. The topical issue was the restiveness of the educated elite. A rapprochement was found between the emirs and the politicians. The remarkable feature of the period 1945 – 1960 was that the elite of the dominant Northern political party did not have to systematically criticise the Colonial Government, let alone be at logger heads with colonialism. Mallam Abubakar Tafawa Balewa's motion of 1950 was thus unique. The British mediated the relationship between the emergent educated politicians, and the emirs, in favour of the former. The struggle of the Northern elite was against the NAs, and not the colonialists, who remained till independence, their benefactors. The mediators, the colonialists, were able to steer the modern and traditional elite to a safe landing in 1960. It is a pointer to the stronger influence of the colonialists, that power was consistently shifted to the Regional Government. Thus from 1945, with the series of challenges faced by the emirs, manifested in increased devolution of powers to Provinces;[1133] which equalled decreased power of the emirs, they were not able to make any notable move to remain at the helm of affairs, not even at the NA level. At that judicature, the establishment of the Muslim court of Appeal and the High Court effectively took the powers of the emirs away.[1134]

[1132] KSHCB: R.264 Provincial Courts.
[1133] AREWA HOUSE REPORTS WP/A23 Preliminary Statement of the Government of the Northern Region of Nigeria on the Report of the Commissioner Appointed to Advise the Government on Devolution of powers to Provinces. February and March, 1957.
[1134] NAK/MLG/S/NAF/1/S.1: Abolition of Emirs and Chiefs' Courts. Replies from NAs.

6.0 GENERAL CONCLUSION

Sarauta and its derivative *Sarki*, whether as a word, a term or a concept is very popular in the Hausa language. This popularity and popular usage has had tremendous influence on our perception of its etymology and trajectory. It encapsulates the history, tradition, and culture of the people of Kano, and Hausaland. This is amply demonstrated and compounds our comprehension when applied to the history of Kano in the different periods: C.999 – 1807; 1807 – 1903; 1903 -1960; 1960 – 1966; and 1966 to date. It is the duty of the historian to unravel the *Sarauta*. Of the five broad periodizations above, this dissertation is concerned with the transformtions of the *Sarauta* during the 1903 – 1960 period.

It is hereby argued, that neither the form nor the essence of *Sarauta* or its derivative *Sarki*, has remained the same in the 1903 – 1960 period. The simple fact of radical transformations, disproves the pervasive orchestration, among some scholars and administrators, that the Emirate system 1807 – 1903, did not have fundamental differences with the pristine *Sarauta* system of c.999 - 1807. The same goes for the colonial period 1903 – 1960. In this regard we must be constantly aware of both the etymology and dynamism of the concept.

This dissertation argued for the *Sarauta* as a social system, nay a social formation. This may seem bold, but the challenge which led to jettisoning history by analogy started from the concept of Asiatic Mode of production. The Asiatic Mode of production, proposed for Asia, an alternative historical trajectory, contrary to the assumed Marxian deterministic stages of human development through primitive communalism, slavery, feudalism, capitalism, and

finally communism. In history by analogy, pre-capitalist was assumed to be necessarily feudal; and modern assumed a trajectory similar to the post industrial revolution Western European experience. In another history by analogy situation a mirage of an assumed ideal Islamic state is posited, and the period 1804 – 1903 judged in that respect. In the first, the terminology persisted, thus fiefs were still being sought for in the *Sarauta* system. In the second, the originality and creativity of the *muhajirun* is denied.

In the light of the above we have proposed the use of "*Sarki*" for the period up to Gijimasu c.1095 – 1134. *Sarki,* without the parenthesis was used for those who ruled from Gijimasu to Alwali. These were independent sovereigns who did not recognize any power above them and whom other statespersons recognized as such in international relations. The formal title of each *Sarki* changed to *Amir* in the Emirate period 1807 – 1903. Each *Amir* Kano was a subordinate of the Caliph, and not a sovereign ruler. The popular usage of the word *Sarki* to describe the leader, who was also *imam* and judge, however, persisted. The *Sarki* differed from the Amir, not only in the conception of sovereignty, but also in the basis of government, and governance.

Basic to the Emirate system 1804 – 1903, was responsibility and accountability in the context of Islam. When colonialism ensued, the *Sarki* (which had suppressed the official title of *Amir*) was restyled emir, and the English terminology was projected backwards also. For all the Governors under the Caliphate we have retained the correct Arabic title of *Amir* and suggest they be so called. Given the popularity attendant, we have used Emirs to refer to the colonially appointed *Sarakuna*. In the same vein we have proposed and used Emirate for the units under the Caliphate, and emirate for those under the provinces. It would then be clear

that rather than resilience of the *Sarauta*, we are confronted with its transmutation. This started with the different oaths of allegiance sworn to by the *Amarau* to the Caliph; and the Emirs to the King of England.

The colonial experience was characterized by further changes in the *Sarauta* system. The enforced difference to chiefs by administrative officers can be considered the high point of this emphasis on form during indirect rule. In Kano this dates from 1908. It was indeed a long way from when British officers passing were received by the people standing up with sleepers removed and the hats (*malfa)* also. Culprits were imprisoned for three days.[1135] At the onset the Governor only shook hands with first class emirs. While on tour the Governor was met at the outskirt of the town and escorted to the Residency. The emirs were accompanied by their headmen, office holders, and a suitable escort of horsemen.[1136]In the 1950s, initially the *Sarakuna* regarded the Ministers as their representatives. The high point was when Ministers awaited the arrival of the *sarakuna*; until the government pronouncement that placed the Ministers ahead in protocol. This merely reflected the shift in power. The relationship between Minister for Local Government, Maikano Dutse, and the Emir Muhammadu Sanusi best exemplified the cultural and political challenges. Emir Muhammadu Sanusi could not fathom a situation where Maikano Dutse would be classified as superior to him.

By the end of colonialism the situation has changed radically. Regarding the *Sarauta*, Yakubu erred in the assumed correlation between titles and functions of the portfolio councilors. We agree with Paden that by the end of colonialism in Kano, there was little

[1135] NAK: SNP6/4 –C111/1908.
[1136] Kirk-Greene, A. H. M. (Ed. &Trans.), 1965 *The Principle of Native Administration* …p.81.

correlation between pre-colonial titles and functions assigned, as amply demonstrated in the portfolios of the Native Administration Council.[1137]

In December 1957 the Regional Government issued a declaration of its relation with NAs. It asserted Government reserved the right to intervene, and the powers at its disposal ranged from financial, to executive and legal. The Government could withhold grant or even annul any NA. The Secretary to the Premier, Mr B. Greatbatch had written to all Residents at the instance of the Premier a top secret circular. That under no circumstances should its contents be divulged to NAs and only the absolute minimum number of Government officers should know of its existence.[1138]This was following the favourable showings of the opposition in the preceding federal elections, which was attributed to the failings of the NAs. The Premier indicated that he intended to take urgent and if necessary drastic measures to improve the local government system.[1139]In an October 1960 report from the Permanent Secretary, Ministry of Local Government to the Secretary to the Premier, the Permanent Secretary opined that evidence indicated a fundamental challenge by the NAs to the authority of the Regional Government. This was manifested in ignoring advice and failing to answer letters (queries?) from Ministries. In the case of Kano the following were noted:

1. Prevalence of nepotism.
2. Frustration by the young and educated of not being appreciated, and promotion not based on merit.
3. Increasing unwillingness of the NA to accept directions from the Regional Government especially on financial matters.

[1137] Paden, J.N. "Aspects of Emirship in Kano" in Crowder, M. & Ikime, O. (Eds.), 1970 *West African Chiefs: Their Changing Status under Colonial Rule and Independence*. University of Ife Press, Ile-Ife. Nigeria. The glossary of some sarauta titles at the end of this work is highly anachronistic.
[1138] NAK: MLG 4117A Local Government Policy (Criticism by Residents of NAs).
[1139] NAK: MLG 4117A Local Government Policy (Criticism by Residents of NAs).

4. While DHs are good, VHs are appalling.
5. Many NA courts are inefficient and corrupt.[1140]

The "Preliminary Statement of the Government of the Northern Region of Nigeria on the Report of the Commissioner Appointed to Advise the Government on Devolution of Powers to Provinces" marked a decisive juncture in the systematic emasculation of the Native Authority.[1141] On June 22, 1960 the Premier wrote a letter of advice to all NA councillors, elected and semi elected:

… I am concerned over the standards of efficiency of some of the NAs in the region…Some NAs are not keeping up the standards of the past or maintaining the progress which is necessary in these times of constitutional and political changes. Inevitably more and more responsibility is being placed on NAs and public opinion demands that the services provided by the NAs should be more efficient.[1142]

The Premier proffered nine advices and for the second time issued a threat: "if you fail to accept my advice then I shall reluctantly have to use the powers invested in me by law."[1143]Yet few years before, the conclusion of an official survey was that:

> Too often NAs are judged by standards which would be difficult to apply in the U.K.; would completely fail if applied to most countries of Southern Europe and a good deal of the Americas and would be laughed at in the Middle East. That extremely high standards should be the aim is right but that NAs labouring under the difficulties which they have to face should be too harshly judged is I maintain unfair in that it takes no account of the very genuine efforts being made by NA and their staff to improve their performance.[1144]

With the inauguration of the Provincial Council in 1961, the members were partly elected and partly nominated by the Minister.[1145] This made superfluous the existence of outer councils,

[1140] NAK: MLG 4117A Local Government Policy (Criticism by Residents of NAs). Just a few years back, the Lt.Governor considered Kano NA one of the best run in the Region. This was when the emir threatened to resign; Sharwood-Smith, 1969 p.377.
[1141] This was sequel to the report by Mr. R. S. Hudson, (undated) in Arewa House WP/A23.
[1142] NAK: MLG/L/LGA/40 Letter of Advice to NA councillors.
[1143] NAK: MLG/L/LGA/40 Letter of Advice to NA councillors.
[1144] NAK: FINST/1/3/3 Papers on N.A. Finance No.2: A Survey of N.A. Finance in the Northern Region. Some Problem & Statistics, By G. R. I. Dees, 1959.
[1145]NAK: KANOPROF NAC/121/163. 1961

but they remained till 1964.[1146] The "Administrative Instructions to Provincial Commissioners and Provincial Secretaries" marked a decisive juncture in the relationship between the Native Authority and the Regional Government.[1147] In protocol the Provincial Commissioner was equated to a Minister with portfolio. Both the Provincial Commissioner and Provincial Secretary were, in executive and administrative capacities respectively, superior to the emir. And reminiscent of the immediate colonial past, the Permanent Secretary, Ministry for Local Government had to remind all Residents on December 19, 1961that: "it is apparent from the Zaria Commission of inquiry that a number of NAs still do not understand the requirements of Government and are continuing to confuse local government with self-government."[1148]

The Provincial Commissioner was the direct representative of the Government of Northern Nigeria in the Province; and the Provincial Secretary was the administrative officer of the Public Service of Northern Nigeria. The quandary is to what extent can we meaningfully separate the NA from the traditional rulers, especially in what has been described as the great emirates?

The veracity of the statement of the Premier to the Willink Commission that: "here in the North we have evolved a system of government in which our chiefs are brought closely and intimately into contact with the conduct of the government's day to day affairs,"[1149] did not last long.

[1146] NAK: MLG/S/REF/5 Circular No. 15/1964. Outer Councils.
[1147] AREWA: Publications ADMIN/1/1/14
[1148] NAK: MLG/L/LGA/40 Letter of Advice to NA councillors. The tone was reminiscent of the colonialists during the Governor Cameron era!
[1149] Sir Ahmadu Bello, Sardauna of Sokoto, Late Premier of Northern Nigeria: Selected Speeches and Quotes 1953 – 1966; Ahmadu Bello Memorial Foundation, 2009 p.22.

Meanwhile after independence the actual participation of the emirs in government decreased. Emir Sanusi was a Minister without Portfolio from 1954 to 1963. The Executive Council met weekly. It was thus not logistically feasible for the emir to attend regularly. The emirs who were members might attend every two months, except when important local government issues were discussed.[1150] Thus direct and formal influence of the emirs on government declined. Indeed it has been asserted that after 1961 in the Northern Region, the Premier progressively adopted informal structures. "Over time, he shifted his office to his house (at Nasarawa) and held court twenty-four hours a day."[1151] Smith further intimated us that the real businesses were not done at cabinet meetings. By 1962 the situation was such that the Government had to issue a statement of its policy regarding the position of emirs in relation with their Native Authority Councils and in general.[1152] Critical in this review was the reinstatement of the position of emirs as agents of Government through NAs. The policy noted that for the future they emirs will: "continue to be of great value to the region … Providing a stabilising element in a rapidly changing world;" and

> Essentially the chief should provide for the psychological need that individuals and communities feel for a leader. He should be their ideal in morals, manners and conduct, personification of the group, and outward expression of the tribal or group personality, a worthy representative on all important political and social occasions of the tribal group, a proof of its prestige.[1153]

Whatever sanctimonious avowals, compared to the colonialists, the action of the Government after independence demonstrated it had less respect for the emirs.

[1150] Paden, 1986. P. 413.
[1151] Paden, 1986. P. 221. Citing interview with John Smith who worked as assistant secretary in the Premier's office, before and after independence.
[1152] NAK: MLG/S/REF/5 Circular No.80/1962.
[1153] NAK: MLG/S/REF/5 Circular No.80/1962.

In a nutshell the intent of Government was to denude the emirs of all executive and judicial roles. It succeeded in doing so. From being SNA the chiefs were moulded as regards administration into supervision; and judicially emirs were advised: "should be careful not to arrogate to himself powers which now belong to other judicial institutions, but he should continue to undertake arbitration."[1154]We have noted the consternation of the emirs when told to apply to *alakali* for arrest warrants! There was a meeting of the Conference of Chiefs in January 1962. The next was in October 1965!

By 1961 we witnessed a petition to the Premier, from Kano, on the "very deceitful and selfish ways" the councillor of the judicial department, the *waziri* was running the department. The significant thing was the petition was directed to the Premier. By 1962 disciplinary cases were handled by the office of the Premier.[1155] Most of the emirs in the emirates were not ready to accept this. It was this dialectic that culminated in the removal of the emir of Kano Muhammadu Sanusi in 1963.

An issue worthy of serious consideration is the extent to which religious differences affected the relationship between Kano and Kaduna; and specifically between the Premier and Emir Sanusi. There is absolutely no religious basis to the office of the Premier. On the other hand emirship was predicated on Islam. Aminu Kano claimed the emirs lost their religious basis. In a situation characterized by so much ignorance, including religious ignorance, this is difficult to accept; and much more difficult to assess. Gummi[1156] opined that what the people had, (and what they were fed with, akin to the opium of the masses), was faith. Intrinsic to emirship was royalty, symbolised by pomp and pageantry. It would seem emir Sanusi missed

[1154] NAK: MLG/S/REF/5 Circular No.80/1962.
[1155] KSHCB: R.256A Native Court Staff.
[1156] Gummi, A. 1992 *Where I Stand,* Spectrum books LTD.

the essence when, for three months in 1961, he was appointed Acting Governor. Unable to reconcile himself to the changing dispensation relegating emirs as second fiddle to Ministers, he made the most of the appointment symbolically. He could not change the real power configurations swarming against the emirs one bit. Indeed he only made more enemies, giving his antecedents of alleged disdain of the Ministers. Again we cannot find the basis of assuming enmity between the Premier and the emir, even though Aminu Kano reported the Premier visited the emir's mother, presumably to get her prevail on him to swim with the tide.

Reminiscent of the colonial situation when the advice of the Resident to the chief and NA was de facto law, the Provincial authorities were allotted same privileges. Thus they could attend any or all meetings, and examine all records; the D.O. was empowered to attend finance Committee meetings of all NAs; the D.O. was also a member of the tenders board, and could attend the meetings of any committees as directed either by the Minister for Local Government or the Provincial Commissioner. They were literally given veto powers over the affairs of NA committees.[1157]

We have noted the retroactive assessment of John Smith that: "There was not a single administrative officer with knowledge of Kano who thought the *ciroma* would make a good emir. It took a decade of misrule and the combined efforts of the sardauna of Sokoto and David Muffet to break him."[1158]Tahir suggested some social crisis made Sarki Abdullahi

[1157] NAK: MLG/S/REF/5 Circular No. 22/1964.
[1158] Smith, J. "The Relationship of the British Political Officer to his Chief in Northern Nigeria." In: Crowder, & Ikime, (Eds.). 1970.

abdicate most of his responsibilities to Ciroma Sanusi.[1159] The 1940s and 1950s was characterized by the questioning of the basis of emirate authority and community.[1160]This was concurred to by Sharwood-Smith; and corroborated by the array of civil society groups that emerged. Thus in the context of the law, *ciroma* Sanusi wielded more powers than emir Sanusi, and 1954 the year he was formally installed as emir was significant in the unfolding changes. It was the year a new Native Authority Law was promulgated; it was the year the Sardauna became Premier.

On 21 November 1962, the Minister for Local Government placed before the Executive Council of the Northern Regional Government, a top secret memorandum; the interim report from the sole commissioner, Mr David Muffet, on the financial affairs of Kano Native Authority. The findings indicated that the attitude, disposition, predilection, and antecedents of Emir Muhammadu Sanusi, was in absolute contradiction to what the government had articulated as its aspiration for the emirs of the Northern Region. Emir Muhammadu Sanusi was alleged to have contemptuously violated all guidelines, regulations, advices, and laws of the region. This had become systematized in the Kano NA institutions and personnel. That there was a pervasive notion in Kano that the emir was untouchable, and that once the personnel had his confidence, they were also immuned to any kind of retribution. No situation has come to light as this, of the unfolding dynamics that characterize relations between the Government of the region and especially the emirates that were hitherto SNA.[1161] Bryan Sharwood Smith, as Resident Kano, reported that often the Resident had to force emir

[1159]Tahir, 1975. P.406. Could this be related to the case mentioned by Tijjani Naniya concerning a certain daughter of the Emir that led to the demolition of somebody's house?
[1160]Paden, 1973. P.273.
[1161] There is no in doubt that Muffet exceeded his brief; and that the affairs of Gwandu and Zaria have also been investigated and significant retributions followed. However, the situation in Kano was beyond the formal relationship between the Region and the NA; and certainly beyond the Persons of the Premier and the emir, as the subsequent political and religious fallouts demonstrated.

Sanusi to reverse or vary some of his judgements.[1162] Emir Sanusi and a significant number of councillors, DHs, VHs, and other lesser officials were found to have literally violated all the laws that should have guided their offices. Most damning corruption charges were levelled against emir Sanusi who had the privilege of chairing the Committee that investigated the issue of corruption, emanating from the Report of a Joint Select Committee of the House of Chiefs and House of Assembly in 1951.[1163] We are in full agreement with Paden when he noted that the significance of the forced resignation of emir Sanusi lay in the supersedence of the region over the NAs.

The Kano crisis brought out into sharp focus the different tendencies that have been developing in Islam in Northern Nigeria. Emir Abdullahi Bayero had played a pre-eminent role in the spread of the influence of Tijjaniya in Kano. This was in contradistinction to the Quadiriya doctrine to which the Sokoto leadership was predisposed. It was a major but subtle challenge to the supremacy of the Sokoto over the emirates, which the Colonial Government had recruduced in 1930 with the consultative Council of chiefs. By the time of emir Sanusi, in the context of the drive towards independence, characterized by the systematic ascendance of the region, the power relations had considerably changed.[1164]The formation of the Kano State movement in 1963, and its conversion to Kano Peoples Party had important portents that were only terminated by the military coup. The internal dynamics of Kano emirate was on a higher notch; its population and economic capacity apart, it had a very strong emir and has been rightly observed as the predominant centre of reformism and social change in the

[1162] Simth, Sir, B. S. 1969. *Reflections of British Administration in the Cameroons and Northern Nigeria, 1921 – 1957: But Always as Friends.*

[1163] For the whole region, proved loses from NAs by criminal action was only 1/10 of 1%. NAK: FINST/1/3/3 Papers on N.A. Finance No.2: A Survey of N.A. Finance in the Northern Region; Some Problem & Statistics, By G. R. I. Dees, 1959.

[1164] Paden, J. N. 1973. Religion and Political Culture in Kano. University of Carlifornia Press. Also Tahir, I. A. 1975 "Scholars, Sufis, Saints and Capitalists in Kano, 1904 – 1974: The Pattern of Bourgeois Revolution in an Islamic Society" PhD. Cambridge.

period after independence, and after all it was the centre of both NEPU and Tijjaniya.[1165] Mahadi, Fika, and Yakubu all, in one way or the other, argued that the Emirate system from 1807 to 1903, was but a reincarnation of the Hausa system. Whitaker had avowed that: "the execution of indirect rule had left intact the essential institutions of traditional government in the emirate for the time when Northern Nigeria confronted a fundamentally new objective of colonial rule namely, to introduce and develop democratically representative institutions of government in Nigeria."[1166] He also avowed that after the British withdrawal: "the major elements of emirate traditional institutions, to the surprise of many, survived these developments."[1167]We disagree, indeed that is why we have differentiated the Emirate under the Caliphate, from the emirate under colonialism; they were fundamentally different. If his thesis is pushed to its logical conclusion; since he also avowed that all the condemned pre-*jihad* practices found their way back into the system; and the *alkalai* and sarcedotal *malamai* were mere superficial innovations, but maintained, did it then mean that indirect rule was in essence the same with the Hausa system that *Sarki* Alwali presided over as an independent sovereign? However, Whitaker observed that the most fundamental change the British effected by colonialism, was the change in the relationship between the rulers and the commoners. The concept of the big white man, who would right all wrongs perpetrated by the *Sarakuna*,[1168] had been instituted from the day Kano was conquered. It was popularised by empowering the challenge of native court judgements and by reviewing the emir's court judgements.

[1165] It has been noted that by this time brotherhood mosques had eclipsed Fulani clan mosques. Paden, J. N. 1973. P.52.
[1166] Whitaker, 1970. P.28.
[1167] Whitaker, 1970. P.28.
[1168] Whitaker, 1970 p.21 uses *Sarakuna* correctly to denote: "royals and nobles, eunuchs, slaves, and free clients (whose differences in status corresponded to an elaborate system of state offices and titles).

By 1964 the Northern Region Government was expressing concern about the finances of the NAs and welcomed the services of a UK expert provided by the British Government.[1169] The issue of the superfluity of the outer councils in the light of the establishment of the Provincial Councils was the subject of a circular that emanate from the Ministry for Local Government in 1964. Every Provincial Commissioner and every Administrative Officer was empowered by section 150 of the Native Authority Law to attend and examine records of any NA or council and participate in their discussion. They could proffer advice. D.O.s were empowered to attend meetings of tenders' board and were literally given veto powers. Series of memoranda systematically shifted powers to the Minister for Local Government and the Provincial Commissioners. Indeed the Chiefs have been denuded of most executive powers since 1962 via MLG.4123/S.1/100 Statement of Government Policy Regarding the Position of Chiefs in Relation with their Native Authority Councils and in General.[1170]

By the circular NAK: MLG/S/REF/5 Annex A., the emirs were literally denuded of all executive and judicial powers. By 1965 emirs needed the permission of the Premier to travel out of their province. What was it that incapacitated the emirs in spite of the veto power the House of Chiefs had over the NHA? We have noted that being on the executive was more symbolic than real, given the inability to attend meeting. Why was the House of Chiefs unable to forestall some of the inimical changes since it was the body empowered to pass laws affecting emirs? This question has not been satisfactorily answered before. It is tempting to relate it to their collective low level of education. This had led to a lot of presumptions, manifested often enough. We may recall their attitude when confronted with applying for warrants from *alkalai*; of assuming Ministers were their deputies (*wakilai)*; of not being able

[1169] NAK: PUBLICATIONS PP5A Statement of Government Activities in Northern Nigeria by Sir, Kashim Ibrahim to the Budget Meeting of Northern Nigeria Legislature 1964.
[1170] NAK: MLG/S/REF/5

to distinguish between form and essence by placing too much emphasis on protocol (initially Ministers awaited the arrival of emirs, and deferred to them in protocol); of not knowing how the budget was framed; of forgetting that the coercive forces were more in favour of the Region; and of the inability to boost their bargaining power by using the tremendous organizational infrastructure at their disposal of being the backbone of the NPC (of the 68 rural district branches of the NPC investigated in 1959, in 60 the party chairman was also the DH!).[1171] Why did emir Sanusi not use the large number of Kano members of the NHA (Bello Kano and Ibrahim Musa Gashash had been 'lost' to the region). Why did the Kano Peoples Party which had been formed since 1954 not appropriated to challenge the NPC?[1172]We suggest the basic reason was that colonialism nurtured the educated elite that transformed to politicians, and transferred power to them. All the above witling down of the powers of the NAs notwithstanding, the conclusion of most scholars is that the NAs, throughout the period from independence, used its facilities to support the NPC and muscle the NEPU.

The etymologies of *Sarauta* and Sarki are worthy of an indepemdent inquiry. When we first encountered "*Sarki*," it was at the emergence of a local potentate. The local potentate transformed into *Sarki*, a sovereign, who was the head of the *Sarauta* that continously evolved from the time of Sarki Tsamiya (c.1307 – 1343), till the Jihad of 1807. The *Sarkin* Kano was the King of the *Kanawa*, a nationality group of the *Hausawa*. We have argued that the *Sarauta* developed, was a social system, nay a social formation. The Jihad of 1807 in Kano brought into the helm of affairs a renewed social system, under the leadership of the Fulani, in a society that had embraced Islam. During this period, the Emirate period, the new leaders willingly

[1171] Whitaker, 1970 p.363.
[1172]NAK: KANONA 337/S.13 KPP Union. Its President General was B. Useini Balamganchi, while the National Secretary and Party manager was S. L. Abubakar Yola.

subordinated the hitherto independent and sovereign Kanoland, as Kano Emirate, to the Sokoto Caliphate. The Emirate, we have argued, was a totally different system in fundamental ways. The Emirate was not a continuation of the Hausa system, even though it was still called the *Sarauta*, and the head popularly called the *Sarki*, instead of his official title of *Amir*. *Amir* is an Arabic word. This nomenclature is the source of the pervasive confusion that we grappled with. The *Amir* was an appointed official who was held responsible and accountable, in an Islamic context. The Emir was a transmutation of the *Amir*, who was reduced via military conquest into an assistant of the Resident. While slavery was gradually eliminated the emir was compelled to organize forced labour fot the colonialists; and later forced paid labour in the mies and the railways. The Emir was no longer *Amir*, *Imam*, and judge. The descent in the judicial sphere represented what happened in all the other spheres. At conquest the *Amir* could pass the death penalty, thus the epitaph *sarkin yanka*. From conquest his court was established by warrant that delimited his powers. The emir could still pass the death sentence, but this needed the approval of the Lt. Governor before execution. All the native courts had to deal with progressive legistlation, and were, in law and in fact, inferior to the Supreme Court, the High Court, and the Provincial Court. At the executive level the 1962 Government policy effectively reduced the Emirs to custodians of culture.

SOURCES

THE COLONIAL RECORDS

The colonial records ranged from Parliamentary, Colonial Office, and records of colonial companies. They also included records from the Chief Secretary to the Government, the Secretariat of the Northern Provinces, and the Provincial Administration. They are composed of various anthropological and ethnological notes, the various and different kinds of assessment reports, inspection notes, district notes, miscellaneous reports, memoranda, publications (commissioned reports & white papers), conference papers, annual reports and gazetteers. There are also the very important memoirs of crucial actors. Given our period of study, this corpus constituted very significant primary sources.

The assessment reports provide, more than any other kind of the colonial sources, the objective workings of colonialism on the ground: administration, economy, social and security services, the judiciary and physical infrastructure. The assessment reports also show the trajectory of colonialism from *taqiyya* (passive resistance while showing outward submission), to acquiescence, and to collaboration. Assessments were done basically for tax purposes. The objectives, which the methods employed were designed to achieve, were often enough clearly stated. Their frankness is often baffling. In the various and many correspondences between various categories of colonial officers and the traditional rulers, though one often encountered warnings from superior officers of the need for subtleness, the fact that the warnings were necessary is enough indication of the embarrassment they sought

to avoid. It is however in the objectives of specific methods and policies and the desired end result that the records are amazing. There can hardly be a better example than the well-articulated position of Lord Lugard himself in his series of memoranda. Particular notice should be taken of those explaining why the direct method of taxation was preferable to the indirect. Lugard had averred that taxation was the basis of indirect rule[1173] and that:

> Direct taxation ensures the selection of the most capable and most influential men as the chiefs and advisers, and invests them with authority and responsibility. Both in the assessment, collection and disposal of the revenue, they become a part of the government of the country and incompetence or dishonesty is soon exposed.[1174]

For an official overview of the colonial situation nothing compares to the Provincial Annual Reports. No aspect of the colonial society was left out. It is however the group that needs to be most carefully analysed, compiled as they were from the various reports sent in from the departments, districts, and divisions. The Provincial Annual Reports, which in turn formed the basis of the Regional Annual Reports, are a filtered lot. The way and manner a Resident handled a situation in his domain; especially whether or not information was made available to headquarters on time did often drastically affect the course of events.

The annual reports were a deliberate compilation. Lugard noted:

> The Annual Reports submitted by the Resident is a report of the work done in the Province and all matters of interest. … It should be limited to events, facts and conclusions. … Special care must be taken in compiling this report, since it is the most important of the Provincial archives, which in future years may become of great interest and value.[1175]

INFORMANTS

Perspectives were gotten from the few who left memoirs, but even in this, the insights are limited. The *Sardauna* as DH was a tax collector; but not much insight obtains in his book. The same thing can be said of Alhaji Mamudu Koki who served as a clerk and was engaged

[1173] Lugard, L. 1965 *The Dual Mandate in British Tropical Africa*,
[1174] Kirk-Green, A. H. M. (Ed & Intr.)1965 *The Principle of Native Administration in Nigeria:*
[1175] Kirk-Greene, A. H. M. (Ed. & Trans.) 1965. P.104-105.

in tax work, after his father had done the same based on their knowledge of *ilmhisabi* (mathematics) in Kano. The *Sardauna* opined that the tax incidence was not much; that during the collecting period peasants rushed to sell products, and this often led to glut and fall in prices. The DH tended to be judged at headquarters: "by his ability to bring in his early and bring it in complete (Bello, 1962 P. 43).

For some aspects of the workings of the judiciary, the work of Christelow on the records of the court of emir Abbas is unrivalled, being the only one of its kind. Abubakar Gummi, who served as deputy Grand Khadi under a Sudanese judge, but later replaced him as the Grand Khadi also left little in terms of specifics, but also provided some insight for the immediate post- independence period. Alhaji Garba Saeed, one of those interviewed, apart from being a scholar, also worked in the court in 1949. With him also we encountered the same problem of inability to provide systematic and chronological information that is verifiable.

Most of what was gotten was in the realm of popular history, generally believed but not verifiable. Indeed quite a number of renditions, information provided contradict what is known. Some examples:

- According to Isa *Waziri*, the colonialists did not tamper with the emir's council!
- That appointment and dismissal of *alkalai* was solely done by emirs!
- The*Shamaki* denied that the NA was biased in favour of the NPC.
- Alhaji Garba Saeed claimed that Gidado was promised alkali to dissuade him from going to Burmi. Gidado later served as *waziri* for 37 years.
- The*DanRimi* opined that Abbas enhanced the prestige of the *sarauta*!
- That emir Abbas was chosen by people!

Alhaji Daudu was my guide in Kano during my interviews. He has the following pedigree:

- His father was Ahmadu dan Ruwata b. Galadiman Kano Abdulkadir; b. Sarkin Kano Abbas.
- His mother was Fatsima mai Yeri b. Abdullahi Bayero b. Sarkin Kano Abbas.

Further insights were gotten from the under listed:

Yusuf Yunusa Collection of interviews 1975. In Bayero University Kano (BUK), Research Data Centre.

Mansur I. Mukhtar Collection 1989 in Kano State History and Culture Bureau.

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3. AlhajiGarba Saeed, a scholar and member History and culture bureau board.
4. *Shamaki*
5. *DanRimi*

All interviews were conducted in October 1998.

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APPENDICES

APPENDIX I: KANOPROF 2953 EMIRS INSTRUCTIONS TO DISTRICT HEADMEN

TO ALKALIN KANO.

To instruct all District headmen (big and small) to ensure that persons summoned are produced (2/6/1922).

To all DHs. Not authorized to deprive any dagachi of his salary on account of short fall in Kharaji. Only the Emir can authorize such through the ma'aji and the DH informed accordingly (15/6/1929).

TO ALL DHs.

Farmers who have planted should not be allowed to vacate their farms, especially after the second weeding. Farms must be vacated before cultivation commences. Notification effected through the VHs (7/5/1922).

TO ALL HAKIMAI:-

Anybody who proceed to "cin rani" without paying his Kharaji, DHs. authorized to deduct from his possessions, in front of witnesses, some goods to be sold to ofset the amount due. The DHs. to do this in person and inform the Emir (9/2/1922).

Authorizing the DHs to instruct the VHs. to pay the equivalent of ¼ of their salaries to their mallams (11/12/1921)

Any DHs. down ward who collected anything in excess of assessed tax has committed an offence (6/2/22).

13/2/24 –Orders of the Emir (Usman) with the authorization of the Governor.

13/2/1924

From D.Hs. down wards –No one authorized to adjudicate – inheritance, punishments – resort must be made to alkalai for adjudication.

- Bribery to inhibit prosecution is an offence.

- Collection/Reciept of gratification in order to provide a commoner with land for farming or dwelling and offence.
- Receipt of Kudin sarauta an offence.

- Receipt of money to obtain commons lands and to evade "aikin tafarki, ko aikin bariki" yayi laifi.

8/2/1922

Revenue to baitul mal to be accompanied by an accredited DH 'boy'.

24/9/24 – Procedure to be followed by intending pilgrims. VH – DH – Emir must have paid tax.

8/2/24 – Duties of Dogarawa. (1) Summons (2) Su zo da wanda a ka yi wa ajali ya fi kwana 14, murderer etc. (3) Escorting detained persons to court.

7/2/1924 – Instructions on processing skins.

7/2/1924 – Instructions (Health) to mai-Tuta Bello.

9/2/1924 – Instructions on Jangali

16/6/21 – To Galadiman KN. Muh. Bello.

To "shela" that thieves caught must not be lynched. If it happens, the dagachi will be held responsible. Thieves are to be arrested and handed over to Hakimi.

10/6/1920- To Chairman Kano (Bayero). Procedure for commoners to follow in case of excuse assessment, Dagachi ➔ Hakumi ➔ Sarki ➔(directs) Waziri

8/7/1920 To chiroma-Statistical returns:Rain, Crops, Prisoners, population cases, cattle, farms…

(N.D) To All Hakimai-Prohibition of forced labour for Europeans.

9/7/1920- Procedure of rendering money collected

Accredited persons ➔ Digachi ➔ Hakumi.

6/1/1929- To DH. Dawakin Tofa, Madakin Kano Muhammadu.

Prohibition of canning by gang leaders on "aikin turba" (Construction work?).

16/6/1929- To Galadiman Kano Muhammadu Bello.

To effect repairs on prisons and provide adequate security.

16/6/29- TO All Kanawa. Prohibition of begging by both destitute and praise singers in *kanti*.

16/6/29- All D.H Inspection/Interview of all new arrivals/residents.

2/11/1928- Introduction of fees to Fage hospital.

16/6/29- To all (from Resident) Speed limit 15 miles per hour for lorries and other traffic regulations.

25/9/1929- On tax: change over from *taki* to general tax.

21/11/1928- Sanitation

4/4/1932 Health instructions: To all habitations-compounds, adjacent roads, wells, markets, slaughter houses. Report outbreak of any disease.

21/11/1925 To all DHs Prohibition of alien from residing in towns.

21/11/1928 To all DH to check taxation of under-aged, those below 15.

1/2/1925 Against receipt of bad currency.

27/9/1929 To all DH repairs to barracks; payments to be ensured.

11/3/1932 To Sarkin Bai Not to mix delinquents with adults.

18/9/32 (Sunday) Shackles in prison.

11/7/1934 Use Of Cash Book.

4/5/1938 To Makaman Kano Muh. Bahiru (from wali's office). Homicide Investigation.

No. 27/113 From Madaki's general office, KN 7/5/38

To Resident: Information (copied to) regarding instructions on murder and theft (written for and on behalf of the Emir).

30/3/39 From Madaki's office to DH Danbatta, Sarkin Bai Muhammadu Diko.

Not authorize authorize kharaji. Culprits to be handed over to Alkali or taken to Kano.

From Madaki's office 1/4/39 To DH Danbatta, Sarkin Bai Muhammadu Diko. Directive fine on kharaji defaulters especially(*yan cin rani*?). To investigate in person.

No.2953/77 of 5/4/39 from DO KN Division: To the touring officers directing them to assist the VHs in the investigation concerning the kharaji defaulters.

APPENDIX II: KANOPROF 1522-TEST ASSESMENTS DAWAKI TA KUDU
From ADO (touring western Area) H.L.Noble.

1. Places: Santolo and Behun

2. Procedure: Two weeks to arrival the DH written and told to choose two typical village units of average size and to prepare a list for each showing the numbers of taxpayers, the numbers of industrialists. Divide according to their trades, the numbers of mares, donkeys, sheep & goats and the numbers of economic trees. Then a survey *mallam* was sent to measure the area of the unit and of any *nomajide* farms, as well as any large parches of bush in the area.

3. On arrival I collected the following information.

A. Crop Statistics, at mass meetings of farmers

B. Annual Value of livestock

C, Annual Value of economic trees

D. % of ground not farmed

4. Estimated 8% of average income at Santolo gives an incidence of 9/7 and at Behun 10/3.

5. 1934/35 incidence was 8s 6d and the average of 10.

APPENDIX III: KANOPROF 1522-TEST ASSESMENTS RANO (1935).

Same as appendix IV

4. Estimated that 8% of the average income at Barkun gives an incidence of 7s 9d and at Kibiya 7s 2d.

5. Incidence in 1934/35 was 6s 3d and the average % of income as 8%. In view of these assessments I suggest that the incidence might be increased by 6d giving an approximate % of about 71/2

APPENDIX IV: KANO 5/1 2467 VOL I GWARZO DISTRICT REVISION OF ASSESSMENT (1924?)

Attached letter by the SNP conveying His Honour the Lt. Governor's comments "for your guidance and for any action which may be necessary…" Difference between assessment, re-assessment and review of assessment.

Revision: Though it should be concise, should deal fully with the census and the method by which it had been carried out. The staff used should be stated, and also the extent to which the DH and the VHs have realise their responsibilities and have performed their functions correctly; also the report should show in detail what supervision has been exercised by the administrative officer. In short this report should show clearly that the proceeding have been in accordance with Mr Carrow's paragraph 3-4, i.e useful to insert any information of value or interest.

From ADO to DO i/c Emirate 15/5/192

1. The adult male census of Gwarzo was carried out by five mallams under the supervision of the DH, sarkin dawaki and myself.
2. Figures obtained checked first by the DH and then entered by the DH's mallam and myself in our respective books.
3. During the count each mallam was accompanied by a representative of the DH and the village and Hamlet heads concerned, all of these being present when final figures were produced.

   Proposed increase of 2% over last year.

APPENDIX V: KANO PROF 5/1 1523 TEST ASSESSMENT RANO DISTRICT 1935.

From the ADO (touring western area) to DO, Kano Division 29/6/1935

Places: Barkun and Kibiya

1. Procedure: Wrote to DH to choose two typical village units of average size and to prepare a list for each showing the number of the payers, of industrialists, divided according to their trades, the number of mares, donkeys, sheep and goats and the number of economic trees. Then a survey mallam was sent to measure the area of the unit and of any *nomajidde* farms, as well as of any large parches of bush in the area.
2. On arrival collected the following information:
    a) Crop statistics
    b) The annual value of livestock
    c) The annual value of economic trees
    d) The annual income of industrialists
    e) % of ground not farmed.

APPENDIX VI: SNP6, 1 44/1909 KANO PROF. REPORT (PRELIM) BY C. L. TEMPLE
Direction No. 2 to Political Officers Kano Division employed on assessment.

1. To complete a resident assessment the following must be submitted:
    a. A map of the district or sub-district showing each village and boundaries of the district.
    b. Returns as per provincial record sheets filled in for each village
    c. Returns as per E/21.
    d. Returns as per X/21.
    e. Returns as per W/21 for each sub-district.
    f. A report describing the district, its resources, and the physical characteristics of the country and its inhabitants.
2. When making the map, remember that it is to be used for administrative not topographical purpose. Meticulous accuracies not necessary therefore.
3. Establish first a rough controlling traverse i.e. get the district divided into two or three fairly accurately defined triangles and then fill in the rest rapidly.
4. On arrival at the village fill in the particulars on the assessment form supplied from information given to you by the village head. Verify this as far as you can by questioning every native official accompanying you.

Verify rapidly any details you can by personal observation without however unduly delaying. The compound return should always be fairly accurate.

5. With regard to the assessment you will see the objects to be aimed at clearly explained in the memos 25 and 36.
6. The population and resources of the town having been approximately arrived at, the difficult question of the assessment of the tribute to be paid has to be decided. In

doing this, please follow as carefully as possible the directions given in the memorandum, bearing in mind the following points:-

If you have difficulty in arriving at the amount that is 10% of the total crops would represent by turning to the memoranda you will see that for pasah communities (i.e. the least wealthy) a poll task of 3/- per adult male and 2/- per adult female is considered to be very reasonable tribute.

Now in each compound you have counted there must be a minimum of one adult male and one adult female. The total tribute therefore (irrespective of Jangali), i.e. Kurdin Kassa, Zakka, Kurdin Karofi, and any other items (except cattle) that may be entered in the "How arrived at" columns in E/21, should not total to less than 4/- for each compound in the town.

I wish to impress on you that this is not to be interpreted as a fixed "Compound Tax". It is only a basis for the calculation of the minimum amount to be paid, and a check on the Native Assessment.

To take accurate example, say, an average village with 100 compounds without any unusual wealth. The minimum (not including Jangail or tax on cattle) it should pay is 20 Pounds. This amount will be made up by the collection of the taxes Zakka, Kudin Kassa etc. to which the people are accustomed. The average collection will be say an average of 10/- a head from 20 of the wealthier compounds, leaving 10 Pounds only to be collected from the remaining poorer compounds. So that the average small compound holders will only be called upon for 1s 3d per couple, as of course very few compounds contain only two adults in this province. I should say six to eight was a fair average per compound including children.

7. In making this what I will call preliminary "Resident's Assessment", officers must beware of attempting too much. I am not advocating slovenly work at the same time it

is easy to allow oneself to become absorbed in detail to such an extent that the main issue is lost sight of, the main issue at present are:

1. A check on the native assessment by obtaining a knowledge of the compound incidence of the taxation:-
2. The organisation of the towns and villages under responsible village heads or *sarkis*(sic). (vide "Suggestion" on the Assessment slip)

Sgd. Resident

9/2/1909

APPENDIX VII: AN EXAMPLE OF CONTENTS OF A DISTRICT NOTES.

DIST NOTES ACC NO. 40 DAWAKI TA KUDU VOL.1 INSPECTION NOTES.

I. DIST. ADMIN AND JUDICIARY

ADMIN OF DIST.

DH

POLICE

PRISON

ALKALI'S COURT

BLACK LIST

BOUNDARIES

II. TAXATION AND STATISTICS

GENERAL TAX

JANGALI

III. ECONOMIC & DEPARTMENTAL

AGRICULTURE

CATTLE ROUTES

EDUCATION

FORESTRY

INDUSTRIES

MARKETS

MEDICAL & SANITARY

RESTHOUSES

ROADS

TRADE

VETERINARY

WATER SUPPLY

IV. TRADING LAYOUTS

V. VILLAGE ADMINISTRATION

LIST OF RELEVANT FILES

MAPS.

The following being an example of entries:

By 1950 Dawaki ta Kudu has a district council. Reported on 9/52 as having met regularly. First entry 24/12/45, 2nd entry 6/11/47, 3rd entry 27/2/48, and 4th 11/6/48.

DH: Galadima, third son of emir Abbas; younger brother of emir Abdullahi. Seems vigorous and intelligent. He was Dist Mallam Bici, 1926 – 27, DH Ungogo 1928 – 1932. Formerly Turaki of Minjibir dist. 1932. Transferred to D/ Ta kudu as Galadima June 1939. Salay 600 pounds.

Note by Resident after visit 10th Nov 1947.

1. The D.H has about the worst staff of scribes and the poorest district office I have ever come across.
2. On district office work: "There is no improvement in the position when I visited this district in 1935 - 39". The Native Authority and the district head must allow themselves to be persuaded that district administration has got to improve and it will only do so when the DHs take an active part in the supervision of their district staff.

PRISON 1st entry 17/4/29

Women's cell has collapsed and female prisoners are accommodated in the Sarkin Kurmi's house.

Sarkin Kurmi states subsistence rate 2nd per head; Alkali said 1and 1/2d, and DH (responsible for prison) did not know how prisoners were fed.

13/2/33 – Alkali has no prison register.

APPENDIX VIII: KANPROF 767[A] C.W ROWLING'S REPORT ON LAND TENURE

LAND TENURE

Mr. C.W Rowling's report on Land Tenure in Kano province should be read and studied by every Administrative Officer. It is in P.C.J.767A.

It should also be noted that only the Emir's court may try land cases. If a case arises in a district, it is investigated by the District Head, not the Alkali; and if the District Head is unable to effect reconciliation he sends the case up to the Emir's court.

The following are the basic principles of land tenure in the Northern provinces and are embodied in the Land and Native Rights Ordinance (Chapter 105):-

1. All land belongs to the Governor who delegates the power of allocation of it, according to custom, to the chiefs.
2. The Chief or Emir in turn delegates the power to allocate land among the 'natives' to District Headmen, and they to village Heads.

   (N.B. the definition of 'native' in report to land covers any person belonging to an indigenous tribe, or having one parent of such, in the Northern Provinces only. See Cap: 105 for greater detail of this definition).
3. Land therefore cannot be 'owned'. A native may obtain only the right to use it, including occupation of it.
4. When a native ceases to use or occupy his land he automatically surrenders the right to it and it is made available for re-allocation.
5. 'When' a native may be said to have ceased to use land is dictated partly by custom. It is usual for a period of 5 years unfarmed to be the maximum before it can be said to be no longer lying fallow. In some districts the period may be up to 7 years.

   If a person migrates, i.e. leaves an area together with family, stock etc., it is assumed that he has surrendered his right of occupancy.

   If an unmarried person leaves the area for more than two years without giving notice to the village Head that he will return he can also be assumed to have surrendered his right of occupancy.
6. On the farm being assumed vacant, or if on the death of a person there are no heirs, then the land automatically reverts to the Native Authority (i.e. to the disposal of the Emir). These lands are called 'Beit-el-Mal' lands.

7. These can then be re-allocated by the village Head to anyone wanting a farm. The village or District Head has no right at all to the land and therefore no right to demand any money or gift for allocation of it.
8. On allocation the village Head should inform the District Head who registers the fact with names of witnesses in the District Land Register. (This is usually an inefficiently kept file. There should be a file or book for each village area and an index kept giving the name of the farmer and the page reference to the registration of his farm).
9. I am advising the Native Authority to instruct that when land is re-allocated the new occupier goes in person with witnesses to the District Head to ensure that his right is properly registered. It is a matter for decision whether a registration fee should be charged. I am in favour of one.
10. A right of occupancy cannot legally be loaned, sold or pledge. In fact all these practices are common, but they are not recognized if they come before the land court. This does not mean that a borrower can redeem his farm in every case by merely claiming the pledge he made was illegal. If he has gone through the form of transferring his rights to a farm, which is what a prudent lender will probably insist upon, he the borrower will probably have no case.

APPENDIX IX: LIST OF THE SIGNATORIES

REPORT OF A JOINT COMMITTEE OF THE HOUSE OF CHIEFS AND HOUSE OF ASSEMBLY, 1951.
THIS IS IN AREWA HOUSE 47946 ABUBAKAR'S MOTION, 1951

| --- | --- | --- |
| Senior Resident
Plateau Province | Resident 1/c
Kano Province | Ag. Senior
Crown Council |

Sultan of Sokoto	Walin Borno
Shehu of Borno	Sardaunan Sokoto
Emir of Kano	Da'ajiu Adamawa
Emir of Bauchi	Makaman Bida
Emir of Bauchi	Hon. Abubakar Tafawa Balewa
Lamido of Adamawa	Ciroman Kano
Emir of Katsina	Hon. Yahaya Ilorin
Emir of Zaria	Chief of Bi dom, Jos
Emir of Bida	Sarkin Gabas, Katsina
Emir of Ilorin	Na'ajin Zaria
Atta of Igbirra	Sarkin Loko
Emir of Jema'a	Alhaji Sa'idu Adejo
Emir of Keffi	
Sarkin Gabas, Katsina	

APPENDIX X

LIST OF SOME OF THE ROYAL ESTATES[1176]

Mrs. R. A. Rufai	Tijjani Garba	C. L. Temple
Takai Fandan	(Kumbotso District)	(Dan-Rimi's Estates)
Shekar Barde	Gandun Rafin *Sarki*	Darmanawa
Nassarawa	Ja'oji gandun *Sarki*	Dorayi
Fannisau	Shekar Barde (rajin *Sarki*)	Takai
GandunFalke	Dan Bare gandun *Sarki*	Gujjiya
Dorayi	Darmanawa	Shanono
Damanawa	(Ungogo district)	Gogel
Gogel	Munchika gandun *Sarki*	Giwara
Chiromawa	(Minjibir)	Bebeji
	Magarawa gandun *Sarki*	Fanisau
	Karke gandun *Sarki*	Minjibir
	Garwa gandun *Sarki*	Nasarawa
	Rimi gandun *Sarki*	
	(Kano city)	
	Fuskar kudu gandun *Sarki*	

[1176] Garba, T. 1986 "Taxation in Some Hausa Emirates, c.180-1939" PhD. Birmingham. P. 299.
[1176] Rufai, R. A. (Mrs.) 1995 *Gidan Rumfa: The Kano Palace*. Triumph Publishing Company, Kano. P.90.
[1176] Lovejoy, P. E., Mahadi, A., and Mukhtar, M. I. 1993 "C. L. Temple's 'Notes on the history of Kano' [1909]: A Lost Chronicle on Political Office," **Sudanic Africa**, IV, p.26.

Gwagwarwa rafin *Sarki*

(Dawakin Kudu)

Giwaram gandun *Sarki*

GarinDa'urafin*Sarki*

Gogel

Madarin taba

GLOSSARY OF SOME SARAUTA TITLES

SOME KANO TITLES/OFFICES (SARATU) AND THEIR FUNCTIONS[1177]

ALKALI: Judge.

ARDO'EN: The title of a Fulani clan leader. Some had extra-territorial rights over settled and nomadic Fulani kinsmen during the Emirate period.

BABBAR RUGA: Six different families have held the *Sarauta* of Babbar ruga.

BAKARARE: Eight different families have held the *Sarauta* of Bakarare. (Dist.notes. B/kudu KANOPROF35)

BARDE: A mounted official.

BARDE KERARIYA: A district head till early in the colonial days. Conferred on a Royal Sullubawa.

CIROMA: A pre-*jihad* title, appropriated by the Royal Sullubawa, could be a district head; usually first son of emir. Popularly presumed to be heir apparent.[1178]

DAN AMAR: Royal client, a pre-*jihad* title. A district head till early in the colonial days.

Dan Darma; District head Sumaila 1924.

[1177] It is critical to note that while some of the titles predated the Jihad; some were created during the Emirate era; yet others were during colonialism. Fundamental changes was effected in terms of their relevance and functions during the Emirate era. Indeed the functions were dynamic, with additions or subtractions. Some titles extant even today, atleast in name only, have been on since time immemorial. Unravelling the changes

[1178] TITLES HELD BY SOME SARAKUNA BEFORE ASSUMPTION OF SARKI

1. Ibrahim Dabo Danbazau Amir 1819 - 1846; Sarkin Bai
2. Usman, Amir 1846 - 1855 ……. Tafida.
3. Shehu Usman, Sarki, 1919-1926: Dan Makwayo. Sarkin Dawakin Tsakar Gida during Amir Aliyu Babba (1894-1903); Wambai under Emir Abbas 1903-1919.
4. Abdullahi Bayero, Sarki, May 15, 1926: Ciroma (1903), Waziri (1904- 1908), Ciroma 1908, District Head Bici 1916 - 1926.
5. Muhammadu Sanusi , Sarki 1953-1963: Ciroma, District Head Bici.
6. Muhammadu Inuwa, Sarki Had no title before his appointment.

DAN BURAM: A pre-*jihad* title, appropriated by Royal Sullubawa. A district head till early in the colonial days.

DAN FARI: An official assigned to collect as tributethe tax of specified villages, and forward it to the Mai of Borno.

DAN ISA: A pre-*jihad* title, appropriated by Royal Sullubawa

DAN IYA: A pre-*jihad* title given to the Danajewa. The office of Dan Iya was held by the Danejawa from the *jihad* till the civil war when *Amir* Aliyu gave it to his elder brother Gajere (District Notes. Dawaki ta kudu vol.2 Gazetteer)

Dan Jawal: Inspector of Jakara River.

DAN KADAI: A pre-*jihad* title, appropriated by Royal Sullubawa.

DAN LAWAN: A pre-*jihad* title, appropriated by Royal Sullubawa

DAN MAJE: A pre-*jihad* title, appropriated by Royal Sullubawa

DAN MAKOYO (Dan Makwayo): A pre-*jihad* title, appropriated by Royal Sullubawa. A district head till early in the colonial days.

DAN RIMI: A pre-*jihad* slave office and title. He was in charge of the emir's household including repairs to walls. He was one of the three powerful slave officers who were in charge of territory, and were *kofa* (to have audience with the *Sarki* one had to go through them).

DAN SOKA: The official appointed to bury those who died in the market.

DAN TUBE: A district head till early in the colonial days.

DOKAJE: Official in charge of public pronouncements and decrees by the emir.

GALADIMA: A pre-*jihad* title, appropriated by Royal Sullubawa, was next in precedence after the *Sarki*.

GALADIMAN FANISAU: Chief of Fanisau town.

GALADIMAN MAKAMA:

GALADIMAN SHAMAKI: A subordinate slave official of the head slave. This does not make him the second most important slave in the palace. It probably made him the second most important to the Shamaki.

GANGAMI:

JAKADAN GARKO: An "agent," chief of Garko town.

KASHEKA: A pre-*jihad* slave official patrol. The courier of messages to distant places.

KILISHI: A pre-*jihad* slave official of the palace responsible mainly for the physical decoration of the throne and making beds and listening to grievances.

LIFIDI: A pre-*jihad* slave official responsible for the *Sarki*'s horse accoutrement.

MA'AJIN WATERI: The store keeper and was in charge of the discipline of princes who erred. Made in charge of the Beit-el-Mali during colonialism.

MADAKI: A pre-*jihad* title (of the Yolawa), third in precedence and appropriated by Royal Sullubawa.

MAGAJIN DAN-KANA (Dan Kano?): a slave office of the palace with Garki as an appanaged fief. (KANPROFACC.NO.48. Garki vol.1. inspection notes.)

MAGAJIN MALAM HAUSAWA: A district head till early in the colonial days. Magajin Malam originated from land assigned to scholars and exempted from taxation.

MAGAJIN MALAM NA CHEDI: A district head till early in the colonial days.

MAI UNGUWA KUTUMBAWA: An office created after the *jihad* at the instance of the Caliph to compensate the section of Alwali's descendants that supported the *jihad*. A district head till early in the colonial days.

MAI-UNGUWA JA'IDANAWA: A district head till early in the colonial days.

MAKAMA: A pre-*jihad* title assigned to the Jobawa Fulani.

SALLAMA: A pre-*jihad* slave official, Led the *hakimai* into the presence of the *Sarki*. He was one of the three powerful slave officers who were in charge of territory, and was a*kofa* i.e. to have audience with the *Sarki* one had to go through them).

SAN KURMI: Head jailer

SARKI: King, *Amir*, Emir, Ruler, depending on period and context.

SARKIN BAI: a title held by the Danbazawa clan. It has remained with the family of DaboDanbazau till Muhammadu Buhari the 8th was appointed in 1954. A district head till early in the colonial days.

*Sarki*n Bariki: A title that emerged during colonialism.

*SARKI*N BEBEJI: District head of the town Bebeji.

*SARKI*N BIRNIN KUDU: District head of the town Birnin Kudu.

*SARKI*N DAMBATTA: District head of the town Dambatta.

*SARKI*N DAWAKI MAITUTA: An Emirate periodtitle of the royal Sullubawa clan. He was an important military commander. The title is extant.

*SARKI*N DAWAKIN TSAKAR GIDA: An Emirate periodtitle of the Royal Sullubawa. An important military commander. Title extant.

*SARKI*N DOGARAI: A pre-*jihad* slave office of the head of the security outfit.

*SARKI*N DUTSE: District head of the town so named.

*SARKI*N FULANI JA'IDANAWA. District head (*Ardo'en*) of a Fulani group settled in that district.

*SARKI*N FULANI SANKARA: District head (*Ardo'en*) of a Fulani group settled in that district.

*SARKI*N GAYA: District head of the town so named.

*SARKI*N HATSI: A pre-*jihad* official in charge of royal granaries and provisioning of food in the Palace.

*SARKI*N JAHUM: District head of the town Jahum.

*SARKI*N KARAYE: District head of the town Karaye.

*SARKI*N KUNCI: District head of the town Kunci.

*SARKI*N RANO: District head of the town Rano.

*SARKI*N SHANONO: District head of the town Shanono.

*SARKI*N SHANU: Pre-*jihad title*; Royal Sullubawa or client, in charge of cattle tax (*Jangali*)

*SARKI*N TAFARIKI: Office created during colonialism to take charge of roads? (Used to be the responsibility of *Dan lawal*, abolished 1908).

SHAMAKI: A pre-*jihad* title of the head slave. He was one of the three powerful slave officers who were in charge of territory, and was a*kofa* (i.e. to have audience with the *Sarki* one had to go through them).

SHETTIMA:

TAFIDA: Royal Sullubawa. A district head till early in the colonial days.

TURAKI: Royal. A district head till early in the colonial days.

TURAKIN ROMO: A slave official in charge of the *Sarki*'s food.

TURAKIN SORO:

WAMBAI: From the *jihad* was of royal Sullubawa dynasty, and a chief councilor. He was a eunuch in the pre-*jihad* period. He was in charge in the naming of the *Sarki*'s children.

ARDOEN (SOME OF THEM HAD EXTRATERRITORIAL RIGHTS OVER THEIR SETTLED OR NOMADIC FULANI KINSMEN).

*Sarki*n Jahum

*Sarki*n Bebeji

*Sarki*n Fulani Sankara

*Sarki*n Shanono

*Sarki*n Kunci

*Sarki*n Dambatta

*Sarki*n Rano

*Sarki*n Dutse

*Sarki*n Gaya

*Sarki*n Karaye

*Sarki*n Birnin Kudu

*Sarki*n Fulani Ja'idanawa

MAJOR SLAVE SARAUTU SINCE THE JIHAD.

Slavery was abolished by the Colonial Government but the titles are extant.
Shamaki

Dan Rimi

Sallama

Kasheka

Turakin Soro

*Sarki*n Hatsi

Kilishi

*Sarki*n Dogarai

Jakadan Garko

Galadiman Fanisau

Shettima:Created by Aliyu Babba c.1894.

Magajin Dan Kano: with Garki as appanaged fief (Kanprof.acc. No.48 Inspection notes Garki)

KANO BUREAUCRACY BY C.1882.

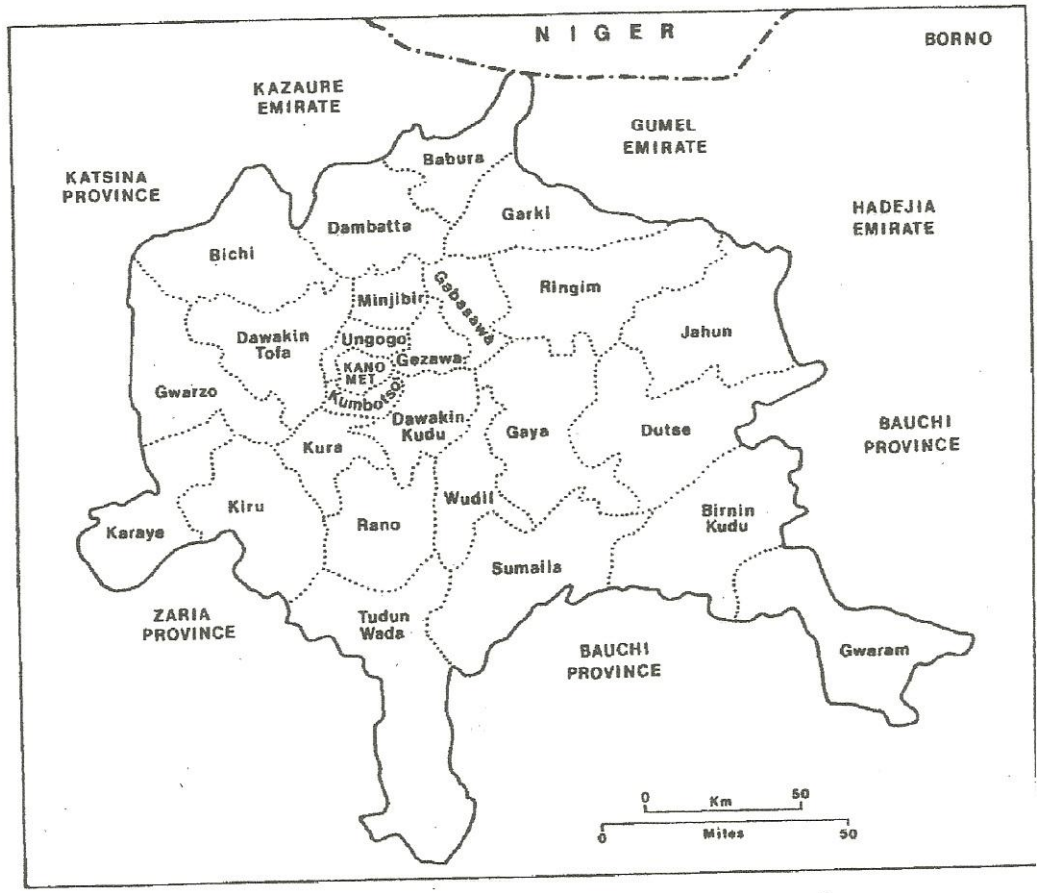
(Constructed from Fika, A. M. 1978. The Kano Civil War and British Over-rule, 1882 – 1940. Ibadan, O.U.P.). This shows the way the royal Sullubawa had become dominant by the end of the 19th C.

PRECEDNCE	CLAN
Galadima	Royal Sullubawa
Madaki	Yolawa
Wambai	Royal Sullubawa
Makama	Jobawa
*Sarki*n Dawaki mai tuta	Royal Sullubawa
*Sarki*n Bai	Danbazawa
Dan Iya	Danejawa
*Sarki*n Dawakin Tsakar Gida	Royal Sullubawa
Ciroma	Royal Sullubawa
Turaki	Royal Sullubawa
Tafida	Royal Sullubawa
*Sarki*n Shanu	Client/ Royal Sullubawa
Dan Buram	Royal Sullubawa
Dan Isa	Royal Sullubawa
Dan Lawan	Royal Sullubawa
Barde	Royal Sullubawa

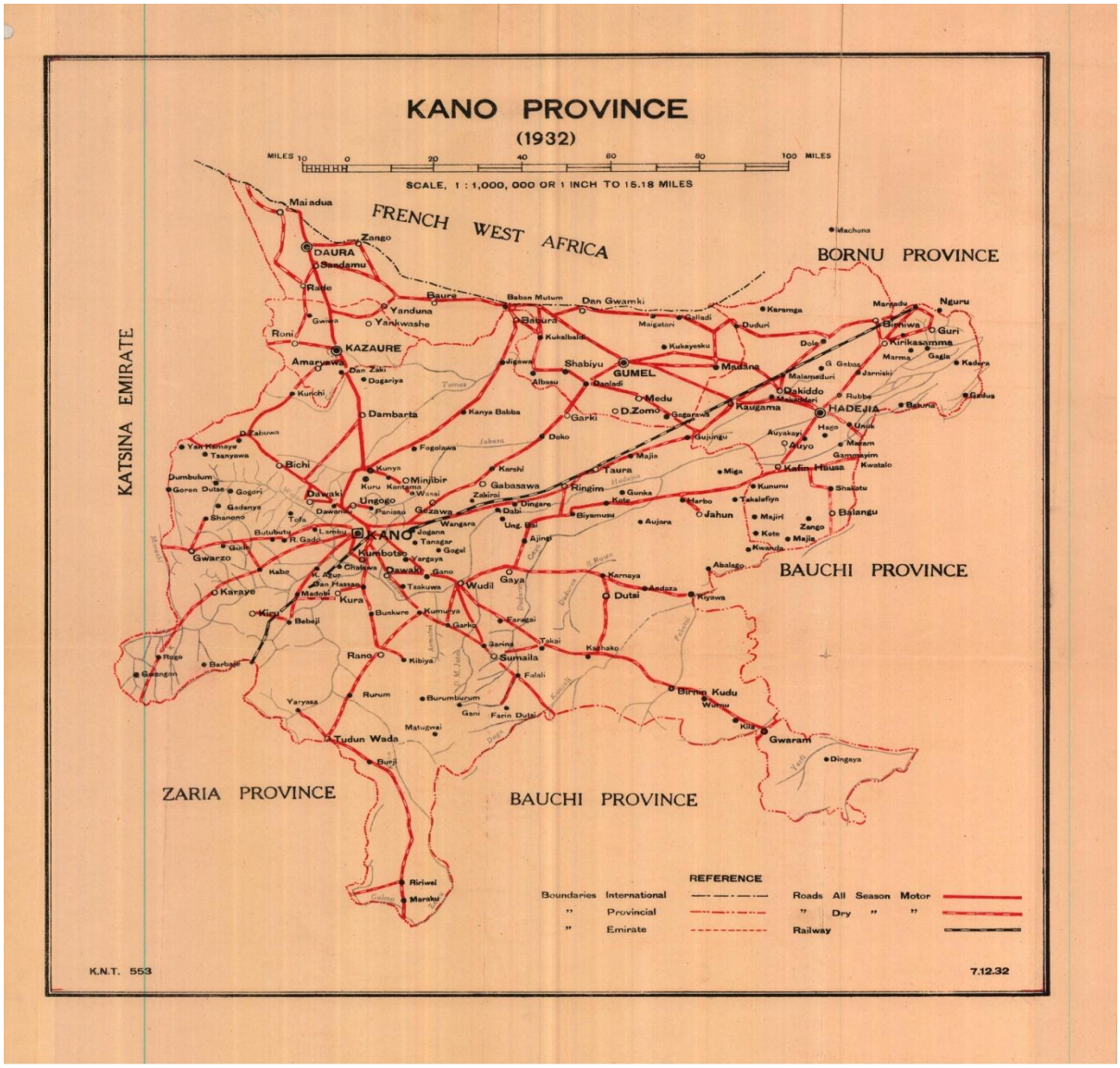
Dan Maje	Royal Sullubawa
Dan Makwayo	Royal Sullubawa
Dan Kadai	Royal Sullubawa
Barde Kerarriya	Royal Sullubawa
Dan Amar	Client

MAPS

MAP 1.

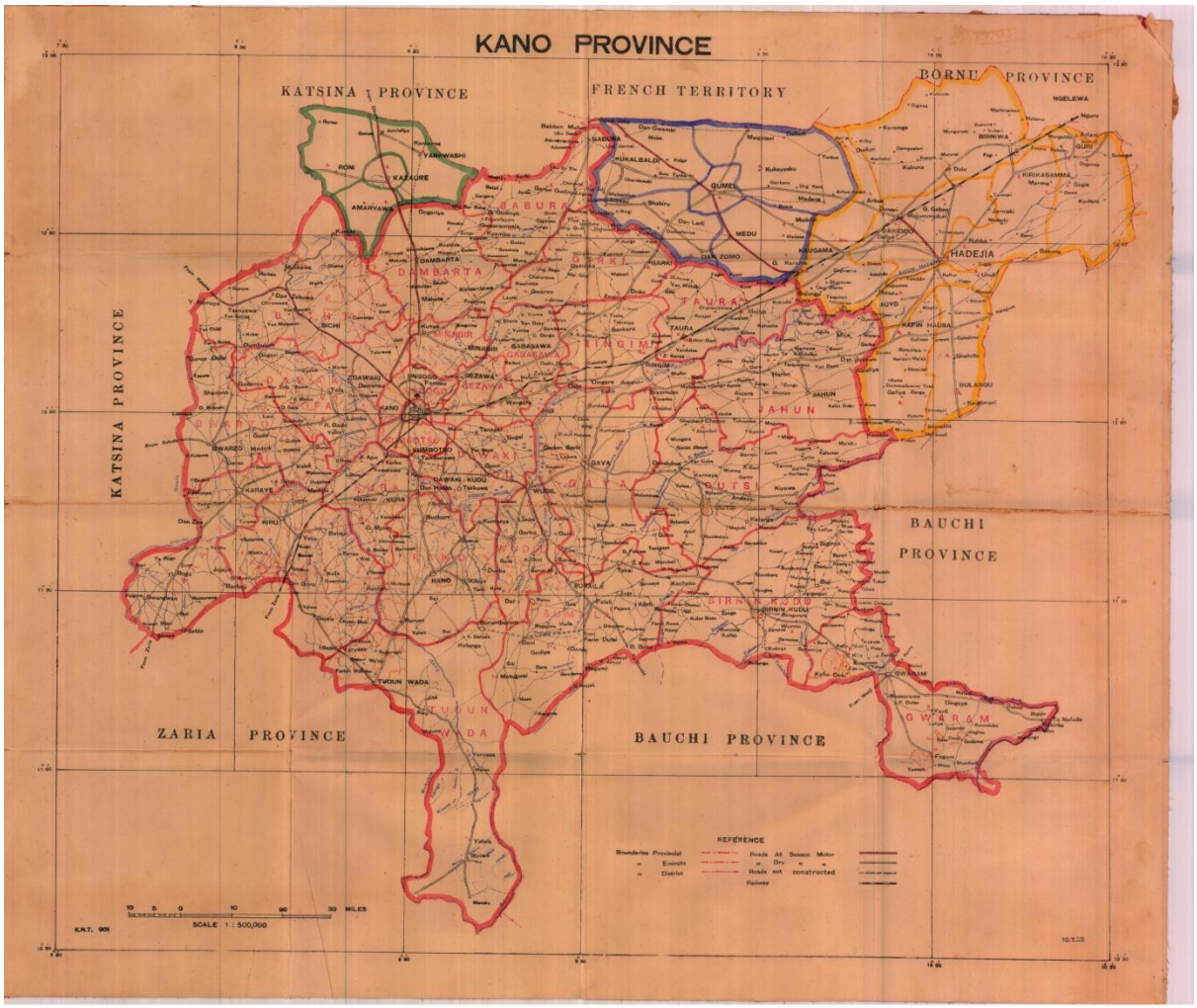


Map 1: Districts of Kano 1952. Murray Last, In: Smith, M.G. 1977, Government in Kano. 1350 – 1950. Westview Press.



MAP 2.NAK: KT PROVINCE (FED) 1/1/15. Drawn, Kano Emirate Survey Department, 1935.

MAP3.



MAP 3. NAK: KANO PROVINCE 1932 SNP 17 - 18956