

THE ROLE OF HISBAH ON THE REDUCTION OF MORAL DECADENCE AMONG YOUTHS IN KANO METROPOLIS

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Abstract

The decay in the society has affected the values and moral character of Nigerian youth. This menace is not exempted from youth in Kano state, in fact just like any other state in Nigeria, Kano state is not spared of the prevailing moral crises in the contemporary period. Many of these crises are however, traceable to the new values ushered in as a result of social media usage by most of the youth who embrace some values and moral behavior that are in conflict with Islamic and Hausa cultures. However the emergence of Hisbah as an Islamic institution in Kano state could go a long way in the reduction of moral decadence in Kano state. Against this backdrop this study is aimed at examining the Role of Hisbah as an institution for reduction of moral decadence among youth in Kano state. Metropolis. This is because the purpose of the Hisbah is to protect members of the society from deviance, preserve their faith, guarantee the welfare and security of the people and enforce Sharia law. The study adopt content analysis as it methodology. The finding from this study showcase that, Hisbah's fight against immoral conducts, such as indecent dressing, clubbing, indecent haircut, street patrol, raids on criminal hideouts, surveillance, community sensitizations, which contributes to reduction of moral decadence as well as crime in Kano metropolis. The study recommends that Hisbah as an institution in the Kano should be statutorily strengthened going by their contributions to reduction of moral decadence and crime among youth in Kano Metropolis.

Keywords: Hisbah, Moral Decadence, Youth, Sharia law, Criminal act

Introduction

The moral decadence is a global menace that has decay affected the values and character of youths world-wide in this contemporary period. This menace is not exempted from youths in Kano state and other states in Nigeria. This menace in the society has affected the values and moral character of Nigerian youths. Undoubtedly, the statement of Thomas More which says: "One of the greatest problems of ours is that many are schooled but a few are educated" (as quoted by Brain Quote 2012), can be justified by the purity which has lost its esteem in the lives of some of our youth in today's society. The moral values of youth in Nigeria (kano Inclusive) have degenerated to the extent that righteousness and goodness are now being judged among them by their material profitability. The majority of them have rejected ethical values and spiritual sanctities. They have substituted their excellent moral for lusts which appear in life like bubbles appear sparkling on the surface of the water (Mujtaba Musari, 2012).

It is a known fact that the building of a nation depends on the good charisma in the future leaders which majority of the youth in Nigeria and Kano to be specific are lacking and according to the laws of balance and equality, this can lead to the destruction and extinction of a nation (Mujtaba Musari, 2012). This may be due to the nonchalant attitude of the parents, the institutions within the state, the parents as well as the youth themselves towards education which supposed to develop individual's cognitive, psychomotor and affective domain for the betterment of individual in particular and the society in general.

According to Ogunkunle (2010:5) Kano is one of the state that is filled up with lots of immoralities such as drug abuse, rape, hooliganism and wanton destruction of lives and properties. In the opinion of Atanda J.A, and Yahya A (1989: 28), these immoralities have become the order of the day among the youths in various state in Nigeria. Unfortunately, these have made the society unconducive and stressful for living which has resulted into incompetent and low quality of youth in Kano state (Saheed 2019), They have also caused and are still posing threats and dangers to selfactualization and state building (Ashiru, 2012: 4).

On the other hand Islam as a comprehensive way of life and morality is one of the cornerstones of Islam. Morality is one of the fundamental sources of a nation's strength, just as immorality is one of the main causes of a nation's decline. Islam has established some universal fundamental rights for humanity as a whole, which are to be observed in all (Saheed 2019). To uphold these rights, Islam has provided not only legal safeguards, but also a very effective moral system. Thus, whatever leads to the welfare of the individual or the society and does not oppose any maxims of the religion is morally good in Islam, and whatever is harmful is morally bad.

It was against this backdrop that institutions like Hisbah was established in some state in Nigeria of which Kano is among the leading state. To make it more clearer (Abbass 2018) noted that The word Hisbah is derived from the "hasaba" which means "arithmetical problem", "sum" or "reward". The verb "hasaba", Yahsubu means to "compute", or "to measure". The verbal form "Ihtasaba" means "to take into consideration", to anticipate a reward in the hereafter by adding a pious deed to one's account with Allah. From here, the usage of a noun ihtasaba came to be associated with the activities of a person who invites others to do good (alamr bi al ma'ruf) and forbids them from evil (annahy an al munkar) in the hope of getting a reward in the hereafter. (Abbass & Ahmad 2018)

Technically, Hisbah means promoting or ordering what is right and forbidding what is wrong. In other words, Hisbah is encouraging good behaviors if good is not done, and to forbid evil if evil prevails. The institution of Hisbah played a very significant role in promoting ethical values among the Muslim communities of all generations, most especially in the early period of Islam. This was the epic period during which Islam recorded its highest cultural and intellectual achievements. It was also the period,

which we need to refer for guidance by following their foot-steps, this is because it comprised the period of the Prophet Mohammad (peace and blessings of Allah be upon him) and his pious companions. It is an admitted fact that practicing Hisbah is a moral value entrenched by Almighty God.

Base on the aforementioned point, this paper intends to examine the role of Hisbah as an institution for reduction of moral decadence among youth in Kano metropolis in so doing the study examine the nexus between morality and Islamic religion

Methodology

This study will employ Secondary source of data collection. By secondary sources it literally mean a second hand analysis, it is the analysis of data information that was either gathered by other researchers institution and NGOs etc or making critical reinterpretation of the available text drawn from existing document sources of secondary data are transcripts from focus groups, published texts, literatures review and observation records. Records written and kept by individuals (such as diaries journals) and accessed by other people are also regarded as secondary sources. As such the research design for this study was content analysis.

Literature Review

Conceptualizing Morality and Religion

The concept of Morality and religion has been review by different scholar in various ways. Some of their views point of morality is as follows:

Citing from the work of (folami & Balogun 2020) “ Morality is the norm, code of rules, and principles of human conduct at personal, interpersonal, and societal levels. It determines right and wrong actions (do and don' ts) and carries with it consequences of man's choice of actions. (Asaju, 1997). In the view of Aderibigbe, it is shared rules of conduct directing what should and should not be done by certain individuals under specified circumstances” . (Aderibigbe, 1997).

The two definitions cited above, indicate that morality constitutes an important aspect of human life. Most of these definitions draw a pattern on how humans can exhibit actions with good attitudes.

In the Arabic terminology, it is called: Akhlaq (singular, khuluq) and is translated into English as ethics” . Another Arabic word used interchangeably to Aklaq is Adab which means manner, attitude, behaviour, and the etiquette of putting things in their proper place. Scholars argue that there are some essential differences between Akhlaqand Adab in terms of application and source. This is because Akhlaq (ethics) indicates the “moral philosophy, while Adab(morality) signifies the actual practices of moral philosophy. Al- Farabi (d.950) was to be known as the earliest great Muslim philosopher who acknowledged the intervention of akhlaq or character with human

action. He indeed defines Islamic ethics or 'Ilm al-akhlaqas "a science that studies the state of the human soul" . Al-Ghazali defined Islamic ethics or Ilm al-akhlaqas "The way to acquire the well being of the soul and to guard it against the vices. He further stated that man consists of two forms:

1. Khalq – refers to the physical form of mankind
2. Akhlaq – refers to the spiritual form of mankind

Thus, akhlaq in the view of Al-Ghazali as quoted by Rahim (2013) is rooted in the soul and manifested through man's actions. According to Al-Qurtubi (d.1273C.E), the word khuluq-al-awwalin (Rahim) as mentioned in the Quran where Almighty Allah says: "This is not but the custom of the former peoples" (Q26:137) means: "the ancient customs and it includes religion, character, ideology, or doctrine. The Holy Qur'an reaffirms the truth of all previous revelations, itself comprises of all truth for the whole of mankind for all times, colours, creed, and languages" (Abdur-Rahman Doi,1981).

The Qur' anis undoubtedly the Book of morals. In it, we find comprehensive moral guidance which can assure human progress to the highest pinnacle in every sphere of human life and activity (Paramole, 2000).

The holy prophet of Islam (p.b.u.h) indicated that good morals are the conditions for the authenticity of Iman (faith) affirms

He who believes in Allah and the Last Day of Judgment is forbidden to cause any harm to his neighbor, is to be kind to his guests especially the strangers, and is to say the truth or else abstain" (Sahih Bukhari,1987, hadith no.6163).

Islam encourages Muslims to have a good relationship with Allah and as well to establish a solid moral foundation with human beings. It is Fardkifaayah for parents to instill moral, ethical and fundamental teachings of Al-Qur' an in their children, because it will make the children learn from tender age how to make themselves responsible for their actions

The concept of morality appears very elusive to many. But its elusiveness does not consist in dearth of ideas concerning it, but in the fact that the concept has varying dimensions and perspectives (Okwueze, 2003). Morality just like ethics involves the idea of good or right conduct and it is utterly hostile to bad or wrong conduct. Morality involves a more or less clearly articulated set of beliefs about the nature and conduct of man.

In their view on morality and religion, (Chinedu J, Victor I & Ozioma 2020) posited that morality and religion have been closely connected in the history of human race. Traditional position holds that morality and religion are inseparable. According to this view, the one flows from the other, and morality has its sole basis and justification in

religion. He further argued that both have emphasized personality in its relationships and have been concerned with conduct. It follows that the destruction of religion will automatically lead to the destruction of morality also. According to him, when men lose their hold on religion, nothing but moral confusion and decay will be expected. In a similar view Gaukroger (2012), opined that in the 17th -19th centuries that religion should provide the unique basis for morality, and without religion, there would be no morality.

Aims of Morality in Islam

Moral values in Islam aim to determine human activity in a Muslim society, and to promote and control their behavior to the benefit of the whole society and its individuals, and to bring for all individuals a good conclusion in the other life. It aims to integrate human attributes, behavior, activity that aims to prepare followers of the Lord, whom Islam described them and clarified the path of goodness for them. Moral values in Islam then, whether they are individual such as sincerity, patience, charity love, soul combating, or common such as self-feeling, obligation, and call for Islam, are meant to bring individual and society benefit and protect human benefit (Halstead, 2007).

From this point, we determine the main foundations of Islamic value theory as to the following objective: the most common foundations of Muslim life are that human should seek to attainment of the Oneness of God, which is a strict respond to all that human thinking about the continent, life, and life, life before and the after him, and that is what humans should use to seek true worship of the Lord (Ma'ûmián, 1995). This is the system revealed by the Quran and Hadith. The system of value in Islam seeks to prepare the individual for a strong building, who seek to achieve the Say of Allah, Praise the Lord, this is a portrays that differs from the portrayal of the good citizen in other contemporary systems (Karpát, 2001). The good person in human systems could seek to build his self-society on the other societies be balancing as Islamic value system is built on balance as the principle of everything.

For all this, Islam seeks to integrate all life aspects materialistic or spiritual, and seek to build individual objective along with the society aims and call for all to integrate words with deeds, and to balance between human needs in this life and his wishes in the other life. According to Alavi (2007), Islam makes the moral side a measure for good deeds, and the main side in values are the main objectives for the message of Islam. The Noble Prophet came to complete good morals, and Islam cares for the development of moral feeling in human nature, and makes correctness the guide to human behavior both publicly and privately, as Islam assures the moral side in all worships (Halstead, 2007). Several Muslim scholars' cares about moral values of different names, for example, Faith Sections and decencies or virtues, and morals of great sins (Sherif, 1975; Al-Jawziyyah, 1977; Ramzi, 1994). Ramzi (1994) said that values of Islam could be divided into materialistic, human, moral and spiritual. The

source of values in Islam differs as to another source of moral (Karpat, 2001; Sherif, 1975). Islamic moral values would be Holy Quran and Prophetic Hadith, and this means that values should be absolute and stable. Mohamed (1995) said such sources of values in Muslims societies could be referred back to traditions and habits, resembling other nations, or intellectual and civilization citing, innovation in religion and other kinds of sources which relevant to. On the other side, admits that religion regulates beliefs and behaviors related to sacred things and that they resemble unity of believers (Halstead, 2007). From the individual side, it assists them to feel security, stability, and safety, to determine their identity, and group belongingness and their acceptance of values and beliefs that religion regulates. From the side of society, it helps in regulating emotions and their sustainability, and this is one of the pillars of community continuity and sustainability. In short, a Muslim has to work upon his moral character. Thus, the better values a Muslim incorporates into his character, a better and practicing Muslim he becomes and it is on the basis of this moralist practice of Islam that he will be among the blessed ones, both in this world and in the world hereafter.

The Role of Hisbah on Moral decadence among youths

As said earlier that moral decadence is all about low moral standards which lead to state of immorality, corruption of different kinds and debauchery. This decline in moral values has crept into many of the Nigerian state (Kano State Inclusive) and has made many of the youth in several state in Nigeria, to be clouded with varieties of immoralities from both the teenagers and the adults. Thus, the societies are becoming unbearable for the innocent youth. In his own observation, Wole Soyinka (1985 as quoted in Emcomp Digital Library, 2018:9) lamented that:

Moral decadence amongst the youths is growing at an alarming rate and probably there will be a time when youth will start to slap their elders. Most of the youth in Nigeria today are disrespectful, truants, manner less, etc

It is against this backdrop that Hisbah role became paramount in order to curtail and reduce the moral decadence that is bedeviling most of the Muslim dominated state.

The main purpose of Hisbah is to prevent the society from any corruption, deviation from obligatory standard and offense that might challenge the ultimate objective of improving the quality of life (Muhamedi & Ariffin 2017). This activity cover all aspects of life, such as industry, agriculture, trade and any other services weather on individual or society level. Salim, Abdullah, and Ahmad (2015) highlighted that, the concept of Hisbah has been discussed thoroughly in the writings of Islamic scholars, whereby they commonly agreed that, the term Hisbah means *Al amr bil ma'aruf wannahyi anil munkar* (commanding what is good and forbidding evil). Al-Mawardi (1966) in his book *Ahkam Al-Sutanyyah* defined Hisbah as a struggle in ensuring that people act accordingly in the deficit of appropriate activity being demonstrated and

also guarding against evil when it is proven that such an activity is being practiced by most people. Similarly, Ibn Khaldun (2015) in his book *Muqaddimah* describes Hisbah as a religious duty to be carried out in encouraging good deeds and guarding against evil. Imam Al-Ghazali said, Hisbah principle of enjoining good and prohibiting evil is the main subject of religions, as the Prophets were sent to the world to fulfil these obligations. Without this principles according to al-Ghazzali, prophethood would have been worthless, religions lost, ignorance spread, idleness reigned, disturbance triumphed, dangers and calamities appeared resulting in the destruction of mankind (Al-Ghazzali, 1993).

The application of Hisbah principles is mandatory on all Muslims particularly the youth who form the bulk population of any society so as to do the best of their abilities (Hizqil, 2016). According to Kahf (2007) Hisbah is a function of supervising the transactional activities taking place in the marketplace from three viewpoints. First, that all transactions are within the shari'ah rules boundaries; two, that moral principles and ethical values of Islam are observed in all business transactions; and three, to ensure that the ombudsman (Muhtasib) is charged with the responsibility of "ordaining what is known as good and forbidding what is known as wrong" in the marketplace. Saleh (2010) emphasised that, the state has the responsibility of ensuring that businesspersons conducted their business transaction in fair and ethical manner since there is always possibility of fraud and dishonesty in doing business. For example Adamu (2003) and Attahiru et al. (2016) revealed that immoral act, impersonation, cheating hoarding, reduction of weight and measures in selling of essential commodities, interest dealing (riba) and indecency are some of the immoral activities found in Kano state. In line with this, the government has an obligation of ensuring the business fairness, and avoid all like of dishonesty, frauds and immorality that may occur as regards to moral behavior of the youth and the business environment (Elsargany, 2010). To realise this objective, compliance with Hisbah principle in culture and business activities is necessary. Islam emphasised the enforcement of Hisbah to preserve the religious ethics in the moral behavior of the youth and the businesses of the Muslim community. Quran says:

"You are the best of peoples ever raised up for mankind; you enjoin Al-Ma'rûf (i.e. all that Islam has ordained) and forbid Al-Munkar (all that Islam has forbidden), and you believe in God" (Al-Quran, 3:110)

Ibn Taymiyyah (n.d.) emphasised that, naturally, order is what makes people more controlled in their lives, so, there must exist certain rules and regulations to make them behave according to that order. And establishment of Hisbah association in the community will be one of the ways of getting effective results (Bello Dogarawa, 2013). Hisbah associations have the responsibility of controlling immoral acts in the business dealings by way of fraud prevention in the markets, especially monitoring of weights and measures (Elsargany, 2010). Social matters that include indecency, sales

and drinking of alcohol, provision of access roads in the market places, and deterrent of children and women abuse in the society are some of the functions of Hisbah in the community (Ibn Khaldun, 2015). To collectively achieve this aim in the community, Quran (5:2) decrees;

“And let there be [arising] from you a nation inviting to [all that is] good, enjoining what is right and forbidding what is wrong, and those will be successful” (Al-Quran, 3:104). Also, Prophet said in the Hadith: “Whoever among you sees an evil action, let him change it with his hand (by taking action); if he cannot, then with his tongue (by speaking out); and if he cannot, then with his heart (by hating it and feeling it is wrong), and that is the weakest faith” (Sahih Al-Muslim: 78).

Causes of Moral Decadence among Youths in Kano State

Moral degeneration is a universal phenomenon which is negatively affecting many societies, including Nigeria. The Nigerian society, with specific reference to family, school and public life Atleast not lessis experiencing serious moral crises. The media is constantly reporting cases of moral breakdowns which are evident in social ills such as a general lack of discipline, violence, promiscuity, vandalism, corruption, high crime waves and the likes. Not a few seems to be wondering about the causes of this moral decay, and its negative effects on the Nigerian society. Here are some of the varied causes of moral degeneration in the Nigerian society.

1. Decline in Parental Authority and Domestic Values.

The family is universally acknowledged as the fundamental and indispensable cell of all human societies. The family may be regarded as the cradle of civil society, and it is in great measure within the circle of family life that the destiny of the state is fostered. The larger society, the nation, derives its moral tone fundamentally from that of the family. Hence, the strategic importance of domestic life in the moral life of the nation cannot be over looked. However, in recent times, the family and its traditional influence and values are under serious stress in Nigeria (Victor E 2020).

According to Iwe (1987), the head of the family, is steadily losing ground and influence. His headship or authority is no longer unquestionable. The loyalty of his wife and the piety of his children are not easily taken for granted and assured nowadays. In many homes, many fathers have ceased to lead by exemplary lives. Some have become over-indulging and permissive towards their children, to whom they have unwittingly issued tickets of indiscipline and licentiousness. Others have passively succumbed to the unedifying prodding and claims of their spouses. Today the weak, irresponsible and indiscipline paterfamilias have become a domestic liability of serious social concern. The maternal familiarity or house wives are traditionally and normally the corner-stone of domestic stability, the symbol of domestic loyalty, and patient serenity, the inspirer of domestic thrift and economy, industry and peace. Today in our midst, the opposite is fast becoming the case. These have created serious

moral lapse in most families, thereby creating a state of moral decay in the society.

2. Influence of Science and Technology

The world has witnessed a giant leap in science and technology. Science and technology has contributed a lot towards making lives better and worth living, however, the rise in science and technology has negatively influenced human morality, especially in Nigeria. Despite other positive uses of internets in areas of research and communication, negative and immoral practices are also learnt from the internet. For example, many pornographic sites abound in the internet. A lot of Nigerian youths patronize these sites which glorify sex and sexual activities. Like the internet, increased access to electronic gadgets like televisions, compact discs, digital video discs and mobile phones, have also contributed to the cause of immoral behaviours among Nigerians today. Through these media, most Nigerians have learnt and embraced cultism, gangsterism, drug abuse, prostitution and violence. When people begin to practice what they learnt from the internet and those electronic gadgets, moral decay becomes the order of the day as we are witnessing in Nigeria today (Victor E 2020)

3. Media Influence

Media influence is used here to refer to both electronic and prints including information dissemination intermediaries. The influence of media just like technology has greatly and negatively impacted on the Nigerian moral standards. The electronic media for instance through the channels of Cable Networks, foreign movies, nollywood home videos, has consistently debased sex and sexual activities, promoted cultism, rituals, kidnapping and other vices through their programmes. Music, other video chips and even some product adverts, have so much glorified sex, nudity and rascality and made it look like all-comers affairs. The effects and consequences are equal to moral degeneration in the society today (Victor E 2020).

The print media on the other hand, has flooded our nation with pornographic materials like photographs and other graphic arts designed to stimulate sexual activities. Such sexually explicit materials are sexually arousing to both adults and adolescents. Such materials are usually watched or read in the secret by the youths and thereby learning and exhibiting decayed moral behaviours on daily basis. Smith (2007) stated that;

Teenagers are exposed to sexual materials on TV, in movies, magazines and other modern pornographic devices. Most sexual behavior on television takes place between unmarried adults and ignores the potential negative consequences of sexual intercourse. Thus exposure to sexual contents on media apparatus can lead to more permissive attitudes (Victor E 2020)

The media promote not only product, but moods and in a sense what is and is not

important. This has really eroded the social morality the society is expected to exhibit and in turn enhanced more pre-marital and other negative sexual behaviors in the society.

4. Materialism

There is a tremendous negative change in the Nigerian economic spheres. Certainly, today the texture of the average Nigerian economic life is excessively materialistic. In the present dispensation, the only convincing logic that is significant and universally accepted to every Nigerian from North to South, East to West is that of excessive material acquisitions and consumerism. The mentality of making money and becoming somebody (the richest man) through corrupt means of acquisition of money and material wealth has invaded and permeated every aspect of Nigerians' moral life. Agha (2019) viewed Materialism as the acquisition of material wealth at the expense of others. He noted that it has been treated as an enemy by the church and the moralists.

This singular factor explains the daily frantic race of the jobless in the town, the shouting of the double faced traders in their deceitful attempts to cheat their customers, the mounting of makeshift toll-gates by legitimate and illegitimate law enforcement agents, the attempts to steal votes from the electorates to seize political posts, the daily scouting for contracts by ghost contractors, the siphoning of public funds by those in power, the eager expectations of office clerks for a tip before they carry a file from one table to the other, and many more forms of immorality in our public and private lives in the society.

The nation is embroiled with an excessive materialistic ideology that portends doom to our collective morality. The destructive acquisitive instinct of the western capitalism has colonized the Nigerian mind such that the dominant philosophy is to acquire money by all means.

5. Poverty

There is a high rate of poverty in the society owing to lack of social justice, as a result, people tend to indulge in immoral activities, just to make the ends meet. Tutu (1999) asserted that people become poor due to oppression and injustice brought about by unjust social structures. Stott (1984) postulated that the poor are deprived of the opportunity of having access to food, clothing and shelter. He maintained that the poor constitute a group of powerless people who are socially and politically oppressed. O' Donovan (2000) said that poverty is responsible for the high rate of crime in the urban cities. Poverty is one of the major causes of stealing, prostitution, drug addiction, armed robbery, militancy, kidnapping and crisis in the society. As a result of poverty, some young girls have taken to prostitution as a means of livelihood. The after-effects of prostitution have resulted to some young girls contracting AIDS and other venereal diseases while others have met their premature deaths owing to

abortion. This accounts for the rapid spread of AIDS and other sexually transmitted diseases in the society

6. The Collapse of Discipline in our Schools

Discipline implies self-control, willingness to learn and function in an acceptable and ordered manner. Thus an atmosphere of discipline is characterized by sense of duty and responsibility, and of self-control and loyalty. Formal teaching and learning as well as any other form of serious socialization requires naturally and normally such an atmosphere. Unfortunately an atmosphere of discipline has been conspicuously lacking in many Nigerian primary and secondary schools. Although, the considerable increase in school enrolment and the gross inadequacy of material resources and personnel have contributed to indiscipline in schools, the most cardinal factor of indiscipline, is in the area of administration, supervision and control. Indiscipline in schools manifests in the following forms: lateness to school, teacher absenteeism, poor environmental sanitation and dirty class rooms, shabbily dressed teachers, strained teacher-headmaster relationship, disrespect for school heads, poor pupil-teacher relationship, and lack of personal professional commitment to duty. These symptoms of indiscipline and disorder assume greater dimensions among the secondary schools, where financial and other exploitation of students, uncontrolled youthful passions, and insubordination abound (Victor E 2020).

Hisbah as an Islamic Institution

The word Hisbah has been derived from the root h.s.b. and means “arithmetical problem”, “sum”; or “reward”. When used as a verb, it means “to compute” and “to measure”. The term is also associated with Ihtasaba which means “to take in to consideration”, “to anticipate a reward in the Hereafter by adding a pious deed to one's account with God”. Among Muslims, Ihtisab, the noun form of the word Ihtasaba, came to be associated with the activities of a person, muhtasib, who invites others to do good (ma' ruuf) and forbids them from doing evil (munkar) in the hope of getting a reward in the Hereafter. The term hisbah also took an institutional form by describing the state institution set up to promote proper and to prevent what is improper (amr bil ma'ruuf wa-n-nahi' anil mukar – to promote what is good and to prevent what is improper) in accordance with the call made in the Qur'an. According to (Khan 1992. P. 135)

Although the Qur'an expects and enjoins every Muslim to play a positive role in the propagation of good and suppression of evil it has been made obligation on a section of society to remain engaged in it (fard kifaya). From the days of the prophet Muhammad himself, the Islamic State has been enjoined to institute arrangement to oversee the implementation of this injunction.

However, the nature of this engagement has been a matter of debate among scholars.

There are controversies as regards the origin of Hisbah. However, it is not in dispute that, the whole ideal of what the Islamic Institution of Hisbah seeks to achieve originated from the Qur'an and the Sunnah of the prophet (S.A.W) A. I. Omer (1979)

Al-mawardi confirms thus:

The market supervision, or public morals office, hisbah, is an injunction to promote good if obviously forsaken, and prohibit evil if manifestly done.

This is based on the saying of Allah (SWT) in the Qur'an 3:104:

Let there be among you a nation who invite to the good enjoin kindness, and forbid indecency.

This verse is the germ and core of the Islamic Institution of Hisbah K. Z. Yusuf

Al-mawardi further puts it in another way as being originated from the advent of Islam itself;

Al-Hisba has, indeed been one of the fundamental principles of religious affairs, so much that in the early period of Islam, the Imams themselves made it their own responsibility because of its general benefit and meritorious rewards.

However, what is still in dispute is whether or not 'Hisbah' existed during the time of the prophet (S.A.W) as an institution and with the same name Shibil Nu'mani (1976)

Furthermore, indeed the Glorious Qur'an, in so many verses repeatedly enjoined muslims to promote the good and fight the evil as quoted above. The verses that have direct bearing on the Islamic Institution of Hisbah are so numerous that few of them suffice.

In Qur'an 3:103, muslims are enjoined thus:

And appoint a group from yourselves whose duty is to invite to goodness, and enjoin the right and forbid the wrong.

In another, while condemning the negative attitude of the children of Israel towards the evil and enjoining the right and forbid the wrong, Allah says:

Curses were pronounced on those among the children of Israel who rejected faith, by the tongue of Dawood and Isa the son of Maryam: because they disobeyed and persisted in excess. Nor did they usually restrain one another from the wrong they did. How wretched was that they used to do.

In same regard, the books on sunna are quite reflective of instances where the prophet (PBUH) said to the effect that, while muslims are required to promote the good, they are equally bound to fight any evil in the society. He stated thus:

Anyone who discovers an evil should change it with his hand; if he cannot he should

change it with his tongue, Yet if he cannot, he should oppose it in his heart, and that (secret denial) is the least expected to be done wal – Hikam (2002)

Again, the prophet, (PBUH) confirms that a muslim shall win a meritorious reward: -

For every bidding to do the right and also for every forbidding of the wrong.

Nature and function of Hisbah

In this regard, the Islamic Institution of Hisbah was more known to be a “*market supervision*” or “*public morals office*” wal – Hikam (2002) than otherwise. Prophet Mohammad (S.A.W) appointed in his time Umar B. Khatab as “*al-muhtasib*” of madina and sa'd b. al-As in maccah after its conquest. The prophet (SAW) prevented the people from going out of the city limits to meet those who brought their goods to the markets from rural areas and to purchase the material their and thus deprive the people of the city from getting in contact with the producers. In other words, middlemen were not allowed to make excessive profit. K. Z. Yusuf

Furthermore, when caliph Umar (R.A.) appointed Qudamah b. Maz'un and Abu Huraira to Bahrain, the former was entrusted with the collection of revenues, while the latter was expressly vested with the powers of the police.

It should be noted that provisions were made and officers were appointed at all places for carrying out the duties of censorship e.g. the scrutiny of weights and measures, security of freedom of roads from obstruction by building houses thereupon, prevention of overloading of animals, prohibition of the public sale of liquor e.t.c.

In this connection again, during his time, caliph Umar announced an edict which commands thus:

That each wali should prevent dishonesty, defrauding in weights and measurements, cheating in industrial products and transactions. In particular, each wali should regularly inspect restaurants and food sellers and tailors and should immediately stop the making of anything that is haram or unlawful such as silk articles of clothing for men, intoxicants, musical instruments and fake coinage (ibn Qayyim 1982)

On the same line of thinking,, al - mawardi stated thus:

As regards cheating in transactions and tadis or talus malus of prices, al-muhtasib's duty is to disapprove all these, prevent them and, where any is practiced, to award a fitting punishment taking into account the circumstances under which it was committed. The Prophet (PBUH) is reported as saying this “He who deceives us does not belong to us (Muslims).

Also, Omer (2016) stated while highlighting some of the services to be rendered by al-muhtasib thus:

He enforce the public welfare in towns, for example, he would stop any inconveniences that may occur to uses of the streets; he prevents carries and Ship owners from carrying too much load on their animal ships. When he find houses that are threatening to collapse, he would order their owners to demolish them immediately, so as to forestall any unsavoury consequences or damage that may be caused. The smooth running of the Schools, also comes under the jurisdiction of al-muhtasib; hence he punishes any school teacher if they unnecessarily beat their pupils.

Furthermore, it is part of his duty to see that law and order is not violated by any at the market:

Also meat should always have a tag showing the selling price thereof so that butchers would sell their meat at the price fixed by the government – not less and not more. No butcher could conceal his cheating because al-muhtasib would send a little boy or girl, to buy from the butcher and al-muhtasib would then be able to check the weight.

It should be appreciated that, in discharging his functions, al-muhtasib exercises a considerable amount of judicial power of a summary nature over petty wrongs. For instance, he tries summarily and punishes any one who disobeys him in the market places and settles disputes relating to erection by shopkeepers of platforms on the highways and streets. But it should be noted here that, he is not competent to decide actions referring to real property nor those involving contracts of any type.

he penalties which al-muhtasib could inflict without resort to other judicial authorities were normally, after a reprimand, beating and a parade in disgrace through the streets; incorrect weight and measures and faulty products might be confiscated in exceptional cases, repeated offenders might be forbidden to continue to exercise their professions or even be banished A.I Omer Opcit p.71

A pertinent question to ask here is the relationship between al-muhtasib and a Qadi. Who comes under who?

By his functions and powers, al-muhtasib need not receive instructions from a Qadi. On the other hand, al-muhtasib can inquire into the functions of a Qadi in the name of ensuring that justice is administered.

This issue has been made very clear by al-mawardi when he illustrated thus:

Once upon a time. Ibrahim Ibn Batha who was then Wali al-Hisba, at Baghdad; had passed by the house of the Grand qadi, Abi Umar Ibn Hammad. There he saw litigants sitting at the door of the said house waiting for the Grand qadi to come out. It had been a sunny midday and was very warm. This state of affairs had attracted the attention of Wali al-Hisba who immediately stopped, called the Grand qadi's usher and instructed him in these words: "Go and tell Grand qadi that these litigants are sitting at his door and are suffering from being here under no shelter from the hot sun waiting for him; he should come out and either hear them now, or tell them to disperse and come back on another

fixed day.

Therefore, in this light, despite being below in the hierarchy of government, al-muhtasib seem to have wider jurisdiction than the Qadi particularly that, apart from the above illustration, al-muhtasib “stands the chance of discovering evils on his own initiative as against the Qadi whose power is only to adjudicate on matters before him” (Ibid).

Another important function of al-muhtasib is the execution of judgments.

This is derivable from the words of Ibn Bassam (ibid) while describing how al-muhtasib should carryout his functions:

If al-muhtasib discovers any one drinking an intoxicant, he should flog him with a whip which should neither be thick nor thin; if the prisoner is a fornicator the flogging must be in public... but al-muhtasib must invite all people outside the town and then order them to stone the accused if the later is married or has been married before; if he sodomises a boy al-muhtasib should throw him down from above the highest building in the town; all this should of course, take place after the accused's confession before the Imam; al-muhtasib should take charge of the accused only after this stage.

Finally, al-muhtasib also performs religious functions. In this regard, the religious duties of al-muhtasib includes the enforcement of islamic morals and religious behaviours on the community. Included here is the duty to ensure the maintenance and proper use of mosque etc.

It should be noted that, Saudi Arabia is perhaps the only muslim state, which has retained to this day the religious wing of the Hisbah intact to a large extent, although it too has distributed other functions to different departments and ministries. In Pakistan the division of law enforcement that investigates political corruption is called Ihathasib A. Murtuza Hisba (2000)

c. Operation of Hisbah

It is pertinent to begin this part with the words of Sufyan Ath-Thawry as follows:

No one should order what is good or forbid what is evil except the one in whom exists three characteristics; He must be gentle in what he orders and in what he forbids, Fair in what he orders and what he forbids, and knowledgeable in what he orders and what he forbids.

Furthermore, according to Imam Ahmad, People need to be addressed indirectly with gentleness when being ordered to perform what is good. One should not address them with harshness, except the man who is cursed due to his immorality, in which case he is not exempt from such harshness. He continued.

When the followers of Ibn Mas'ud passed by some people who were committing what they hated to see (evil deeds), they used to say, “Slow down! May Allah bestow his mercy

upon you, "Slow down! May Allah bestow his mercy upon you,Ahmad said, "He should order the people with kindness and humility. If they let him hear what he hates, he should not be angered and should not desire revenge for his own sake. Allah is the best knowledgeable Ibn Rajab Supra at P. 437.

These are the conditions for forbidding evil.

Indeed, Caliph Umar had demonstrated this with the dirra or whip he used to carry in his hand purposely for punishing wrong doers.

As – saeed, in describing the dirra stated thus:

Umar had a small dirra with which he punished people for committing petty wrongs that he had observed. Although it actually was a stick that could not cause any harm to anyone it hit, it awfully scared people more than the swords of the most tyrant kings. That dirra was used by Umar without discrimination between big and small people; and it so happened that the first person on whose back the dirra fell was Umm farwah, the sister of the first Caliph, Abu Bakar. That was at the death of Abu Bakar, when his women relatives had begun to cry loud, refused to listen to Umar's request exhorting them to stop the wrong.

He must establish his fact without any spying or listening to the close doors. Al-muhtasib has no right of smelling the person's private piece of cloth or dress.

Must explain the nature of fact to the relevant person and explains his role in it.

Admonish the person and to be fearful of Allah. This is for those who insist on wrong things although they know that it is not good.

Act a little bit harsh. This is, if previous methods do not work and provided the following are observed:

- (a) There must be a need of harshness and mild ways must have been tried first.
- (b) Harsh words must not take longtime and the truth must be kept intact.

Correct cases with force. Firstly, an attempt must be made for making the addressee change the situation and correct his fault; and secondly, the necessary level must not be trespassed and must not oppress him in any way.

Fore – warn people that if they do not abstain from doing wrong actions, they would be punished. Warning must be reasonable and lawful.

Must beat people without using any tool and instrument.

Could use fire arms in very rare cases in instances where he faces belligerent and rebellious people (ibid)

It is pertinent at this juncture to note that, the Islamic Institution of Hisbah is governed by the following principles:

- Fear of Allah
- Justice among the people
- Protection of personalities, properties and dignities of the people.
- Establishment of honest business,
- Tradition and usage, and
- Shari'ah

These principles govern the operations of Hisbah.

Muhtasib, in the light of their functions and how they suppose to operate, should in cities be seen to be dealing with all items of public interest such as:

markets, streets, coin and money units, scales, all kinds of measures and weights, sales, prices and monopolies.

Areas of foods and drinks: crop merchants, millers, bakeries, butchers and restaurants; friars of heads of livestocks, fisheries and sausages makers etc.

Clothings: textilers, tailors, merchants of cotton, thread producers, cloth colourers and shoe makers.

Health: Juice producers, pharmacists, perfume merchants, physicians, blood takers and bathing houses etc.

Gold and Silver merchants, money changers, jewelers, merchants of tiles etc.

Indeed, the manner of operation of Hisbah as shown before must reveal Hisbah as an institution aimed at taking care of the community concerned, awakening all potential forces and dynamics for Islam, letting mechanisms work for all people of the society, keep the privileges of disabled and retarded members of the community, and look after all elderly people, destitute, poor, homeless, patients and sick members, safe guarding the public safety and order and interest. etc.

The Role of Hisbah as an Institution for Reduction of Moral Decadence among Youth In Kano Metropolis

It is known that prior to the formation of Hisbah in Kano state was faced with many Moral decadency and crimes ranging from thuggery, prostitution, alcoholism, robbery, pick pocket, stealing, juvenile delinquency, gambling, mix of male and

female among many were abundant in Kano before the formation of Hisbah in the area. (Advance Learner Dictionary sixth edition)

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

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

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

Armed robbery is a national phenomenon in Nigeria, everyday house, banks, business centres, commercial computer centres, cares, motorcycle are robbed, in which many lives are list in the process. The most common form of armed robbery in Kano metropolis is house breaking and phone snatching which are all in existence today in Kano Metropolis.

Pick-pocketing: This is an act which some one steal from one's pocket especially in crowed or in a market place. This act was also rampant among the people especially among youth in Kano Metropolis.

Stealing: This is a situation where someone carries other properties belonging with out their knowledge, this act sometimes occurs in manners that somebody closes others house especially in the night and take their commodities with out their knowledge.

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

Gambling: means playing games of chance for money, in other word. It is to risk money or possession when you do not know the certain what the result would be. The most commonly type of gambling in Kano metropolis is card game, where money is asked, in this game the player gathered in a circle, an amount or money called pool is collected from every one of them and the winner takes the whole amount after wining. Thus games commonly take place in prostitute houses, where men and women gathered to play especially in the evening. The above are also the activities of people of Kano metropolis before the formal formation of Hisbsah.

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

Above act are crime that was committed in most Local government in Kano metropolis before the formation of Hisbah. Hiskel (2016)

The Hisbah as body whose emancipation is doing a lot in controlling Moral decadence and crimes in Kano Metropolis, which being stability and smoothness of the life of people of kano.

Hisbah was able to overcome the thuggery problem by providing jobs to youth, it found out that the factors that warranted the youth to involve in thurggery is unemployment, that is why Hisbah create or provides the job opportunity to youth so as to stop them from such act, therefore the issue of thurggery is reduced substantially, because almost all the youth that involved in such act are now employed, so they have no time for thurggery. More so Hisbah make a huge effort in eradicating prostitution in Kano Metropolis which mainly cause by force marriage or poverty, so based on that Hisbah took a measure to ensure that all the problem were swiped out. (Mustapha 2019)

Hisbah engaged in preaching in order to notify the people about negative effect of forced marriage and provided subsidy for any prostitute get marriage by donating her with all necessary materials for marriage such as bed cupboard and so on and even sometimes dowry with accommodation.

More over it gives money to the both bride and groom to conduct a business, this effort assists greatly in eradicating prostitution in Kano Metropolis. Not only that the Hisbah have been able to checkmate youth within Kano metropolis who wear indecent cloth and cut that hair indecently. This has also impacted in reducing moral decadence in Kano. (Mustapha 2019)

Recently their was a report of a social media influencer Sadiya Haruna that was brought to book by the hisbah board for uploading indecent picture on social media. She was sent back to Islamiyya after she has been accused guilty.

Hisbah also confiscate and destroys thousand bottle of beers as a result of its effort to bring about Morality among youth and the people of kano state, virtually in all the Local government in Kano Hisbah commission banned the sale of alcohol within and outside the local government area, and this help Hisbah to watch into any vehicle banned to carry alcohol, drivers helped Hisbah to arrest thousand of beer bottles and destroyed it which assist in eradicating the alcoholism in Kano metropolis.

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

the seller to fear Allah.

It is very important to note that Hisbah set up various committee in order to simplify its activities, such committee were given responsibility to overcome the crime that are committed within and outside Kano Metropolis, these committee patrol all over the Kano Metropolis in order to ensure that all the criminal act are prevented and also the commission reserved some vehicles for patrol, in order to solve the act of mixing male and female and also the social gathering that warranted mixing or intermingling between male and female was banned.

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

In a nut shell, Hisbah commission since is establishment was able to improve social morality and sweep out all criminal acts, also prostitution was banned and many prostitutes got to married and some were driven out from the local government, the sale of consumption of alcohol was banned beer parlours were shut down, gambling and robbery that were common before the implementation of Shari'ah were now banned, thieves are afraid that if they steal their were taken to Islamic Shari'ah court, therefore, they keep away from stealing women, dress more decently now there by reducing the temptation towards immoral acts.

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

The *Hisba* corps of Kano Metropolis achieved the followings:

1. Settlement of (marital and civil) disputes of about 200 people between 2003 and 2004;
2. Settlement of 10 inheritance cases;
3. Assisted refugees of Yelwa/Shendam and Kano crises;
4. Assisted pilgrims to Mecca by providing logistic advice.
5. Assisted in taking young women to their permanent homes who absconded from parents and marital homes;
6. In 2003, Beauty contest organised by the Bayero University Kano students was stopped;

7. *Garaya/goge* (traditional music) and its related activities (traditional magic, entertainment by prostitutes and homosexuals) were stopped;
8. Tiga dam picnic which often involve nudity, betting and car racing among youths was stopped;
9. Conducted operation in conjunction with National Drug Law and Enforcement Agency (NDLEA) at Gadar Tamburawa and many drug dealers and drug addicts were arrested and handed over to the Police and NDLEA for further investigation and prosecutions; and
10. About 600 cartons of beer (alcohol) were seized. On 3rd July, 2005, the operation of *Hisba* was further strengthened with the massive recruitment 9,000 trained guards which includes 900 women. Each of the Kano's 484 wards has 20 *Hisba* corps. *Hisba* is on the prowl on major roads assisting traffic wardens. (Ahmad S. Garba 2010)

Challenges of Hisbah In Kano State

The Hisbah Board has been facing several challenges since its establishment regarding its operations, effectiveness and sustainability as a religious and social organization, (Shariff, 2011). Some of these challenges and obstacles have already been identified by scholars and official studies conducted by the Hisbah Board (Shariff, 2011). They are as follows:

Shortage of Qualified Manpower

Looking at its staff strength and quality in terms of modern administration, it is very clear that the organization is facing a very serious problem in running its programmes and activities (Shariff, 2011). For whatever reason, the organization was not incorporated into the civil service structure thereby denied to draw its manpower from the system. Instead, its staff was generally recruited with little or no previous working experience. Even its chief executives were academics drawn from universities with little experiences in government bureaucracy and administration except for its current Director General who bags a PhD in public administration / political science (Shariff, 2011). This is because Hisbah corps receive a number of different cases that need to be resolve every day. Therefore, taking into account the number of cases presented to them every day and the number of Hisbah officials of the department charged with the responsibility of handling those cases is totally inadequate (Shariff, 2011).

Dependence on Government for Funding

Since its establishment, the Board continues to rely mainly on the state and local government for its funding and other financial requirements. In spite of the provision in its act to generate funds through the general public and other philanthropic organizations, it has not been able to generate much to executive its activities (Shariff,

2011).

Lack of clear code of relationship/engagement with other government agencies

There are no clear guidelines on engagements with other government agencies especially the police and other security agencies hence conflicts and misunderstandings (Shariff, 2011).

Role conflict

There is role conflict between the shari'ah commission and the Hisbah Board with regards to Revertees. Both institutions have Da'awah units. Governments has provided the commission with houses for temporary hosting of the Revertees, pending the period of giving them necessary religious/social orientation plus the resources to do that. Yet, the Shari'ah commission sometimes declines to host those that revert through the Hisbah Board (Shariff, 2011).

The Kano Police Command perceived the Hisbah as a State Police and therefore became highly opposed to it. Throughout the first four years of the board therefore their relationship was marked by intense rivalry, sometimes leading to physical combat between the two. The police command refused to take its seat at the Hisbah Board. During the return of Malam Ibrahim shekarau as the Governor, improvements in relations were recorded. The police have now taken their seat on the Board. In fact, it was only in December 2010 that the Kano State Police commissioner, Alhaji Yabo visited the Hisbah Board for the first time to cement their friendship (Shariff, 2011).

Beyond the conflict between the Hisbah and the Police however is that between the federal authorities and the state authorities in a federation. In Nigeria, a governor of a state is the chief security officer of the state. But the police and the army in his state owe their loyalty to the federal authorities. This is what sometimes makes a commissioner of police to think that he has no business with a law that is shari'ah based, since the federal government has no business with Shari'ah implementation. These points to the need for constitutions amendment to either provide for a state police or to give more powers to the governor of a state over the Nigeria police in his state (Olaniyi, 2011).

The Hisbah also was in conflict with a section of the press, particularly those in alliance with hoteliers who wanted to deter the Hisbah from operating in their domains. This reached its peak when a Lagos based National Daily Published fictitious news and pictures against the Hisbah. Following series of rejoinders and attempts at taking legal action, the paper sent a formal apology to the Board. There is also individual role conflict, for instance is the role of a Special Assistant attached to the Office of a Special Advisor? A great deal depends on the level of cooperation between the two (Shariff, 2011).

Bureaucratic Bottlenecks

Majority of the people engaged in Shari'ah implementation are of the view that bureaucratic bottlenecks constitute constraints over the process. The administration of the government house, the security as well as the protocol arrangements are all set in a conventional manner, and they are often accused of making access to the governor extremely difficult (Shariff, 2011).

Conclusion

The foregoing discussion shows the role of Hisbah in addressing the moral decadence among youth in Kano metropolis. It also shows that the Hisba have been used for administrative convenience and the maintenance of law and order in Kano State, Sharia was enforced to ensure the legitimization of political authority; but from 2003, it became a resource for administrative convenience. Hisbah preoccupies itself with crime and social control among the masses; however, major issues, such as hoarding, gambling, and corruption, are not fully addressed. Certain areas of Kano remained unpatrolled and unpatrollable by Hisbah. Even though the enforcement of Sharia was demanded by the people of Kano, the arbitrariness of Hisbah corps was rejected by some, especially motorcycle operators.

Recommendation

The following are recommendation of the study

1. Hisbah corps requires sufficient knowledge in Islamic law and jurisprudence to avoid arbitrariness. This deficiency was realized early enough, when the Hisbah Board instituted training programs for the corps.
2. Adequate fund should be provided in order to enhance the effectiveness and efficient functions of the hisbah institution in Kano state
3. Lastly, Moral decadence in the Kano metropolis is course for concerns to all being it a great menace that cannot be handled with kindle glovers. The authorities should take strict measures to curb these problems, and this can only be possible by looking at it on the basis of Islam, and attempts to tackle them would only be Islamic since all other venues have failed. Fortunately, the Muslims northern states have 68 currently adopted Shari'ah legal system. What remains is full enforcement and by the grace of Almighty Allah, if Shari'ah would be fully enforced all Moral decadence and criminal acts will become history in Kano metropolis.

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