

RELATIONS OF THE BORNO ‘*ULAMĀ*’ WITH THE SAYFAWA RULERS: THE ROLE OF THE *MAḤRAMS**

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The granting of *maḥrams* (charters of privilege) by the Sayfawa sultans and their successors, to a select group of ‘*ulamā*’ (‘scholars’, sing. ‘*ālim*’) has been recognized as an important facet of Kanem-Borno social and intellectual history.¹ The *ḥurma* (inviolability) of an ‘*ālim*’ in itself is nothing new and finds expression in different forms in Muslim society.² What distinguishes Kanem-Borno from many other Islamic polities, however, is the availability of a large body of documents which formally confer this privilege on the ‘*ulamā*’. In this paper we examine the nature and significance of these *maḥrams* in Borno society of the Sayfawa period (1470-1808) and their ramifications for state-‘*ulamā*’ relations.

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1 See R.S. O’Fahey, ‘The *maḥrams* of Kanem-Borno,’ *Bull. of Information* [Fontes Historiae Africanae], vi, 1981, 19-25; D.F. McCall, ‘Exegesis of a *Mahram*,’ in D.F. McCall, N.R. Bennet and J. Butler, *West African History* [Boston University Papers, iv], Boston 1965, 1-19. For a fuller historical contextualization of the *maḥrams*, see my doctoral dissertation ‘The ‘*Ulama* of Borno: a Study of the Relations between Scholars and the State under the Sayfawa, 1470-1808’, Northwestern University 1992. A version of this paper formed Chapter V.

2 See Ibn Battūṭa’s account of Mali in N. Levtzion and J.F.P. Hopkins, *Corpus of Early Arabic Sources for West African History*, Cambridge: Cambridge University Press 1981, 289-97. See also J.O. Hunwick, ‘Sanctity and privilege: holymen and the state in the Songhay empire’, paper presented to the annual meeting of the African Studies Association, Los Angeles, 27 October 1984.

The problem of authenticity

The study of the Kanem-Borno *maḥrams* has for long been constrained by problems pertaining to their authenticity. While these problems are sometimes exaggerated, the question of the authenticity of the *maḥrams* presently in public collections is still a valid one. Firstly, many of these *maḥrams* exist only in translation and it is difficult to ascertain the extent to which they represent a faithful rendering of the originals. These translations were made by Richmond Palmer in the first half of the twentieth century. Secondly, even where Arabic texts of the *maḥrams* exist, almost all of them 'appear to be early twentieth century copies.'³ And regrettably, efforts to recover the originals in the field have not been very successful.⁴ But these reservations notwithstanding, the fact remains that *maḥrams* were not a fiction invented by 'ulamā' tax-dodgers in the twentieth century. The *maḥram* was, from all the available evidence, a real and deeply rooted institution in Borno society. Consequently, it is to the internal evidence presented by the *maḥrams* themselves that we have to turn to assess, in the wider context of Borno history, the varying degrees of their reliability.

The *maḥrams* at our disposal could be categorized into three groups. Firstly, those issued by the rulers of the al-Kanemi dynasty, particularly Shaykh 'Umar b. Muḥammad al-Amīn al-Kānemī (*reg.* 1837-81), Shaykh Abū Bakr (1881-4), Shaykh

3 O'Fahey, 'The maḥrams of Kanem-Borno', 20.

4 During the field work for this study, I was only able to obtain Arabic copies of the *maḥram* of the N'Galma Duku (published in translation in H.R. Palmer, *The Bornu, Sahara and Sudan* (hereafter *BSS*), London 1936, 19, the *maḥram* of Aḥmad al-Targhawī issued by Shaykh Abū Bakr b. 'Umar al-Kānemī dated 19 Muḥarram 1299/11 December 1881 and the *maḥram* of Shettima *al-ḥājj* b. Shettima Fugbumi renewed by Shaykh Abū Bakr b. Ibrāhīm al-Kānemī and dated 4 Ramaḍān 1318/26 December 1900. The latter is the only original *maḥram* in the collection. There are, however, numerous references to other *maḥrams* issued by both Sayfawa sultans and the Shehus. See 'District Notebooks' and 'Assessment Reports' for Borno Province in Nigerian National Archives, Kaduna (NNAK).

Ibrāhīm (1884-5) and Shaykh Hāshim (1885-93).⁵ The *maḥrams* issued by these rulers are distinguished by two features: the *intitulatio* is devoid of caliphal ascriptions and the concluding protocols lack the elaborate roster of witnesses found in most of the pre-nineteenth century *maḥrams*.⁶ A name closely associated with the latter group of *maḥrams*, however, was that of °Abd al-Raḥmān b. Muḥammad al-Sanūsī. He was the *imām al-kabīr* at Birni Kukawa⁷ and identified himself as the copyist of many of the *maḥrams* issued by Shaykh Abū Bakr, Shaykh Ibrāhīm and Shaykh Hāshim.⁸ While it is possible that °Abd al-Raḥmān al-Sanūsī could have served as a copyist for Palmer, his involvement with the documents appears to pre-date Palmer's adventure into Borno, for his name has turned up even on *maḥrams* not forming part of the Palmer collection.⁹ It is also probable that the office of *imām al-kabīr* exercised a supervisory role in the issuance of *maḥrams* and related documents at Kukawa. °Abd al-Raḥmān al-Sanūsī's grandfather, Imam Yūsuf b. °Abd al-Qādir al-Qarqarī, was a close associate of Shaykh Muḥammad al-Amīn al-Kānemī (d. 1837), the founder of the al-Kānemī dynasty, and outlived him to serve his son and successor, Shaykh °Umar. Imam Yūsuf's name appeared as a witness on the document containing the list of property left by the deceased Mr Tyrwit in Borno in

5 See the *maḥram* collection in H.R. Palmer, *Armybook*, Nigerian National Museum, Jos. I have used the copy of the *Armybook* preserved in the Northern History Scheme (NHRS), Ahmadu Bello University, Zaria.

6 O'Fahey, 'The *maḥrams* of Kanem-Borno', 22-4.

7 Field Notes, interview with Imam Adam Asil, current *imām al-ʿidāyn* of Maiduguri, 6 March 1988. It is said that he was in his twenties when he became Imam during later part of Shaykh °Umar's reign and according to family sources lost some of his influence to Imam Modu Aisami during the reign of Shaykh Abū Bakr b. °Umar al-Kānemī.

8 However, not all the *maḥrams* were copied by Imam °Abd al-Raḥmān even during this period. See *Armybook*, 257-8.

9 See for example the copies of the *maḥrams* of Aḥmad al-Targhawī and Shatima al-ḥājj b. Shatima Fugbuni recovered during fieldwork. (Copies in Islamic Research Centre, College of Legal and Islamic Studies, Maiduguri.)

1240/1825.¹⁰ He was apparently the only local witness.¹¹ In 1256/1840 Imam Yūsuf was also the copyist and sole witness to a *maḥram* issued by Shaykh ʿUmar to the descendents of *Shatima* Ghujuma b. Fāṭima.¹² Imam Yūsuf's position as principal witness to public documents may have passed to his successors, including Imam ʿAbd al-Raḥmān al-Sanūsī, thus obviating the need for the witness roster characteristic of Sayfawa *maḥrams*.

The second category of documents consists of the 'Tura *maḥrams*'. These were mainly issued to Tripolitanian and Tubu families and deal with different aspects of their relations with the Sayfawa authorities.¹³ While many of the 'Tura *maḥrams*' could not qualify as marks of state patronage of the 'ulamā', they were not without a purpose. They sought, in many instances, to establish the sharifian status of their holders, who would thereby lay claim to the privileges it brought, including exemption from participation in military campaigns and from taxation.¹⁴ The third category of *maḥrams* are those issued by the Sayfawa sultans specifically to the 'ulamā'. The available texts and translations belong to two broad historical periods: the *maḥrams* that were allegedly issued at Kanem and these consist of the 'Maḥram of Hume Jilmi', the 'Maḥram of the Ngalma Duku', and 'A *maḥram* belonging to the Masbarma Family'¹⁵ and those

10 Dixon Denham and Hugh Clapperton, *Narrative of Travels and Discoveries in Northern and Central Africa in the Years 1822, 1823 and 1824*, London 1836, II, 389-90.

11 *Ibid.* The letter itself was signed by Shaykh Muḥammad al-Amīn b. Muḥammad al-Kānemī (as the issuing authority). The other witnesses, besides Imam Yusuf, are Saleh ben el-Hadje Hamed, Muhammad el-Wardi ben el-Hadje Aly ben Abd elkader Aba Nearan, Muhammad ben el-Hadje Issa ben Aḥmad el-Missarati.

12 *Armybook*, 345-6. This appears to be the only *maḥram* in the Palmer collection issued by Shaykh ʿUmar b. Muḥammad al-Kānemī.

13 See *BSS*, 17-52; *idem*, *Sudanese Memoirs* (hereafter *SM*), Lagos 1928, III, 5-13.

14 See *BSS*, 30, 52. Settlements of these *shurafā'* (descendents of the Prophet) are called *sharifari*.

15 The three *maḥrams* are published by Palmer in *BSS*, 14-20.

that the Sayfawa sultans issued during their sojourn in Borno.¹⁶ It is to this third category of *maḥrams* that we turn our attention.

Much attention has been paid in the literature to ‘The *maḥram* of Hume Jilmi’, said to have been issued by Sultan Hume Jilme (Umme b. ʿAbd al-Jalīl, c. 1075-86) to one Muḥammad b. Māni who was credited with converting to Islam one of the early Sayfawa rulers. Hitherto known only through Palmer’s English translation, two Arabic texts of the *maḥram* have turned up. One version (hereafter called MS A) bears no formal title but begins in a typical *maḥram* form.¹⁷ It was the text that Palmer used in his translation of the ‘*Maḥram* of Hume Jilmi’. The second text, entitled ‘*ʿAwwal al-islām fī balad Jimi Barnūḥ*’ (hereafter called MS B)¹⁸ is shorter but contains much of the basic information in MS A. There are, however some noteworthy differences between the two texts. Firstly, while MS A attributes the whole feat of introducing Islam to ‘balad Barnūḥ’ to Muḥammad b. Māni, MS B gives a share of the glory to one Saʿīd b. Maryam. In its words: ‘This is a treatise (*maktūb*) on the introduction of Islam in all of the lands of Jimi Barnūḥ. Sultan Umme accepted Islam and popularised it [in association] with Muḥammad b. Māni and Saʿīd b. Maryam.’¹⁹ Secondly, while MS B preserves all the information about the privileges granted to Muḥammad b. Māni and the sanctions of Sultan Hume Jilme in MS A, it goes further to expand and buttress these privileges.

MS A: Then Sultan Umme read [the Qurʾān] in secret, from *al-Baqara* to *min al-jinnati wa’l-nās*. Then he read the *Risāla* twice. He gave him

16 For the *maḥrams* issued by the Sayfawa in Borno see *BSS*, 14-51; *Armybook*, 93-4, 106-11, 113-14, 133-6, 204-5, 225, 315-19, 342-3.

17 See *Armybook*, 261-6. The document was given an English title ‘Introduction of Islam’. It was copied 1338/1919-20.

18 *Armybook*, 17-20.

19 *Armybook*, 17. The addition of Saʿīd b. Maryam is interesting and underlines the dynamic nature of the mss. Sultan ʿAlī b. ʿUmar (d. 1677) granted a *maḥram* to ‘the Faki our lord Sidi ibn Maryama’, *BSS*, 31. The Arabic text of the latter is yet to be traced, but the ‘Sidi’ above could easily have been a mistranscription of ‘Saʿīd’ and the two documents may be dealing with one and the same person.

[Muḥammad b. Māni] one hundred each of camels, gold, silver and slaves. All these were for the sake of the instruction in the Qurʾān and the *Risāla* that he received from him.²⁰

MS B: Then the honorable Sultan Umme read the whole of the Qurʾān, from *al-Baqara* to *waʾl-nās*, twice, along with the *Risāla*. He gave Muḥammad b. Māni one hundred camels and pieces of gold and silver and slaves and mounts consisting of mares (*al-markab min al-faras*). This was by way of honouring him (*hādhā min al-sharīfa*).²¹

The third point of interest is that of the beneficiaries of the *maḥram*. *MS A* is not specific about the grantee and terminates with the statement, ‘Peace be upon you, O progeny of Aḥmad b. Muḥammad b. Walī (?) b. Farṭuwa b. Bitku ...’,²² linking the genealogical chain to Muḥammad b. Māni and ultimately to *al-nabī* ʿAdam. *MS B* on the other hand, identifies one of the beneficiaries of the *maḥram* as ‘Aḥmad b. Muḥammad b. al-Shatima ʿAbd Allāh Ghari b. Ibrāhīm b. Muḥammad ...’²³ It is the beneficiary’s great-great grandfather, Muḥammad, who links up with ‘Aḥmad b. Muḥammad b. Walī (?) b. Farṭuwa,’ whose genealogy is given in *MS A*.²⁴

But despite these divergences, there is no doubt that we are dealing with two documents that are very closely related, and which, from all indications, have a common origin. The question that arises, therefore, is to what extent do they represent an authentic *maḥram* issued by Sultan Hume Jilmi to Muḥammad b.

20 *Armybook*, 261-2. See also *BSS*, 14.

21 *Armybook*, 17.

22 *Ibid*, 265-6. Palmer, however, ignores the word ‘progeny’ in his translation and identifies the document as ‘The *Maḥram* of Ahmad ibn Muhammad ibn Wali ibn Farto ibn Bitku...’. See *BSS*, 15.

23 *Armybook*, 19-20. It is noteworthy that Imam Yūsuf, the *imām al-kabīr* to Muḥammad al-Amīn b. Muḥammad al-Kānemī gave his genealogy thus: Yūsuf b. ʿAbd al-Qādir b. Aḥmad b. Muḥammad b. ʿAbd Allāh b. Muḥammad b. ʿUmar al-Qarqarī al-Qalī al-Kullī. See his *Tuḥfat al-marām fī qaṣīdat al-imām*.

24 The genealogical chain, from Aḥmad b. Muḥammad b. Walī (?) ... to Muḥammad b. Māni [or Muḥammad Māni] is the same in both documents. But variations occur down the chain. See *Armybook*, 19-20 and 265-6.

Māni? This question cannot be answered satisfactorily. However, a close examination of the two documents reveals little evidence that would support that they were composed during the time of Sultan Hume Jilmi. McCall's observations that 'the length of Umme's reign cannot be put in the original for Umme must have been still reigning,' and that 'the successors of Umme could not have been listed, with lengths of reign, before they reigned,'²⁵ are some of the more obvious reasons militating against such recognition. Secondly, if indeed the beneficiaries of the *mahram* were descendents of Imam Aḥmad b. Farṭuwa, the available copies could not have been written before the end of the sixteenth century. And if that is the case, it raises another unsettling question: Why did the *mahram* fail to conform to the form and renewal procedures of the period?²⁶ Although the two documents do spell out the privileges and sanctions issued by Sultan Hume Jilmi, other Sayfawa sultans, when mentioned, are not depicted as conceding to or confirming these privileges.²⁷ And curiously enough, the *mahram* lacks the roster of witnesses common to most Sayfawa *mahrams*.

The foregoing, however, should not be construed as a denial of the validity of some of the information provided by the *mahram* or the existence and historical role of Muḥammad b. Māni and his descendents. Firstly, the name of Muḥammad b. Māni appears to constitute an integral part of the Sayfawa legend of origin, some elements of which go back to the thirteenth century.²⁸ Muḥammad Māni Aisami was regarded as the pro-

25 McCall, *op.cit.*, 11.

26 See BSS, 14-51. See also *Armybook*, 106-8, 133-6.

27 The last king mentioned in MS A is Biri b. Dūnāma (c. 1277-96). MS B does not mention any other king after Hume Jilmi and nor does it give the length of reign of any of the kings it listed. See *Armybook*, 17.

28 See Abdullahi Smith, 'The Legend of the Seifuwa: a study in the origins of a tradition of origin,' in Bala Usman and Nur Alkali (eds.), *Studies in the History of Pre-Colonial Borno*, Zaria 1983, 16-56. See also *Armybook*, 91.

genitor of the Kangu, one of the original groups of the Kanuri.²⁹ Accordingly, it was from the Kangu that the Sayfawa acquired 'knowledge',³⁰ and it was its members who enjoyed the exclusive privilege of holding the office of *imām al-kabīr*.³¹ Secondly, there was the idea, at least from the late fifteenth century or early sixteenth century, of the 'House of Muḥammad Māni'. In a *maḥram* issued by Sultan Idrīs Katagarmabe (c. 1497-1519) to one Muḥammad Su b. Liyatu, the sultan 'made sacred his house like a mosque in Karkarya, in Yehiya, and in Makaran; and as the house of Muḥammad Māni Katamma.'³² If indeed the latter is identical with Muḥammad b. Māni, we cannot but consider notions pertaining to the *ḥurma* of his descendents as predating the ascendancy of Imam Aḥmad b. Farṭuwa during the last half of the sixteenth century.

Consequently, although the '*Maḥram* of Hume Jilmi', in its current form, was, from all indications, composed after Hume Jilmi's reign, its claims were not predicated on false foundations. As we have already seen, Muḥammad b. Māni occupies a venerable place within Kanem-Borno socio-political traditions and his *ḥurma* seems to have been recognised even in the written sources. It would not be surprising therefore for a member of the family of the *imām al-kabīr* to attempt to re-establish the traditional

29 See Abdullahi Smith, 'The Early States of the Central Sudan' in J.F.A. Ajayi & M. Crowder (eds.), *History of West Africa*, London 1971, 159; *Armybook*, *passim*.

30 See *Kitab al-Borno*, *loc. cit.* See also Smith, 'Legend of the Seifuwa', Appendices B and C.

31 See *Armybook*, 91, which gives, in a colorful oral style, the Muḥammad b. Māni story: 'And Muḥammad Māni Aysami was the one who acquired the Qur'ān after its compilation by Sayyidna °Uthmān b. °Affān (may God be pleased with him) and came with it to the sultan of the Yemenis in their city Njimi. He taught him [the Qur'ān] and taught all the grandees of the state and their officials. For this, the sultan granted him a *maḥram* (*ḥarramahū*) and exalted his status. He [and his descendents] served as imams of the 'īdayn (the two festivals) and of *jum'a* (Friday prayer) from Njimi to Birni Kafela. His brothers who resided in the country became Shatimas. As a result they found honour with the sultan. All of them were descendents of Muḥammad Māni.'

32 *BSS*, 28.

primacy of the family at a time when other scholarly families were coming into prominence or to secure some privileges for less well-to-do members. In fact if we compare the *nasab* (genealogy) of Imam Yūsuf b. °Abd al-Qādir³³ and the chain given in the *maḥram* (MS B), the beneficiary of the latter, Aḥmad b. Muḥammad b. Shatima °Abd Allāh, would appear to be Imam Yūsuf's grandfather, if the few discrepancies in the two chains are ignored.³⁴ This identification, if confirmed, would assign the beneficiary of the *maḥram* to the first half of the eighteenth century, a period that witnessed the emergence of prominent scholars and scholarly families in Borno such as Imam Muḥammad b. *al-ḥājj* °Abd al-Raḥmān Hajrami (d. 1755), Shatima Aḥmad Makamma, Shaykh Ṭāhir b. Ibrāhīm and the like.³⁵

The two other *maḥrams* issued by the Sayfawa in Kanem, 'A *maḥram* belonging to the Masbarma family'³⁶ and the 'Maḥram of the N'Galma Duku'³⁷ also call for some observations. Of the two, however, the 'Masbarma family' *maḥram* appears to be the most problematic. The document itself consists of two parts.³⁸ The first part seems to identify, among others, one Aḥmad b.

33 For the *nasab* (genealogical chain) of Imam Yūsuf, see above, n. 23.

34 Differences between the two genealogies come after °Abd Allāh whom Imam Yūsuf identified as '... °Abd Allāh b. Muḥammad b. °Umar...' while MS B has '... Shatima °Abd Allāh Ghari b. Ibrāhīm b. Muḥammad'. See *Tuḥfat al-marām, loc. cit.* and *Armybook*, 19.

35 The oral milieu in which the document could have emerged is exhibited by attempts to attribute to Muḥammad b. Māni all the Islamic achievements in Kanem from King Bulu (c. 1007-23) to Hume Jilmi (d. c. 1086) and thereafter, the chronological inconsistencies notwithstanding. Palmer, in *BSS*, 14-15, tinkered with the years of reign to align them, albeit unsuccessfully, with the chronology of the *Dīwān salāṭīn Barnū* and the age of Muḥammad b. Māni. The Arabic copy [MS A.] has the following years: 'He stayed five years in the time of King Bulu, forty-six years in the time of King Arki, forty in the time of King Kadai Hawami, then fourteen years in the time of King Umme ...'. *Armybook*, 261.

36 *BSS*, 16; *Armybook*, 202-5.

37 *BSS*, 19-20. Arabic copy recovered in Geidam (Nigeria).

38 For Part I see *Armybook*, 202-3 and Part II, *ibid.*, 204-5.

Bikūr as the recipient of the *maḥram*³⁹ and bears the reproduction of an eight-pointed star seal, on the left-hand corner, enclosing the words ‘*kātib al-khaṭṭ al-imām al-kabīr Aḥmad*’.⁴⁰ The second part, though unable to name its beneficiary, comes in standard *maḥram* form.⁴¹ It identifies its grantor as Sultan Idrīs b. °Alī (1564-96) and has a roster of witnesses which includes Wazir Idrīs b. Hārūn. There is also an attempt to reproduce another eight-pointed star seal, enclosing the name ‘*al-sulṭān al-ḥājj Idrīs*’.⁴² Palmer considers the two parts as constituting a single *maḥram* originally issued to the Masbarma family by Sultan Hume Jilmi and renewed by Sultan Idrīs Alawma.⁴³ This interpretation, logical as it appears, is not without its problems. Firstly, Masbarma °Umar b. °Uthmān, whose name appears to have been forced into the *maḥram* text,⁴⁴ did not come into prominence until the reign of Sultan °Alī Gājī b. Dūnama (c. 1465-97). It is therefore difficult to conceive of his descendents being granted *maḥrams* in the eleventh century. Secondly, Palmer’s basis for assigning the first part of the *maḥram* to the reign of Hume Jilmi lies in the identification of ‘King Karkarma’ mentioned in the document with Hume Jilmi.⁴⁵ But regardless of the identity of King Karkarma, the text of the *maḥram* itself bears an exact date, 978/1570-1 and not 478/1086, the date that Palmer adopted in his translation.⁴⁶ Therefore, assigning the document to the eleventh century remains untenable and judgement on the *maḥram* itself should be reserved until more evidence is forthcoming.

As far as the ‘*Maḥram of the N’Galma Duku*’ is concerned, we are probably in the territory of archetypal *maḥrams*.⁴⁷ Its

39 The list of the *maḥram*’s beneficiaries is very confusing and difficult to decipher. See *ibid.*, 202.

40 *Ibid.*

41 See below.

42 *Armybook*, 205.

43 *BSS*, 16.

44 See *Armybook*, 202.

45 *BSS*, 16; *Armybook*, 203.

46 *Ibid.*

47 See R.S. O’Fahey and M.I. Abu Salim (eds.), *Land in Darfur*, Cambridge 1983, 35-7 for an early charter issued by Sultan Muḥammad al-Faḍl to *faqīh*

grantee, Imam °Abd Allāh Dili, was praised both for his teaching abilities and for his superior knowledge of °ilm *al-asrār* (the esoteric sciences), all of which he used to good effect. The grant of the *maḥram* by Sultan Salma b. Hawa (c. 1182-1210)⁴⁸ was apparently a reward for his services and a recognition of his contributions to the state. Unlike other *maḥrams* issued by the Sayfawa in Kanem, however, the ‘*Maḥram* of the N’Galma Duku’ is distinguished by two things: an extensive list of witnesses and a series of renewals that begin from the reign of Sultan Dūnama Dibalemi (c. 1210-48) and go down to that of Sultan °Alī b. *al-ḥājj* Dūnama (1747-92).⁴⁹ The witness roster does contain many of the senior officials in the state such as the Wazir, Yerima, Chiroma and the *qāḍī*.⁵⁰ But since we still possess insufficient information on the antiquity of these titles, their relevance to the period in question can only be suggestive.⁵¹ On the issue of renewals, the king-list of the *maḥram* appears firm, though not without significant omissions. Apparently, none of the sultans belonging to the Dāwūdid branch of the Sayfawa made the list.⁵² But in light of the fact that the Idrīsīd branch of the ruling family had been in control of Borno since the reign of Sultan °Alī Gājī and that the *maḥram* was last renewed during the reign of Sultan °Alī b. *al-ḥājj* Dūnama, the omissions may have arisen more out of political prudence than from structural defects of the *maḥram* itself.

°Abd Allāh b. *faqīh* Abū ’l-Ḥasan for teaching his sons the Qur’ān. Charter confirmed by Muḥammad al-Faḍl’s son, Sultan Ḥusayn.

48 See BSS, 19-20 (see ff. 1-2 of Arabic copy).

49 *Ibid.*

50 See BSS, 20 and Arabic text, f. 2b. The latter gives the list of witnesses as follows: *wazīr* Madi, *arjinoma* Fartuwa b. Kadai, *mitrama* [Mustarema?] Latu, *al-khāzin* Arki b. Sulayman, *yarima* Dūnama b. Salma, *iyrima* Dika Dikale, *al-qāḍī* Fifismi, *al-khāzin* Masfarma Taki b. Bahra, *arjinoma* Dūnama b. Mitimi, *ḫālib* Yūnus, *kātib al-khaṭṭ* Masfarmati.

51 Once again, there is the seemingly anachronistic occurrence of the name [and title] *masbarma* in the witness roster.

52 For other omissions cf. D. Lange, *Le Diwan des sultans de [Kanem]-Bornu: chronologie et histoire d’un royaume africain de Xe siècle jusque’à 1808*, Wiesbaden 1977, 74-8.

Structure of the Borno maḥrams

The next category of *maḥrams* we wish to examine are those issued by the Sayfawa to ‘*ulamā*’ between the reigns of Sultan ‘Alī Gājī (d. c. 1497) and Sultan Aḥmad b. ‘Alī b. Dūnamā (1792-1808).⁵³ Though these *maḥrams* are all copies, and in some instances exist only in translation,⁵⁴ they exhibit a large enough measure of coherence to be used as working documents⁵⁵ in our attempt to analyse the structural components of the Borno *maḥram*.⁵⁶ It must be pointed out though that the documents that we are dealing with are the kind that would fall under the purview of the Borno chancery, the working of which we know very little about. The *Kitāb al-idāra* is perhaps the only source to make reference to the Royal Chancery (*al-Sirr*)⁵⁷ as well as the *musajjilū* ‘*l-kalām*’ (secretaries) headed by the *Shatima*

- 53 See above, n. 15. These are the *maḥrams* of *qādī* Aḥmad b. ‘Abd al-Quwwa [BSS, 21-2], Muḥammad Su b. Liyatu [BSS, 28-9], Shatima Kaladima [Armybook, 133-6], Aḥmad b. Isma‘il [Armybook, 113-14], Muḥammad b. ‘Abd al-Jalīl [Armybook, 315-19], ‘Asaba and family [Armybook, 106-8], Sidi b. Maryam [BSS, 31-2], ‘Abd Allāh b. Bint Fāṭima [Armybook, 342-4], *mu‘allim* Muḥammad [BSS, 44-5], Bukr b. Fāṭima [Armybook, 93-4], Wali Kagudimi [BSS, 48; Armybook, 225], Ghabidama al-Fallātī [BSS, 36-43] and Muḥammad b. Ghuruma [BSS, 50-2, Armybook, 109-12].
- 54 The documents that so far exist only in translation are the *maḥram* of *qādī* Aḥmad b. ‘Abd al-Quwwa [BSS, 21-2], *Maḥram* of Muḥammad Su b. Liyatu [BSS, 28-9], *Maḥram* of Sidi b. Maryam [BSS, 31-2] and the *maḥram* of *mu‘allim* Muḥammad [BSS, 44-5].
- 55 The documents that have been excluded from consideration are two ‘*maḥrams*’, one issued by Sultan Idrīs b. ‘Alī [Armybook, 204-5] and by Sultan ‘Alī b. ‘Umar [patterned after the *maḥram* of ‘Abd Allāh b. Bint Fāṭima, Armybook, 342-4]. Neither document bears names of grantees.
- 56 We have benefited from similar analyses done on Darfur and Sinnar charters. See O’Fahey and Abu Salim, *op. cit.*; J. Spaulding and M.I. Abu Salim (eds.), *Public Documents from Sinnar*, East Lansing, MI 1989.
- 57 Bayero University Library, Kano, MSS 412 and 413. The chancery so described, however, appears to deal primarily with intelligence matters.

*Kaliduma*⁵⁸ and the *aṣḥāb al-khatm* (keepers of the seal), who put the king's seal on all relevant documents.⁵⁹ Evidence from the *Kitāb al-tarsīl* also indicates the existence of Sayfawa epistolary styles and formulae including one for *maḥrams*.⁶⁰ The creation of a *maḥram*, therefore, could not have been a random process.

Examining the transcripts of Borno *maḥrams* at our disposal, the first feature that deserves mention is the *sigillum* (seal). Even though the *maḥrams* that we are dealing with are all copies, efforts were made by the scribes to reproduce, albeit crudely, what may have been the configuration of the original seals.⁶¹ Almost all of the latter consist of 'stars' of different shapes enclosing the names of the grantors along with some invocatory formulae.⁶² In the *maḥram* belonging to the Masbarma family allegedly confirmed by Sultan Idrīs b. °Alī we find an eight-pointed star seal enclosing the name of the sultan. In the *maḥram* of the °Asaba, however, the seal assumes a six-pointed star shape.⁶³ The latter does predominate in subsequent *maḥrams*, sometimes appearing along with the five-pointed star.⁶⁴ But the six-pointed star could also assume an unconventional shape. In the *maḥram* of °Abd Allāh b. Bint Fāṭima, issued by Sultan °Alī b. °Umar (1639-77), each of the six points of the star ends in the letter *shīn*.⁶⁵ And the star itself, while enclosing the name of its grantor, bears on its sides names of five other Sayfawa sultans.

58 *Ibid.*, no. 412, f. 10. It is noteworthy that one of the *maḥrams* issued by Sultan Idrīs b. *al-ḥājj* °Alī was to one *al-ḥājj* A-h-n-u Shatima Kaladima and his brothers. See *Armybook*, 133-6.

59 *Ibid.*

60 Anon, *Kitāb al-tarsīl*, f. 11 (ms in possession of the author).

61 O'Fahey, 'The *maḥrams* of Kanem-Borno,' 21-2.

62 The one granted by °Umar b. Idrīs to Aḥmad b. Ismā°il has a round seal at the bottom of text enclosing the words: *al-malik °Umar b. Idrīs naṣarahu Allāh naṣran °azīẓan*. See *Armybook*, 113-14.

63 See *Armybook*, 106-8.

64 See the *maḥram* of Shatima Kagudimi (*Armybook*, 225) in which the six-pointed star seal (enclosing the name *al-ḥājj* Dūnāma) is accompanied by a five-pointed star bearing the title *sulṭān*. See also *Armybook*, 109-12. The five-pointed star, however, has not been seen to appear independently.

65 *Armybook*, 342-4.

These were probably the rulers who renewed the *maḥram* for the descendents of the grantee.⁶⁶

The names of the sultans enclosed in these transcribed star seals also merit some attention. We find that in the *maḥram* of the °Asaba, originally issued by Sultan Idrīs b. °Alī and later confirmed by Sultan °Alī b. °Umar, it was the name of Sultan Idrīs that appeared in the star seal and not that of °Alī b. °Umar.⁶⁷ However, in the *maḥram* of Shatima Muḥammad b. Ghuruma, confirmed by Sultan Aḥmad b. °Alī b. Dūnama, we find a group of three transcribed star seals at the end of the document, bearing the names of both the original grantor, °Alī b. *al-ḥājj* Dūnama and that of Sultan Aḥmad who renewed it.⁶⁸ On the other hand, in the *maḥram* of Ghabidama al-Fallātī, which had undergone several renewals since it was first issued by Sultan °Alī Gājī, it was the name of Sultan Dūnama (1696-1715), the last to renew the document, that appeared within the six-pointed star seal.⁶⁹

The second feature of the Borno *maḥram* is the *invocatio*. This can take different forms, from the simple *basmala* and *taṣliya*⁷⁰ to the more eloquent expressions. In the *maḥram* of Aḥmad b. °Abd al-Quwwa, issued by Sultan °Alī Gājī, we see an early example of the latter:

66 The names of the sultans are Idrīs b. *al-ḥājj* °Alī, Dūnama b. *al-ḥājj* °Alī, Muḥammad b. al-Ḥājj, *al-sulṭān* °Alī b. al-Ḥājj, *al-sulṭān al-ḥājj* Dūnama.

67 See *Armybook*, 106. The seal encloses the following words: *al-malik al-kabīr al-ḥājj Idrīs, zā'ir al-ḥaramayn al-jalīlayn, aṣṣalāh Allāh lahu amīn*.

68 *Armybook*, 112. The sigillum consists of a six-pointed star in the middle, enclosing 'sulṭān Aḥmad' and two five-pointed stars on its left and right bearing the inscriptions 'sulṭān °Alī' and 'li-sulṭān Allāh ṭayyiba' respectively.

69 See *BSS*, 43.

70 See *BSS*, 28, 36. Latter opens: *al-ḥamdu li'llāhi wa'l-salām 'alā 'ibādīhi alladhīna iṣṭafā*. See also *Armybook*, 113, which has *bi'smi'llāh al-raḥmān al-raḥīm, wa'l-ḥamdu li'llāh, thumma al-ṣalāt wa'l-salām 'alā man lā nabī ba'dahu*. Others like the *maḥram* of °Abd Allāh b. Bint Faṭīma (*Armybook*, 342) have only *wa-bihī nasta'in*.

Praise be to God who made writing a messenger between near and far and a means of translation into Arabic and non-Arabic tongues. Were it not so, then would all things be confused and spoilt, even the Word of Him (be He exalted), the loving and the Giver.⁷¹

In the *maḥram* of Sīdī b. Maryam, issued by Sultan [◌]Alī b. [◌]Umar (1643-77), the invocation was only slightly modified:

Praise be to God who created order out of chaos and from darkness and void, and then created light in His bounty, and set it as a guide to His ordered creation, and as another glory before Him made the Pen as it were a tongue to show the wishes of man in words, who gave us a share in all things.⁷²

The *invocatio*, as Spaulding and Abu Salim observe with respect to Sinnar charters, ‘serves to establish the fundamental religious and cultural context within which all aspects of the charter’s creation and subsequent interpretation are evaluated.’⁷³

The *invocatio*, in some Borno *maḥrams*, is followed immediately by the *inscriptio* which identifies the categories of officials being addressed.⁷⁴ In many *maḥrams*, however, it is the *intitulatio* that follows,⁷⁵ with the *inscriptio* coming thereafter or mentioned along with the *sanctio*.⁷⁶ The *inscriptio* in many instances begins with the statement ‘this is a document (*maktūb*) written for fear of forgetfulness to inform whosoever comes upon it among the ...’⁷⁷ The categories of officials which the *inscriptio* mentions are the *umarā*[◌] (amirs), *shurṭa* (guards), *ḥukamā*[◌] (governors), [◌]*ulamā*[◌] (scholars), [◌]*ummāl* (officers), *quḍāt* (judges), *wuzarā*[◌] (viziers), *fursān* (horsemen, warriors), *ra^cāyā*

71 BSS, 21. I have used the term ‘non-Arabic’ in place of Palmer’s ‘barbarous’.

72 BSS, 31.

73 See Spaulding and Abu Salim, *op. cit.*, 11.

74 See BSS, 44, 48, 50 and *Armybook*, 109, 225.

75 See *Armybook*, 106-8.

76 BSS, 21; *Armybook*, 342-3.

77 BSS, 44, 48, 50; *Armybook*, 109, 205. See also *Kitāb al-tarsīl*, *loc. cit.* Other forms also exist.

(subjects) and *ma^cshar al-muslimīn* (the generality of Muslims).⁷⁸ However, unlike some Darfur charters which make reference to ‘all the oppressors who trample upon the rights of the Muslims,’⁷⁹ Borno *maḥrams* address these officials in a more congenial tone. The *inscriptio*, particularly in the eighteenth century *maḥrams*, usually refers to ‘... those who are rightly guided and are thereby just.’⁸⁰

The next feature is the *intitulatio* which, in the Borno *maḥrams* issued by the Sayfawa, takes on a decidedly caliphal dimension. The terms commonly used to describe the sultan are *amīr al-mu^cminīn* (Commander of the Faithful), *khalīfa* (Caliph) and *khalīfat rabb al-^cālamīn* (Vicegerent of the Lord of the Worlds).⁸¹ Sometimes added to these titles is the *nisba* ‘al-Sayfi’ to indicate the descent of the Borno sultans from the legendary Yemeni hero, Sayf b. Dhī Yazan.⁸² But the *intitulatio* also contains other qualities relevant to or deemed appropriate for the sultan, principally his efforts to perform the *ḥājj* (pilgrimage), his sense of justice, his assistance to the Muslims and fierceness towards the unbelievers. The *intitulatio* of the *maḥram* of *mu^callim* Muḥammad issued by Sultan Ḥamdūn sums up these prerogatives.

The command of our lord, the sultan, the ascetic, the bulwark of the Faith and purifier of Islam, the zealous warrior in the path of God, who reposes his trust in God in all affairs ... patient in the operations of war and knowing the ruses of war and strife; the refuge of Muslims and wiper-out of the heathen, who abases the polytheists and repels wrong-doing and destroys the transgressors; the Amir al-Muminin and Khalifa of the Lord of the

78 See BSS, 21-51; *Armybook*, *passim*. See also D. Lange, *A Sudanic Chronicle: the Borno Expeditions of Idris Alooma (1564-76)*, Wiesbaden 1987, for use of these titles during the reign of Sultan Idris Alawma.

79 O’Fahey and Abu Salim, *op. cit.*, 32.

80 BSS, 44, 48, 50; *Armybook*, 109, 225.

81 See BSS, 28-50; *Armybook*, 106, 109, 133, 225, 315, 342.

82 BSS, 28, 44. The *nisbas* *Tubba^cī* and *Ḥimyarī* also do occur.

Worlds, the Saif [sword] of the Banu Saif, the good sultan, pilgrim to the sacred house of God ...⁸³

As far as the evolution of the *intitulatio* during the Borno period is concerned, there does not seem to have been much change in its essential features, although its language became markedly more flowery during the eighteenth century. Indeed, judging from the letter of Sultan °Uthmān b. Idrīs (c. 1389-1421) to Sultan al-Zāhir Barqūq of Egypt (d. 801/1399), it would appear that many of the caliphal and laudatory terms that turn up in the *maḥrams*, were in use even before the Sayfawa became fully established in Borno.⁸⁴ There is also little evidence to associate any form of *intitulatio* with a particular sultan. While no doubt relying on the same pool of terms, the scribes, in most instances, took the liberty to weave them as they pleased.⁸⁵

The other features of the Borno *maḥram*, after the *intitulatio*, are the *expositio* and the *dispositio*. The former, when included, provides the circumstances that led to the issuance of the charter or its confirmation. Not surprisingly, the *expositio* assumes special significance in older *maḥrams* such as the ‘*Maḥram* of the N’Galma Duku’ which underwent several renewals and whose original purpose would have long been forgotten as well as the *maḥram* of Aḥmad b. °Abd al-Quwwa issued by the Sultan °Alī Gājī in the last half of the fifteenth century.⁸⁶ The *maḥrams* of Aḥmad b. Ismā°il and °Asaba confirmed by Sultans °Umar b. Idrīs and °Alī b. °Umar respectively, also bear an *expositio*,

83 BSS, 44. See also BSS, 28, 31, 36, 40, 48, 50 and *Armybook*, 106, 109, 133, 225, 315, 342.

84 For the letter see Hopkins and Levtzion, *Corpus of Early Arabic Sources*, 347.

85 The *maḥram* of °Abd Allāh b. Bint Fāṭima (*Armybook*, 342-5) and the *maḥram* of Sidi b. Maryam (BSS, 31), both issued by Sultan °Alī b. °Umar, bear striking similarities in the *intitulatio* as well as in the witness roster. However, the *intitulatio* in the two *maḥrams* differs from the one in the *maḥram* of the °Asaba (*Armybook*, 106-8) confirmed by the same sultan.

86 See BSS, 21-2.

explaining their origin and circumstances that led to their confirmation.⁸⁷

The *dispositio*, on the other hand, identifies the beneficiary of the *maḥram* as well as the nature of the privileges granted him. Essentially, these privileges involve the inviolability of the person and property of the grantee and of his descendants.⁸⁸ And in most *maḥrams*, the *dispositio* goes further to provide its commentary on these privileges.⁸⁹ However, one of the most significant aspects of the Borno *maḥrams*, usually expressed by the *dispositio*, is the extension of the concept of inviolability (*ḥurma*) to cover even the locality in which their beneficiaries dwell. Thus the villages established by grantees of *maḥrams* also become inviolable and therefore immune from the incursions of the tax-collector and other state officials.⁹⁰ These villages, called *mallemtis*, came to play a prominent role in Borno social and intellectual history.⁹¹

The next aspect of the *maḥrams* that we wish to consider is the *sanctio*, a feature that appears in almost all the Borno *maḥrams*. But unlike the *maḥrams* issued during the al-Kānemī dynasty, wherein the *sanctio* takes the form of a threat of

87 *Armybook*, 106-8, 113-14; see also p. 109-12.

88 Their goods are generally likened to *al-mayta* (cadaver), *laḥm al-khinzīr* (flesh of the swine), *al-damm al-masfūḥ* (gushing blood) and *katf al-qirada* (shoulder of the monkey). See *BSS*, 28-50; *Armybook*, *passim*. On the descendants, these are sometimes specified, particularly in *maḥrams* that underwent some renewals. There was, however, no instance where the privileges of a *maḥram* were restricted to the original grantee.

89 The exemptions usually specified are the *al-ḥuqūq al-dunyawiyya* (the secular dues) paid to the *sayyāḥīn fī 'l-ard* (touring officials) such as the *maqīl* and the *mabīṭ*, the 'entertainment dues' collected when they pitched camp to rest at midday or stay overnight. See *Armybook*, 106-112 etc. Other exemptions specified include service in war (*jihād*) and the 'death-tax'.

90 The *dispositio* in some instances warns horsemen (*al-fursān*) to keep away from their 'villages and districts'. Oral sources also indicate that houses of *maḥram* grantees served as sanctuaries. Interview with Shaykh Sharif Aḥmad al-Tijānī, 15 October 1988.

91 See below for a discussion on the *mallemtis*.

punishment against violators,⁹² that of the Sayfawa *mahrams* is in the form of a prayer, beseeching God to deprive the violator (of the *mahram's* injunctions) of *baraka* (blessings) and to 'fill his belly with the fire of Hell.'⁹³ If the violator happened to belong to the royal family and aspired to the sultanate, the supplication became more ominous: 'He who alters my behest,' the *sanctio* may add, 'may God deprive him of this throne. May He not admit him into this house of ours.'⁹⁴

Last but not the least, are the concluding protocols. The most important aspect of which is the *subscriptio*, the list of officials who served as witnesses (*shuhūd*) to the *mahram*. As we have already observed, the presence of a witness roster is what distinguishes the Sayfawa *mahrams* from the ones issued during the al-Kānemī period. And quite interestingly, we find a marked increase in the number of these witnesses through the centuries. While the *mahram* of Aḥmad b. °Abd al-Quwwa, issued during the reign of Sultan °Alī Gājī, gave only one witness,⁹⁵ by the time of Sultan *al-hājj* Ḥamdūn, the witness roster had grown to at least fifty officials.⁹⁶ This phenomenon characterised most of the

92 The *sanctio* in most of the *mahrams* issued by the Shehus takes the following form: 'Let all who came across them stay their hand from them. Let none interfere in their affairs. Whosoever departs from this command and acts in a hostile manner, he should blame none but himself'. See *Armybook*, *passim*.

93 See BSS, 21-50. See also Arabic texts in *Armybook*. This underlies the spiritual prerogatives of the Sayfawa sultan as the *khalīfa* and *amīr al-mu'minīn*.

94 *Armybook*, 342-4. See also BSS, 21-50.

95 BSS, 22. The *mahram* was witnessed by *al-qāḍī* Muḥammad b. °Alī.

96 BSS, 44-5. The witness roster of this *mahram* is divided into four. The first group, bearing no formal title, consists of such officials as the *qā'id al-kabīr*, *qā'id al-ṣaghīr*, the Ghauma, the Mangalma, the Diguma, the Burma, the Ngalma, the *ṣāhib al-sāha* and some Shettimas and Kachallas; the second group are the 'umarā' which counts among its ranks such officials as the Wazīr, Kaygama, Yerima, Fakama, Arjinoma, Kajelma, Azbama, Iyrima and the Biyrima; the third group are the *khuddām al-sharq* and these include the Mastrema, Jirima, Chikama, Zagifada, and some Kachallas and Mangalmas; the fourth group are the 'ulamā' which included the *qāḍī*, *imām al-kabīr*, *imām al-ṣaghīr*, *ṭalba* and two other scholars.

*mahr*ams issued or renewed during the eighteenth century.⁹⁷ These elaborate witness rosters would indicate that some of the *mahr*ams were granted in council when most of the senior officials were present.

However, the *subscriptio*, despite its evolution through the centuries, may have managed to retain some elements of its ‘primordial chaos’. It is difficult to determine what dictated the choice of witnesses or indeed who, if any, would qualify as ‘permanent members’. In the three *mahr*ams issued or renewed by Sultan °Alī b. °Umar, we find that the *mahr*ams of Sīdī b. Maryam and °Abd Allāh b. Bint Fāṭima⁹⁸ share the same *subscriptio*. But the latter is significantly different in the third *mahr*am, that of the descendents of Shaykh °Asaba.⁹⁹ Even in the eighteenth century, when the *subscriptio* became longer and differentiated, the issue of consistency remained elusive.¹⁰⁰ Consequently, it could be suggested that the scribe along with the *mahr*am grantee may have had some control over who joined the witness roster. They could have been guided, perhaps, by the significance of the witness in the °ālim’s life or his importance in giving the document greater authority.

The concluding protocols, in addition to the *subscriptio*, may also name the scribe as well as the date the *mahr*am was issued or confirmed.¹⁰¹ Some *mahr*ams also give the name of the

97 See BSS, 48-51. See also *Armybook*, 109-12. In the *mahr*am of Shatima Kagudimi, the °umarā° did not appear as a separate group but were consolidated in a general category of state officials, while the *khuddām al-sharq* and °ulamā° remained as separate groups. The *mahr*am of Muḥammad b. Ghuruma, on the other hand, lists about thirty-seven witnesses but did not put them into any categories.

98 See *Armybook*, 342-5; BSS, 31-2.

99 *Armybook*, 106-8.

100 See BSS, 48-51; *Armybook*, 225, 109-12. Though the nature of offices that feature in the *subscriptio* of these *mahr*ams are similar, the names of their occupants are, in most cases, different—an indication of high turnover or multiplicity of occupants of the same office. Secondly, while the °ulamā° officials feature prominently in the *mahr*am of Shatima Kagudimi, they were poorly represented in the *mahr*am of Muḥammad b. Ghuruma. Both *mahr*ams were confirmed by Sultan Aḥmad b. °Alī.

101 See BSS, 32, 37, 45, 49; *Armybook*, 108, 112, 225.

incumbent Wazir when they were issued,¹⁰² while others give the *bāb* who introduced the ^ʿ*ālim* to the sultan.¹⁰³ The termination of the protocols may take the form of prayer—usually to the Prophet—or, in some instances, repeat the *sanctio* or provide some miscellaneous information relevant to the provenance of the *maḥram*.

Maḥrams in Borno Society

From the information provided by the Borno *maḥrams*, their recipients represented, by and large, erstwhile teachers and venerated *awliyāʿ* (saints) whose piety and nearness to God were well attested to.¹⁰⁴ Thus the *baraka* that these ^ʿ*ulamāʿ* and their descendents were perceived to have been endowed with and could dispense, constituted an important ‘spiritual commodity’ which was seriously sought after. In this *baraka*-mediated arena, the *maḥram* becomes an important instrument at the disposal of the sultan, to compete for and garner the spiritual benefits that the ^ʿ*ālim* had to offer. And essentially, what the *maḥrams* did was to recognise the sanctity of the ^ʿ*ulamāʿ* and remove all obstacles from their worldly existence, with the expectation that these saintly personages would use their ‘special relations’ with the One on High, to seek divine favours for the sultans who granted them both in this world and the next. In this regard, the *maḥrams* become charters of privilege as well as contracts for spiritual service—the ‘obligation to pray for the sultan.’¹⁰⁵ Though there is no way of ascertaining whether the *maḥram* recipients observed their part of the ‘contract’, there is nothing to suggest that they did not. And even when they lived far away from the capital, there are some indications that they visited the sultan each year,

102 See *BSS*, 29, 49, 51. This may be indicative of the importance of the *wazīr* in Sayfawa administration.

103 See *BSS*, 37, 49.

104 See *BSS*, 14-51, *Armybook*, *passim*.

105 *Ibid.*

especially during the *mawlid al-nabī* (Birthday of the Prophet) ‘to say the Fatiha.’¹⁰⁶

However, besides competing for the *baraka* of the *‘ālim*, there was also the morbid fear of his curse.¹⁰⁷ In the *maḥram* of Aḥmad b. ‘Abd al-Quwwa, issued by Sultan ‘Alī Gājī, we find this fear expressed in unambiguous terms:

When I was absent, he was patient and rested not day or night, praying and entreating God to aid us; had it not been for the father of the Faki, the Wali ‘Abd al-Kuwata, we should not have obtained the Kingdom ... Learn also that Sultan ‘Alī Gaji once purposed to take and kill him and a counsel was held thereon. But when the sultan’s brother heard of it, he said to him, ‘Do not do what you intend, for if you do, your kingdom will pass to the Beni Daud, and will never come back to you for ever (if God wills).’¹⁰⁸

Having set the spiritual context, we must, however, proceed to examine the wider uses of the *maḥrams* in Borno society, as instruments for achieving social and political objectives. Firstly, the *maḥrams* were employed by the Sayfawa sultans to encourage ethnic integration and political consolidation. Most of the *maḥrams* of the fifteenth and sixteenth centuries were directed as much to individual *‘ulamā’* as they were to the groups these *‘ulamā’* represented.¹⁰⁹ A case in point is the *maḥram* of Ghabadima al-Fallāṭī.¹¹⁰ The movement of the Fulani into the central *bilād al-Sūdān* in the mid-fifteenth century has been documented by the ‘Kano Chronicle’. They reached Hausaland during the reign of Sarkin Kano Yakubu Dan Abdullahi (1452-

106 See *Borsari District Report*, NNAK, Vol 1, Acc. no. 17, 1928. The *maḥram* grantees were introduced to the sultan either by the Chima Kura of the area they resided in or by one of the *‘ulamā’* officials. They may bring gifts in form of honey or oil.

107 See Hunwick, *Sanctity and privilege*, 15.

108 BSS, 21.

109 The ‘Kanem *maḥrams*’ were also given to peoples: the Kangu, the N’Galma Duku and the like. See BSS, 14-20. The *maḥram* of Aḥmad b. ‘Abd al-Quwwa also specifically ‘joined with the Cadi his tribe and kindred, the people of the Magaramma.’ *Ibid*, 21.

110 BSS, 36-43.

63).¹¹¹ From there they moved into Borno at a time when Sultan °Alī Gāji was consolidating Sayfawa power in the area following the ascendancy of the Idrīsid branch of the family he represented. Consequently, the granting of a *maḥram* by the latter sultan to Ghabadima al-Fāllatī and his people is indicative of a conscious attempt to settle and integrate the newcomers into the emerging polity. The *maḥram*, as would be expected, exempted them 'from the Treasurer's list of tax-payers and from the customary obligations which are due to the official called Mulima Garazanma.'¹¹² But the grant of a *maḥram* to Ghabadima, undoubtedly an important personality, and perhaps to others like him, would also have another consequence. It would provide the necessary nucleus or nuclei around which further sedentarisation or transhumance could occur, a phenomenon which probably contributed to Borno's ability to retain a large number of the incoming Fulani groups.¹¹³

As instruments of political consolidation, the *maḥrams* were also used by Sultan Idrīs b. °Alī to cement relations with the 'ulamā' groups in Kanem while engaged in a protracted conflict with its Bulala leaders.¹¹⁴ Two cases come to attention. Firstly, the *maḥram* of °Asaba b. Bitku and his family, originally issued by the said Sultan Idrīs and renewed by his grandson, Sultan °Alī b. °Umar in 1055/1645-6.¹¹⁵ The family's position was apparently secure enough to have the *maḥram* renewed with ease

111 See the 'Kano Chronicle', *loc. cit.*, 110-11.

112 BSS, 36.

113 See also the efforts of Sultan Idrīs Alawma to defend the Fulani against attack from hostile groups; Lange, *Sudanic Chronicle*, 79. The British colonial administration in the twentieth century also attempted to achieve the sedentarization (or 'nucleation') of the Fulani by providing village headships to the major clan leaders (usually at the expense of established Kanuri families). Ironically this was done to facilitate the collection of the *jangali* (cattle tax). See *Geidam District*, Maiprof, Acc. no 19. and other District notebooks in NNAK.

114 For a record of this conflict, see Aḥmad b. Fartuwa, *Kanem Wars*, *loc. cit.*

115 *Armybook*, 106-8. The relationship between Sultan Idrīs and °Asaba may have started before the former ascended to the throne.

despite the fact that the original was destroyed in a fire.¹¹⁶ The second *maḥram* issued by Sultan Idrīs b. °Alī is that of Aḥmad b. Ismā°il.¹¹⁷ This charter was confirmed by Sultan °Umar b. °Alī (1619-39) and covered not only Aḥmad b. Ismā°il but also his kinsfolk (°*ashīratuhu*) from among the Borku people.¹¹⁸

On the educational front, the *maḥrams* were used as instruments for encouraging and sustaining the development of Islamic learning in Borno. The inviolability of the mallemtis apparently attracted a large number of students and provided a stable basis for the conduct of educational activities during the Sayfawa period and beyond.¹¹⁹ The teachers in these centres were also counted among the leading scholars of their time, not only in Borno but in much of the central *Bilād al-sūdān*. In the seventeenth century, Shaykh Abū Bakr Zigagema was ranked among such scholars like Shaykh °Abd Allāh Suka and Shaykh Muḥammad b. al-°abbāgh,¹²⁰ and from all indications the settlement of Zigage continued to serve as an important centre of scholarship through much of the Sayfawa period.¹²¹ Equally importantly, Shaykh Muḥammad Ghuruma, whose name featured in a *maḥram* issued by Sultan °Alī b. *al-hājj* Dūnāma and renewed by his son, Sultan Aḥmad b. °Alī,¹²² was also a prominent figure in the Qur°ānic *salāsil*. He was the principal teacher to Goni Musa Burmama, the rejuvenator (*mujaddid*) of the °*ulūm al-Qur°ān* in Borno during the late eighteenth century. The *silsila* through Goni Musa Burmama and Shaykh Ghuruma al-Kabīr, represented the dominant line of transmission of the Qur°ān in the central *Bilād al-sūdān*.

The other dimension of the *maḥrams*, if we take into account the °Tura *maḥrams* in our analysis, is the commercial one. The

116 *Ibid*, 107.

117 *Ibid*, 113-14.

118 *Ibid*, 113. The term used in the *maḥram* is °Burkawiyyīn°.

119 Some mallemti settlements had survived for about three centuries. See °Assessment Report on Geidam District,° NNAK.

120 See MS Falke, 2306, Melville J. Herskovits Library of Africana, Northwestern University.

121 See *Armybook*, *passim*.

122 *Ibid*, 109-12; BSS, 50-2. From the Arabic text, it is possible that it was his son who was granted the *maḥram*.

information provided by this group of *maḥrams* elucidates the participation of these Tripolitanian and Tubu merchants in Borno's long distance trade.¹²³ Consequently, granting their *shurafā'* and other leading members some measure of immunity,¹²⁴ would not have failed to provide them with a sense of belonging in Borno society and a stake in its political economy. According to colonial sources, the *sharifari* settlement of Lalori¹²⁵ became the centre of the Tura, particularly those residing in the Magumeri area.¹²⁶ The head of the Tura in this area, called the *Ghuzuma*, was empowered to collect taxes from other members of the group¹²⁷ and could have performed other administrative duties as well. The position of the Tura was also consolidated through intermarriage with the Sayfawa ruling house. A Tura man called 'Alī Kellu was reported to have married a daughter of Sultan 'Alī b. 'Umar. The sultan granted him the title of *Suganderema* and the right to collect the 'corn tax' in the environs of Birni Gazargamo.¹²⁸

But everything considered, the multiple uses of the *maḥrams* could be traced, invariably, to the special nature of the mallemtis¹²⁹ which afforded *maḥram* holders not only a secure

123 Horses seem to be one of the most important items of trade brought into Borno by this group. See *SM*, III, 5-16.

124 For the nature of the 'Tura *maḥrams*' and their basis, see above.

125 An early reference to Lalori as the settlement of the Tura Beni Habibi came in the *maḥram* of Sultan Idrīs b. 'Alī issued in 1591. See *BSS*, 30; also 46-7.

126 *Magumeri District Notebook*, Vol I, Acc. no. 13, NNAK.

127 *Ibid.* During the time of the Shehus many of the Tura groups resided in the towns of Gandarku, Ngaydara and Guzuma Megimari. The *Guzuma* used to collect taxes from them and would send about ten horses annually to the Shehu as a mark of honour. See also the settlement of Zurukuduk of the Tura Beni Habibi.

128 *Ibid.* 'Alī Kellu was reportedly succeeded by his brother Bukr.

129 Care should be taken not to confuse the mallemtis with already established villages given to 'ulamā' officials as 'fiefs'. Though details on the distribution of the latter during the Sayfawa period are lacking, colonial sources indicate the following holdings of the *ulamā'* officials during the reign of Shaykh Hashim: Imam Modu Amsami—Geidam, Kelluri, Belle, Mowa, Limanti, Kuka Tsilim, Berkari, Salama, and Falaiwa; Malam Manufi—Marguba, Galangi, Dogoma, Kagura, Kungarwa, Jerada, Kariliwa, Sai, Kaine, Chirchirowa, and Chima Jiribe (clan supervisor) of the Kajidi

residence but also a large degree of autonomy. Ordinarily, a mallemti settlement¹³⁰ would consist of the *mahram* grantee, his extended family, and a number of people not directly associated with the *‘ālim* or his activities, but who may have been originally living in the area or have taken up residence in the mallemti after its establishment.¹³¹ The *‘ālim* took the dual responsibilities of a village head-man and a teacher. As the village headman, he settled disputes between contending parties be they from his immediate circle or from other residents of the mallemti. As the principal teacher, he imparted knowledge and counselled troubled souls, and depending upon the ‘efficacy of his prayers’ would, in his capacity as a spiritual counsellor, command a large following in the whole district.¹³² The ability of the *‘ālim* to impose his authority was also linked to these spiritual prerogatives though, in some instances, he would not fail to resort to ‘banishment’ to keep away undesirable elements from the mallemti.¹³³ Apparently, he was also endowed with judicial

Dalla; Imam ‘Abd al-Rahmān—Mungun, and Chima Jiribe of Ngalma Duku], Shatima Makamma—Chima Jiribe of Temaghiri; *qāḍī* Maiyin Kinendi—Shuwariri, Ngamdargai, Damakarba, Kuwanti and Chima Jiribe of Ngalma Duku and Kai; *ṭalba* Kura—Boloram, Mangungum and Chima Jiribe of Magumi and Temaghiri. See *Borsari District*, Vol II, Acc no. 17, Maiprof., NNAK.

- 130 It would be interesting to reconstruct the distribution of the mallemtis during the Sayfawa period, but paucity of information hardly allows that. Data available for the al-Kānemī period, however, indicate a significant presence of these settlements. A rough survey in Geidam district for example shows that among the major village units, the mallemtis constituted approximately 25 per cent. See *Geidam District*, Maiprof., NNAK.
- 131 These could be farmers, hunters, or traders. See *District Notebooks*, Borno Province, NNAK. See also Capt. Tilho, *Documents Scientifiques de la Mission Tilho (1906-1909)*, Paris 1911, II, 397, on the categories of people in Kulumbardo under Shaykh ‘Abd Allāh al-Barnāwī. According to oral sources, these inhabitants usually give the *‘ālim* their *zakāt* and occasional gifts in lieu of paying taxes to the state.
- 132 The tomb of Zigama Bukr, the original founder of the mallemti at Zigage, had been a place of pious visitation up to beginning of the twentieth century. *Geidam District Notebook*, NNAK.

powers to implement the *Sharī[°]a* in his area of jurisdiction. This may, in special circumstances, include the imposition of the death sentence.¹³⁴ But the [°]*ālim*, besides his efforts to keep peace in his village, would also attempt to have good working relations with the fief-holder (Chima) in whose territory the mallemti was located.¹³⁵

Succession to leadership in the mallemti was also an important issue. From the available evidence, it was hereditary, with the [°]*ālim*'s son or a close relative taking over his responsibilities. This mode of succession may be attributable to two things. Firstly, there is the widely held belief that the *baraka* of the [°]*ālim* was also hereditary and could be acquired by his descendants. Secondly, the *mahram* which gave rise to the mallemti was granted primarily to the [°]*ālim* and descendants. Consequently, all those not directly related to the original grantee would not have much authority to press their claims. But the foregoing notwithstanding, succession to headship in the mallemtis was not always a foregone conclusion. Echoes of disagreements abound, particular between the direct descendants of the [°]*ālim*, the *ahl bayt*, and his senior *talaba* (disciples), though it was the latter who usually lost out.¹³⁶

133 See for example the action of Shaykh [°]Abd Allāh al-Barnāwī against the individual who abused the Tuareg in his presence. Abū 'l-Qāsim Muḥammad al-Hifnāwī, *Ta[°]rīf al-khalaf bi-rijāl al-salaḥ*, Tunis 1985, 235.

134 Interview with informant MD5, 15 October 1988. The case in question involved the passing of wrongful sentence of death by a mallemti [°]*ālim*. The error was discovered only after the sentence was carried out. The Birni [°]*ulamā*[°] were left in a legal quagmire as regards how to rectify the situation.

135 See *Borsari District Report*, NNAK. As we have already mentioned, the Chima Kura could sometimes serve as the *bāb* (gateway) when the [°]*ālim* visited the Birni. On the whole though, while the Chima was able to create problems for the latter, he had no power to curtail his privileges.

136 An indication of this problem would be seen in the events that followed the death of Shaykh [°]Abd Allāh Yale Garuwa. Some of his disciples reportedly began conspiring against his son and successor, Shaykh Ṭāhir. Though the conspiracy never resulted into open confrontation, it led, ultimately, to the annihilation of those who hatched it. Interview with Goni Ahmad of Konduga, 3 September 1989.

Limitations

The role of the *mahrams* in Borno society, however, was not without its constraints and liabilities. Firstly, as documents granted in perpetuity, they harbour the seeds of their obsolescence. In this connection we need to distinguish between two categories of *mahrams*: ‘primary’ *mahrams* issued to prominent ‘*ulamā*’ whose learning and contribution to Borno society was well attested to; and ‘secondary’ *mahrams* sought by and issued to beneficiaries on the basis of the learning and fame of their predecessors. When we consider the recurrence of the latter category as well as the renewals of the primary *mahrams* by the descendants of their original grantees,¹³⁷ we end up with a substantial number of *mahrams* whose beneficiaries knew only of the privileges but not the responsibilities that the documents engendered.¹³⁸ The re-orientation of the mallemtis was clearly discernible during the reign of Shaykh Muḥammad al-Amīn al-Kānemī. He settled a significant number of his ‘*ulamā*’ followers in different parts of the state and through them consolidated his political authority in the face of declining Sayfawa power.¹³⁹

Secondly, the growth and influence of the mallemtis, even where they thrived, could be constrained through discouraging both the influx of a large number of foreigners and the establishment of subsidiary farming villages, the usual method through which ‘mother towns’ establish their hegemony over the

137 See *BSS*, 21-51; *Armybook*, *passim*.

138 While many of these later beneficiaries continued the tradition of learning established by their predecessors, a significant number ended up as mere village heads with little interest or ability in the Islamic sciences. See *District Notebooks*, Borno Province, NNAK.

139 Taking Geidam district as an example, we come across some of these mallemtis established by his ‘*ulamā*’ followers: Kabiwa, founded by Malam Gono, his student, Damakarba, founded by Shatima Ibrahim and Kujari founded by Malam Kuja who also came into Borno with Shaykh Muḥammad al-Amīn al-Kānemī. *Geidam District Notebook*, NNAK.

surrounding area.¹⁴⁰ These restrictions echo the age-old conflict between the 'town' and the 'gown', though the 'gown' in this case happens to be another settlement, albeit of a peculiar nature. However, when we consider that the mallemtis were situated in another person's fief, their uncontrolled expansion would necessarily infringe upon the economic interests of that person.¹⁴¹ But this apart, the rapid expansion of a mallemti could also be interpreted as a sign of political ambition on the part of the 'ālim and make him suspect in the eyes of the ruling authorities. Shaykh 'Abd Allāh al-Barnāwī's success in attracting a large following inevitably landed him in trouble with Birni Gazargamo,¹⁴² while the problems of Shaykh 'Abd Allāh Yale Garuwa with Shaykh Muḥammad al-Amīn al-Kānemī may be partly attributable to his action in establishing subsidiary villages for the purposes of farming and animal husbandry.¹⁴³

Last but not least, is the question of political dependence. With the possible exception of the *maḥram* of Shatima Kagudimi,¹⁴⁴ all other other *maḥrams* were exclusively issued by the sultans and not by anyone else. Firstly, unlike the *waqf* (pious endowment), the *maḥram* lacked a defined status in the legal sources. At best it represented a *waṣīyya* (testament) of the sultan but its implementation was dependent upon his goodwill and the co-operation of his descendants.¹⁴⁵ Secondly, the sultan was also the 'ālim's protector whenever other state officials encroached into his privileges. Though evidence during the Sayfawa period is lacking, later sources do reveal the troubles that the sultan

140 See *Borsari District Report*, Maiprof., NNAK, Vol 1, Acc. no. 17, 1928.

141 Indeed there could also be problems with the legal status of these farming villages even if formed, since the *maḥram* grantee did not reside in them.

142 For further details, see Chapter VI of my dissertation. However, the descendants of Shaykh 'Abd Allāh al-Barnāwī did develop 'subsidiary villages' in the Gaskeru area.

143 Interview with Goni Umar Yalema, Maiduguri, 22 August 1989.

144 See *BSS*, 48-9; *Armybook*, 225.

145 It must be pointed, however, there is no record of any *maḥram* being revoked by the original grantor or its privileges curtailed by his successors.

underwent to keep away eager tax-collectors from the domains of the *maḥram* grantee.¹⁴⁶ The consequence of all these is that, unlike *waqf* which was open to participation by all members of society and established on clear legal rules, the *maḥrams* encourage some measure of dependency on the state and its sovereign. In the process, the *‘ālim*'s independence becomes compromised. This limitation was only mitigated by the deeply rooted image of the Sayfawa sultan as the *amīr al-mu‘minīn* and his ability, in most instances, to remain above the fray of day to day politics.

146 See *Borno Collection* (collected by Abdullahi Smith) in NHRS, p. 552. with regard to the Shehu's defence of the *maḥram* holder, *mu‘allim* Ṭāhir b. al-Māhīr Muḥammad Baduma, when he was being harrassed by Abba Ḥāmid.