

# OBJECTIVES AND DIRECTIVE PRINCIPLES OF STATE POLICY UNDER THE SOKOTO CALIPHATE.

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## State and Religion

The Muslims have consistently held the view that religion and state are inseparable. This is not only because every aspect of their life is regulated by Islam, but also because all their governmental and economic activities are regulated, and governed by the Sharia. The agency (Khilafa) by which the Muslims were guided during the post-prophetic era in the way of God is the *Uli al Amr* (those having authority among the muslims and who enjoin the right and forbid the wrong). These authorities were organised in *duwal* (Sing, *dawla*: regime or state) which succeeded each other in time according to changing conditions and circumstances. The obligation to obey and render allegiance to those authorities was conditional upon the *Uli al - Amr* (those in authority) acting in obedience to God and His Messenger. The Qur'an clearly states,

"O you who believe: Obey God and obey the Messenger and those in authority from among you. But then, if you differ on anything refer it to God and His Messenger."<sup>1</sup>

Therefore in the Islamic State which the Muslims set out to establish after the death of the Prophet (peace be upon him) authority is strictly to be wielded in accordance with the dictates of Islam. And whenever disputes arouse about the way in which authority is to be exercised, reference must be had to the Qur'an and the Sunnah whose verdict must be final.

The relation between state and religion, could be seen, as far as Islam is concerned in terms of the control which government hopes to exercise in the activities of the Ummah (community). If religion is conceived as that body of inviolable beliefs concerning the creation and development of the universe and the purpose of human life in it, the

connection which ought to exist between the two becomes clearer. It is that the activities of the state must conform to these beliefs if it is to have legitimacy and if its orders are to be obeyed.

It should be noted that it is hard to distinguish the concept of state from that of government. From the purely analytical standpoint, state may be seen as securing, nurturing and preserving the fundamental requirements and interests of the communities comprising a sovereign entity, while government could be conceived as an agent of the state, a structural representation of the intention of the independent entity to achieve specific goals. In this way, government operationalises the state and serves as the catalyst which activates those interrelated state institutions with legal, military, economic and welfare functions.

The conception of state which the three Sokoto jihad leaders (i.e. Shehu, Abdullahi and Bello) seemed to have had was one which in practice, emphasised the presence of specified features, the existence of particular types of institutions and offices and the performance of a category of functions. This can be seen in the Shehu's *Najm al-Ikhwan* the purpose of writing which was the preservation of the order of the community, the avoidance of disturbances of the common people and closing the doors of dispute. In this book the Shehu, after giving thanks to Allah for "bestowing upon us the power of defending people, of giving them good advice and of urging them to worship Him,"<sup>2</sup> proceeded in a manner which suggested that he regarded them as the principal purposes of the state and government which emerged from the crucible of the Jihad, to list the achievement of the movement in the areas of community formation, establishment of a government with its full complement of a bureaucracy, building up an effective military organisation, fashioning a machinery for the delivery of justice and ensuring that the welfare of the people is catered for. In his own words,

"Allah had then bestowed upon us the *hijrah*, the installation of *Amir al - Muminin*, the assembly of the means of the jihad - the horses, the bows, the lances, the swords, the coats of chainmail, the shields, the sword-belts, the helmets and the standards. He then bestowed upon us the Jihad, the appointment of Wazirs, troop commanders, keepers of provisions, the provincial *amirs*, of scribes, of ambassadors to kings, of attendants at the courts, of judges, of executioners, and of *amir al-hajj*."<sup>3</sup>

It should be noted that the book *Najm al - Ikhwan* was written in 1227/1813 by the Shehu towards the end of his active life when the jihad was almost over and a state established. So, as far as the Shehu is concerned, the objectives of the Sokoto Caliphate, can be summarised in Abdullahi Smith's view as,

"Raising the moral tone of society and providing a social ideology in accordance with Islamic ideas.... general educational reform.... to be accomplished by the training of teachers, economic reform to be brought about by the improvement of communications (by opening roads and bridges).... the strictest judicial control over the financial transactions of the government (and undertaking) all good works."<sup>4</sup>

Going through the works of three Jihad leaders in the fields of politics, military, value orientation, social and economic development, the fundamental objectives and directive principles of state and government becomes manifestly clear. This we intend to discuss under five broad categories; political, military, value orientation, social and economic objectives. The solemn undertaking of the Shehu on the day of his investiture as *Amir al-Muminin*, "verily today I have assumed the responsibility for every adult male who is in my power," clearly suggested the magnitude of the functions which his new administration was determined to perform.

## Political Objectives

Embodied in the political objectives is the categorical statement of Abdullahi that one of the functions of the Caliph, i.e. government is to "organise the kingdom to serve the interest of his subjects by having civil servants to manage (the state affairs) and men of wisdom to give advice."<sup>5</sup> Similarly he said, looking after the interests of the servants of Allah and warding off evil and safeguarding the interests of the community, belong to the sphere of government's responsibility.<sup>6</sup> The Sheikh, summarised the objectives of government when he said, it is to look after the material and spiritual interests of the people.<sup>7</sup> Bello sees the objective of government as the carrying out of all matters of public interest so that the proper order of the entire world be established.<sup>8</sup> In the *Kitab al-Farq* the Shehu said,

"The purpose of the Muslims in their government is to strip evil things from religious and temporal affairs and introduce reforms into religious and temporal affairs... and combat every cause of corruption which occurs... and forbid every disapproved thing. An example of introducing reforms into religious and temporal affairs is that the governor of every country shall strive to repair the mosques, and establish the five prayers in them and order the people to strive to read the Qur'an, and make (others) read it, and learn knowledge, and teach it; and that he should strive to reform the markets and set to rights the affairs of the poor and the needy, and order the doing of every approved thing."<sup>9</sup>

The legal aspect of the political objectives of the government are so sweeping and all-embracing as to include the responsibility of establishing rights within the framework of the sharia for the

guaranteed protection of the people's persons, honour and property, and the establishment of the rule of God's law by administering the stipulated punishments (hudud).<sup>10</sup> Again, Abdullahi insisted that, one of the reasons for appointing a caliph is so that people's rights and their laws may not be neglected.<sup>11</sup> The government must also be informed about the affairs of its people and examine its true situation through honest individuals. This examination must be motivated by genuine desire on the part of the government to find out the true state of affairs on the basis of piety and not by malice and greed. This applies to matters connected with employees, by seeking to know about them, by counting their wealth before their appointment and by looking from time to time into their works. The government shall rebuke anyone who fails in his duty, dismiss those who transgress and replace any person found to have wealth above what he earns from his work. The government shall confiscate such wealth and restore it to the treasury. Where the government is doubtful about the origin of the wealth, it shall confiscate half of it from the employer. Moreover, the government should be to its employees like a shepherd among wild lions; they (the employees) are looking after the subjects for the government, while the government is in turn looking after them.<sup>12</sup>

The government is under an obligation to make sure that justice is done and it should restore to everyone his right. It is all the same whether that right is extracted from himself or from others. Goodness is that, the government does a good deed by giving donation from its treasury and not from anyone else's.<sup>13</sup> To this extent, justice demand equality before the law. Abdullahi said that one of its manifestation is that the government (i.e. the caliph) treat equally any two disputants with regard to their entry (into his presence), the way they sit, the way he looks at them, how he addresses them without showing favour to either of them."<sup>14</sup>

Bello in his discussion of the political objectives of the government included the provision of public amenities for the people for their temporal and religious benefits. For this purpose the government he stated "shall foster the artisans and be concerned with tradesmen who are indispensable to the people, such as farmers and (black) smiths, tailors and dyers, physicians and grocers, butchers and carpenters and all sorts of traders which contribute to stabilise the proper order or this world." The government must allocate these tradesmen to every village and every locality. In addition Bello insisted that the people should be urged to seek food-stuff and keep it for future use so as to keep the villages and countryside in prosperity, construct fortresses and bridges, maintain markets and roads and realise for them all what are of public interests so that proper order of this world is maintained.<sup>15</sup>

To show the magnitude of the political responsibility of government, Bello consistently quotes the examples of Umar B. Khattab, the second

Caliph. For example, he narrated a tradition on the authority of Ali b. Abi Talib who said, "I saw Umar b. al-Khattab one early morning on a saddled animal and I said to him, "O Commander of the faithful where are you going," and he replied, "a camel donated as charity is lost and I am looking for it." I said, "you have humbled (by your action) the caliphs after you O! Commander of the faithful," he said, "do not blame me o! Abul Hassan. For I swear by Him who sent Muhammad (The Prophet) with a prophetic mission, if a lamb were to get lost at the bank of Euphrates, Umar would be asked to account for it on the Day of Resurrection, for there is surely no reverence for a ruler who neglects the Muslim's (Property)."<sup>16</sup> According to Bello, "God makes government to last long if it maintains justice by making the country prosperous and treat people with justice."<sup>17</sup> Since political well-being is unattainable without spiritual development, Bello urges the government to provide the people with "religious facilities by building mosques and activating them with prayers and worships ... teachers and instructions for the children and preachers... encouraging virtues and discouraging or if possible preventing vices."<sup>18</sup>

## Military Objective

Chapter twenty eight of the Shehu's Bayan Wujub al-Hijrah gives a clear indication of his thoughts on defence generally and on the strategy and tactics to be employed especially. In *Kitab al Farq*, he wrote, "every governor of a province should strive to fortify strongholds... and set up military stations on every frontier,"<sup>19</sup> meaning that the borders of the country should be defended while the frontier towns are guarded. In the Bayan, he started by reminding people of the importance of military might by quoting from the Qur'an where Allah says,

"Make ready for them all you can of (armed) force  
and of horses tethered, that thereby you may  
dismay the enemy of God and your enemy."<sup>20</sup>

The Shehu interpreted the phrase "all you can of (armed) force" as "covering the entire potentiality of mankind for preparation, equipping and planning."<sup>21</sup>

The function of the Military according to the jihad leaders was mainly the defence of Islam which is in two categories; the preservation of peace and order within the *dar al - Islam* (Islamic state) and the defence of the state against external enemies whose aim was the destruction of the state and its ideology. The jihad leaders, like all other Muslim jurists before them see the military service as an incumbent duty on every individual citizen of the state, male or female capable of taking arms. The Third chapter of Bello's *Gaith al-Wabl* is

devoted to the exposition of what is obligatory on the part of the state as regards, "the defence of the territory of Islam and the protection of the faithful; and the fortification of the frontiers with what is necessary in terms of defence."<sup>22</sup> This according to Bello is done by mobilising armies and disposing them on the frontiers according to what is required by public welfare and need, and supervising their wages, its payment and assessment. He then went on to discuss the importance of paying the army adequately and promptly and keeping them in full readiness for the defence of Islam.<sup>23</sup>

In the area of intelligence activities, Abdullahi urged for the establishment of agencies so as:

"to find out about enemy conditions through trusted spies at all times - peace and war - so that nothing of the enemy's activities may be hidden from him (the Caliph at any moment. For, he who is ignorant about something is also blind to it. while he who can see can defeat one thousand blind men,"<sup>24</sup>.

Internal order within the state and security generally, seemed to be uppermost in Bello's mind when he expresses the view that legitimate authority is needed,

"Because it became known that without rulers who possess power a man would not be at peace at his own house let alone outside and it would not be correct to collect *Kharaj*, Jihad would not be correct and the welfare of the people would be lost."<sup>25</sup>

The importance of proper government with requisite security forces at its disposal cannot be over-emphasised. This is because "if it were not for the emirate (government), if people sought to obtain their rights from each other without a power or force to protect them, it might happen that many men would be killed before they could kill a single individual whose killing was necessary."<sup>16</sup> These statements, expressing the extent of state security interests ranging from preventing the breakdown of internal peace and security, to preparations for defence against external enemies and for intelligence gathering, represent the breadth of this category of military objective of the state and government under the Sokoto Caliphate.

Looking at the Military objectives of Nigeria one is tempted to say that they are very much similar to that of the Sokoto Caliphate. To begin with S.14(2)(b) of the 1979 Constitution under chapter two which deals with Fundamental Objectives and Directive Principles of State Policy, states that "the security and welfare of the people shall be the primary purpose of the government." For the purposes of achieving such purposes the constitution provided for the establishment of the Nigeria Police Force under S.194(1), while S.197(1) provided for the establishment and composition of the armed forces of the Federation.

The main purposes of the armed forces are stated as (a) defending Nigeria from external aggression; (b) maintaining its territorial integrity and security its borders from violation on land, sea or air; (c) suppressing insurrection and acting in aid of civil authorities to restore order when called upon to do so by the President and performing such other functions related to security, peace and stability of the nation.<sup>27</sup> The acquisition of arms, ammunition and explosives is under the exclusive legislative list. Just like the Caliph under the Sokoto Caliphate, the President of Nigeria is the Commander in Chief of the Armed Forces. The maintenance and operation of the Military is under the President subject to the approval of the National Assembly. *The Amr al-Muminin* is also under an obligation to consult the *majlis al-shura*.

### Value Orientation Objective

For a state like the Sokoto Caliphate that came into existence as a result of the Shehu's effort to rid the *Sudan* of all unislamic practices, it is clear that, the emphasis of the jihad leaders will be the moral reform of the society with a view to returning people to the value system of Islam. To this end, the main objective of the government is *Amr bil Ma'ruf wal nahy anil Munkar* (enjoining the good and forbidding the evil, i.e. the harmful).

The value orientation objective of the government can be divided into two; the purely religious one directly related to dogma and rites, and the moral and ethical one directed towards the preservation of public morality and upliftment of the moral standard of the individual. Under the religious one falls the duty on the government to repair the places of workshop and establish the five prayers, and to forbid abomination and errors like liquor drinking, immodest dresses, immoral intermingling of the sexes, "for fear that the weak-minded among the common people will emulate it."<sup>28</sup> Bell urged the government to order the people to observe justice and goodness and to avoid doing injustice to each other and

"to love good deeds and hate evil deeds."<sup>29</sup> the government "must provide people with religious facilities by building mosques and activating them with prayers and worship.... appoint preachers and officers in charge of encouraging virtues and discouraging, or if possible preventing vices...."<sup>30</sup>

The government must urge the people to perform their religious duties which are agreed upon as compulsory by jurists and forbid them reprehensible acts which are agreed upon as illegal.

It is worth mentioning at this that most of the value orientation objectives mentioned by the jihad leaders were carried out under the

office of the *Muhtasib* which the Shehu described as a wide office encompassing wide responsibilities relating to *Amr bil Ma'ruf wal nahy anil Munkar*.<sup>31</sup>

In comparison, the Nigerian Constitution of 1979 under Chapter II dealing with the Fundamental Objectives and Directive Principles of State Policy, stated that "the state shall abolish all corrupt practices and abuse of powers" (S.15(5)). Also, the fifth schedule of the 1979 Constitution specified Code of Conduct for public officers whose objective is to stamp out corruption and abuse of office. This attempt and similar other attempts by the Nigerian Government say, in establishing MAMSER can be said to be similar to the objective of the Sokoto Caliphate in encouraging virtues and discouraging vices. The only difference can be said to be in the conception of what is right and what is harmful. While the Sokoto conception is born out of the Islamic absolute and immutable values as enshrined in the Qur'an and Sunna, that of Nigeria is based on the Constitutional Provisions.

### Social Objective

Going through the works of the Sokoto Jihad leaders, one is left in no doubt that they regard the protection, supervision and maintenance of the temporal welfare of the society as the primary objective of the government. To achieve this objective, the Shehu sees the acquisition of knowledge and teaching it as the first step, since social well-being is hardly attainable in a state of ignorance and illiteracy. It is only through knowledge that people and by extension the government can set right the affairs of the poor and the needy.<sup>32</sup> Abdullahi's concern for the social welfare of the people made him to put marriage and all that is connected with it as first when discussing the seven matters which are the duty of the government to uphold.<sup>33</sup> Bello's ninth chapter in *Gaith al-Wabl* is specifically devoted to what is obligatory upon the Caliph by way of looking after works for the public benefit. He said it is the duty of the government to strive to "build mosques in the places where they are needed and to build bridges, and to prepare ships, to facilitate pilgrimage and help the pilgrims with funds and free captives and similar necessary things."<sup>34</sup> He concluded the chapter by simply saying that things of public benefit and welfare are many and pervasive. Talking of social welfare specifically, Bello says,

"it consists of the provision of the soldiers of Islam and establishing of the frontiers, the collecting of weapons and horses, the building of roads and bridges, the digging of canals, the wages of judges, governors, scholars, Muftis, spies, envoys, Imams (of prayers), preachers, Mu' Mu'azzins, the burial of the dead, meeting the needs of the poor and so on."<sup>35</sup>

Abdullahi sees government as a viceregency and deputization on

behalf of the Messenger of Allah (Peace be upon him). For this reason, he sees government as a great virtue. It is at the same time a great burden, considering the numerous responsibility of the welfare of the people it entails.<sup>36</sup> The purpose of government according to Abdullahi is to serve the people and safeguard both their religious and temporal interests. To this extent the government's main goal should be the improvement of the affairs of the people which can only be done by its coming closer to the people and knowing the true situation of their affairs. Abdullahi warned that "the peak of all calamities is the erection of a barrier between the ruler (government) and the subjects."<sup>37</sup>

It should be mentioned at this juncture that the Sokoto Jihad leaders consistently emphasised that the social objective of the government must be based on the sharia principles of equality and justice. Every individual has the right to pursue any trade or profession of his own choice without any discrimination. It is the responsibility of the government to create a conducive atmosphere so as to enable the people secure adequate means of livelihood as well as adequate opportunities to secure suitable employment, for the realisation of their purpose of life and in line with human dignity and honour.

Looking at the 1979 Nigerian Constitution one is struck with the similarity it showed in its social objectives with that of the Sokoto Caliphate as outlined above. Under S.17 of the 1979 Constitution the social objective of the government of Nigeria were spelt out to include the founding of a social order on the ideals of freedom, equality, and justice. It went on to state that in achieving these ideals, equal rights and opportunities will be granted every citizen. Equality before the law will be guaranteed and the independence of the judiciary will be maintained. The Nigerian Constitution also provided that adequate opportunities for securing means of livelihood and suitable employment will be provided every citizen. Just like the Sokoto Caliphate leaders the Nigerian constitution promised to protect, the life, honour and property of its citizen without any discrimination on account of sex, religion, tribe or status. However, as pointed out earlier, the only difference between the two is perhaps in the grundnorm upon which these ideals are to be pursued. The Sokoto Caliphate will insist that it is on the ideals of *Sharia* while the Nigerian Constitution is based on the will of the people, as contained in the constitution.

### **The Economic Objective**

The economic objective of the government as discussed in the works of the three jihad leaders (Shehu, Abdullahi and Bello) can conveniently be grouped under three; commerce, infrastructure and settlements (human habitation). On the Commercial side, the Shehu, earlier in his *Kitab al-Farq*, stated that one of the objectives of the

Muslims in their government is the introduction of reforms in the Markets.<sup>38</sup> Abdullahi was of the view that taking care of the people's temporary affairs include their commercial transactions as well as the affairs of their markets.<sup>39</sup> In the area of supervision of commercial transactions, Abdullahi empowered the authority to break open lightweight or insufficiently cooked bread and to order each bread maker to make a sign or put a stamp on his product for easy identification. The authority should also confiscate the measures of anybody who tempers with weights and measures with intent to cheat and to confiscate the property of or even expel "he who selects what comes to the market of food or any other commodities and buys such before or after it reaches the market so that he can hoard and sell them for excessive return."<sup>40</sup>

Bello, while spelling out the economic objectives of the government, he included as part of the duties of the Caliph (i.e. government) to,

"foster the artisans and be concerned with tradesmen who are indispensable to the people, such as farmers and smiths, tailors and dyers, physicians and grocers, butchers and carpenters and all sorts of trades which contributes to (stabilize) the proper order of this world. The ruler must allocate these tradesmen to every village and every locality. He should urge his subjects to seek foodstuff and keep villages and countryside in prosperity .... and realise for them all what are of public interest so that the proper order of this world may be maintained."<sup>41</sup>

The infrastructural requirements urged by the three jihad leaders relate to construction of roads and bridges, provision of drinking water. In his *Diya al-Wilayat*, Abdullahi placed the maintenance of roads and the supply of water as the fourth and fifth duties of the government respectively. It is also the duty of the government, according to Bello, to build walled towns and bridges and to maintain roads."<sup>42</sup> In accordance with jihad leader's conception of the economic objectives of the caliphal government, the caliphate and its emirates pursued the extremely important policy of economic development in the foundation and expansion of urban settlements. This resulted in the fact that "in the emirates outside Hausaland not only were villages converted into towns but new towns as centres of industry, trade and government were.... developed on a considerable scale by the personal efforts of the emirs and their officials."<sup>43</sup> Tukur is of the view that apart from the economic and other strategic considerations it is the ideals of the caliphate and the example of Bello in particular, that lead to the settlement of villages and the colonisation of rural areas. This he said was because "not only did Bello build *ribats* and settle them with warriors scholars and men of the professions, but he himself always lived in Wurno, a beautiful and well situated town which he planted and insisted on being buried there."<sup>44</sup>

Financial control and management is another aspect of the economic objective of government. References to the importance of the treasury (*Bait al-mal*) and its functions are found in almost every single work of the jihad leaders which deal with legal, political or administrative affairs. The fourth section of the *Kitab al-Farq* is completely devoted to the explanation of the kinds of treasury upon which the best interest of the Muslims depend and their expenditures.<sup>45</sup> The Shehu then proceeds to give full account of the expenditure of the public treasury based on the writings of Ibn Juzayy. In listing the principal officer of government the Shehu included the tax collector who shall discharge his duties and not oppress the subjects.<sup>46</sup>

In *Diya al - Hukkam*, Abdullahi opened his discussion on the economic objective with a reference to Caliph Umar's uncertainty whether he deserved the title of the deputy of the Prophet (Peace be upon him) or he was a mere King. He was told that while a King took one person's property and gave it to another without any legal justification, "a Caliph collects money (taxes) through the channels legitimised by Allah and spends it for prescribed purposes and ordained by Allah."<sup>47</sup> A large portion of chapter two of *Diya al-Hukkam* is devoted to an exposition of the duty of the government to strive to collect taxes through lawful means and to spend it where Allah has decreed that it should be spent.<sup>48</sup> To do this the government needs trustees to keep the treasury and to spend the funds for the prescribed purposes. The government should have scribes and accountants to take care of the tax.<sup>49</sup> Abdullahi pointed out the importance of wealth declaration by means of which the wealth of government officials could be known before their appointments so that they cannot use their position to enrich themselves.<sup>50</sup> He listed as part of the taxes the government can collect and spend for the common good of the people as,

"Zakat due on money, farm produce, animals, minerals, poor-dues donated after the month of Ramadan (Zakat al-Fitr), one-fifth of buried treasure, spoils of war, money paid by protected non-Muslim subjects (ahl al-jizya) and those under peace treaty (ahl al-Sulh) and market dues collected from merchants, property left by the dead for which there is no heir, property whose owner is not known, enemy's property which Allah caused to be acquired as booty by the Muslim through peaceful means and land tax...."<sup>51</sup>

As regards the proper purposes for which the above taxes listed by Abdullahi could be spent, he proceeded to say,

"Zakat collected after Ramadan shall go only to the needy and the poor. It should be shared out within the area of collection. Its custodian shall not be given anything out of it. If it is difficult to distribute the Zakat within the area of collection, it should go to the nearest possible place. The remaining types of Zakat should be spent

on the eight classes mentioned (in the Qur'an) ... It should be... spent within the area of collection provided there is someone who is entitled to it; otherwise it should be taken to the nearest place where those entitled to it are found. If there be within the area of collection some people who are entitled to it a portion be distributed (to them), and the rest transferred to where it is needed most... priority should be given to the most needy persons. As for *Fai* the Imam... should spend it... on the most important matters... the citizens of the territory where the property is located have more right to it than anyone else; unless there is a greater need on the part of others, in which case some portion will have to be transferred to them. If those residing outside the area of collection are more needy of it, then a greater part should be transferred to them as deemed fit."<sup>52</sup>

In *Diya al-Wailayat*, Abdullahi gave to the officer in charge of administrative and political departments (*qada al-Mazalim*), the responsibility of close supervision of staff so as to minimise "oppression by tax collectors. He should look into excessive demands, if they put too much money in the treasury he should order its return, and if they have taken it for themselves he should order them to return it to the people to whom it belongs."<sup>53</sup>

At this juncture, it is important to remember that the scope of state and government in societal affairs is, or should be, determined by the world view, the environment, the needs, the culture and the level of technology of a given society. The choice is not one which could be made simply through legislation or development plans. It is the attitudes, characteristics, ethos and life styles of the multitude of people and their preferences which shape the political community and set the limits and boundaries of action open to govern.<sup>54</sup>

## The Scope of Government

On the question of the scope and role of the government of the Sokoto Caliphate, two diametrically opposed views can be identified. There are those who regard the scope of the government, as put forward by the Jihad Leaders, as minimal rather than all-embracing. This group see the Sokoto Caliphate as only interested in law and order and in the preservation of the *status quo* and not in the development of character or the eradication of immorality.<sup>55</sup> There are also those who see the scope and role of government in the Sokoto Caliphate as being broad but taking in questions of morality and personal behaviour which are supposed to be of purely individual concern. Those who held the first view did so largely due to superficial reading of the history of the Caliphate and their failure to put that history of the Caliphate and their failure to put that history in its proper perspective. This is because in reality, the facts show quite clearly that in terms of the breadth of its area of responsibilities, the Sokoto Caliphate had as wide a horizon as any contemporary state. However, given their

circumstances, their resources and technological bases were so narrow that they obviously could not perform the functions in the same way and depth that a contemporary government can. The second view, which saw the scope of government as broad and forward looking but which argued that for the government to include improving the character of the people and making laws against alcoholism appears to be going too far towards limiting the freedom of the individual.<sup>56</sup> This view is obviously impaired by firmly held bias which excludes responsibility for moral and ethical questions from the functions of the state. It is also clearly a view which emanated from a particular historical experience which applicable historical only to the Euro-Western societies, it is a view which is far from being universal especially to those societies with differing backgrounds and antecedents to the Euro-Western ones.

### **The Scope of Government in the Regulation of Public Affairs**

The works of the three jihad leaders has definitely left us with a concise idea of the scope of state responsibilities. The Shehu gave two broad objectives of the government in his *Kifab al-Farq* when he said, "the purpose of the Muslims in their governments (is) to strip evil things from religious and temporal affairs and introduce reforms into religious and temporary affairs...."<sup>57</sup> He went on to elaborate on how these objectives can be achieved in a way that clearly indicated the scope of government. In the area of defence, stripping evil things was by striving to fortify strongholds and setting up a military station on every frontier. In the moral sphere, the state was to combat every cause of corruption and to forbid every disapproved things. The reforms included striving to repair the mosques and establish the five prayers in them and ordering the people to read the Qur'an and commanding the doing of every approved thing. The setting right the affairs of the poor and the needy was clearly part of the welfare objective of the government while to strive to reform the markets was an objective on the economic front.

In *Diya al-Wilayat*, Abdullahi summarised the objectives which the ideology of the Caliphate deemed as laying within the scope of governments responsibilities. On the religious aspect the government must uphold,

"Their education in matters of their religion in principle and detail; the performance of prayer in all its details; all matters related to fasting; the pilgrimage and all the obligations connected with it."<sup>58</sup>

On the community's worldly affairs Abdullahi listed seven things which the government must uphold. These are,

"The institution of marriage and all that is connected with it; their commercial transactions and such matters; the affairs of their markets and all that is necessary relating to them; the maintenance of their roads; the maintenance of their graves; the affairs of their treasury and the law pertaining to them."<sup>60</sup>

In the same work, Abdullahi listed seven Ministers, the government must have, which also suggested the scope of its responsibilities. These are the Wazir (Vizier), provincial governors, judge, Chief of Police, *Wali al-Mazalim*, *Wali al-Hisba*, and *Wali al Radd*. His listing and exposition of the duties and modus operandi of the *Wali al-Hisba* is clearly indicative of the scope of the government they set out to establish. The *Muhtasib*, he wrote

"is to ordain the good if it is apparent that it has been abandoned and to forbid the wrong if it is apparent that it has been committed. He is the master of the market, since he has much work to do there.... He is concerned with deficiencies in weights and measures, with what concerns backsliding and unpunctuality in religion, and the mixing of men and women. He should first be content with reproofs, then by imprisonment and threats, then by public beating, then by banishing from the market. He should bring forward the pious ones from the people of the market and owners of workshops whose advice is accepted by the Muslims and seek their help in controlling all of them. He should protect the position of his assistants. He should break open light-weight or insufficiently cooked bread and expose the rotten and adulterated matter."<sup>61</sup>

Having dealt with the objectives of government earlier, we feel that the above broad outline drawn from Shehu and Abdullahi is sufficient to indicate their position on the role and scope of government in the affair of the public.

### The Scope of Government in the Regulation of Individual Personal Behaviour.

On the question of regulating individual personal behaviour by the government, there is a need to briefly review the Shehu's and Abdullahi's positions as regards matters of dress, forms of relaxation, use of fineries such as gold and living in luxury. It should be pointed out that it was in regulating these things that, the "modernisers" saw attempts by the government to get involved in matters of purely personal concern. To the Sokoto Jihad Leaders, however, this is part of the functions of government in achieving the overall objectives of life as set by Allah.

Abdullahi has remained throughout his life as a consistent critic of the community in its excesses and failure to live up to its puritanical ideals. His *gasidas* (Poems) in *Tazyin al-Waraqat* and the introductory remarks to *Diya al-Siyasat* show his uncompromising other-worldly

asceticism and his insistence that the moral tone of the society should be kept at the highest pitch in consonance with the ethos of the original community. In *Tazyin al-Waraqat*, Abdullahi, in 1806 lamented that he was,

"left behind, among liars who say that which they do not do and follow their desires and follow avarice in everything incumbent upon them.... Whose purpose is not the affairs of the Mosques, nor the schools of learning... but whose purpose is the ruling of the countries and their people in order to obtain delights and acquire rank, according to the custom of the unbelievers... and the collecting of concubines, and fine clothes and horses that gallop in the towns, not on the battlefields, and the devouring of the gifts of sanctify, and booty and bribery and lutes, and flutes, and the beating of drums..."<sup>62</sup>

Abdullahi held on to this lamentation up to 1821 when in *Diya al-Siyasat* he lamented that, "knowledge survive only on paper but is absent from the hearts of men."<sup>63</sup>

According to el-Masri, the Shehu's life can be divided into three periods which further suggested three moods coinciding with the periods of preparation of the jihad, victory and consolidation. The Shehu was supposed to have been strict and demanding during the earliest period but he became mild and accommodating by the time of the successful establishment of the Caliphate.<sup>64</sup> Abdullahi, on the other hand retained his stern and unbending moral severity. The postures of the two leaders on the permissibility of drumming, playing the flute, or listening to music or gathering in parks or during festivals where people mix represent the end points of the spectrum. To both Abdullahi and Shehu, regulating these pastimes and personal behaviour generally, will ensure high moral tone in the society. The policy justification of prohibiting musical instruments was that it may "stop people from pursuing their trades which bring them benefit" according to the Shehu,<sup>65</sup> while riding horses for pleasure and collecting concubines according to Abdullahi "weakened those charged with managing affairs."<sup>66</sup> The Shehu however, allowed musical instruments if they were for use in the occupation from which their owners get the means of their livelihood.<sup>67</sup> On exquisite appearance and dressing in silk and lace, the Shehu also allowed it for the purpose of winning respect from those who would not respect anyone except those with magnificent appearance and good clothing.<sup>68</sup> According to him judgement in these matters is governed by consideration for

"The condition of rulers which differs as situation differ. They would, therefore, need to introduce policies and practices which were not acceptable in the past but which may be essential in certain circumstances."<sup>69</sup>

The changed circumstances which the Shehu may have had in mind could be that, during the time of violent conflict with the Hausa Kings when the latter and the idea of government they represented were still active and widely accepted in society, it was necessary to prohibit the wearing of fine clothes and magnificent appearances in order, among other things, to underline the difference between Islamic ideas and those of the Sarakuna (Hausa Kings). However, after the Hausa Kings had been overthrown and Islamic government firmly established, other conditions came into play which could warrant the wearing of such exquisite clothes, without any fear of compromising or undermining the Islamic ideals. In short, the position taken by the Shehu was that, looked at from the vintage point of the ideal society which they conceived, Abdullahi was also right.

Be that as it may, each of the Jihad Leaders adduced ample evidence from the Sharia and the practices of the earlier Muslim Communities to justify their position.<sup>70</sup> Even if one of them appeared accommodating, it was clear from scope for government regulation of social life and personal behaviour, that they were unwilling to lower their horizons on questions of principles.

In discussing the objectives and principles of state policy, we have tried to show that the Sokoto Caliphate in the conception of its founders has a role which covered every aspect of human affairs, from religious to worldly affairs and from public to individual personal life. The paper opened with a discussion of the link between state and religion in Islam. It noted the fact that like other Islamic States before it, the Sokoto Caliphate has a conception of state which is indissolubly linked with religion. The objectives of government are discussed under, political, military, value orientation, social and economic headings. The paper concluded with a discussion on the scope of government in the regulation of both public and individual personal affairs, with a view to show and conclude that in terms of its objectives and policy, the Sokoto Caliphate had a wide scope which covered the entire gamut of life.

Furthermore, in its conception of the Fundamental objectives and directive principles of state policy, the Sokoto Caliphate can be said to have a wider conception and have given the government a wider role than the Nigerian Constitution and Nigerian Government. The Nigerian Constitution and the government can conveniently borrow from the Sokoto Caliphate that aspect of regulating the private affairs of its citizen with a view to checking the pervasive corruption forcing our nation to its knees.

## NOTES

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Bello, *Gaith al-Wabl*, Introduction (Umar Bello's Translation).  
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Shehu Usman, *Kitab al Farq* op. cit p. 570  
Qur'an 8:60  
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Bello, *Usul al - Siyasat* 1st Principle pp. 33-4  
Ibid p. 34  
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Abdullahi, *Diya al-Siyasat* - First Part.  
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Ibid p. 43.  
The Shehu described the office of the Muhtasib as "of later introduction a  
widest scope of all offices - commanding good and prohibiting evil, and, as  
frequently needed, the rulers found they had to appoint a man to look into i  
centres at regular hours" — *Bayan Wujub al - Hijrah* Chapter 10.  
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Bello, *Gaith al-Wabl* p. 299  
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Ibid pp. 190-5  
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