

## POLITICAL ISLAM AND STATE RECONSTRUCTION IN AFRICA

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### ABSTRACT

*Ever since the 1884/85 balkanization of Africa into Europeans spheres of influence at the now infamous Berlin conference, the state that was super imposed on Africa under colonialism, was merely inherited by the political elites rather than ensuring its transformation after flag independence. The state ever since has not and cannot work for the development of the African people. The state in Africa is often enmeshed in the crisis of legitimation. Not only does it alienate the people; it breeds violent conflicts, identity crisis, ethno-religious cleavages, social dislocation, political exclusion, wanton corruption, poverty, disease and squalor on the continent. This paper in a historical and analytical manner, examines the nature and character of the state in Africa. It observes that the state enjoys relative autonomy which makes it susceptible to imperialistic manipulations within a neo-colonial political economy. The paper argues that contrary to Western propaganda against Islam, political Islam has within its doctrine, socio-political and economic state reconstruction mechanisms that can alter the present socio-political formations in Africa for the benefit of the African people. The paper concludes that while not attempting to Islamize Africa, states on the continent can be reconstructed if the continent avails itself of alternative development paradigm within the Islamic tradition. These alternative paradigms include a more consensus orientated recruitment of state officials rather than the periodic acrimonious competitive election process, the interest-free banking system which guarantees the redistribution of social wealth in a more equitable manner and the poverty alleviation strategy which the Zakat institution offers amongst others.*

**Keywords:** Cleavage, Ethno-religious, Poverty, Reconstruction

### Introduction

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With a few exceptions, the state in Africa as we know it today has its origin in colonialism. At the 1884/1885 infamous conference in Berlin, Africa was dubiously shared out into spheres of influence by European super powers. The agreement reached at the conference paved the way for

the long years of colonial domination and oppression of the various African states. During the years of colonialism, the states imposed on respective African countries were at the same time violently incorporated in to the world capitalist system as a weak and junior partner. This singular act facilitated the extensive exploitation and

expropriation of the huge mineral and material resources in the continent such as rubber, diamonds, gold, ivory etc.

The artificial boundaries created at Berlin have continued to have reverberating effects on the social, economic and political lives of the citizens of Africa. For example, European colonialism introduced and propagated Western education, religion, political and legal systems that not only supplanted indigenous African religion; African languages, education systems, customs and practices were also suppressed and in some instances abrogated. This amongst other factors paved the way for the perennial ethnic and religious conflicts, territorial disputes, and unbridled struggle for power which have continued to plague many African nations even after the so called flag independence, thereby hindering political freedom, social progress, economic growth, and regional cooperation on the continent.

Little wonder that the colonial state and its post-colonial variant are often compelled by their unique historical circumstances to act not in the interest of the African people but in the interest of their progenitor state based in Europe and other metropolitan centres. This perhaps explain why despite Africa's huge and abundant human, mineral and material resources, Africans are today one of the poorest citizens on earth, manifesting all the indices of underdevelopment such as hunger, unemployment, inequality, lack of portable water, squalor, collapsed infrastructure and spread of preventable diseases. Given the immensity and the

arbitrary powers of the state in Africa, the political elites are factionalized along ethnic and religious divide thereby engendering an acrimonious process of capturing and retaining political power. The situation has created authoritarianism, political and electoral violence, ethno-religious conflicts and sometimes internecine civil wars. What is incontrovertible is that the state as it is presently constituted in most African states is not working for the mass of the people.

The above assertion is supported by Amical Cabral (1976) when he succinctly opines that;

...some independent African states preserved the structures of the colonial state. In some countries, they only replaced a white man with a black man, but for the people it is the same. You have to realize that it is very difficult for the people to make a distinction between one Portuguese, or white, administrator and one black administrator. For the people, it is the administrator that is fundamental. And the principle is if this administrator, a black one is living in the same house, within the same gestures, with the same car, or sometimes

a better one, what is the difference? According to him, the nature of the state we have to create in our country is a very good question for it is the fundamental one (cf. R. C., 1976, p. 1)

He asserts further that ‘the problem of the nature of the state created after independence is perhaps the secret of the failure of African independence’. What then is the state? What are the conceptual and theoretical underpinnings of the post-colonial state? Why is the condition of the post-colonial state central to the present African condition? What are the imperatives of state reconstruction in Africa? How can political Islam intervene in state reconstruction in Africa? Our tentative assumption is that there are within Islam, political and economic doctrines that can help in the reconstruction of the post-colonial state in Africa in such a manner that the state would work for the generality of the people and not a few as we have it today. The rest of the paper is divided into four parts which are the conceptual and theoretical perspectives of the state, the state of the post-colonial state in Africa, state reconstruction in Africa: the political Islamic options and the conclusion.

### **Political Islam and the State: Conceptual and Theoretical Perspectives**

Political Islam is a hugely contested and controversial concept, known within the

Arabic world as “al-Islam al-Siyasiyy”, or Islamiyya (Islamism). It refers to a set of ideologies which insists that Islam is not only a religion but also a political system. This suggests that Muslims irrespective of the rampaging modernity must be prepared to live within Islamic principles in its legal, social, economic, cultural and political undertakings. Political Islam as an idea refers to the belief that Islam has a guiding political doctrine and clearly stated injunctions about how state and society should be ordered.

Political Islamists are Muslims with avowed commitment and dedication to the establishment of an Islamically ordered society based on the principles of *Sharia*, to proselytize in order to reinvigorate the faithful as well as the conscious effort to establish a distinct unity of all Muslim communities called *Ummah* based on the example of the holy prophet of Islam and sustained by the *Khulafah Roshidun* (the four rightly guided Caliphs). Fuller (2003) avers that political Islam refers to the “support for (Muslim) identity, authenticity, broader regionalism, revivalism and the revitalization of the (Muslim) community. Pejoratively, it is understood as “an Islamic militant, anti-democratic movement bearing a holistic vision of Islam whose final aim is the restoration of the Caliphate” (cf. Fuller, 2003:21).

However, properly conceived for our own purpose, political Islam assumes an ideology that guides society as a whole and that state law must be in conformity with the dictates of the Islamic *Sharia* (Shepard, 1996:40). This conception is derived from the belief

that Islam is a total way of life and its laws should therefore guide social, economic, political and personal way of life of the people.

Flowing from this, Ayoob (2005), gave a precise and more analytically useful definition when he describes it as a form of instrumentation of Islam by individuals, groups and organizations that pursue political objectives. It provides, according to him, “political responses to today’s societal challenges by imaging a future, the foundations for which rest on re-appropriated, reinvented concepts borrowed from the Islamic tradition” (Ayoob, 2005:952). Indeed, adherents of political Islam are not in doubt as to the fact that Islam as a body of faith has something important to say about how politics, state and society should be ordered in contemporary Muslim world and implemented in some fashion (Ayoob, 2005:951).

The state just like political Islam is also a controversial and contested concept in the social sciences. Not quite a few agrees that the state is more of a mere conceptual abstraction such that Ake, (1985, p. 105) opines that the state ‘appears to become more elusive still with every attempt to clarify it’. However, Young (1998, p. 29) opines that ‘the state is not simply an inert abstraction; it is above all, a historical actor, a collective agent of macro-political process’ Dunleavy and O’Leary (1987, p.1) suggests that the state can be understood from the organizational definitions and functional definitions. Organizationally, the state according to them can be defined ‘as a

set of governmental institutions, of relatively recent historical origin. Government is the process of making rules, controlling, guiding or regulating’ Dunleavy and O’Leary (1987) further to identifies five characteristics of a modern state which according to them are that:

1. The state is a discernable separate institution or set of institutions, which is so different from the rest of the society and it creates distinctively identifiable public and private spheres.
2. The state is sovereign, or the supreme power, within its territory, and by definition the ultimate authority for all law, i.e. binding rules supported by coercive sanctions. Public law is made by state officials and backed by a formal monopoly of force.
3. The state’s sovereignty extends to all the individuals within a given territory, and applies equally, even to those in formal positions of government or rule-making. Thus sovereignty is distinct from the personnel who at any given time occupy a particular role within the state.
4. The modern state’s personnel are mostly recruited and trained for management in a bureaucratic manner.
5. The state has the capacity to extract monetary revenues (taxation) to finance its activities from its subject population. (Dunleavy and O’Leary, 1987, p. 2)

For the functional definition of state Dunleavy and O’Leary, (1987) avers two perspectives. The first is what they called the *ex-ante* approach which views the state “as that set of institutions which carries out particular goals, purposes or objectives and that any organization whose goals or purposes overlap with ‘state functions’ automatically becomes part of the state” The second is what they called the *ex post* approach “which views the state by its consequences, such as the maintenance of social order”. They opine that any institution of the society which can help the state in achieving any of its purpose can be considered as part of the state. In a more generic form, Young (1988) identifies hegemony, security, autonomy, legitimation and revenue as the major imperatives that shape the behaviour of states and that state behaviour is carried out through human agents.

However, in sharp contrast to the foregoing perspective, Ake (1985) argues that the state is essentially a capitalist phenomenon even though it may not exclusively be so. The state is a necessary phenomenon in societies where social life revolves around the norms of individualism, competition and class antagonism. Ake (1985, p.105) insists that the “state is a specific modality of class domination” in which it appears as an objective force standing alongside the society. He observes that behind the subordination of all by what manifest like a neutral force is actually the domination of human by human, the domination of capital over labour (Ake, 1985, p. 106). This was obviously the case as the colonial state in Africa privileged capital over labour and the

state only acted in the interest of its metropolitan masters. This is what Mamdani, (1976, p. 142-143) captures when he describes the colonial state as;

...a geographical extension of the metropolitan state... simply put, the colonial state represented an absentee ruling class, the metropolitan bourgeoisie, and it performed the functions of both state and ruling class in an “independent” nation. The colonial state created the structures of underdeveloped economy at both the levels of production and exchange... [it] destroyed entire classes

There are basically two contending paradigms about the theory of state. The liberal perspective assumes that the state is an ‘umpire’, a ‘referee’, a regulator and an arbiter of conflicting interests within a society. Contrary to this seemingly objective role of the state, the Marxian paradigm assumes that the state is only but an ‘instrument’ or ‘executive committee’ of a dominant class, while cynical realists have seen the state as an elitist organization of manipulators and/or parasites, using ‘political formulas’ to fool the citizenry. In spite of the pretensions of the liberal perspectives, what the evidence supports, is that the state in Africa has not acted in any

objective manner. When not acting as an appendage of the metropolitan master, it is engaging in activities that are antithetical to the collective aspirations of the African people such that even after independence, the post-colonial state behaviour is still largely parasitic and dependent.

In theorizing the post-colonial state Alavi (1982) opines that the state in post-colonial societies exhibits three inter-related characteristics which are that it is overdeveloped, it enjoys a distinct relative autonomy and that it intervenes widely in the economy. Concerning the idea of being overdeveloped, he argues that what is known as the state in post-colonial societies was inherited from colonialism. It then emerged as the most “modern” institution of society when compared with other socio-economic structures upon which it rests and operates with. Indeed, the “overdevelopness” stems from the fact that states in postcolonial societies represents and acts in the interest of class forces exogamous to the internal class struggles in postcolonial societies. In relation to the question of relative autonomy, the state several years after the so called independence is still not insulated from both domestic private capture and unnecessary subservience to their international collaborators. The state’s intervention in the economy is occasioned by the need for the state to advance the interest of the dominant classes especially by participating in the production process ostensibly for national development. Although this position of Alavi has been severally challenged, what is undeniable is that it has remained a raw

guide in the understanding of postcolonial states especially in Africa.

The failure of the political elites to transform the inherited colonial state soon ran them in to crisis such that the state became not only authoritarian but an oppressive force criminalizing all forms of opposition in the name of national development. Within a short period of time after independence, virtually all postcolonial societies in Africa were ran into one form of crisis or the other. In his seminal work, Beckman (1988) identified three distinct paradigms through which the crisis of the African state can be explained. The first approach is what he calls the neo-patrimonial theory where he hinges the crisis of the African state primarily on personal rule and tribalism. The second is the monopolistic theory in which case he underscored the monopolistic disposition of the political class and the bureaucracy in the economy and the commanding heights of the society is emphasised. The third is the Comprador theory which focuses on the distortion of the state occasioned by imperialist domination of the state and economy. It is important to note that none of the three explanations is mutually exclusive; indeed, the three perspectives are all self-reinforcing. What is clear is that in Africa, states are “overwhelmed by their own incoherence, indiscipline and shrinking fiscal base” (Sandbrook, 1985, cf. Beckman, 1988, p. 27).

### **The state of the State in Africa**

In an attempt to understand the current situation in Africa there is a heated debate

amongst scholars in an attempt to understand the causes of the current African situation. This binary division is between those who think that the current African situation is externally induced, while others lay the blame of the current situation on internal dynamics. In the views of the externalists, the causes of African underdevelopment are external in origin and these include Africa's colonial legacies, western imperialism, the slave trade, an unjust international economic system, and exploitation by oligopolistic multinational corporations, among others. But the internalists dismiss these arguments on the grounds that, more than five decades of self-rule is enough to eradicate these colonial and imperial legacies and set Africa on the path of progress. They point to factors internal to Africa such as incompetent and greedy leadership, elite factionalization and lack of consensus, weak and disorganized state institution, docile citizenry, the establishment of defective political and economic systems which bear little or no relationship to Africa's own indigenous systems after independence.

The internalists insist that after independence, the nationalist leaders did nothing to dismantle and demobilize the authoritarian and exploitative colonial state structures; rather, they not only inherited its apparatuses, they strengthened and expanded its scope. Subsequently, they abused and misused the powers of the state to achieve their own selfish ends which led to the evolution of a "mafia state, a state that has been hijacked by vampire elites", hustlers, and gangsters, who operated with

their own notorious ethic of self-aggrandizement and self-perpetuation in power" (Ayittey, 1999, p. 27). In most countries in Africa, government is perceived by the ruling elites as a vehicle to be used to dispose, rob and terrorize the people. As observed by Edelman (1964);

The state benefits and it threatens. Now it is "us" and often it is "them". It is an abstraction, but in its name men are jailed, or made rich on oil depletion allowances and defence contracts, or killed in wars (Edelman, 1964, cf. Dunleavy and O'Leary, 1987, p. 10)

It is no gainsaying that the African continent is blessed with abundant human and largely still untapped mineral wealth, but paradoxically, the same is mired in abject poverty, steaming squalor, misery, deprivation, suffocating corruption, underdevelopment, political instability, and avoidable intra and inter-state conflicts. Today, Africa has remained a theatre of internecine conflicts and several factors have been put forward to explain this. These factors include the arbitrary borders created by the colonial powers, heterogeneous ethnic composition of African states, inept political leadership, corruption, negative effect of external debt burden and poverty. Other factors include perceived exclusion from the political process for reasons of

personal, ethnic or value differences, lack of socio-political unity, lack of genuine access to national institutions of governance, reliance on centralized and highly personalized form of governance, perception of inequality and discrimination, etc.

Since flag independence in Africa, government has been perceived as the personal fiefdoms with which African leaders use to accumulate wealth for themselves, their families, and ethnic groups. Such leaders cannot be subjected to criticism by anyone, and everything they say must be obeyed without question. As a result, some countries have collapsed at one time or the other. For example Ethiopia (1985), Angola (1986), Mozambique (1987), Sudan (1991), Liberia (1992), Somalia (1993) and Rwanda (1994). Indeed, the United Nation Development Program (UNDP) once grimly predicted that nine other African countries were on the brink of complete social disintegration, these countries are: Algeria, Burundi, Egypt, Liberia, Mozambique, Nigeria, Sierra-Leone, Sudan, and Zaire (Ayittey, 1999) on account of this undemocratic behaviour.

Although, the continent is blessed with abundance but the people are abjectly poor. Poverty in Africa is in both relative and absolute terms. According to the World Bank, the International Poverty Line refers to those who have less than 1.25 US dollars a day to live, and thus live on the very edge of existence. Apart from the fact that majority are in Africa, in the year 2022 alone for example, the extreme poverty rate

in Africa stood at around fifty (50%) percent among the rural population. In the annual report on human development published by the United Nations (UN), Extreme poverty leads to hunger in Africa. More than a quarter of those who are hungry in the world live on the African continent. One fifth of people living in Africa are considered malnourished. This gives the continent the highest rate of malnourished people worldwide. This is because limited access to food leads to low health conditions which also result in increasing poverty. In addition, more than thirty (30%) percent of African children suffer from growth disorders such as stunting due to their chronic malnutrition. This disease causes physical and mental underdevelopment in children. Similarly, Sub-Saharan Africa is the region with the highest infant mortality. On average, one in eleven (11) children dies before their fifth birthday. Three of the four countries with the highest infant mortality worldwide are on the African continent: Ethiopia, Nigeria and Kenya. In addition to complications at birth and malnutrition, there are diseases such as pneumonia, diarrhea and malaria, which lead to the early death of many children. (UNDP Report, 2021)

Infrastructure in most African countries had decayed and crumbled such that roads, schools, hospitals and telecommunications systems are in shambles. The United Nations Development Program (UNDP) sets various indicators in its Human Development Index (HDI) to measure poverty in Africa and all other countries in the world. This includes life expectancy at

birth, average school attendance period as well per capita income. In all of these indicators, majority of African countries are at the bottom. Giving the intellectual laziness, political recklessness and unbridled corruption prevalent amongst most African ruling elites, the continent is today unable to feed its people, meet its external financial obligations or pay for their ostentatious life styles rooted in importation of non-essential goods, protect its increasing population, prevent environmental degradation, nor make any meaningful impact in the international decision-making process.

According to a World Bank report, Africa's deepening crisis is characterized by weak agricultural growth, a decline in industrial output, poor export performance, climbing debt, and deteriorating social indicators, institutions, and environment" (World Bank 1989, p. 2). As a result, Africa has become unattractive to foreign investors and even to the donor community which suffers what is now referred to as "donor fatigue" after so many failures due to dwindling commitment, infidelity to debt obligations, mismanagement of programmes and outright embezzlement of donor funds.

For most African countries, the debt service ratio is not only unfair, it is exploitative and roguish; currently debt service obligations absorb about forty (40%) percent of government revenues, starving other critical sectors of the economy with funds, while in some instances the debt arrears are constantly being rescheduled. The situation has been further aggravated by what has been described as a "debt overhang". As one

of Nigeria's President, Olusegun Obasanjo once lamented;

...what we borrowed was under fifteen (\$15) billion dollars, we have paid \$15 billion dollars on debt service, yet we are still owing \$26 billion. The interest rate is skewed against us. (cf. Onimode 2000, p. 115)

In addition to the above, the total external debt of Africa was estimated at \$1.1 trillion in 2022 but this is expected to rise to \$1.13 trillion by 2023. Without doubt the anti-development environment that prevails in most African countries is characterized by inept and incompetent leadership that are kleptocratic, weak institutions, political and economic instability, selfish and senseless intra-ethnic wars, ethno-religious carnage, and capital flight.

### **State Reconstruction in Africa: The Political Islamic Option**

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There have been several ideas and attempts to reverse the political and economic decay on the African continent. Specifically, there have been programmes and blueprints postulated from within and outside Africa. In what Ake, (1996) describes as 'a confusion of agenda' he identified the Africa's strategy for Development in the 1970's, the Monrovia Declaration on Guidelines and Measures for National and Collective Self-Reliance in Social and Economic Development for the

Establishment of a New International Economic Order 1979, The Lagos Plan of Action for the Implementation of the Monrovia Strategy for Economic Development of Africa 1980, Accelerated Development for Africa 1982, the Declaration of Tripoli called Accelerated Development in Sub-Saharan Africa: An Agenda for Action, Africa's Priority Program for Economic Recovery, 1986-90 (APPER), the United Nations Programme of Action for African Economic Recovery and Development 1986-90 (UNPAAERD), the Structural Adjustment Programme (SAP), and the African Alternative Framework for Structural Adjustment Programs for Socio-Economic Recovery and Transformation. (Ake 1996, p. 21-36) It is very clear that these attempts have neither birth development for Africa nor change its narratives of state failure, chaos and underdevelopment hence the need for the consideration of Islamic options.

The Islamic political system is based on three cardinal principles of *Tawhid* (Unity of *Allah*), *Risalah* (Prophethood) and *Khilafah* (Vicegerency). The concept of *Tawhid* means that only *Allah* is the Creator, Sustainer and Master of the universe and of all organic or inorganic elements that exists within in it. The sovereignty of the universe is vested only in Him. As for *Risalat*, the Prophet of Islam is the harbinger of the revelations in the Quran, the holy Book of Islam in which *Allah* has set out His laws, as well as the authoritative interpretation and exemplification of the Book by the Prophet, in his capacity as the representative of *Allah* (Ahmed, 2006). The Prophet, had also in

accordance with the intention of the Divine Book, given to Muslims a model for the Islamic way of life by implementing the laws and providing necessary details where such was required. The combination of these two sources of divine guidance is called the *Shari'ah*. The *Khilafat*, simply means 'representation'. Man, according to Islam, is the representative of *Allah* on earth, His vicegerent. In order words, given the powers delegated to mankind by *Allah*, the people are required to exercise *Allah's* given authority in this world within the limits prescribed by *Allah* in the *Quran* and *Sunnah* so that they can receive the blessings of this world and that of the hereafter.

It should be noted that the state in Islam is not intended for merely political and economic administration alone nor is it established for the advancement of the interest of one class over the other. Rather, Islam places a high ideal on the state for the achievement and advancement of the virtues of purity of soul and mind, socio-economic justice, eternal goodness, and the happiness of the people. The Islamic state is also expected to abhor all forms of suppression, exploitation and injustice. Meanwhile, Kamali and Kamali (1993) aver that the constitutional theory of Islam revolves around the ideas of *Ummah* (Islamic Community), *Shariah* (Divine laws), *Khilafah* (Vicegerency), *Shura* (Consultation) and *Bay'ah* (Pledge of allegiance). How can these ideas be deployed to assist in the reconstruction of the African state?

As indicated earlier, the intractable ethno-religious conflicts, intra-state as well as inter-state wars occasioned by the arbitrary boundaries created under colonialism can be ameliorated with the ideas of *Ummah* and the *Khilafah*, since Islam does not restrict the achievement of social justice and egalitarianism to within the Islamic state alone. The idea of one *Ummah* is enjoined in the Quran Suratul Al-Mu'minun, chapter 25 verse 52 where the Quran insists that "And verily this brotherhood of yours (Ummah) is a single brotherhood, and I am your Lord and Cherisher: therefore, fear me (and no other)." Also in Suratul Al-Baqarah, chapter 2:143 where it says that, "thus we have made of you an *Ummah* (community) justly balanced, that you might be witnesses over the nations and the Apostle a witness over yourselves"

Islam therefore insists on the observance of universal fundamental rights for humanity as a whole, which are to be observed and respected in all circumstances irrespective of whether a person lives within the territory of the Islamic state or outside it or whether the person is at peace with the state or at war it. The Holy Quran chapter 4 verse 59 admonish the Muslims thus;

O ye who believe!  
Obey Allah, and obey  
the Messenger, and  
those charged with  
authority among you. If  
ye differ in anything  
among yourselves,  
refer it to Allah and His  
Messenger, if you do  
believe in Allah and the

Last Day: That is best,  
and most suitable for  
final determination  
(Surah An-Nisa, 4:59)

Contrary to the pervasive narrative about Islam, the Islamic creed for example dictates that human blood is sacred and should not be spilled without justification; it is not permissible to oppress women, children, the old, sick or the wounded. The honour and chastity of women must be respected and defended in all circumstances while the hungry must be fed, the naked must be clothed, and the wounded or diseased must be treated promptly. These constitute some the few provisions that have been laid down by Islam, as fundamental rights to be enjoyed by every human being once an Islamic state has been instituted.

Under the *Khilafah*, the rights of citizenship in an Islam caliphate, are not confined to persons born within the boundaries of a particular state but are granted to every Muslim irrespective of his or her place of birth. A Muslim *ipso facto* becomes the citizen of an Islamic state as soon as he or she set foot on such a territory with the intention of living there. That Muslim must therefore enjoy equal rights of citizenship with those who are the citizens of the state by birth. The citizenship of a universal Islamic state is granted to citizens of all the Islamic states that exist in the world and a Muslim will not need a passport of entry or exit from any of them. In addition, every Muslim must be regarded as eligible for political positions including the highest position of authority in an Islamic state without any distinction as to race, colour or

class. This Islamic injunction and practice would eliminate the intractable intra and inter-state conflicts which have marred the progress of Africa.

For those who may be apprehensive about what happens to non-Muslims in such a state. Islam has instituted codified safeguards for the defence of the rights of non-Muslim who may be living within the boundaries of an Islamic state, and these rights must necessarily form part of the Islamic constitution. According to Islamic terminology such non-Muslims are called *Dhimmi* (those with whom the state has a covenant), implying that the Islamic state has entered into a covenant with them and guaranteed their rights and safety. Therefore, the life, property and honour of a *Dhimmi* are to be respected and protected in exactly the same way as those of Muslim citizens. The Quran chapter 49 verse 13 asserts that;

O mankind! We created you from a single (pair) of a male and a female, and made you into nations and tribes, that ye may know each other. Verily the most honoured of you in the sight of Allah is the most righteous of you. And Allah has full knowledge and is well-acquainted (Surah Al-Hujuraat Chapter 49: 13)

Indeed, there should be no difference between Muslim and non-Muslim citizens in respect of civil or criminal law; because the Islamic state shall not interfere with the personal law of non-Muslims. They will have full freedom of conscience and belief and will be entitled to perform their religious rites and ceremonies as well as being able to practice their religion freely without hindrance. While they are entitled to criticize Islam, the civil law of the country has to be fully respected and all such criticisms must be made within the framework the law provides. These rights are irrevocable and non-Muslims can only be stripped of them if they renounce the covenant which grants them citizenship.

In order to reverse the leadership and governance challenges bedeviling the African state, the Shura (Consultative Assembly) system of governance is recommended, the consultative assembly would be elected by the people in accordance with the dictates of the law. As prescribed in the Quran in Suratul Al-Shurah chapter 42 verse 38 “those who hearken to their Lord, and establish regular Prayer; who (conduct) their affairs by mutual consultation; who spend out of what We bestow on them for sustenance; (those are the successful).” The administration of the state (government) in an Islamic state is vested in an Amir (leader) who may be likened to the President or the Prime Minister. All adult men and women who accept the fundamentals of the constitution are entitled to vote in the election of such a leader. The basic qualifications for election as an Amir are that; he should command the

respect and confidence of the largest number of people, be respected in knowledge and the understanding of leadership within Islam; he should possess the Islamic attribute of the fear of *Allah* (God); and he should be endowed with the attributes of a statesman. Islam also emphasizes the qualities of competence and virtue in the selection of an Amir. The *Shura* (consultative council) would then assist and guide the Amir. It is obligatory for the Amir to administer the country with the advice of his *Shura*. The Amir can retain office only in so far as he enjoys the confidence of the people, and must resign when he loses such confidence. Every citizen has the right to criticize the Amir and his government since public opinion must be freely expressed without any fear of repercussions.

In terms of legislation, the *Shariah* is the divine law in an Islamic state and all activities including religious and socio-economic behaviour must conform to the dictates of the *Shariah*. The legislature has no power to alter or modify anything the prescribed in the *Shariah*. They may however legislate on other matters not definitely prescribed in the *Shariah*. These may be done by *Qiyas* which refers to analogical deductions on some matters from the Quran and Sunnah or relying on *Ijmal* which refers to the consensus of opinion amongst those learned in and knowledgeable amongst the Islamic scholars. In Islam, the judiciary is not placed under the control of the executive. It derives its authority directly from the *Shariah* and judicial offices are answerable only to *Allah* (God). The judges are to be appointed by the state but, once

appointed they must administer justice impartially according to the laws of *Allah*. All the organs of state and state functionaries are not above the laws. The highest executive authority of the state should the need arise shall be liable to be called upon to appear in a court of law as a plaintiff or defendant. This is because rulers and ruled are subject to the same law and there can be no discrimination on the basis of position, power or privilege since Islam stands for equality and justice which must be strictly adhered to in all social, economic and political realms of life. As Allah commands in the Quran;

O ye who believe!  
Stand out firmly for  
justice, as witnesses to  
Allah, even as against  
yourselves, or your  
parents, or your kin,  
and whether it be  
(against) rich or poor:  
for Allah can best  
protect both. Follow  
not the lusts (of your  
hearts), lest ye swerve,  
and if ye distort  
(justice) or decline to  
do justice, verily Allah  
is well- acquainted with  
all that ye do (Surah  
An-Nisa, Chapter 4:  
135)

On the economic plane, Islam abhors greed, avarice and ostentatious lifestyles especially among the leaders within a society. In order to generate wealth for the benefit of the

masses, the *Shariah* prescribes the obligatory payment of *Zakat* (poor due) and *Sadaqah* (charity) by all able bodied Muslim who can afford it and are able to pay such dues in an Islamic state. Quran Chapter (2 verse 177) enjoins that;

It is not righteousness that ye turn your faces towards the East or West; but it is righteousness to believe in Allah and the Last Day, and the Angels, and the Book, and the Messengers; to spend of your wealth (substance), out of love for Him, for your kin, for orphans, for the needy, for the wayfarer, for those who ask, and for the ransom of slaves; to be steadfast in prayer, and practice regular charity; to fulfil the contracts which you have made; and to be firm and patient, in pain (or suffering) and adversity, and throughout all periods of panic. Such are the people of truth, the people who fear ( Suratul Al-Baqarah, Chapter 2: 177)

The Islamic state is responsible for the well-being of every citizen and the people are entitled to the provision of basic necessities which would free them from abject poverty. The Amir (leader) is responsible for the collection of *Zakah* and *Sadaqah*. It is also the responsibility of the Amir to appoint honest and trustworthy men to assist him in

the collection and distribution of the proceeds in an equitable and just manner through the management of the *Baitul-maal* (National treasury).

Alms are for the poor and the needy, and those employed to administer the (funds); for those whose hearts have been (recently) reconciled (to Truth); for those in bondage and in debt; in the cause of Allah; and for the wayfarer: (thus is it) ordained by Allah, and Allah is full of knowledge and wisdom. (Suratul Taubah, Chapter 9:60)

This egalitarian arrangement of redistributing social wealth in a just and equitable manner would eliminate the corruption which has been the bane of development efforts in Africa. The Amir would also be at liberty to direct state policies in the national interest. The interest free banking system ordained by the *Shariah* would help the African continent free itself from the shackles of debt which they have been confined to since the flag independence from imperial colonizers and the neo-colonial forces of exploitation led by the International Financial Institutions (IFI) represented by the World Bank and International Monetary Fund (IMF).

### **Conclusion**

The African continent is arguably the richest continent on earth. It is a continent with huge deposits of mineral and material

resources. It is also blessed with competent and highly skilled manpower but paradoxically the African people are said to be the poorest in the world. Several reasons ranging from inept and incompetent leadership, ethno-religious conflicts, resource based conflict, intra-state and inter-state civil wars, dependent economy, kleptocracy and corruption, as well as debt overhang have combined to keep the continent perpetually underdeveloped.

From all indications the nature of state formation, the character of African ruling elites and their failure to transform the exploitative colonial state to a truly democratic one has continued to be the bane of development on the continent. It has become increasingly clear that unless there is a transformation of the state to a more functional and egalitarian one, which would work in the interest of the African people and not for a select class, all developmental efforts and programmes in Africa would remain a mirage. It is this realization that commends the Islamic option.

One overarching fundamental principle of an Islamic society is *Taqwa*, which literally means "love arching to fear of God". It is this consciousness of God amongst the people in an Islamic state that provides the enabling environment of self-discipline, self-control, self-restraint, self-evaluation and self-education which are important ingredients for the creation of an all-inclusive egalitarian society. This is in tandem with the Quranic injunction which states in Surah Baqarah, chapter 2 verse 102 that "O you who believe! Fear God as He

should be feared and die not except in a state of Islam,"

It is this Quranic declaration that gives expression to the ideas of *Ummah* (community), *Khilafah* (vicegerency), *Shura* (consultation) and *Bayah* (allegiance to constituted authority) upon which an Islamic society is based. In furtherance of the egalitarian objective of an Islamic society Quran chapter 3 verse 110 declares that "You (the Islamic *Ummah*) are the best community that has been raised for mankind. You enjoin good and forbid evil and you believe in Allah". This is why all spiritual and human engagements whether in politics, economics, social and international relations must conform to the dictates of the *Shariah*. It is this divinely ordained and codified prescription that can help tame the gregarious tendencies in most African leaders which compel the intemperate zero-sum winner takes all politics currently prevalent on the continent and can also ameliorate the ostentatious life styles of most African ruling elites based on foreign consumption which have left most African countries in a seeming perpetual state of crises.

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