

THE CONCEPT OF AL-ISTITA^CAH AND HAJJ SPONSORSHIP IN NIGERIA

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Abstract

It is a common knowledge that the pillars of Islam, as ordained by Allah and explained by the Prophet, are five. Some of these pillars are, however, conditional, in the sense that their fulfilments are attached to certain requirements. Both Hajj and Zakah fall within the provisional pillars of Islam. Their performances depend on a number of conditions that must be fulfilled. One of such conditions, in respect of Hajj obligation, is both physical and material capability technically called Al-Istita^Cah, which is drawn from the divine directives as contained in the Qur'anic phrase اسْتَطَاعَ إِلَيْهِ سَبِيلًا. It must be stated that scholars are unanimous in the affirmative that Hajj is obligatory once in life time of a Muslim and it is only meant for those who can afford the means. It is on record that prior to the Nigerian independence, nay, before the arrival of the British "savage" colonialists, a lot of Muslims, who could afford the rigorous travelling bare footed ramble exercise, carried out the obligation severally and collectively. Later, some voluntary bodies and individuals served as agents to facilitate a well coordinated pilgrimage. It was after the independence that the government took a bold step to ease movement of the intending pilgrims; ensure their safety; assist in the airlift and regulate money exchange through coordinated Basic Travelling Allowance Scheme. The intervention also led to the sponsorship of Welfare Officials and Medical personnel to attend to the peculiar needs of the pilgrims. However, in the recent past, Hajj has been turned into political jamboree, tourist attraction and international trade fair centre, whereby each State and local Governments in the Federation compete in a wanton display of reckless spending of public funds on the number of sponsored pilgrims, thereby neglecting the divine condition of Al-Istita^Cah. An attempt is, therefore, made in this paper to examine the scholastic submissions on the concept of Al-Istita^Cah and make inquiry in to government sponsorship of hajj in Nigeria at the expense of her social security, political stability and unwavering economy.

Introduction

It has been long recognized that Islam is based on five canonical pillars, one of which is the pilgrimage to the holy land in Makkah, technically called *Hajj*. It involves financial expenses and physical movement from different locations of the globe to the House of Allah (*Ka'bah*) in the Arabian Peninsula, presently known as Kingdom of Saudi Arabia. The obligation is once in the lifetime of a Muslim, in accordance with the injunctions clearly stated in the principal sources of the *Shari'ah*. The divine injunction, as contained in the Qur'an, is very instructive in this regard.

وَاللَّهُ سَّـ عَلَى التَّابِيسِ حَرَجُ الْبَيْتِ مَنْ اسْتَطَاعَ إِلَيْهِ سَبِيلاً وَمَنْ كَفَرَ
فَلِنَّ اللَّهُ غَنِيٌّ عَنِ الْعَالَمِينَ

...and Hajj (pilgrimage to Makkah) to the House (Ka'bah) is a duty that mankind owes to Allâh, those who can afford the expenses (for one's conveyance, provision and residence); and whoever disbelieves [i.e. denies Hajj (pilgrimage to Makkah), then he is a disbeliever of Allâh], Then Allâh stands not in need of any of the '*Alamîn* (mankind and jinn and other creatures). Q3:97

From the above quotation, it could be noticed that the most essential condition for the performance of *hajj* is aptitude - *Al-Istita'ah*, which has been defined by various scholars in different ways. It could also be vividly noticed that the act of deliberate negligence of *Hajj* (for those who can afford it) is tantamount to *kufr* (ingratitude). The Prophet is also reported to have said that: "Whoever performs *Hajj*, for the sake of Allah, without any sexual misconduct and does not commit any major sin, will return with a clean slate, like the day he was born by his mother."¹ The attached benefit and reward, perhaps, serve as the motivational factor for Muslims all over the globe (Nigeria inclusive) in their pursuit of this noble obligation.

The "Nigerian factor", however, added some other benefits to this venture, which led to over zealotry in its performance by some people at all cost. Many perform the exercise for ephemeral popularity and ovation to gain the prefix of *Alhaj* or *Alhaja* neglecting the fact that the philosophical adage, "the end justifies the means" is reversible in the performance of the pillar. That the means justifies the end is not only a conditional and acceptable norm in Islam, but a more appropriate axiom, which cuts across all the Islamic tenets, is that, both the end and the means

must be justifiable. There is no gain-saying in the fact that many married women whose husbands are generally unemployed and could not afford the hajj fare, become targets of the politicians in their selective choice of the sponsorship spree. This has resulted in many broken homes due to allegations of sexual misconducts (even in the Holy land) which, in some cases, are conditional before the free *hajj* ticket is awarded. Those who are entrusted with the public treasury, the legislative and the executive arms of the government, also embarked on the journey through “authority stealing”. Many Judges are also beneficiaries of this reckless spending. Similarly, many citizens do not care whether the source from which they embark on *hajj* is *halal* or *haram*. Some others use every opportunity they have to afford the cost of flight to the holy land at the expense of basic family needs. They do not care of what would be their financial status after returning from *hajj* as they empty their bank account on the mission.

It must be noted, however, that Hajj becomes *wājib* (obligatory) only when a matured Muslim, who is free from bondage of slavery attains certain capability (*Al-Istitā^cah*) as defined by the *Shari^cah*. It is therefore a peculiar and conditional *wājib* just like the *Zakkah*, which is attached to monetary capability and possession of certain number of livestock or grains. Similarly, Ramadan fast requires certain laid down conditions as explained by the jurisprudence experts. It is therefore seen that, if a person does not attain the required *Al-Istitā^cah*, then *Hajj* is not *wājib* on him/her. The interpretations given on *Al-Istitā^cah*, as stated earlier, differ from one school of jurisprudence to another. The scholastic polemics given by the four recognized *sunni* schools on the concept of *Al-Istitā^cah*, which could be used to evaluate Nigeria government “sponsored-pilgrimage”, attract our attention in what follows.

***Al-Istitā^cah* - A Jurisprudential Discourse**

The pragmatic outlook and the dynamism of the *Shari^cah* is portrayed in the scholastic contributions of experts, most especially the four *Sunni* schools of thought, on legal related issues of which *Al-Istitā^cah* as a concept is not an exception. The Hanafi School submits that *Al-Istitā^cah* entails both physical and financial capability coupled with the fact that the intending pilgrim is free from indebtedness. Further still, he is in possession of habitable residence, and leaves enough provision to cater for the basic needs of his immediate family till he returns.²

Al-Istitā^cah according to the Maliki School, is defined as the possibility of reaching Makkah without excessive stress over the stress

incurred on a normal journey, with assurance of security of life and property.³ This definition implies that whoever is capable of going on *hajj* by trekking and has sufficient provision may embark on the divine mission. Al-Khalil also shares this opinion while he notes that “the capability that makes Hajj obligatory is possibility of getting to Makkah without a great stress and assurance of security of life and property.”⁴ It should be noted that this position is silent on the family provision. This omission attracts the attention of Al-Jaziri who submits that the Maliki School displays flexibility on the provision of enough basic needs for the family. It is stated that an intending pilgrim may not leave enough provision for his family except he entertains negative repercussion.⁵ The position of Maliki School, as far as we know, is not different from the Hanafi’s point of view. The central point in the two opinions is that enough provision should be made for the family so that they would not be put to hardship due to the finances involved in the spiritual journey.

The Shafi’ School of thought, however, makes a very broad interpretation of *Al-Istita'ah* into five major components. The first is *Az-zad* and *Ar-Rahilah* which connotes provisions required for the spiritual journey. The former covers provisions for pilgrim’s dependants throughout the period of pilgrimage, while the latter connotes means of transportation, to and from Makkah. The second component is the availability of water at every point of stopover.⁶ Water, it must be admitted, is an essential commodity in the *Jaziratul Arab*. Should there be an acute water shortage, even if other provisions were on ground, the provision is not complete and so, renders the *Hajj* non-obligatory.

The third component is for a pilgrim to be in a good state of health. There is no controversy among the scholars that health is an integral part of *Al-Istita'ah*. Assurance of security of life and property on the journey is the fourth component, while the last is the availability of enough time that will permit journey to the holy places and stay there for performing the obligatory rites within the stipulated period.⁷ Ibn Qudamah representing the Hanbali School of thought remarked that capability, as a condition on Hajj means possession of (*Az-zad*) provision and (*Ar-Rahilah*) means of transportation.⁸ It should be noted that the school lays more emphasis on sufficient provision for the intending pilgrim than the family he is leaving behind.⁹

A deduction that can be made from these submissions is that an intending pilgrim must certify both physical and financial capability before embarking on *hajj*. It is also discovered that none of the four

schools of thought envisages state or organizational sponsorship. In point of fact, the Maliki School vehemently opposes the use of *Zakkah* i.e. public fund for *hajj* sponsorship.¹⁰ On the issue of self reliance during the *hajj* period, the Maliki's position is very clear. A pilgrim is expected to have enough provision or equipped with a professional skill which can serve as his source of income, as the act of dependency or begging for survival is regarded as not certifying the concept of *Al-Istita^cah*.¹¹ Furthermore, the Qur'an is very categorical on the concept of *Istita^cah* in the following verse:

(Charity is) for *Fuqarâ* (the poor), who in Allah's Cause are restricted (from travel), and cannot move about in the land (for trade or work). The one who knows them not, thinks that they are rich because of their modesty. You may know them by their mark, they do not beg of people at all. (Q2:273)

The Prophet also hinted that a pilgrim must make enough provision before he embarks on the spiritual journey. Ibn Abbas reported that the people of Yaman, once upon a time, did perform *hajj* without having enough provision and were hiding under the concept of *At-Tawakkul* (reliance on Allah). On getting to Madinah, they turned to begging. To this "shameful act," Allah revealed: ﴿وَلَقَدْ نَزَّلْنَا الْقُرْآنَ فَذُكِرْتُمْ فَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ﴾ 'And take a provision (with you) for the journey, but the best provision is *At-Taqwa* (piety, righteousness, etc.)'.¹²

It is evidently clear from this submission that begging for survival is not encouraged during and after the *hajj* exercise. Many leading Maliki scholars have expressed in their writings that the best provision is *At-Taqwa*, which implies that one should make enough provision and avoid the act of begging which they considered as highly objectionable.¹³

Another point worthy of consideration in this regard is *Hajj* by proxy technically called *Al-Mustati^cu bi Ghayrihi*, which is of two types. First is the one who is financially capable but old age or sickness makes it impossible for him to embark on *Hajj*. The second category of *Al-Mustati^cu bi Ghayrihi* centers on sponsorship. The main argument in this regard is whether it is allowed for a child to sponsor his parents on *Hajj* or not or to represent them by proxy. The Maliki School upholds that *Hajj* is not by proxy because it involves physical exercise. It opines that such a person is not *Al-Mustati^c* who is required to perform *Hajj*. It relies on the verse that: ﴿لَا يَنْفَعُ الْبِرَّ شَيْءٌ لِّبَلَدٍ نَّسَدَانَ إِلَّا مَا سَعَى﴾ And that man can have nothing

but what he does (good or bad)' (Q53:39). However, Al-^cUthaymin, seems to be flexible in this regard. He advocates that if a man requests his child or any other person to perform *Hajj* on his behalf, such a child can do so. He also gives permission on proxy in respect to an aged person and somebody in a condition that disallowed him from performing the *Hajj*.¹⁴ The polemical discourse on these issues notwithstanding, it is on record that:

A lady from Khath'am came to the Prophet in the years of *Hajjatu-l-wada* (Farewell pilgrimage) and said: 'Oh Messenger of Allah! The obligation of Allah (in Hajj) came while my father was at very old age, he could not balance on animal. Is it enough if I perform Hajj on his behalf? The Prophet said: 'yes'.¹⁵

In a recent discourse, Bidmos highlights the following categories of people who are not expected to go on pilgrimage:

- i. Professional beggars known as *almajiri* who are recruited by business tycoons as tactics to use the BTA stamped on the sponsored pilgrims' passports.
- ii. Thugs who are sponsored by politicians as political gratification some of them are designated as welfare officers. Can a first time pilgrim be capable of guiding other first timers? Whereas the hajj commission can employ more competent and cheaper-to-maintain personnel amongst Nigerian students in the Saudi universities as welfare officers.
- iii. Prostitute who are in the holy lands to practice their 'profession'.
- iv. Food vendors who go there annually to prepare Nigerian delicacies for the pilgrims.
- v. Business men/women who seize the opportunity of the Hajj season to do their normal businesses. They are the ones who recruit the *almajiris* to use their BTA for business.
- vi. Very aged people.
- vii. Pregnant women some of who put to bed a few days after arrival in Saudi Arabia.

- viii. Non-Muslims who are going for fun.
- ix. Minors who should be in schools.¹⁶

Though the issue of food vendors is contentious, the very aged people who may be assisted by their relatives could be allowed to embark on the journey or be represented by proxy in line with the submissions of the Jurists as discussed earlier.

Hajj and Government Involvement

The annual pilgrimage by the Muslims of the *Bilad at-Takrur* predated Nigeria as a British colony. The area which was also called *Bilad as-Sudan* covers part of the modern day Nigeria, Niger, Cameroun, Ghana, Sudan and Mali. The encounter of the Nigerian Muslims with the *Haramayn* is as old as the advent of Islam in the *Bilad at-Takrur*, part of which was later named Nigeria. Since Islam was first introduced in Kanem-Borno and later in Hausa land in the 8th and 9th (*Hijiriyah*) centuries and 15th and 16th (Gregorian) centuries respectively, the Nigerian Muslims began to embark on the pilgrimage to Makkah, though it was a private affair up to the early 20th century. It is on record that many Nigerian Muslims, who could afford the rigorous bare footed journey carried out the obligation with vigour and enthusiasm. In this process, many lost their lives along the way. Those who could not make it to Makkah settled in the Sudan, which, perhaps, accounts for many Sudanese today that wear the Yoruba tribal marks and those whose mother tongue is Hausa language. Later, some voluntary bodies and individuals served as *Hajj* agents to facilitate a well coordinated pilgrimage by road scheme. This made it a slow exercise which took them many years to accomplish. However, as from 1950s upward, two factors seem to reduce the annual encountered difficulties in the operation; these are the introduction of air travel agencies and the government involvement.¹⁷

In 1953, a member of Federal House of Representatives in Lagos, Hon. Abubakar Imam tabled a motion for the establishment of the 'Nigeria Office' in Jeddah, Saudi Arabia to cater for the Nigerian pilgrims. The motion was accepted with minor amendment which led to the appointment of a pilgrim's commissioner to accompany the pilgrims yearly. Part of the amendment included the establishment of a dispensary at the major pilgrims' centres; the provision of accommodation for the pilgrims in Makkah and Madina; and the control of fees and charges that were indiscriminately imposed on the Nigerian pilgrims.¹⁸

. It could also be recalled that in 1955, the then Northern Premier,

Sir Ahmadu Bello led a four-man delegation to Saudi Arabia to personally investigate *hajj* conditions with a view to improving the welfare of the pilgrims at the holy land. The commission focused on several thorny operational problems such as the *mutawwif* (local guide) agency to be responsible for guiding Nigerian pilgrims in the holy land, the absence of accommodation for Nigerian pilgrims, the lack of medical facilities, and arrangements for reception at Jeddah's sea and air ports.¹⁹ This move led to the establishment of Pilgrim Welfare Boards in the Northern and Western Regions to cater for logistics in 1958. In 1970, the Board's duty was expanded to include the collection of *hajj* fares, arrange for collection of passports, issue tickets, obtain visas, and to arrange for vaccination.²⁰ In the same light, when twelve states were created out of the four regions in 1967, most of them set up State Pilgrims Welfare Boards to carry out the same functions. For its part, the Federal Government created a section under the Ministry of External Affairs (now Foreign Affairs) known as the Nigerian Pilgrims Commission, to serve as the link among the State Boards. In 1975, the government became fully involved by setting up the Nigeria Pilgrims Board.²¹ The establishment of the board coupled with the comfort of air travel and finances from the government most especially the subsidized BTA made the number of the intending pilgrims to increase remarkably with obvious implications on state resources.

Hajj Sponsorship - A Critique

It should be noted that the involvement of the Military administration in *Hajj* operation was purely technical. However the return of the political class led to a new dimension to the operation. Realizing the emotional attachment which the Nigerian Muslims place on this obligation, the politicians added to the growing list of the motivational factors. The exercise is now turned into political campaigns and jamboree of which die-hard supporters and drug addicted political thugs are giving free *hajj* and *Umrah* tickets, so as to win more supporters and in some cases to woo the oppositions to the Governor's political party. At the National level, the situation is the same. In order to provide equal opportunity to siphon the public fund on religious obligation, Nigeria stands in the world today, as the only state, where a Christian Pilgrim Board is put in place to cater for Christian Pilgrimage, a provision which has no reference in the Bible. It is a known fact that the government spends huge amount annually on the two pilgrimages leaving behind many important projects unattended to.

Furthermore, it is an open secret that both *Hajj* and *Umrah* pilgrimage have been turned to avenue for political meetings and the House of Allah has been turned into the Muslim's equivalent of the *Okija shrine* where 'secret' oath of allegiance are being made by politicians, especially the gubernatorial aspirants to remain gullible and loyal to their political god-fathers. Similarly, the politicians use the state sponsorship of pilgrimages as a political tool to canvass for votes. The former Governor of Oyo state, Alao Akala, spoke the minds of many politicians during the send-forth organized for the State's *hajj* contingent. He said: "if these 1,500 pilgrims sponsored by the State and another 1,500 that will be going to Jerusalem bring along 10 each to vote for us, then, we will be here again next year to do this kind of program for another set".²² It is also on record that the then Deputy Governor of Bauchi State, Alh. Muhammad Sagir Saleh, declared on the National Network News of the Nigerian Television Authority that out of 453 intending pilgrims to Jerusalem for 2011, the government paid for 450 pilgrims, while unconfirmed sources claimed that many State Governments paid for all their contingents the same year for the same purpose. Very recently, the immediate past Governor of Kwara State, Dr. Bukola Saraki, took a purely political issue to the Holy Land. The senator "called for public understanding on the (Urbanization Law) when he spoke with the pilgrims from the State to the lesser *hajj* in Saudi-Arabia recently."²³ It is not the political discourse that the said urbanization law generates at the home front that attracts the attention of this paper, but it is the choice of place to address a purely political state matter that calls for concern.

However, in a dramatic turn of event, Governor Rabiu Musa Kwankoso of Kano State vehemently laments that *hajj* sponsorship is an avenue to steal public funds. The Governor who has ordered an end to the government-sponsored pilgrimage since last year, condemned the spending of around N3 billion for the operation by the previous administration in 2010 alone. He, however, considers poverty alleviation and State development to be more important than sponsorship of religious pilgrimage.²⁴ The Kano State Government, therefore, approved N900m for the payment of *Ramadan* bonus to civil servants.²⁵ Similarly, Governor Adams Oshiomale of Edo State has also questioned the rationale behind sponsorship of pilgrimage to Jerusalem declaring it as a luxury, which the tax payer's money would not be used to subsidize. He philosophized that from the point of view of the poor, a man who has no roof over his head cannot be spiritually uplifted if he goes to Israel and

returns to a state of homelessness.²⁶ A fundamental question that begs for answer is that if Kano State could spend N3 billion on a single *hajj* operation, how much would *hajj*, *Umrah* (lesser *hajj*) and Christian pilgrimages cost the 36 states of the Federation, the over seven hundred local Governments and the Federal Government annually?

Perhaps it was this concern that informed the setting up of a Presidential Committee on the Restructuring and Rationalization of Federal Government Parastatals, Commission and Agencies by President Goodluck Jonathan. The Committee, headed by a onetime Head of service of the Federation, Mr. Stephen Oronsaye, faulted the N6.5 billion expenditure by the National Hajj commission and the Nigerian Christian Pilgrims Commission in four years and therefore, recommended the scrapping of both pilgrim boards for the Muslims and Christians. The report clearly states that:

The committee observed that the performance of *hajj* as one of the pillars of Islam is an injunction for all Muslims provided the intending pilgrim is healthy and can afford the cost of the pilgrimage....(and) there is no such injunction for Christians. Besides the State of Israel is noted to say that it recognizes tourists to the Holy land of Israel and not pilgrims.²⁷

A fact worthy admitting is that it was the Muslim pilgrimage that started this display of annual reckless spending, which attracts the attention of the Christians. At the initial stage, some objective Christian bodies and individuals cautioned on the wanton display of affluence at the expense of the Nigerian Foreign Reserve, but when such call was misunderstood as a move to deprive the Nigerian Muslims their legitimate right to share the national cake, the Christians also demanded a similar opportunity, even though without scriptural backing, for Jerusalem pilgrimage at the expense of the National treasury.

The Christians Association of Nigeria (CAN), for example, had sued the Federal Government, demanding for withdrawal of her involvement in the *hajj* operation which they considered discriminatory and hypocritical to other religions in the country. Consequent to the refusal of the government on the involvement of the operation, they, however, demanded for their own share of the national cake by the establishment of the Christian pilgrims Board which has no base in their faith. Boer explains further:

If support is available to the Muslims, then it must be for Christians as well. If the government insists on handling pilgrimages, then whatever facilities the government accords one religious group must be made available to another religious group. Otherwise a most unpleasant impression will be created that the government prefers Muslims.²⁸

Nguvugher, to the best of our knowledge, is correct when he submits that: Christian pilgrimage to the Holy land is not in obedience to the word of God. Although many Christian leaders and members involved in the enterprise in recent years have tried to canonize, rationalize and moralize it, they remain in want of scriptural basis to justify their claim. It does not require any rigorous Bible knowledge to recognize that such argument cannot be sustained.²⁹

The Christian Pilgrimage Commission, to the best of our knowledge, was born out of resentment and umbrage because there is no express biblical injunction making pilgrimage mandatory on Christians. It is a reaction to what they considered to be government favoritism and inconsiderateness in handling public funds rather than on any theological conviction. The manual on Christian Pilgrimage published by Christian Pilgrims Welfare Board, Plateau State, categorically states that “performing the holy pilgrimage neither makes a Christian holy nor automatically offers a passport to heaven.”³⁰ Many Muslim Scholars also support this assertion as far as reckless spending of state funds on *hajj* is concerned. Quadri, in his celebrated inaugural lecture, also added his voice to the growing list of the Islamic scholars who are calling for the cancellation of the pilgrimage sponsorship. He observed that:

Many beneficiaries of the sponsorship do not deserve it because in the first instance the poor Muslims, who ought to be considered, though Hajj is not obligatory on them, are not given sponsorship. Instead the rich and the politicians, including their aids and people of low morality are the beneficiaries. The money spent on pilgrimage sponsorship by the various governments is better expended on ameliorating the

condition of the poor in the Nigerian society.³¹

Hajj Sponsorship versus social insecurity

The leader of the Sokoto Caliphate movement, Shaykh ʿUthman Dan-Fodio, made some remarkable contributions on the religious verdict between embarking on *Hajj* as a religious duty and the provision of basic social amenities to the welfare of the citizenry by the state functionaries. In his *Tanbih al-Rawaqid*, which Ibraheem Sulaiman quoted with relish, the *Shaykh* observed that where *hajj* conflicts with the need for social justice, then the latter should have preference.³² The position of Dan-Fodio here is that, a leader is expected to use his discretion, when his desire to embark on *hajj* conflicts with security of the state. The leader, in this regard, is expected to give priority to the security of lives and properties of his subjects. He declares:

When the Imam is faced with the choice of going on *hajj* or remaining to protect the realm against its enemies, then he must choose the latter: for in the case he is considered as having lacked the ability to perform *hajj*, which is then no longer obligatory on him.³³

The same consideration is given to the provision of basic social amenities. The leader is expected to give priority to the welfare of his subjects than sending them on *hajj*. This could be inferred from Dan-Fodio's position when he declares that:

Bringing happiness to the heart of a Muslim and relieving someone of burden is better than hundred *hajj* after the obligatory *hajj* of Islam. The resources meant for such *hajj* should rather be given to a debtor to discharge his debt, a poor man to set him back on his feet, the father of a large family to provide nourishment for it, and to someone bringing up an orphan to help him out.³⁴

Though the *Shaykh* was admonishing against multiple *hajj* on the part of those who could afford it, his reasons for the objection can actually be used against the diversion of the public funds meant for the provision of basic infrastructure to *hajj* sponsorship. A fact worthy admitting is that majority of the so called government sponsored pilgrims are people who

lack basic social amenities in their houses and communities, and after the *hajj* jamboree when these new pilgrims return, the various depressions in their lives imposed by corruption, bad governance and inept leadership continue. In an article by one Disu Kamor, reference was made to the call by many prominent Muslims and Muslim organizations that the time has come for the era of flagrant wastage and government sponsorship of pilgrims to come to an end. He notes:

In a 2009 paper entitled, "Challenges of Hajj Operation in Nigeria", the Vice Chancellor of the University of Ilorin, Prof. (Is-haq) Oloyede said that it was wrong for the government to sponsor pilgrims to the holy land "because individual pilgrims should be responsible for the entire cost of the trip and not rely on anybody's benevolence which in most cases does not cater for the entire needs of the journey". On October 14, 2011, Dr. (Abu-Bakr) Y^caqub Imam Ali-Agan of University of Ilorin on his Friday programme (Madrast Muhammad) on Harmony FM, Idofian, Kwara State called on the government of Dr Goodluck Jonathan to stop spending money that is meant for common goods, such as water, roads, electricity, affordable health facilities and educational institutions to send people on pilgrimages.³⁵

In this same light, Shaykh Adam Al-Ilory, while observing the misconceptions of Islam among the Nigerian Muslims, remarks that:

There are those among them (Nigerian Muslims) who consider repetition of *hajj* each year as well as *hajj* sponsorship as necessity and means of getting closer to Allah. Hence, they spend a huge amount of resources which if diverted to education, health sector and empowerment would go a long way to relieve millions of Muslims out of bonds of ignorance, sickness and poverty.³⁶

The view of Al-Ilory is not far from the practice of those in the realm of affairs in the Sokoto caliphate as earlier quoted. It is on record that none of the principal architects of the Sokoto Caliphate movement, namely *Shaykh* ^cUthman Dan Fodio, *Shaykh* ^cAbdullah Dan-Fodio and

Muhammad Bello, went on *hajj* due to pressing state security matters. In fact, *Shaykh* Abdullahi Dan-Fodio, who left Sokoto, on his way to Makkah had to return to attend to urgent state security matters. The same was the position with all the Sokoto caliphate flag bearers. Thus Lamido Adama who was sent to Adamawa and Mallam Ya^cqub of Bauchi all died serving the caliphate without performing the *Hajj* rites. Of equal importance, an argument which Dan-Fodio capitalized on, is that “the Prophet made only one *hajj*, then he continued to fight in *jihad* until he met Allah”. The *jihad* in this context means to ensure that the only object of worship is Allah, the restoration of social justice and zero tolerance to tyrannical ruling, oppression and bad, inept leadership.

A fact worthy admitting, therefore, is that the threatened security of the Nation, posed by the emergence of Boko Haram sect, deserves urgent attention. If the principal architects of the *Jihad* movement in the Hausa State, as at then, declined to perform *hajj* based on the security of the caliphate, the permanent position of *Amirul Hajj* to the occupant of the Sultan of Sokoto seat, which hitherto, was rotational among the Muslim traditional rulers in the country needs to be reconsidered. The current wasteful spending on annual pilgrimage could be diverted to provide job opportunities to the chains of Muslim youth wandering the major cities, in the Northern geo-political zone, under the cover of *almajirinchi*.

We have pointed out elsewhere ³⁷ that the *almajiri* system of education has no particular curriculum and no fixed time for educational pursuit. The *Mallam*, more often than not, takes the advantage of these wandering pupils to settle personal scores and vendetta. It was this system, which no Government be it Military dictatorship or “elected” Civilians, took bold step to curb, that produced the *Maitatsine* riot in 1980, which claimed hundreds of lives of mostly the *almajiri* combatants and history is repeating itself with the *Boko-Haram* insurgence.

The *Almajiri* system of education constitutes a major social insecurity within the Hausa-Fulani speaking areas. An army of male underage children, under the influence of a local *Mallam*, whose knowledge does not exceed the mere recitation of the Qur'an, parade major streets begging for food from morning till sunset. They suffer most because neither the *Mallam* nor their parents are responsible for their livelihood. In fact, they are responsible for the sustenance of the *Mallam* and his “large” family as well. Pupils who dominate this school, for the

most part, are either those who ran away from their parents or those that the parents themselves voluntarily sent out of the house to seek for their livelihood at tender ages. In either of the cases, the consent of the parent is not required to be admitted into the *almajiri* system. The consent of the *Mallam* himself is not required to graduate from the School into brigandage, armed robbery and political hooliganism.³⁸

Conclusion

There is no controversy in the fact that *Hajj* is a pillar in Islam which attracts great rewards. Its negligence is equated to disbelief. However, it is only obligatory on those who can afford as contained in the submission of experts on the concept of *Al-Istita^cah*. Individual Muslim is encouraged to strive to attain the required *Istita^cah* without depending on sponsorship from individuals, local or state governments. The case of *Al-Mustati^cu bi ghayrihi* could not be likened to government sponsorship as those in the realm of affairs of governance could not be put in the shoe of *ghayrihi-l-Mustati^c*. Similarly, the source from which sponsorship is taken is not individual property; rather the property of all Nigerian regardless of their faith and status. Those in charge of governance are only entrusted with the management and administration of human and capital resources. What is expected of them is to provide adequate empowerments so that individual Muslim can shoulder the responsibility of pilgrimage. They can only sponsor those who will represent the government in discharging certain duties to her citizens such as medical and general welfares.

While this paper affirms that the Nigerian government is duty bound to protect her citizens in and outside the country, the involvement of the government in *hajj* should be limited to the provision of a medical team to cater for peculiar health problems of the pilgrims, as well as the sponsorship of Muslim clerics, with very sound knowledge of Arabic language, who will serve as designated welfare officers. Furthermore, any government that wishes to bring succor to the lives of her citizens could as well share the huge resources being used for such annual spree in providing job opportunities to reduce mass unemployment. A government that can afford to spend close to a million Naira on an individual under the cover of pilgrimage sponsorship could as well distribute the amount among four citizens to engage in small scale business, which will enable them to take care of their pressing family needs such as moderate shelter and provision of sound and qualitative education to their wards. Instead of the annual wasteful spending on few individuals, a lot of citizens would be saved from malnutrition and aimless swimming in ignorance and poverty.

Notes and References

1. Muhammad Ibn Isma'īl al-Bukhari, *Sahihul-Bukhari*, Lebanon, Darul-fikr, Vol.2, 1994 pp.347-348
2. Abdul-Rahman Al-Jaziri, *Kitab al-fiqh 'alal Madhahibil-Arba'*, Beirut, Darul- Kitāb al-Umiyyah, vol.1, 1988, p 633.
3. A.M. Ahmad and A.M. Abdullah, *Mansaku al-Imam-Ash-Shinqiti*, Riyadh, Daru-Watan, 1996, p.89
4. Salih 'Abdu Sami' Al-Abi Al-Azhari, *Jawahir al-Iklil*, Beirut, Daru-l-fikr, vol.1, n.d, pp. 161-162.
5. Al-Jaziri, Vol.1, p.634
6. M.M. Al-Ghazali, *Al-Wajiz fi Fiqh Madh-habi-l-Imami-sh-Shafi'*, Beirut, Dar-al-Ma'rifah, n.d., p.109
7. *Ibid*
8. Ahmad bn Muhammad Ibn Quddamah, *Al-Mughni*, Riyadh, Dar Al-'Alami Al- Kutub, Vol.5, 1999, p.8
9. Al-Jaziri, Vol.1, p.634
10. A.A Ashazali *Al-Muqadimatul Al-'Izziyyah*, Cairo, Dar-al-Kutubul Al- 'Arabiyyah, 2004, p. 126.
11. Al-Azhari, vol.1, pp. 161-162
12. Al-Bukhari, Vol.2, p.348
13. A.M Ahmad and A.M Abdullah, p.95
14. Muhammad bn Salih Al-'Uthaymn, *Fatawa Arkanul Islam*, Riyadh, Daru Athurayah, 1424 A.H, p.501.
15. Al-Bukhari, Vol.3, pp.46-47
16. M. A Bidmos, *Religious Harmony in a Multi-faith Society: An Islamic Perspective*, Public Lecture of the Department of Religions, University of Ilorin, 2012, pp.14-15
17. C.D. Nguivugher, *Nigerian Religious Pilgrimages: Piety or Economic Waste?*, Retrieved from www.nigeriapilgrimage.com on 24th June 2012, 2:30pm
18. K.S. Hanga, *The Hajj Exercise in Nigeria: Challenges, Constraints and Drawback*, (n.d) (n.p), p.3
19. *Ibid*, p.5.
20. K.K. Oloso "Hajj and its Operations in Nigeria, 1954-1980" Ph.D Thesis, University of Ibadan, 1984, p. 165; See also The Western Region Gazette, No. A00 of May 27, 1958 and No. 58, Vol. 8, December 17, 1959.
21. J. H. Boer, *Christian: Why this Muslim Violence?*, Ontario: Essence Publishing, Vol. 3, 2004, pp.124-129.

22. Nguivugher, p.9.
23. *The Herald*, Monday, August 20, 2012.
24. *The Nation*, Vol. 7, NO 2216, 13-08-2012, p.3.
25. *National Mirror*, 29/08/2011.
26. *The Herald*, Friday, May 24, 2013.
27. *Saturday Punch*, May 12, 2012, p. 8.
28. Boer, p.128
29. Nguivugher, pp.2-3.
30. Christian Pilgrims Welfare Board, Plateau State, *A Manual on Christian Pilgrimage*, 1999, p.3
31. Y.A. Quadri, "All In The Name Of God" Being the text of the 133rd Inaugural Lecture of the University of Ilorin, The Library and Publication Committee, University of Ilorin, 2013, pp.22-23.
32. Ibraheem Suleiman, *The Islamic State And The Challenge of History – Ideals, Policies and Operation of The Sokoto Caliphate*, London, Mansell publishing, 1987, pp.72-73
33. *Ibid.*
34. *Ibid.*
35. *Nigerian Tribune*, Friday 18, Nov, 2011.
36. Adam Abdullahi Al-Ilory, *Ad-Dinu An-Nasiha*, Lagos, Maktabah Dar An-Nur, Mushin, 2007, p.42.
37. Abu-Bakr Imam Ali-Agan, "Conflicts Between Religion and Culture in an African Society: A Critical Analysis of Ibrahim Tahir's *The Last Imam*" *Akungba Journal of Linguistics and Literatures*, Department of Linguistics and Languages, Adekunle Ajasin University, Akungba Akoko, Nigeria, vol.1, 2010, pp.71-84
38. *Ibid*