

## ISLAMIC LAW MEASURES FOR GOOD GOVERNANCE AND JUSTICE: LESSONS FOR NIGERIA AGAINST DICTATORSHIP<sup>1</sup>

### Abstract

*In its bid to preserve justice for both the leader and the led and ensure harmonious public relationship between both of them, Islamic law puts in place some measures against dictatorship. This paper seeks to examine these measures. Since Islamic law is a significant part of the Nigerian legal corpus, lessons are expected to be drawn by Nigeria from Islamic law on those measures in guarding against dictatorship tendency in the country. Particularly, such measures in Islamic law which Nigeria can look into include lack of immunity for leaders; worldly accountability (Mas-uliyyah); high duty of citizen welfare safeguards on the leader, to mention a few. Very significantly, there are many other unique governance standards set by Islamic law in achieving the check, such as Taqwaa (Fear of the Supreme Being); 'Iqaab wa Ihsaab (Hereafter Accountability); and conditionality of obedience to the leader upon obedience to the Supreme Being. This study explains the benefits for Nigeria in embracing these checks in its bid to have good governance devoid of dictatorial approach at all times. The study adopts the doctrinal legal research methodology with legal content analysis of relevant legal materials and legislations.*

**Key words:** *Islamic law, Measures, Good Governance, Justice, Nigeria, Lessons, Dictatorship*

### 1. Introduction

Nigeria gained her independence from British colonial tutelage on the 1<sup>st</sup> October, 1960. Following the independence, for more than three decades Nigeria witnessed seven Military coups and countercoups.<sup>2</sup> These periods in the history of the country could almost be characterized as times of emergency rule and dictatorship since due process and the rule of law were ignored. It is important, however, to bear in mind that it is not the military rules that are dictatorial in nature in Nigeria but democratic regimes also have some elements of dictatorial tendencies which have debilitating consequences on the socio-political developments of the country. Thus, this paper seeks to examine some of the measures put in place by Islamic law to rid society of dictatorship tendencies. Being an integral part of the Nigerian body of law, lessons are expected to be drawn by Nigeria from Islamic law on those measures in guarding against dictatorial tendencies in the country.

### 2. Connotation and Classification of Dictatorship

The word 'democracy' derives from the Greek word *demokratia*, which means 'rule of the people'. But in modern times, the term 'democracy' is being defined in a number of ways one of which is that it is an 'institutional arrangement for arriving at political decision in which individuals acquire the power to decide by means of a competitive struggle for the people's vote'.<sup>3</sup> The term 'dictatorship' is also from Latin word *dictatura*, which means dictation. As a form of political power, 'dictatorship was born in the Roman republic and it represented a specific form of government in the time of danger for the state, either from the outside invasion or because of inner ferments, differing from the regular *magistratura*'.<sup>4</sup>

<sup>1</sup>By **Abdullahi Saliu ISHOLA, PhD Candidate**, Ahmad Ibrahim Kulliyah of Laws, International Islamic University Malaysia; Lecturer, Department of Law, College of Humanities, Management & Social Sciences, Kwara State University (KWASU), Malete – Nigeria, Email: [abdullahi.ishola@kwasu.edu.ng](mailto:abdullahi.ishola@kwasu.edu.ng) or [asishola1@gmail.com](mailto:asishola1@gmail.com); Mobile: (+234)08059792271 OR 07038998357 or +60189135975 (Malaysia), and **Isa Olawale SOLAHUDEEN**, Lecturer, Department of Islamic Law, College of Law, Al-Hikmah University, Ilorin – Nigeria; Email: [solahudeen1978@gmail.com](mailto:solahudeen1978@gmail.com) or [iosolahudeen@alhikmah.edu.ng](mailto:iosolahudeen@alhikmah.edu.ng) Mobile: (+234)08062141524.

<sup>2</sup> These periods are seven namely 1966, 1975, 1976 (two coups occurred in this year alone), 1983, 1985, 1993, as well as other failed attempt coups. See E Alaga and R Akum, 'Civil-Military Relations and Democratic Consolidation in Nigeria: Issues and Challenges' p.215 <[www.ccd21.org/military-handbook/volume-two/11-nigeria.pdf](http://www.ccd21.org/military-handbook/volume-two/11-nigeria.pdf)> accessed on 3 July 2014.

<sup>3</sup> M Antic, 'Democracy Versus Dictatorship: The Influence of Political Regime on GDP per Capita Growth' (EKONOMSKI PREGED, 55(9-10)777-803(2004) 777 <<http://hrcak.srce.hr/file/24744>> accessed on 3 July 2015.

<sup>4</sup> J Kristovic, 'Democracy and Dictatorship in Contemporary Public Discourse' (FACTA UNIVERSITATIS, Series: *Philosophy, Sociology, Psychology and History*, vol. 10, No. 1, 2011)68 <<http://facta.junis.ni.ac.re/pas2011-07.pdf>> accessed on 3 July 2014.

Initially, the term dictatorship did not have negative connotation<sup>5</sup> until after World War II<sup>6</sup>. Later on, it became synonymous for an illegitimate government.<sup>7</sup> Machiavelli and Rousseau are of the view that ‘dictatorship is justified under extraordinary circumstances and that ‘a system that has negative connotation is tyranny--unlimited personal ruling’.<sup>8</sup> Providing a view on what dictatorship is all about, Liden expresses the opinion that dictatorships ‘are methods other than competitive elections used for distributing political power, and in such societies are individuals’ political and civil rights frequently violated’.<sup>9</sup>

Dictatorship is classified into personal, monarchical, military, and electoral types. Personal dictatorship exists where ‘the power and distribution of power is in the hands of a certain individual’.<sup>10</sup> This category is further classified into Sultanism<sup>11</sup>, Caudillismo<sup>12</sup>, and Caciquismo.<sup>13</sup> Monarchical dictatorship is in place if ‘the succession of political power is inherited inside the royal family.’ This is also subdivided into traditional monarchies and presidential monarchies.<sup>14</sup> Military dictatorship occurs where ‘the influence on policy is carried out by a group of officers where the military hierarchy is respected’. This is again subdivided into indirect-limited, indirect-complete, dual, direct, and direct quasi-civilianized.<sup>15</sup> Electoral dictatorship ‘allows some sorts of normally manipulated elections, but the effects of these are disputed. This is often described as a method for regimes to legitimize their government, but can also imply a step towards democratization’. This category is further divided into no-party regime, one-party regime, and limited multiparty regime.<sup>16</sup>

### 3. Nigerian Experiences of Military Dictatorship

During the military regimes, Nigeria experienced many dictatorial tendencies as human rights were severely violated.<sup>17</sup> In these periods, torture was institutionalized as methods of intimidation by government agencies, mainly the police and members of armed forces.<sup>18</sup> For example, some political opponents were reported to have been tortured by military officers. Also, many torture centers were operated and maintained with a view to dealing with the oppositions of the government.<sup>19</sup> Since May 1999, torture continues to be rampant among the Nigeria police and other security services. The police conceded that they use torture in the course of criminal investigations as a method to either obtain confessions and information or to punish the suspects.<sup>20</sup> Further, in this period of dictatorship, Nigeria recorded some repressions, imprisonments, and gross violations of human rights of some democracy advocates like Gani Fawehinmi, Beko Ransome-Kuti, and others.<sup>21</sup>

<sup>5</sup> M Antic (n 3) 777. see also J Kristovic (n 4) 68.

<sup>6</sup> J Kristovic (n 4) 70.

<sup>7</sup> M Antic (n 3) 777.

<sup>8</sup> Ibid. See also CP. Gillette, ‘Dictatorship for Democracy: Takeovers of Financially failed Cities’ (Columbia Law Review, vol. 114) 1375 <<http://columbialawreview.org/wp-content/uploads/2014/10/Gillette-C.P..pdf>> accessed 3 July 2014.

<sup>9</sup> G Liden, Theories of Dictatorships: Reviewing the Literature, p. 3. <<http://publications.tlu.ee/index.php/stss/article/viewFile/173/136>> accessed on 29 March 2014.

<sup>10</sup> Ibid.

<sup>11</sup> This is often ‘a brutal and rare form of ruling where neither rules nor ideology restrain the power in the hands of the dictator’. See *ibid* p. 5.

<sup>12</sup> This is ‘the form of personal rule where the ruling elite have its background in the military’. See *ibid*.

<sup>13</sup> This ‘does not have any military connection but is instead based on a traditional hierarchy where local leaders interlock with each other to create the ruling elite’. See *ibid*

<sup>14</sup> *Ibid* p. 4.

<sup>15</sup> For definitions of all these sub-divisions, see *ibid* p. 5.

<sup>16</sup> For explanations on all these, see *ibid* p. 6.

<sup>17</sup> E Alaga and R Akum (n 2) p. 217.

<sup>18</sup> REDRESS, Reparation for Torture: Nigeria, p. 3 <<http://www.redress.org/downloads/country-reports/Nigeria.pdf>> accessed on 29 March 2014.

<sup>19</sup> *ibid*

<sup>20</sup> *Ibid* pp 3-4.

<sup>21</sup> E Alaga and R Akum (n 2) 217.

#### 4. Islamic Law Measures against Dictatorship

Islamic law, as a way of life, arguably always provides a better solution to any problem encountered by human kinds in their mundane affairs.<sup>22</sup> In a bid to foster justice and dispel all sorts of rancor and acrimonious relationships between the leader and the led, Islamic law puts in place some measures against dictatorship. These measures include the following:

**Absence of Immunity:** The word immunity is defined as ‘any exemption from a duty, liability, or service of process, especially, such as exemption granted to a public official or governmental unit’.<sup>23</sup> The absence of immunity is the measure put in place by Islamic law to guide against dictatorial tendencies of either executive or judicial arm of government. One of the instances showing that executive lacks immunity in Islamic law is the report of Ibn ‘As: One day Abubakr invited Muslims to come and have their shares in the camels brought as a charity to the community. He instructed them to come in only when they are called to do so. In defiance of the order of Abubakr, a man came in with a rope in his hand and he found Abubakr and ‘Umar in the yard. Angrily, Abubakr beat the man with the rope he brought to collect his share from the camels for his violation of the order. When the exercise lasted Abubakr returned the rope to the man and asked him to come and flog him in return. Meanwhile, ‘Umar cautioned Abubakr in laying down such precedent. But Abubakr, who was the then serving Chaliph, retorted by saying: “Who will save me from Allah’s wrath on the day of resurrection if I do not allow him to retaliate?”<sup>24</sup>

**Accountability in the Hereafter:** Islamic law lays down injunction that one will be held accountable in the Day of Judgment for whatever he does, whether good or bad, here in this world. Allah says:

whoever works evil, will have the recompense thereof, and he will not find any protector or helper besides Allah...And whoever does righteous good deeds, male or female, and is a (true) believer [in the Oneness of Allah (Muslim)], such will enter Paradise and not the least injustice, even to the size of a speck on the back of a date-stone, will be done to them.<sup>25</sup>

Elsewhere Allah says:

On the day when every person will be confronted with all the good he has done, and all the evil he has done, he will wish that there were a great distance between him and his evil. And Allah warns you against Himself (His punishment) and Allah is full of kindness to (His) slaves.<sup>26</sup>

In essence, belief in accountability of all human beings in the Hereafter is a viable shield against dictatorship tendency.

**Conditionality of Obedience to the Leader:** In Islamic law, all Muslims are commanded to be obedient to their leaders who are in positions of authority. On this, Allah lays down injunction: ‘O you who believe! Obey Allah and obey the Messenger (Muhammad) and those of you (Muslims) who are in authority...’<sup>27</sup> Moreover, there are various Prophetic traditions which lead credence to this point but one will be mentioned here. Anas bin Malik (may Allah be pleased with him) that the Allah’s Messenger (SAW)<sup>28</sup> in a *hadith* narrated, inter alia, thus ‘You should listen to and obey your Imam (Muslim ruler)

---

<sup>22</sup> On this, Qur’an 6:38 says “...We have neglected nothing in the Book. (i.e, the Qur’an).”

<sup>23</sup> BA Garner, *Black’s Law Dictionary*, 9<sup>th</sup> edn, p. 817.

<sup>24</sup> Cited in Annual Law Seminar with the theme: The Immunity Clause and the Nigeria Society, delivered by Hon. Justice of Sharia’h Court of Appeal, Kwara State(retired) and Prof. Funsho Adaramola, organized by Law Students Society, Faculty of Law, University of Ilorin, p.9

<sup>25</sup> Qur’an 4:123-24.

<sup>26</sup> Qur’an 3:30.

<sup>27</sup> Qur’an 4:59

<sup>28</sup> This acronym ‘SAW’ is fully expressed in Arabic as Sallahu ‘alayhi wa sallam and it is pronounced to beseech peace and benediction of Allah upon the soul of Prophet Muhammad. It can be simply translated as ‘peace be upon him (p.b.u.h)’.

even if he was an Ethiopian (black) slave whose head looks like a raisin'.<sup>29</sup> However, in Islamic law, obedience to the leader is not left unrestrained as one shall not enjoy the obedience of his followers when his order is in contravention of the order of Allah. In this regard, the Prophet of Allah (SAW), in *hadith* narrated by 'Abdullahi (may Allah be pleased with him), said: 'A Muslim has to listen to and obey (the order of his Muslim ruler) whether he likes it or not, as long as his orders involve not one in disobedience (to Allah), but if an act of disobedience (to Allah) is imposed, one should not listen to it or obey it'.<sup>30</sup> In arguing this point further and by way of demonstration, it is apposite to mention here a *hadith* narrated by 'Ali (may Allah be pleased with him) that:

The Prophet (SAW) sent an army unit (for some campaign) and appointed a man from the *Ansar* as its commander and ordered them (the soldiers) to obey him. (During the campaign), he became angry with them and said, "Didn't the Prophet (SAW) order you to obey me?" They said, "Yes" He said "I order you to collect wood and make a fire and then throw yourselves into it." So they collected wood and made a fire, but when they were about to throw themselves into it they started looking at each other, and some of them said, "We followed the Prophet (SAW) to escape from the (Hell) Fire. (How) should we enter it now?" So while they were in that state, the fire extinguished and their commander's anger abated. The event was mentioned to the Prophet (SAW) and he said, "If they had entered it (the fire) they would never have come out of it, for obedience is required only in what is *Al-Ma'ruf* (Islamic Monotheism and all that Islam has ordained and all that is good)."<sup>31</sup>

It is deducible from this *hadith* that the measure put in place by the Islamic law, namely, that obedience to one's leader is restricted to the order not in contravention of Allah's order, guides against dictatorship.

**Fear of Allah:** Observing fear of Allah's punishment is capable of making one shun all dictatorial tendencies. This is because Allah's punishment is painful. Allah says 'And that My Torment is indeed the most painful torment'<sup>32</sup>. An example of effectiveness of this measure against dictatorship is demonstrated in an event related by the Prophet (SAW): 'While three men were walking, it started raining and they took shelter (refuge) in a cave in a mountain. A big rock rolled down from the mountain and closed the mouth of the cave. They said to each other, 'Think of good deeds which you did for Allah's sake only, and invoke Allah by giving reference to those deeds so that He may remove this rock from you... The second man said, 'O Allah! I was in love with a cousin of mine like the deepest love a man may have for a woman. I wanted to outrage her chastity but she refused unless I gave her one-hundred *Dinar*. So, I struggled to collect that amount. And when I sat between her legs, she said: O Allah's slave! Be afraid of Allah and do not deflower me except rightfully (by legal marriage). So, I got up. O Allah! If I did it for Your sake only, please remove the rock.' The rock shifted a little more...'<sup>33</sup>

**Accountability of Judge:** In Islamic law, a judge will be held accountable for cases he decides if given out of dictatorship. On this, Ahmad Duraid expressed the position of other Islamic jurists thus:

If the judge knows that the witnesses made false testimony against the accused persons and based his verdict on their falsehood to pronounce them guilty of

<sup>29</sup> Sahih Bukhari, The Book of *Al-Ahkam* (Judgements), *Hadith* No 7142, Chapter on listen to and obey one's Imam (Muslim ruler) as long as his orders involve not one in disobedience (to Allah), Vol. 9, (translated by MM Khan, Darussalam, Riyadh, 1997) p. 162.

<sup>30</sup> Ibid, *Hadith* No.7144, p 163.

<sup>31</sup> Ibid, *Hadith* No. 7145

<sup>32</sup> Qur'an 15:50.

<sup>33</sup> For details on this event see Sahih Bukhari, The Book of Cultivation and Agriculture, *Hadith* No 2333, Chapter: If a person invests the money of someone else in cultivation without taking his permission and the enterprise effects profit, (to whom will the profit belong?), pp 300-301.

execution, stoning to death or amputation, the law of retribution shall take its course against him-the judge and not the witnesses.<sup>34</sup> It is important, however, to note that in the situation whereby the judge tries his best to arrive at the correct verdict but his effort proves abortive he will not be liable to retribution rather he will entitle to one reward. Allah lays down injunction ‘Our Lord! Punish us not if we forget or fall into error’.<sup>35</sup>

**High Duty of Welfarism on the Leader:** In Islamic law, the leader is duty bound to ensure the wellbeing of the Islamic *ummah* (community) by providing all their necessary needs. Observing this, the leader would be debarred from all dictatorial approaches capable of undermining the wellbeing of the Islamic *ummah*.

**Conditionality of Criminal Responsibility of Citizens:** In Islamic law, the accused person may be exonerated from criminal liability if there can be any iota of doubt or tenable reason for his commission of crime, for example, hunger, lack of access to basic facilities. In this regard, the Prophet Muhammad says: ‘Avert *huduud*<sup>36</sup> punishments at the instance of doubts’<sup>37</sup>. Moreover, ‘Umar (the second orthodox Caliph) despite all his toughness was reported to have said that ‘it is preferable to me to avert *hudud* punishments at the instance of doubts than to execute them with doubts’.<sup>38</sup> Thus, this measure will preclude the leader from punishing people unjustly.

**Equality before the Law:** In Islamic law, every person, whether the leader or the led is equal before the law as there is no preferential treatment for the strong against the weak. On this position, the following Prophetic tradition is apposite:

Narrated ‘Aishat (RA): The *Quraish* people became very worried about the *Makhzumiya* lady who had committed theft. They said “nobody can spoke (in favour of the lady) to Allah’s Messenger (SAW), and nobody dares do that except Usama who is the favourite of Allah’s Messenger (SAW). When Usama spoke to Allah’s Messenger about that matter, Allah’s Messenger said ‘Do you intercede (with me) to violate one of the legal punishments of Allah? Then he got up and addressed the people, saying, ‘O people! The nations before you went astray because if a noble person committed theft, they used to exert punishment on him. By Allah, if Fatima, the daughter of Muhammad (SAW) committed theft, Muhammad will cut off her hand!’<sup>39</sup>

In essence, this measure prevents the leader from acting dictatorially.

**Wide Scope of the Rule of Law (*hukm taklif*):** The concept of *hukm taklif* shows the dynamisms of Islamic law meaning that all its legal rules do not only concentrate on demand and prohibition but instead they have a wide scope. In other words, man has wide latitude to exercise his discretion in many circumstances. The concept also demands that every case in Islamic law should be decided upon according to its peculiar circumstances. In essence, this concept guides against dictatorship of a judge who may want to adjudicate in a matter by strictly adhering to the application of *stare decisis*.

**Concessions (*rukhsah, ahkam mu’sir*):** the commands of Islamic law apply to those who are subjects of law. Also, they operate at all times and conditions. However, there are some circumstances which may make it difficult for *mukallaf* to adhere to the regular commands. Islamic law, by way of removing

---

<sup>34</sup> Cited in Annual Law Seminar (n 24) p. 2.

<sup>35</sup> Qur’an 2:286.

<sup>36</sup> The word ‘*huduud*’ is used to refer to the offences that their punishments are fixed by *Sharia*’h.

<sup>37</sup> Al-Amir, ‘*Subul al-Salam Sharh Bulugh al-Maram*’ (Beirut, Dar Ihya al-Turath al-‘Arabi, Vol. IV, 1960) p. 15.

<sup>38</sup> S Qutub, ‘*Fizilal al-Qur’an*’ (Beirut, Dar al-Shuruq, Vol. II, 1977) p. 884

<sup>39</sup> Sahih Bukhari, *The Book of Al-Huduud*, Hadith No 6788, Chapter on intercession is not recommended in the matter of legal punishment after the case has been filed with the authorities, Vol. 8, (n 29) 86.

hardship, allows the regular commands (*'azimah*) to be replaced by the special and exceptional commands (*rukhsah*). For instance, one is allowed to eat dead meat to save one's life in case one is dying of hunger. Allah says: '...But as for him who is forced by severe hunger, with no inclination to sin (such can eat these above mentioned meats), then surely, Allah is Oft-Forgiving, Most Merciful'<sup>40</sup>. It follows that the leader has no right to punish dictatorially such person for observing concession.

**Preferential Treatment being Conditional upon Taqwa:** In Islamic law, no one is treated as a sacred cow except one with a clean sheet. What the Prophet (SAW) demonstrated in the matter of *Makhzumiyah* lady in the *Hadith* quoted above led credence to this position.

**Effective Safeguards for Enjoyment and Enforcement of Human Rights and General Law and Order:** Islamic law institutionalized *mazalim* and *hisbah* for effective redress of injustice suffered by the subjects in the Islamic state. The institution of *mazalim* is considered as the path leading the victim of injustice to equity and justice. One of the duties of *mazalim* is to look into injustices incurred on the subjects by those who are in authority and their dictatorships in their rulings, and to see that they get justice. *Hisbah* is an institution which promotes what is proper when its neglect becomes obvious, and forbids what is improper when its commission becomes apparent among the Muslim *ummah*.

**The Concept of *Kulukum Rai'* (Accountability):** Every leader in an Islamic State will be responsible and accountable for the subject under his watch. In this respect, Abdullah bin 'Umar said that he heard the Allah's Messenger saying:

All of you are guardians and responsible for your wards and the things under your care. The Imam (i.e. ruler) is the guardian of his subjects and is responsible for them, and a man is the guardian of his family and is responsible for them. A woman is the guardian of her husband's house and is responsible for it...<sup>41</sup>

This measure is capable of guarding against dictatorship for if a leader knew that he will be held responsible and accountable he would be scrupulous in all his actions and inactions.

**Clear objectives of the Law:** Islamic law has clear purposes. For example, the primary purposes of law (*al-maqasid as-shari'yyah*) are divided into two kinds, namely, purposes of the hereafter (*dini*) and purposes pertaining to this world (*dunyawi*).<sup>42</sup> The worldly purposes (*dunyawi*) are further divided into four types: the preservation of *nafs* (life), the preservation of *nasl* (progeny), the preservation of *'aql* (intellect), and the preservation of *mal* (wealth). When all types are taken together, we have five ultimate purposes of the law, i.e. *din* (religion), life, progeny, intellect, and wealth.<sup>43</sup> These five purposes are designated as *darurat* (necessities) are the primary purposes of the law.<sup>44</sup>

## 5. Lessons for Nigeria

In the foregoing, some of the measures and their benefits put in place by Islamic law in guarding against dictatorship were examined. There are, indeed, benefits for Nigeria in its drive to have good governance devoid of dictatorial approach at all times. In embracing these checks, Nigeria has to observe the following:

**Review of Immunity Provision:** Section 308 of the 1999 Constitution of Nigeria makes provision for immunity of the President, Vice President, Governors and Deputy Governors while in office.

<sup>40</sup> Qur'an 5:3.

<sup>41</sup> Sahih Bukhari, Hadith No. 893, *The Book of Al-Jumu'ah* (Friday), p. 28.

<sup>42</sup> See AKN Imran 'Theories of Islamic Law' (Islamic Research Institute, Islamabad, Publication no. 97) p. 214.

<sup>43</sup> Ibid

<sup>44</sup> These five primary purposes of *Sharia'h* are followed by the *hajat* (needs), which are additional purposes required by the primary purposes, even though the primary purposes would not be lost without them. The third category is that of purposes that seek to establish ease and facility (*tawassu' and taysir*) in the law. See ibid

Expectedly, this provision paves way for some unscrupulous Nigerian leaders to be dictatorial by committing many atrocities such as misappropriation of public funds, money laundering, and having no regard for the rule of law, etc, which culminate into bad governance in Nigeria. Against this backdrop, in order to have good governance in Nigeria, the immunity clause must be expunged from the Constitution, especially in a country like Nigeria, where corruption has become cankerworm that has eaten deep into fabric of the nation.

**Review of Application of Judicial Precedent:** One of the characteristic features of Nigerian legal system is the concept of judicial precedent (*stare decisis*). This concept presupposes that earlier decisions should be binding authorities for subsequent cases. The court from which the decision emanates may, only in special cases, depart from it while lower courts are strictly bound by the decision even if given *per incuriam* (in error). The strict application of the doctrine breeds some elements of dictatorship in some justice dispensers (judges) in Nigeria and as such leads to miscarriage of justice, and retards the reform of obnoxious rules. In the light of this, the doctrine has to be reviewed so as to have good governance in Nigeria.

**Setting Standard Objectives of the Law:** Unlike what is obtainable in Islamic law, objectives of the law under the Nigerian Constitution are not clearly stated. Thus, for good governance in Nigeria, objectives of the law have to be standardized.

**Public Prosecution of Dictatorial and Corrupt Government Officials:** The havoc, which the past dictatorial and corrupt political office holders brought to Nigerian socio-economic development is immeasurable. That is the reason why the anti-corruption crusade embarked upon by the Nigerian President Muhammad Buhari is a welcome development as he plans to prosecute those who siphoned the public funds and recover same from them. In supporting this view, Paul Jezhi, former Kaduna Trade Union Congress, TUC Chairman said ‘...the steps taken so in fighting corruption and recovering public funds from public servants and other looters are commendable’.<sup>45</sup>

**Reform of the Nigeria Policing System:** In having success in the prosecution of the dictatorial and corrupt government officials there is a need to reform the Nigeria policing system by appointing those who have integrity and probity into, for example, the Police, Independent Corrupt Practices and other Related Offences Commission, Economic and Financial Crimes Commission, etc.

## 6. Conclusion

Some of the measures put in place by Islamic law in guarding against dictatorship have been looked into. It is clear from our discussions that these measures, if strictly observed, are capable of keeping one away from dictatorial tendency. Consequently, in them, there is a lesson for Nigeria so as to have good governance and dispel all sorts of dictatorship and unfriendly relationships between the leader and the led.

---

<sup>45</sup> F Adu, 'The News, 'Support Buhari's Anti-Corruption Crusade' < [www.thenewsnigeria.com.ng/2015/09/support-buharis-anti-corruption-crusade-ex-tuc-chairman-says/.htm](http://www.thenewsnigeria.com.ng/2015/09/support-buharis-anti-corruption-crusade-ex-tuc-chairman-says/.htm)> accessed on 16 September 2014