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Allegiance to Non-Islamic Government, The Question of Infidelity, and The Boko Haram Insurgency in Nigeria: An Analysis

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Allegiance to Non-Islamic Government, The Question of Infidelity, and The Boko Haram Insurgency in Nigeria: An Analysis

Abstract

Experts have made efforts to trace the root and ideological source of Boko Haram insurgency in Nigeria. Some have related it to the socio-economic problems and poverty in Northeast of Nigeria, while others viewed it as a Muslim political conspiracy to bring down a particular government, this led to negligence from the side of a particular regime which dismissed the problem as an ethno-religious political tool used by oppositions to wrestle power from it and this led to escalation of the crisis. However, many scholars have come to agree that the ideology is basically a *takfirî thought* which considers Muslims with opposing views as infidels, especially those who accept a non-Islamic system of governance like that of Nigeria. This line of thought therefore, legalises unprovoked violence. This paper examines the veracity of the Boko Haram thought, establishes its ideological sources, and proffers solutions to the phenomenon. The methodologies followed are a combination of hermeneutical and historical approaches.

Keywords

Kalām, Jihadist- Salafism, Takfir, Loyalty and Disavowal, Secularism, Boko Haram, Nigeria

Nijerya'daki İslami Olmayan Hükümete Bağlılık, Kâfirlik Sorusu ve Boko Haram İsyanı'nın Analizi

Öz

Uzmanlar, Nijerya'daki Boko Haram isyanının kökenini ve ideolojik kaynağını bulmak için çaba sarf ettiler. Bazıları bunu Nijerya'nın kuzeydoğusundaki sosyo-ekonomik sorunlar ve yoksullukla ilişkilendirirken, bazıları da bunu belirli bir hükümeti devirmeye yönelik Müslüman siyasi bir komplo olarak gördü. Seküler rejim, Boko Haram sorununun sosyo-ekonomik bir sorun değil de muhalefetin rejimi devirmek için kullandığı bir kılıf olduğunu iddia etti. Bu da krizin daha da büyümesine sebep oldu. Bununla birlikte, birçok bilim insanı ideolojinin temelde zıt görüşlere sahip Müslümanları özellikle Nijerya'daki gibi İslami olmayan bir yönetim sistemini kabul edenleri kâfir olarak gören bir tekfir düşüncesi olduğu konusunda hemfikir oldular. Dolayısıyla bu düşünce biçimi, sebepsiz şiddeti yasallaştırıyordu. Bu makale, Boko Haram düşüncesinin doğruluğunu incelemekte, ideolojik kaynaklarını kurmakta ve fenomene çözümler önermektedir. İzlenen metodolojiler yorumsal ve tarihsel yaklaşımların bir kombinasyonudur.

Anahtar Kelimeler

Kelam, Cihat Yanlısı Selefilik, Tekfir, Sadakat ve İnkâr, Sekülerizm, Boko Haram, Nijerya

Introduction

Every Boko Haram is an outgrowth of Salafî-Sunni movement in Northern Nigeria. Its pioneers maintained ties with the Salafi scholars until they began to manifest a *jihādî* political tendency. Boko Haram has

continuously struggled to affirm its Salafī identity, despite its denunciation by the mainstream Salafīs. Thurston mentions Quintan Wiktorowicz's classification of Salafīs into three main categories, namely; one, the quietists who refrain from politics. Two, those with political tendency and activism (the *politicos*), who use non-violent means to raise objections concerning political issues and against the political authority. Third, the Jihādīst – Salafism or *al-Salafiyyah – al-Jihādiyya*. Thurston accurately describes this category as 'Jihādīs' "who declare contemporary Muslim rulers apostates and seek to impose the salafī creed and a salafī social order through violence".¹ This definition gives a precise description of the Boko Haram and what it aims at achieving as well as the cardinal object of this paper which is the discourse on loyalty to un-Islamic political authority and how it affects faith and legitimizes violence. Thurston however, mentions the challenge of this classification by more recent modern scholarship, on the premise that many "quietist", cannot be distinguished from the "politicos", therefore, this classifications may not stand. Henri Lauziere mentions two well-known categories among many subcategories, they are the quietist scholarly (*al-Salafiyyah al-'ilmiyya*) and the jihadist –salafism, though these labels were given to salafīs by outsiders, the salafīs often reject these classifications which they see as belittling the whole essence of salafism, which cannot be of typologies, because it is the single path of the Muslim pious predecessors transmitted down to this generation. Therefore, there can only be one salafism, *al-Salafiyyah al-naqiyyah* (pure salafism) or *al-Salafiyyah al-ṣaḥīḥah* (true salafism).²

This discussion brings us to what differentiates *al-Salafiyyah al-jihādiyya* from the scholarly salafism. Experts are of the view that identification of difference through politics and disposure to violence does not accurately inform about salafism.³ That is why it is argued that the boundaries between these forms of salafism is blurred, as many quietists get into politics, and the jihadists claim affinity to quietist salafī scholars and cite them as authorities in terms of creed and methodology.⁴ The most renowned salafī scholars of the late 20th century, Shaykhs Ibn Bā'z (d.1420/1999), 'Uthaymin (d.2001) and al-Albānī (d. 1420/1999) have out rightly condemned the jihadist as non-salafīs. Even the most outstanding figure of salafism in Northern Nigeria, Dr. Muhammad Sani Umar Rijiyar Lemo, has pronounced the jihadists and the Boko Haram as non-salafīs.⁵ Most salafī writers ascribe the Boko Haram ideology to the Khārijite thought as well.

It is worthy of note that scholars looked beyond the *jihādī* radical ideology as the genesis of the Boko Haram insurrection. Social, political and economic factors are also considered by scholars. This paper argues that the religious ideology is the primary cause of the crisis and other factors fueled and sustained it. Conspiracy theories have also been propounded about the rise of Boko Haram,⁶ and this has affected crushing

¹ Alexander Thurston, *Salafism in Nigeria: Islam, Preaching and Politics* (New York: Cambridge University Press, 2016), 10.

² Henri Lauzière, *The Making of Salafism* (New York: Columbia University Press, 2016), 9.

³ Lauzière, *The Making*, 9.

⁴ Thurston, *Salafism*, 10- 11.

⁵ Thurston, *Salafism*, 15-16.

⁶ Cf. Andrea Brigaglia, "The Volatility of Salafi Political Theology, the War on Terror and the Genesis of Boko Haram", *Diritto e Questioni Pubbliche* 15/2 (2015), 177-179.

the insurgency at its early stage. The government of Goodluck Jonathan thought it was sponsored by northern politicians to derail his government, this was also the thinking of many southern Christians.⁷ Northern Muslims also saw the Boko Haram phenomenon as a Christian conspiracy to destroy the Muslim north.⁸

The concern of this paper is to trace the root-source of the Boko Haram *takfiri* ideology, scrutinize its legitimization of violence, examine the validity of its ascription of unbelief to Muslims who maintain allegiance to the Nigerian democratic state and to probe the conformity of the Boko Haram thought with the general thoughts of the Muslims.

Takfir is ascription of unbelief to a Muslim by another Muslim, thereby declaring such person as apostate (*murtad*) on the basis of actions, utterances or inactions. The concept forms the basis for the legitimization of violent aggression against Muslims by jihādī groups such as the Boko Haram. The first prominent group to declare Muslims as disbelievers in the history of Islam are the Khawārij (those who seceded), a group which revolted against ‘Ālī b. Abī Ṭālib at Siffin in 37/657. According to Shahrastānī (d. 548/1158), the Kharijites pronounced *takfir* on a grave sinner and counted revolt against a leader who goes against ‘tradition’ (*sunnah*) as an obligatory religious duty.⁹ This is also the characteristic of modern groups that promote takfirism. Another related term to this discussion is apostasy (*al-Riddah*), since *takfir* means declaring a Muslim as an apostate either in the general or specific sense. *Al-Riddah* is an act of renouncing Islam out of will by a sane and responsible Muslim through the use of clear language or its similitude and through actions that signify that, the judgment of *riddah* under the sharia is capital punishment.¹⁰ The jihādī groups like Boko Haram therefore, see Muslims they pronounced as disbelievers or reneges as antipathetic that should be killed at sight.

Theoretical framework: doctrine of allegiance to state in Islam and Boko Haram conception of *al-walā’ wa -l-barā’*

Many Muslim groups hold that Islam has a political system, even as some minority deny the existence of such system. These groups reject the Islamic system of governance on the premise that verses such as al-Mā’ida 5/44-46; were directed to Jews and Christians, and that al-Mā’ida 5/49 in which the Prophet was commanded to judge in accordance with what Allah has revealed (*waḥy*), was a commandment concerning the People of the Book (*ahl al-kitāb*) and not intended for Muslims. Some further argue that if it is accepted that Muslims are included in the commandments contained in the verses, the verses do not command the establishment of a political system, they are just instructing about administration of justice. Others interpret them as commandments to follow the theological injunctions and moral teachings that are contained in the Qur’ān.

⁷ Thurston, *Salafism*, 204.

⁸ Cf. International Crisis Group (ICG), *Curbing Violence in Nigeria (II): The Boko Haram Insurgency* (Brussels: International Crisis Group, 3 April 2014), Africa Report, no 216/ 13 (access date 24 October, 2019).

⁹ Muḥammad bin ‘Abd al-Karīm al-Shahrastānī, *al-Milal wa al-nihal* (Al-Manṣūrah: Maktabatul-Īmān, 2005), 1/98

¹⁰ ‘Abd al-Majīd b. Salīm b. ‘Abdillah al-Mash‘abī, *Manhaj Ibn Taymiyyah fī mas’alat al-takfir* (Riyadh: Aḍwā’ al-Salaf, 1997), 1/25

The aforementioned conceptions about the position of state in Islam were discussed by Yusuf al-Qaraḍāwī in his work *Min fiqh al-dawlah fi al-Islām*.¹¹ He cited ample of Qur'ānic passages that are instructing on ruling with the sharia which include, al-Nisā' 4/60-65; al-Nūr 24/47-51 and al-Aḥzāb 33/36; he maintains that these verses of the Qur'ān are unambiguous about instructing the state to abide by the sharia. He also cited the commentaries of Qur'ānic exegetes on the verses of Surat al-Mā'ida 5/44-7, *āyāt al-ḥukm*, that the injunctions include the Muslims and that obedience to the commandments is compulsory upon everybody. Qaraḍāwī had extensively discussed al-Nisā' 4/58-9 earlier in the book concerning the position of Islam on the establishment of an Islamic state, it is on the basis of these verses that Ibn Taymiyya (d 728/1328) wrote his book *al-Siyāsah al-shar'iyyah fi iṣlāḥi ar-rā'i wa al-ra'iyya*. Ample of prophetic traditions were also mentioned to buttress this argument, these include the saying of the Prophet narrated by Muslim, that “whosoever dies without having an allegiance to (a political authority), dies a death of ignorance”.¹²

The doctrine of allegiance to the state in Islam

In an Islamic state, the Caliph or head of state applies executive powers in enforcement of the Sharia and to work for the general good and the interest of the public. The citizenry, on the other hand, are requested to obey the authority through acceptance of *Bay'ah* which means pledge of allegiance to obey and be faithful.¹³ There are ample of scriptural ordinances instructing on obedience to the constituted authority. As it has been alluded to earlier, the responsibilities of the rulers and the ruled under the Sharia are specified in Sūrat al-Nisā' 4/58-59. The first verse mentions the responsibility of the rulers, in terms of fulfilling the obligation of rendering back the trust given to them and to exercise justice in judicial matters. The second verse, al-Mā'ida 5/2, mentions obedience to the constituted authority, excepts if the people in authority command the citizens to go against the Sharia. Abū Dāwūd reported the Prophet saying: “listening and obedience (to the authority) is compulsory upon a Muslim concerning what he wants and detests, as far as he is not being commanded to indulge in sin. When he is commended to sin, then there is no listening and obedience in this regards”.¹⁴ In another tradition that mentions maintaining allegiance with the constituted authority, the Prophet (ṣbuh) says: “whosoever sees in his ruler something and detested it, should exercise patience, for there is no one that will break away an inch from the *jamā'ah* (congregation of the Muslim) and would die, except that he dies the death of the pre-Islamic period of ignorance”.¹⁵ Obedience to the authority is so crucial in Islam that the Prophet equated it with obedience to God, and rebellion against the leader as rebellion against God.¹⁶

In the salafi and jihadist- salafi worldviews, and in accordance with the doctrine of *al-walā' wa -l-barā'* loyalty and allegiance should only be to Islam and not to any other system. Thus, *barā'*(disloyalty) should be declared against all non-Islamic systems and influences. There are however, different positions on this point

¹¹ (Cairo: Dār ash- Shurūq, 6. edition, nd), 101-114.

¹² Muslim b. Ḥajjāj al-Naisābūrī, *Ṣaḥīḥ Muslim* (Saudi Arabia: Dar al-Mugnī, 1419/ 1998), “al-Imārah”, 1851.

¹³ See 'Abd al-Raḥmān Ibn Kaldūn, *Muqaddimah tāriḫ Ibn Khaldūn* (Beirut: Dār al-Fikr, Second Edition, 1988), 1/261.

¹⁴ Abū Dāwūd Sulaymān b. al-Ash'ath al-Azdī al-Sijistāni, *Kitāb al-sunan*. Ed. Muhammad 'Awāmah, (Beirut: Mu'assasatu ar-Rayyān, 2nd edition, 2004), “Jihād”, 87 (no. 2619).

¹⁵ al- Bukhārī, “al-Fitan”, 2 (no. 7054).

¹⁶ Cf. Muslim, “al-Imārah”, 1835; al- Bukhārī, “al-Aḥkām”, 1 (no. 7137).

among the jihadists and the salafis. To the jihadists, rebellion and violent takeover should be the characteristic of true Muslims' relations with un-Islamic state.¹⁷ Proponents of this view saw Muslim rulers who rule with secular laws as disbelievers, and the people loyal to them are seen as misplacing their loyalty.

Abū Suhayb 'Abd al-'Azīz b. Suhayb al-Mālikī (Bilāl b. Sa'dullah Khaz'al), the imprisoned Australian based Lebanese promoter of jihadism, compiled the sayings of over 200 hundred Muslim scholars, including jihadists, to argue for the apostasy of Muslims who adopt secular system, and that it becomes compulsory to rebel against them and overthrow their governments. He justifies that by quoting al-Bukhārī's hadith of 'Ubbada b. Ṣāmit (d. 34/655) who narrated the Prophet's request for an oath of allegiance from the companions seeking them to obey him in all situations and to always obey the leader even if such leader is not fulfilling his obligations and not to fight him except when he displays clear disbelief which can be proved before Allah.¹⁸ On the basis of this argument, since the Muslim rulers have chosen secular laws, that is enough display of *kuf'r* which justifies rebellion against them. He referenced al-Nawawī (d. 676/1277) who quoted al-Qāḍī 'Iyāḍ (d. 544/1149) that leadership is not proper for a disbeliever, and when someone falls into disbelief, he loses his right to rule, even if disbelief unexpectedly descends upon him, if he changes the sharia or embraces *bid'ah* (any innovation that has no root in the religion), he loses the right to rule and to be obeyed. It also becomes compulsory for Muslims to remove such person from power.¹⁹

Other Salafis consider Muslim rulers that are ruling with secular laws as sinners, and not disbelievers, some also made obedience to them obligatory, since their being in power is seen as a proof of legitimacy, therefore, the man-made laws they give must be complied with.²⁰ The official scholars of Saudi Arabia like the late Muftī Ibn Bāz believed that it is prohibited to rule with secular laws, and that it can lead to disbelief when the ruler considers secular laws equivalent to the sharia, or better than it or declares such act as permissible. However, he disapproved rebellion against the authority by some individuals or groups for the fact that it will lead to tribulation, hurting of innocent citizens and it will not bring any good.²¹ Other establishment scholars who gave verdicts of excommunicating rulers who ruled with secular laws are Muhammad b. 'Uthaymīn, Ṣāliḥ al-Fawzān (b.1351/1933) and Abū Bakr Jābir al-Jazāirī (d.2018),²² they nonetheless, disapproved rebellion against the constituted authorities.

¹⁷ Abū Suhayb b. 'Abd al-'Azīz al-Mālikī, *Aqwāl al-a'immah wa al-du'āt fī bayān ridat man baddala al-sharī'ah*, (PDF: s.l.: s.n., 2000) (Access date 26 October, 2019)

¹⁸ al-Bukhārī, "al-Fitan", 2 (no. 7055/7056).

¹⁹ al-Mālikī, *Aqwāl al-a'immah*, 276-7. Yusuf, the founder of Boko Haram, also quoted this, to justify rebellion against the Nigerian State. See Abū Yūsuf Muhammad b. Yūsuf, *Hādhihī 'aqīdatuna wa-manhaj da'watina* (Maiduguri: Makabatu al-Ghurabā' li al-ṭab' wa al-Tawzī', n.d.), 53- 58.

²⁰ Cf. Mohamed Bin Ali. *The Islamic Doctrine of Al-Wala' wa-l- Bara' (Loyalty and Disavowal) in Modern Salafism* (Exeter: University of Exeter, Institute of Arab and Islamic Studies, PhD Thesis, 2012), 171.

²¹ Shaykh 'Abd al-'Azīz bin Bāz, "al-Tafṣīl fī al-ḥākīm idhā ḥakama bi ghayr mā anzala Llah", al-Mawqī' ar-Rasmī li Samāḥat ash-Shaykh al-Imām Ibn Bāz (access date 11 November, 2019)

²² Abū Bakr al-Jazā'irī, *'Aqīdat al-mu'min* (Saudi Arabia: Maktabat al-'Ulūm wa-l-Ḥikam, n.d.), 60

The notion of *al-walā' wa -l-barā'* and its conception in the Boko Haram political theology

The doctrine of *al-walā' wa -l-barā'* is simply translated as “loyalty and disavowal”, it is basically the notion on which Boko Haram justifies its attacks on Muslims who are loyal to the secular authority and the general citizens that do not subscribe to its ideology. Muhammad Yusuf, the founder of Boko Haram, describes the doctrine as a pillars of *tawhīd* and creed.²³ The centrality of this doctrine in the Boko Haram theology necessitates examining its origin, meaning and exclusivist nature at this juncture.

Scholars have written extensively on this doctrine, al- Qaṭṭānī²⁴ is considered the first modern salafi scholar to combine the two concepts in his writing as a phrase.²⁵ The development of the expression can be traced to the teachings of Ibn Taymiyyah. Although Ibn Taymiyyah did not expressively use the phrase *al-walā' wa -l-barā'*, his familiarity with it is clear from his writings.²⁶ In his *Iqtida' al-ṣirāṭ al-mustaqīm*, he developed the idea of a total identification of dissimilarities between Muslims and non-Muslims, and that distinctions should form the basis of their relationships.²⁷ Muḥammad Ibn ‘Abd al-Wahhāb (d.1206/1792) also developed and enhanced *al-walā' wa-l-barā'*.²⁸ He opined that Muslims should not befriend or imitate the culture and dressing of non-Muslims, and that participating in their festivities is sufficient to make a Muslim an infidels.²⁹ His followers have written works on the same concept, though not with the title of *al-walā' wa-l-barā'*. Sulayman Ibn ‘Abdullah (d. 1233/1818), the grandson of Ibn ‘Abd al-Wahhāb, wrote *al-Dalā'il fi ḥukmi muwālāt ahl al-ishrāk*³⁰ (proofs of the rule regarding the loyalty to people of polytheism), while Ḥamad b. ‘Atīq (d. 1301/1883) wrote *Sabīl al-najāt wa-l-fikāk min muwālāt al-murtaddīn wa ahl al-ishrāk*³¹ (the path of salvation and release against befriending the apostates and polytheists).³² That is why Thurston Mentions Ḥamad Ibn ‘Atīq as the scholar who developed the exclusivist notions of *al-walā' wa-l-barā'*. The difference in dimension of interpreting *al-walā' wa-l-barā'* is that Ibn Taymiyyah used it as a mechanism for one to remain pure in his faith, while Ibn ‘Atīq made it a condition for being a Muslim.³³

However, the etymology of the term *al-walā'* is given by Ash-Sharīf Ḥātim Ibn ‘Ārif al-‘Awnī as *al-walyu*, which means *closeness*, all other meanings are traced from this root. The Arabs do say “*Tabā'ada min ba'di walyin*” (he went distanced after being closed).³⁴ It is from the same root that the term *Mawlā* is derived, it

²³ Yūsuf, *Hādhihī 'aqīdatuna*, 159.

²⁴ Muhammad b. Sa'īd al-Qaṭṭānī, *al- Walā' wa -l-barā' fi al-Islām* (Cairo: al-Faṭḥ lil I'lām al- 'Arabī, 6th edition, 1417 A.H).

²⁵ Ali, *The Islamic Doctrine*, 69, Fn. 168.

²⁶ ash-Sharīf b. Ḥātim ‘Ārif al-‘Awnī, *al- Walā' wa -l-barā' bayna al-ghuluwwa-l- jafā' fi daw' al-Kitāb wa al-Sunnah* (PDF: s.l.: Maktaba al-‘Ilmiyya, nd), (Access date 1 February, 2019), 12.

²⁷ Ali, *The Islamic Doctrine*, 69; cf. Aḥmad b. ‘Abd al-Ḥalīm b. ‘Abd al-Salām Ibn Taymiyyah, *Iqtidā' al-ṣirāṭ al-mustaqīm li mukhālafati aṣḥābi-l- jaḥīm* (Riyadh: Dār Ishbiliyā, 2nd edition, 1998), 71- 73.

²⁸ Ali, *The Islamic Doctrine*, 14, Fn.28.

²⁹ Ali, *The Islamic Doctrine*, 70; Sulaymān b. ‘Abdullah b. ‘Abd al-Wahhāb, *Awṭhaq al-‘urā al-īmān wa rasāil ukhrā* (PDF: Riyadh: Dār al-Qāsim, 1422 A.H.), 44- 50.

³⁰ ‘Abd al-Wahhāb, *Awṭhaq*, 3-21.

³¹ Ḥamad b. ‘Alī b. Muḥammad b., ‘Atīq. *Sabīl al-najāt wa-l-fikāk* (PDF: Riyadh, s.n., 2nd edition, 1415 A.H.), 84.

³² Ali, *The Islamic Doctrine*, 15.

³³ Thurston, *Salafism*; 211; cf. ‘Atīq, *Sabīl al-Najāt*, 34.

³⁴ al-‘Awnī, *al-Walā'*, 9.

means a companion, master, an ally, helper or a confederate etc.³⁵ The term *walā'* also signifies *loyalty, love, guardianship* and *friendship*.³⁶ Al- Qaḥṭānī cited Qur'ānic verses on the literal meaning of *al-walā'*, these include Sūrat Muḥammad 47/11, where Allah is described as the *mawlā* of the believers. In the Qur'ān the term is used to signify friendship, and thus, the antonym of enmity in Sūrat Maryam 19/45. Many other verses were cited by Qaḥṭānī on its different meanings and in different contexts in which Allah used it.³⁷ On this basis, al-'Awnī literally defines *al-walā'* as closeness and affinity, whether it is in terms of religion, or worldly matter by exhibiting love and help and through other means that signify closeness.³⁸

The technical meaning as given by al- Qaḥṭānī is also close to the literal sense of it, *al-walā'* means guardianship, love, help, respect and being with the beloved ones inwardly and outwardly. In the Qur'ān, Sūrat al-Baqara 2/257, it is explained that Allah is the *walī* of the believers while those who reject faith have *ṭāgūt* (evil ones) as their *awliyā*.

On the other hand, *al-barā'* literally means *farness, non-conformity* and *non-agreement*.³⁹ Ali referred to *al-Qāmus al-Muḥīt*, which gives the root of *barā'* as the past tense verb of *ba-ra-a'* which means "to be free from something". Thus, it signifies cutting off relationship with a thing or person.⁴⁰ The technical usage of the term is in agreement with its literal meaning, it means *farness, shunning, severing relationship, enmity, abhorrence* and *antipathy*.

The concepts *al-walā' wa-l-barā'* when fused together as a phrase is technically defined as an inward conviction of love for God, his Prophet, Muhammad (pbuh), his religion and its followers i.e. the Muslims, while detesting false gods, disbelief, and the disbelievers, and the display of enmity towards them. This inward conviction manifest through outward activities of a believer.⁴¹

The definition of Ibn Taymiyyah as presented by Qaḥṭānī⁴² is of significance, it is in line with Sūrat al-Mumtaḥana 60/1, which instructs believers not to take Allah's enemies as friends. It is pertinent to say that the whole theory of *al-walā' wa-l-barā'* is based on these verses, al-Mā'ida 5/55 and al-Mumtaḥana 60/4. Qaḥṭānī explains that taking the enemies of God further as friends and protectors is of categories, among which can lead to apostasy, while others are considered as grave prohibited sins. Therefore, since Allah has decreed institution of *brotherliness, love, and friendship* among believers, and prohibits taking disbelievers as friends. It is thus, a principle which is agreed upon among Muslims that every monotheistic believer who abstains from actions that can lead to infidelity according to the dictates of the Sharia, should be loved, helped and supported, while whoever is in contrast with this, it becomes pertinent to seek closeness to Allah

³⁵ al-'Awnī, *al-Walā'*, 9.

³⁶ Ali, *The Islamic Doctrine*, 66.

³⁷ al-Qaḥṭānī, *al-Walā'*, 87- 90.

³⁸ al-'Awnī, *al-Walā'*, 10.

³⁹ al-Qaḥṭānī, *al-Walā'*, 89.

⁴⁰ Ali, *The Islamic Doctrine*, 67.

⁴¹ al-'Awnī, *al-Walā'*, 12-13.

⁴² al-Qaḥṭānī, *al-Walā'*, 90- 91.

by showing enmity against such person through verbal condemnation and use of strength in accordance with one's ability.⁴³

Therefore, the whole theory of *al-walā' wa-l-barā'* is that a believer should have conviction and act accordingly on loving and supporting God, His Messenger and the believers, as contained in Sūrat al-Mā'ida 5/55-7 which commands believers to take God, His Messenger and believers as friends and helpers while warning against taking those who mock Islam among the Christians, Jews and the polytheists as helpers and friends, by distancing oneself from them because they oppose God's commands, His Messenger and the believers, just as prophet Ibrahim used the term *bura-ā'* to register denunciation and renunciation of his people and the idols they worship, and declared hostility and hatred against them until they believe in Allah, this is contained in Sūrat al-Mumtaḥina 60/4.⁴⁴

Al-Qaḥṭānī opines that having a system other than the Islamic is counted as infidelity and apostasy.⁴⁵ Thus, indicating that the system and its upholders should be disavowed.

Boko Haram, its genesis and ascription of infidelity to the Nigerian state

Jamā'at Ahl al-Sunnah li al-da'wah wa-l-Jihād⁴⁶ is the official name of the Boko Haram group. It can be translated into English as "the group of the followers of *Sunnah* for Islamic propagation and Jihād", the name 'Boko Haram' is officially denounced by members of the group. The name was however popularized by local people and the media. The name is rooted in the ideology of denunciation of Western type education and culture which the group propagated in its early days of formation.⁴⁷ The expression "Boko Haram" comprises of two terms, *boko* which is in Hausa Language, it means a western type modern education (*ilimin boko*), school (*makarantar boko*) and also Latin script. Originally, it was used for what is considered as sham, unauthentic and fraud.⁴⁸ The second is the Arabic term *ḥarām* (prohibition). Muhammad Yusuf, the group founder, was asked about what he meant by the prohibition of *boko* in a lecture he delivered in Yobe State, he responded that it refers to studying in schools that were originally established by Christian missionaries, it also consists of the syllabi of study from primary, secondary and tertiary schools, as well as the national service and employment under the government.⁴⁹

⁴³ al-Qaḥṭānī, *al-Walā'*, 91.

⁴⁴ Cf. Ali, *The Islamic Doctrine*, 67.

⁴⁵ al-Qaḥṭānī, *al-Walā'*, 68.

⁴⁶ This name was given to the organization by Abubakar Shekau after the execution of its founder, Yusuf. See Alex Thurston, "Abū Muṣ'ab al-Barnāwī's Interview with the Islamic State's al-Naba' Magazine", *Journal for Islamic Studies* 36 (2017), 265. The people of Maiduguri at beginning simply called the group 'Yusufiyya', while it was later on nicknamed Boko Haram by the media. Cf. ICG, *Curbing Violence*, 9.

⁴⁷ Ahmad Murtaḍā, "Jamā'at Boko Ḥarām, nash'atuha wa mabādi'uhā wa a'māluhā fī Najjiriya", *Qirā'at Ifrīqiyyah* 12 (2012) (access date 1st February, 2019), 13.

⁴⁸ Alexander Thurston, *Boko Haram: the History of an African Jihadist Movement* (Princeton and Oxford: Princeton University Press, 2018), 15.

⁴⁹ Murtaḍā, "Jamā'at Boko Ḥarām", 13.

Brigaglia⁵⁰ excellently relates the name to its ideology of rejecting the Nigeria government and its institutions, thus, not just government schools are rejected but also the political institution of Nigeria and associating with it, the political implication of prohibiting *boko* is more essential than the prohibition of its schools. On this basis, the whole political structure is perceived as ungodly, and for a believer to remain a true believer, he has to shun and disavow the sinful system. This is why the first manifestation of Boko Haram is the withdrawal from the society. This was what a group did, making efforts to have a self-governed community in disavowal of Nigerian government, adherents of this thought assembled at Kanamma in Yunusari L.G.A of Yobe State in 2002, and the group had encounters with the Nigerian security forces, which led to killing of many among them.⁵¹ This group was referred to as the “Nigerian Taliban”. They were students and associates of the founder of Boko Haram.

It is pertinent to mention that there had been links between some Nigerian elements with the jihadi communities of Algeria since mid- 1990s, and some Nigerians trained and fought in the ranks of the Salafi Group for Preaching and Combat (GSPC), which later on became al-Qaeda in the Islamic Maghreb (AQIM).⁵² This however, did not lead to the spread of the jihadi ideology in Nigeria, and did not lead to the opening of a new jihadi enclave in Nigeria. Nonetheless, there were efforts to enlist Nigerians into the jihadi community and to open up a jihadi front under al-Qaeda. Osama bin Laden developed interest in Nigeria during his stay in Sudan between 1992- 1996. Between 2000 and 2002, he issued two audio messages calling on Nigerian Muslims to wage jihad to establish an Islamic state.⁵³ Bin Laden met a Nigerian, Muhammad Ali, who was studying at the International University of Africa, Khartoum, and asked him to organize a jihadi cell in Nigeria with a budget of an approximate three million US dollars (\$ 3000000). Ali Returned to Nigeria in 2002, and travelled to many states to preach and spread the jihadi ideology, especially to religious leaders in places like Kano, Kaduna, Bauchi, Gombe, Borno and Yobe states. His effort was albeit, futile as he could not gain support of the Nigerian religious leaders. Nonetheless, he got the support of Muhammad Yusuf, who was at that time a critic of the secular political system of Nigeria and an advocate of full Sharia implementation. Yusuf and his followers were the major beneficiaries of Ali’s sponsoring of religious activities.⁵⁴ Ali later on had disagreement with his teacher and mentor, Abū Barrā’ al-Daurawī, who fled to Saudi Arabia with the funds provided by some members of al-Qaeda in the Arabian Peninsula, out of the fear of being arrested by

⁵⁰ Andrea Brigaglia, “Ja’far Mahmoud Adam, Mohammed Yusuf and *Al-Muntada* Islamic Trust: Reflections on the Genesis of the Boko Haram Phenomenon in Nigeria”, *Annual Review of Islam in Africa* 11 (2012), 37

⁵¹ Murtaḍā, “Jamā’at Boko Ḥarām”, 14-15.

⁵² Andrea Brigaglia -Alessio Iocchi, “Some Advice and Guidelines’: The History of Global Jihad in Nigeria, as Narrated by AQIM (al-Qaeda in the Islamic Maghreb)”, *Annual Review of Islam in Africa* 14 (2017), 29.

⁵³ One of bin Laden’s Messages which he mentioned Nigeria in 2003, is contained in Hegghammer Thomas, *Al-Qaida Statements 2003-2004 - A Compilation of Translated Texts by Usama bin Ladin and Ayman al-Zawahiri*. (Norwegian Defense Research Establishment, 2005) FFI/RAPPORT 01428, 14.

⁵⁴ Abdulbasit Kassim “Boko Haram’s Internal Civil War: Stealth Takfir and Jihad as Recipes for Schism”, *Boko Haram Beyond the Headlines: Analyses of Africa’s Enduring Insurgency*, ed. Jacob Zenn (West Point, NY: Combating Terrorism Center at West Point, United States Military Academy, 2018),9.

the Nigerian Security forces. In spite of this setback, Ali migrated with his followers to Zaji- Biriri in Tarmuwa Local Government Area, then to Kanamma in Yunusari Local Government Area of Yobe State.⁵⁵

Brigaglia mentioned that when the Kanamma community was established, it served as an appendix of the Salafi network in Borno and Yobe States, not only to the Ndimi mosque where it is been frequently ascribed to, but also to other Salafi centers in Damaturu, the capital of Yobe State. Thus, the Salafi leaders of the area have much knowledge about the formation of the community. Yusuf who was already a strong member of the Kanamma community was appointed by the then Yobe State's commissioner for religious affairs as the representative of Jakusko Local Government Area in the State Religious Board.⁵⁶ The Kanamma group originally grew out of the congregation of the Ndimi mosque in Maiduguri, which was the headquarter of Salafism in the area.⁵⁷ They were also joined by people from other Salafi centers in the north, the goal of the group was "to practice the Salafi puritanical ideals in isolation from the moral corruption of the wider Nigerian society."⁵⁸

Another disagreement soon erupted between Ali and Muhammad Yusuf who had joined the disciples of Ali at Kanamma, the point of disagreement has to do with the thesis of this paper. They both argued against the notion held by scholars of the region that having a secular system instead of the Sharia is a "minor disbelief", they both believed it is a major form of disbelief, and that it is permissible to declare *takfir* before *tafsil* by the scholars, i.e. to investigate whether the leaders of Nigerian secular order believed that the secular laws are superior to the sharia and whether they believed it is permissible for humans to arrogate the power of legislation to themselves. The point of disagreement between them is that the rulers they declared apostates for having a secular government, may raise the defense of excuse of ignorance (*al-'udhur bi- l-jahl*), thus, according to Yusuf, there is need for *iqāmat al-dalīl /hujja* (establishment of evidence) though preaching, before jihad could be declared against them. Ali held that there is no excuse of ignorance for the political rulers, and there is no need for delaying jihad on the premise of educating the people first. Ali's position corresponds with the mainstream jihadist-salafi standpoint. Those who fought at Kanamma believed it was the right time to declare jihad against the Nigerian state. When Yusuf couldn't convince Ali to change his position, he was declared a *Kāfir* by the Nigerian Taliban.⁵⁹

Yusuf then fled to Saudi Arabia in 2003 for the fear of being arrested by the Nigerian security forces after he was declared wanted in connection with the uprising of the Kanamma group. He later on, returned to Nigeria to continue his preaching activities.⁶⁰ He called for a truce between himself and the remnants of the dismantled Kanamma group, and they pledged their allegiance to him to obey and support his preaching activities.⁶¹ It is worth mentioning that the leaders of Salafism in Northern Nigeria made efforts to make

⁵⁵ Kassim, "Boko Haram's",9.

⁵⁶ Brigaglia, "The Volatility", 194.

⁵⁷ ICG, Curbing Violence,7.

⁵⁸ Brigaglia, "The Volatility", 194.

⁵⁹ Kassim, "Boko Haram's", 10

⁶⁰ Murtaḍā. "Jamā'at Boko Ḥarām", 15.

⁶¹ ICG, Curbing Violence, 10.

Yusuf renounce his *jihādī* tendency and embrace teaching and preaching, but to no avail.⁶² He earlier had discussions with some leading Nigerian salafī scholars in Saudi Arabia concerning the Kanamma crisis and they accused him of causing discord among the salafis in Nigeria. These scholars include Ja'far Mahmud Adam (d. 2007) who was his erstwhile mentor, Muhammad Sani Rijiyar Lemo and Ibrahim Jalo.⁶³

Muhammad Yusuf⁶⁴ hailed from Girgir⁶⁵ in Jakusko Local Government Area of Yobe State, he was born in 1970.⁶⁶ He was once a member of the Yan Brothers group (Muslim Brothers) of El-Zakzaky, before joining the salafī group. He became a strong member of Jamā'at Izalatu-l- Bid'ah wa Iqāmat al-Sunnah, in Borno and Yobe States.⁶⁷ Yusuf was a very charismatic preacher, he became a prominent student of the late salafī scholar, Ja'far Mahmud Adam in Maiduguri, before they later on parted ways, Adam later saw him as an agent of outside interests aiming to destroy Islam.⁶⁸ Yusuf regularly featured on TV and radio programmes, in fact, during 1999- 2003, he had emerged as the spokesperson of the salafis in Borno and Yobe States. He also frequented the Ndimi mosque along with his students.⁶⁹ He was however, expelled from the Ndimi mosque by the followers of Adam, after his return from exile, when his teachings were contradicting Adam's teachings especially Yusuf's insistence that *boko* is *ḥarām* and that working under the Nigerian government is also *ḥarām*.⁷⁰ Yusuf was a member of Governor Kachalla's Sharia Implementation Committee, but he later expressed disgust about it.⁷¹ He was dissatisfied with the Sharia implementation in parts of Northern Nigeria and in Borno and Yobe states in particular. This was the factor responsible for the rising of the Kanamma group mentioned above. Yusuf was nevertheless, made to rehabilitate himself after the violent encounter between the authorities and his Kanamma followers. This privilege was given to him by the Borno State Government.⁷² He continued his preaching activities openly for a while in Maiduguri between 2003 and 2009 and was able to move around cities of Northern Nigeria, inviting people to join his teaching, to shun modern education and to prepare for *jihād*.⁷³ By 2007-2008 the relationship between the Borno State government and the Boko Haram members had become strained, members of the group were arrested at several points,⁷⁴ and subsequently, the Operation Flush, a security outfit supported by the Borno State government, killed many

⁶² Cf. Brigaglia, "Ja'far Mahmoud," 40-41.

⁶³ Kassim, "Boko Haram's!", 11.

⁶⁴ Muḥammad b. Yūsuf b. Muḥammad b. Aḥmad, al-Dāghirī. See Brigaglia, "Slicing off", 3.

⁶⁵ Cf. Brigaglia, "Slicing off", 3.

⁶⁶ ICG, *Curbing Violence*, 7, Fn.31.

⁶⁷ Murtaḍā, "Jamā'at Boko Ḥarām", 14

⁶⁸ Thurston. "*The Disease*", 13.

⁶⁹ Brigaglia, "The Volatility", 193-4

⁷⁰ Jacob Zenn, "Boko Haram's Fluctuating Affiliations: Future Prospects for Realignment with al-Qa`ida", *Boko Haram Beyond the Headlines: Analyses of Africa's Enduring Insurgency*, ed. Jacob Zenn (West Point, NY: Combating Terrorism Center at West Point, United States Military Academy, 2018), 121.

⁷¹ Thurston, *Salafism*, 200.

⁷² ICG, *Curbing Violence*, 12, Fn.57

⁷³ Murtaḍā, "Jamā'at Boko Ḥarām", 15.

⁷⁴ Thurston, *Salafism*, 202.

of the Boko Haram members, and the government eventually attacked its headquarter, Markaz Ibn Taymiyyah and Yusuf was killed on the 30th of July 2009. This was through brutal military use of force which led to the death of over 800 people, mostly Boko Haram members, including Buji Foi, a commissioner in the state cabinet and Yusuf's father in-law, Baba Fagu.⁷⁵ From then on, the group became fully radicalized, using different terrorist means to launch attacks on government establishments and the civilians.⁷⁶ Thousands of lives were lost in different parts of Nigeria, and almost 3 million people were displaced in the northeast of Nigeria.⁷⁷

It is pertinent to note that apart from the religious ideology that led to the rise and growth of the Boko Haram, other factors such as poverty, illiteracy, frustration, poor educational system and the failure of the political authorities to make life better for the citizens, contributed in the enlistment of youths into the terrorist organization, since they believed that democracy has failed them. Yusuf was able to organize an informal micro-credit scheme for his followers to establish businesses from which proceeds were returned to the group. The source of the funds is said to be from the state government, through Buji Foi. The state government also allegedly gave the group 50 motorcycles it used for taxi businesses.⁷⁸ Zenn mentions that the source of the funds used by Yusuf for the microfinance credit scheme and the building of the Ibn Taymiyyah mosque was through Saudi Arabia funders he met while he was on exile there between 2003-2004.⁷⁹

The basic teachings of the Boko Haram and its main ideologies include:

1. That Sharia must be implemented in full, and to achieve that, the use of violent force is necessary, to eliminate the despotic democratic system of government.⁸⁰
2. That the democratic system is infidelity, since the power to rule belongs to Allah alone (al-ḥukm lil-lah), therefore, all officials that were elected through the democratic process are disbelievers for believing in what is un-Islamic. Yusuf wrote that democracy places people as an authority in rivalry with God therefore, a form of polytheism.⁸¹ This belief system is not peculiar to the jihadists, salafis of Saudi Arabia also hold the ideology of proscribing democracy, and declaring it as either unbelief or *ḥarām*. Rabī' al-Madkhalī (b.1349/1931), for instance, forbids constitutional democracy as a man-made system and a form of disbelief. His position is supported by the Saudi Arabian authority.⁸² The Yemenite scholar, Muqbil b. Hādī al-Wādī'ī (d 2001), whose position is also supported by the Saudi authority, also forbids democracy, he mentioned in his *Tuḥfat al-Mujīb* that democracy is disbelief because it

⁷⁵ ICG, *Curbing Violence*, 13.

⁷⁶ See ICG, *Curbing Violence*, 19.

⁷⁷ Michael Nwankpa, "Nigerian Preachers (2006- 8)", *Boko Haram Reader: From Nigerian Preachers to the Islamic State*, auth. Abdulbasit Kassim - Michael Nwankpa (London: Hurst Press, 2018), 7.

⁷⁸ ICG, *Curbing Violence*, 12; cf. Fn.58

⁷⁹ Zenn, "Boko Haram's Fluctuating", 121

⁸⁰ Murtaḍā, "Jamā'at Boko Ḥarām", 20

⁸¹ Yūsuf, *Hādhihi 'aqīdatuna*, 63.

⁸² Brigaglia, "The Volatility", 188- 189.

means that the people rule themselves by themselves, without recourse to the Qur'ān and *Sunnah*.⁸³ Ibn Bāz gave permission to participate with conditions that the system which election is sought into operates on the basis of the sharia, or that the participation in election will be used to overthrow the un-Islamic system.⁸⁴ Al- Albāni does not allow participation in democratic processes even in countries where Muslims are in the minority. He posits that participation in such elections means practical loyalty to disbelievers.⁸⁵

3. The Boko Haram considers itself as the only group on the right track, other Muslims in Nigeria are excommunicated from the fold of Islam.⁸⁶
4. That attending modern types of Western educational schools is forbidden for Muslims, because the Christian missionaries and the colonialists were responsible for the system, and it is designed to make Muslims gradually denounce their faith. The Boko Haram further posits that the Western-type of education is responsible for moral decadences in the society. Furthermore, the group posits that many scientific concepts and theories are in contrast with the teaching of Islam, such as Darwin's theory of evolution etc.⁸⁷ Brigaglia argues that this point is less entrenched in the Salafi canon. Yusuf's thought on prohibiting *boko* is however, attributed to the work of Bakr b. 'Abdullah Abū Zayd (d. 2008),⁸⁸ *al-Madāris al-‘ālamīyyah al-ajnabiyyah al-isti‘māriyyah, tārīkhuhā wa makhātiruhā*.⁸⁹
5. Prohibition of working under an un-Islamic government, because it amounts to loyalty and obedience to a disbelieving system.⁹⁰

After the killing of Yusuf in 2009, his deputy Abu Bakr Shekau (d.2021) emerged as the new leader of the group by July 2010. Some Nigerian elements with strong affinity with AQIM, and who were previously in its cadre, led the Boko Haram into the Sahara to create a pact and alliance, in terms of financial, technical and logistical supports. AQIM supported Boko Haram specifically to target Western expatriates, government officials and Christian evangelist in Muslim communities. Boko Haram members were trained in batches, weapons were supplied and a sum of 200,000 euro was provided by AQIM to Boko Haram.⁹¹ Shekau thus, led

⁸³ Abu Yusuf Sagheer b. 'Abdir- Rasheed al-Kashmeeree, "Sheikh Muqbil's Speech on Voting, Elections and Democracy" (access date 10th October, 2019), 3.

⁸⁴ Aḥmad 'Abd ar-Razzāq al-Duwaysh, *Fatāwā al-lajnah al-dāimah lil buḥūth al- 'ilmiyyah wa-l- iftā'* (Riyadh: Dār al-Mu'yyad, 1424 A.H.) 22 /406-407.

⁸⁵ cf. Brigaglia, "The Volatility", 191.

⁸⁶ Murtaḍā, "Jamā'at Boko Ḥarām," 20.

⁸⁷ Yusuf, *Hādhihi 'Aqīdatuna*, 82- 99

⁸⁸ Brigaglia, "The Volatility", 192.

⁸⁹ (PDF:Cairo: Dār Ibn Ḥazm, 2006).

⁹⁰ Murtaḍā, "Jamā'at Boko Ḥarām," 21

⁹¹ Brigaglia- Iocchi, "Some Advice", 29- 31.

the group into a more violent tendency and tries to give theological justifications to that through messages often released through the media.⁹²

Nevertheless, the thesis of this paper has been a major cause of schisms and factions within the Boko Haram ranks. Between 2010 and 2012 two major factions emerged, they denounced indiscriminate killing of innocent citizens, whom Shekau saw as infidels. These factions are: Yusufiyya Islamic Movement and Jamā'atu Anṣārīl Muslimīn fī Bilādi -s-Sudān.⁹³ AQIM had rejected Abubakar Shekau by late 2011 due to what it counts as theological extremism and targeting of other Muslims, including commanders of the jihadi community.⁹⁴ When Boko Haram declared allegiance to Islamic State (IS) in March 2015, and it became the Islamic State West African Province (ISWAP) the same question of *takfir* further led to splits in the group. The rift is related to Shekau's declaration of the Nigerian State as land of infidels for having a secular government and for upholding Western-type education.⁹⁵ The faction of al-Barnāwī (d. 2021) which is supported by the Islamic State (IS) broke away for not agreeing with Shekau, and is known as ISWAP, while the Shekau faction continued to be known as Jama'at Ahl al- Sunnah li al-Da'wah wa -I-Jihād.⁹⁶

The Islamic State had in 2018 issued a publication entitled *Khadh' al-waram min al-Khawārij al-Shikawīyya bi bay'at ahl al-karam* written by 2 sons of Muhammad Yusuf, declaring Shekau as a Kharijite and tumour that must be cut-off. The IS treatise accused Shekau of killing Muslims and taking their children as captives, while sparing the "crusaders".⁹⁷

Evaluations

Salafī scholar, al-Qaḥṭānī, extensively discussed the question of having a secular government, and whether such takes a community out of the fold of Islam.⁹⁸ Al-Qaḥṭānī's work, encompasses the 3 dimension of *al-walā' wa -l-barā'*, the social, political and the *jihādī*. He opines that living under an un-Islamic system is not permissible and can make a Muslim loose his faith, as far as he willingly accepts the non-Muslim rule.⁹⁹ He re-explained the saying of Ibn al-Qayyim (d. 751/1350) which states that judging with other than what Allah has revealed is a lesser form of infidelity. He believes that the saying has been misunderstood. He holds that what Ibn al-Qayyim holds as lesser disbelief is when the Muslim rulers engage in un-Islamic practices such as corruption, greed and nepotism. However, when the whole Sharia is abandoned and a secular system is put in place, it is an act of rejection of faith.¹⁰⁰ He posits that armed struggles is the basic characteristic of expressing dissociation (*al-barā'*). The Muslims must embark on migration from the land of disbelief to

⁹² Cf. Thurston, *Salafism*, 214- 215.

⁹³ Atta Barkindo- Shane Bryans, "De-Radicalising Prisoners in Nigeria: Developing a Basic Prison Based De-radicalisation Programme", *Journal for Deradicalization* 7 (Summer 2016), 3.

⁹⁴ Brigaglia, "Slicing off", 2.

⁹⁵ Kassim, "Boko Haram's", 17- 18.

⁹⁶ Kassim, "Boko Haram's", 3

⁹⁷ Brigaglia, "Slicing off", 2; 10-11

⁹⁸ al-Qaḥṭānī, *al-Walā'*, 69- 71.

⁹⁹ al-Qaḥṭānī, *al-Walā'*, 68.

¹⁰⁰ al-Qaḥṭānī, *al-Walā'*, 69.

where they can practice their faith adequately,¹⁰¹ and jihad in form of armed struggle should be staged against non-Muslims to ensure the right of choosing between the truth /*ḥaq* and falsehood /*bāṭil*, to ensure that Muslims have the right to proselytize and that disbelievers should be fought until the rule and regime of Islam is established on the earth.¹⁰² The above line of thinking captures the thought of the Boko Haram in Nigeria.

Al-‘Awnī made valuable clarifications concerning the notion of *al-walā’ wa -l-barā’* which is in contrast with Qaḥṭānī’s submission that there are certain actions that turn a believer to an infidel. Since Qaḥṭānī classified infidelity into two, namely, the disbelief of action and the disbelief of denial and rejection of the message of the Prophet (pbuh). Qaḥṭānī further classified the disbelief through action into two, those that negate faith, and those that do not. Prostrating for Idol, denigrating the Qur’ān, fighting the Prophet and insulting him are actions that negate faith. He counts someone who rules with secular laws as a disbeliever through such action.¹⁰³ He quoted views of scholars concerning Mā’ida 5/44 which counts those who do not judge with the Qur’ān as ‘disbeliever’. All the scholars he quoted including Ibn ‘Abbās (d. 68/687), ‘Aṭā’ (d. 114/732), Imām Aḥmad (d. 241/855) and Ismā’īl al-Shālanjī (d. 230/c 844), are all of the opinion that the disbelief intended in the verse does not take one out of the fold of Islam.¹⁰⁴ He however, as stated earlier, counted embracing secularism, as a disbelief that takes one out of the fold of Islam.¹⁰⁵

The clarification of al-‘Awnī, nevertheless, counts the ascription of infidelity for outward actions that negate the belief system of Islam as an act of extremism in the understanding of *al-walā’ wa -l-barā’*.¹⁰⁶ He argues that ascribing infidelity for outward actions negates the notion of *al-walā’ wa -l-barā’*, because the issue of disbelief is exclusively an inward conviction or denial. Thus, the act of outward help of non-Muslims or alliance with them cannot be a basis for disbelief. Even if such person aided non-Muslims against the Muslims. Denial of faith is an inward phenomenon which only Allah knows. However, when a Muslim clearly states his love for the religion of disbelievers, and his wish to make disbelief victorious over Islam, then he becomes a disbeliever. But mere actions cannot be considered as disbelief, and the act of aiding disbelievers against Muslims can only be considered as a sin, and it does not take one out of the fold of Islam. And such a person shall be treated like a Muslim. Al-‘Awnī adduced the story of Ḥāṭib b. Abī Balta‘ah as an evidence. Ḥāṭib secretly wrote to the disbelievers of Makkah, telling them the intention of the Prophet (pbuh) to wage war against them. It got leaked to the Prophet (pbuh), he released the carrier of the letter who went out to deliver it to Makkah disbelievers. He then invited Ḥāṭib, and asked him about what he did, he (Ḥāṭib) replies by telling the Prophet not to be in haste in his matter, “for I am a confederate of the Quraysh, and there are many among the Muhājirūn who have relatives that protect their families. Therefore, want to recompense that since I do not have such relatives, by doing then a favour so that they may protect my dependents. I did

¹⁰¹ al-Qaḥṭānī, *al-Walā’*, 270- 288.

¹⁰² al-Qaḥṭānī, *al-Walā’*, 289- 291.

¹⁰³ al-Qaḥṭānī, *al-Walā’*, 57

¹⁰⁴ al-Qaḥṭānī. *al-Walā’*, 60.

¹⁰⁵ al-Qaḥṭānī. *al-Walā’*, 69.

¹⁰⁶ al-‘Awnī. *al-Walā’*, 78.

not do that out of disbelief, nor to apostatize from my religion, or to accept disbelief after accepting Islam.” The Prophet (pbuh) then said: “He spoke the truth”. Umar then sought the Messenger of Allah to allow him behead this hypocrite”, the Prophet (pbuh) then said: “He witnessed the battle of Badr, and you do not know whether Allah looked unto the participants of Badr (ahl al-Badr) and said to them “do whatever you like, for I have forgiven you”.¹⁰⁷

It is clear that what Ḥāṭib did was treacherous to the Muslims, it could have been interpreted as infidelity but the Prophet affirmed that he was still a believer, and not an apostate. Moreover, the act is a sin, but his witnessing of Badr which is a meritorious act have cancelled that sin, this is based on the fact that no act, no matter how meritorious it is can cancel disbelief.¹⁰⁸ al-Shāfi‘ī (d. 204/820) and Ibn Taymiyyah were reported to have given verdicts on a Muslim that spies for non-Muslims,¹⁰⁹ basing their arguments on the Hadith of Ḥāṭib. Ibn Taymiyyah did not designate as a disbeliever, a Muslim who fought other Muslims in the armies of disbelievers.¹¹⁰

Al-‘Awnī also cited the case of Sahl b. Bayḍā’ who accepted Islam at Makkah, but fought on the side of the Makkan polytheists, when he was captured among the captives of war, the Prophet treated him as a Muslim.¹¹¹ Ibn Taymiyyah was asked concerning the people of Māridain who fought the Muslims in the army of the Tatar, whether their country is a land of war or that of peace, He responded that they should still be treated as Muslims, their lives and properties are still inviolable, as such, sacred. However, what they have done is forbidden.¹¹²

Another dimension of al-‘Awnī’s explanation of *al-walā’ wa -l-barā’* is that it does not contradict the Islamic teachings on tolerance and moderation. Qur’ānic verses such as al-Anbiyā’ 21/143; al-Ḥajj 22/78; al-Baqara 2/185 etc. are cited in this regards. The Prophet describes his message thus: “Indeed I was sent with a true and tolerant faith”.¹¹³

In addition, difference in faith does not foreclose a good rapport between Muslims and non-Muslims, and this in contrast with the Boko Haram understanding of the notion of *al-walā’ wa -l-barā’*, that holds that disbeliever should be totally disavowed. Islam teaches that a Muslim must not neglect his kith and kin that are not Muslims. Allah specifically says concerning parents that are disbeliever that a Muslim should treat them kindly and obey them except on the issue of faith, Luqmān 31/14-15 give insight on this. The practices of the Prophet in which he treated his non-Muslim relatives well is an evidence in this regards, he specifically loved his uncle Abū Ṭālib, despite his non-acceptance of Islam.

Furthermore, as it has been alluded to above that violence is not the perpetual characteristic of Muslim relationships with non-Muslims. *Surat al-Mumtaḥina*, which is the focal reference of the proponents of

¹⁰⁷ al- Bukhārī, “al-Jihād wa-s- sayr” 141 (no.3007).

¹⁰⁸ al-‘Awnī, *al-Walā’*, 81.

¹⁰⁹ al-‘Awnī, *al-Walā’*, 81.

¹¹⁰ al-‘Awnī, *al-Walā’*, 86.

¹¹¹ Imām Aḥmad b. Ḥanbal, *Musnad* (Beirut: Mu’ssasat ar-Risālah, 1995), 6/138-141 (no. 3632).

¹¹² al-‘Awnī, *al-Walā’*, 94-5.

¹¹³ Ahmad b. Ḥanbal, *Musnad*,41/349 (no. 24855).

al-walā' wa -l-barā' and which first passages were revealed in consequence to the aforementioned case of Ḥāṭib b. Abī Balta'ah, tells about the categories of disbelievers that are to be disavowed. Verses 8 and 9 specifically clarify that only those who fought Muslims for their faith fall in this category. These verses clearly indicate that there is no war between Muslims and non-Muslims that do not institute hostility against the Muslims, because instituting hostility against peace loving people amounts to injustice, and Allah commands believer to do justice always and not to allow the hatred of others prevent them from justice (al-Mā'idā 5/8). Al-Baqara 2/190 specifically permits hostility only to end aggression. These and many ordinances are clear on the fact that the Boko Haram methodology of legitimizing unprovoked violence is not necessarily in agreement with the teaching of Islam.

Democracy which is literally translated as the rule by the people is not against the essence of Islam, in fact some Muslim activists including some salafis have promoted democratic norms in the Muslim world. In fact, some salafis seek to apply the salafi creed in the political sphere. Only those linked to Saudi Arabia agree with the jihadist on the prohibition of democracy, they however disagree on the use of force in overthrowing the un-Islamic system, the quietists promote obedience to the Muslim rulers.

According to Qaraḍāwī, the quintessence of democracy strongly agrees with the essence of Islam, since it means people choosing their rulers by themselves. Democracy connotes making the rulers accountable, subjecting them to probe and questioning when they make mistakes, and the citizens have the right to depose and change leaders. In a democracy, the citizens are not to be compelled against their will to embrace economic, political, social and cultural policies that they do not agree with. All these are expressed through participation in elections, opinion polls, preference for majority rule, multi-party system, the minority's right to opposition, freedom of the press and the independence of the judiciary. All these characteristics of democracy Qaraḍāwī posits, are in agreement with Islam. He thus, adduced Qur'ānic and *sunnah* proofs on the agreement of democratic norms with Islam.¹¹⁴

Conclusion

The Boko Haram ideology which typifies the jihadist-salafism in Nigeria is an ideology that regards Muslims and the Nigerian state as infidels, due to the practice of a democratic system which it counts not in agreement with Islam. the Boko Haram understands the salafī notion of *al-walā' wa -l-barā'* as the basis to dissociate itself and disavow the Nigerian State. As such, it employs firstly withdrawal from the society, and then violence in order to establish an Islamic state which is based on the Sharia. Other factors such as underdevelopment, poverty, poor education, bad governance, injustice and inequality fueled and sustained the Boko Haram insurgency. The military action against the insurgency is still on-going in the northeast of Nigeria without a clear-cut indication on when it will end, the jihadi group is also going through transformations in terms of ideology and strategies. Therefore, in solving the problem, holistic approach must be

¹¹⁴ al-Qaraḍāwī, *Min fiqh ad-dawlah*, 132- 146.

engaged to address the secondary factors that sustain the insurgency as well, in order to achieve a sustainable peace in the northeast region of Nigeria.

This paper, from a theological point of view, has established that not all types of actions constitute what takes a Muslim out of the fold of Islam, and that Muslims in Nigeria cannot be described as apostates just because they have a system that is not based on the Islamic principles. Therefore, there is no basis for justifying aggression against them. Democracy is not totally averse to the principles of Islam, in fact, some scholars believe that it is in agreement with Islam. Even apart from that, Islam does not permit transgression against non-Muslims as far as they did not institute hostility against the Muslim state. Warfare is not also the perpetual characteristics of Muslim relations with other inhabitants of the world.

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