

THE ANTECEDENT OF DOCTRINAL TOLERANCE IN A PLURALISTIC SOCIETY: THE EXAMPLE OF ABDULLAH BIN FODIYO

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Abstract

Abdullah bin Fodiyo was an Islamic reformer, Wazir of Sokoto Sultanate and a versatile personality in Islamic scholarship and Arabic literature. His writings are still relevant in contemporary scholarship. This study, seeks to examine the aspect of religious tolerance as exhibited in his writings as against the reckless condemnation of Muslims (*Takfīr*) without careful study of the circumstances surrounding the actions of Muslims. It shows the significance of the *kalimatush-shahādah* as the centrality of Islamic faith around which other Islamic activities revolve. Polemic arguments that arose among the triumvirate of ‘Uthman bin Fodiyo, Bello and Abdullah as to what constitutes apostasy was analysed. The principle of *Istishāb* (presumption of continuity) was defined and expatiated as how it was applied by Abdullah in order to protect Muslims against being condemned as infidels. The finding of the study shows that Abdullah bn. Fodiyo set the bench mark high by giving the Muslims of Bornu a benefit of doubt, and that the spirit of tolerance should be a watch-word of every Muslim. This study is, therefore, aimed at ensuring correct understanding of Islamic jurisprudence in the contemporary period as it also recommends that Muslims should learn to tolerate other Muslims whose actions do not conform to the position of some other established scholars.

Keywords: Tolerance, *Kalimatush-shahādah*, *Takfīr*, *Istishāb*.

Introduction

Abdullah bin Fodiyo (1766-1829)¹ was one of the great and most outstanding scholars of *Biladus-Sudān* and second in rank of the leading personalities of Sokoto *Jihād* of the 19th century. He was among, if not the most prolific and versatile writers of his time. His rigorous educational pursuits, the personalities who had trained and shaped his ideas from within and outside his clan, and the literature he had studied in various aspects of knowledge, had determined the type of literate personality that would be produced for future academic and literary contributions to Islam. He had written works which are of national and international standard which numbered more than two hundred.² These works have great relevance to both his immediate environment and the world at large. An attempt is made in this paper to study the features of religious tolerance which is sparsely discussed in different areas of his writings. The need to study this feature in his writings is to show that Abdullah was not only a prolific writer or political leader but also an author with substantial literary credentials. The attempt is to do justice to his contributions to religious tolerance especially within the Muslim circle which has actually raised a polemic argument between him and Sultan Bello, his nephew and Shaykh Uthman bin Fodiyo. This legal matter was analysed with recommendations.

Conceptual Framework

Tolerance literally means “to bear” and as a concept, it means “respect, acceptance and appreciation of the rich diversity of the world’s cultures, forms of expression and ways of being human”.³ In Arabic it is called “*Tasāmuh*”. There are other words that give similar meanings, such as “*Hilm*” (forbearance) or “*‘Afwu*” (pardon, forgiveness) or “*Safh*” (overlooking, disregarding).⁴ Thus, it means to hold something acceptable or bearable. Tolerance is a basic principle of Islam and so a religious moral duty. It does not however mean “concession, condescension or indulgence”. It does not also mean lack of principles, or lack of seriousness about one’s principles. Sometimes it is said, “People are tolerant of things that they do not care about”. But this, as asserted by Siddiqi, is not the case in Islam. Tolerance in Islam, according to Siddiqi, does not mean that Muslims believe that all religions are the same. It does not mean that Muslims do not believe in the supremacy of Islam over other faiths and ideologies and it does not mean that Muslims do not convey the message of Islam to others and do not wish them to become Muslims.⁵ Tolerance in this study

emphasises accommodating other Muslim followers with some deviant characters that are contrary to pure Islamic tenets.

Islam provides humanity with solutions to problems created by imperfect man-made political systems and moral values. Islam ordained social framework that should guide humanity to peace and tranquillity in all aspects of life, physical and metaphysical. Abdullah bin Fodiyo was one of the thinkers and political activists who articulated matters of jurisprudence. Concerning religious tolerance among the Muslims, Abdullah derives his basis of argument from Islamic tenets and sacred sources. Abdullah's views on tolerating the deviant Muslims are part of his political theory designed in his works for the establishment of a complete Islamic social system.

Kalimatush-Shahādah as proof of being a Muslim

In recent times, there has been a proliferation of some groups of Muslims who declare their Muslim colleagues unbelievers due to their disobedience to some aspects of Shari'ah or due to introducing innovation to Islam. This action of declaring a person who has confessed that Allah alone is worthy of being worshipped as an infidel, is totally against the tenets of Islamic law. One of the principles agreed upon by Muslim scholars is that disobedience to the commandments of Allah does not make the deviant Muslim an unbeliever. Abu Ja'far pointed out in his work titled "*al'aqīdat al-tahawiyyah*" that one should not condemn or denounce people of *al-qiblah* (who face the direction of Ka'abah during *ṣalāt*) for a sin committed as long as he does not legalise the sin.⁶ In the same vein, Abu Hassan al-Ash'ari (d. 324 AH) said "We do not declare anyone who committed adultery, drinking of intoxicant or stealing, an unbeliever as done by the Khawārij".⁷ However, whoever committed the sins mentioned above and legalised them is an infidel. It was on this basis that al-Baghawi (d. 510 AH) asserted that it is unanimously agreed among the *Ahlus-Sunnah* that a believer cannot be declared an infidel or taken out of the circle of *'Imān* (belief) due to his commitment of grievous sin as long as he does not declare it permissible. Even if he committed anyone of the sins and is unable to repent before he dies, he will not eternally abide in the hell-fire. As reported in the prophetic tradition, his case is referred to Allah, if He wishes, will forgive him or punish him according to the degree of involvement in the sins, then He will make him enter the paradise out of His mercy.⁸ In other words, sin does not lead anyone to infidelity. As stated

by Baghawi, a sinner is not a *kāfir*. A sinner should therefore not in any way lose hope for benefitting from the mercy of Allah.

Prophetic Traditions on the Confession of the *Kalimatush-Shahādah*

In the prophetic traditions, there are several statements of the Prophet that underscore the protection of those who confess that none has the right to be worshipped but Allah, and that Muhammad is His Apostle. There are divergent traditions to this effect. Majority of the traditions emphasise confession alone while others add Zakat to it. Then the Prophet pointed out three things that make the shedding of the blood of the Muslim permissible. These are: *Qisas* (retaliation) for murder, a married person who commits illegal sexual intercourse and one who reverts from Islam and leaves the Muslims.⁹ This shows the importance of the *kalimatush-shahādah* as it prevents an adherent fold of Islam to kill the unbeliever once the statement is declared. A practical example of this is what was related by Usamah bin Zayd that the Prophet sent them on an expedition to Huraqat and he and other men from Ansār met a man among the infidels. When they were about to kill the man he made the statement of *kalimah*, thereupon the Ansār abstained from killing him, but ‘I upon this stabbed him and killed him’. This case was reported to the Prophet, and he said: “How can you kill him after he said *Lā illāha illa Allah*?” He replied: O Messenger of Allah, he said it in dissimulation (*taqiyyatan*).” The Prophet said: “Did you split his heart open (to see)?” and he did not cease to reprove him until Usamah wished that he had not entered Islam until after he had killed that man so that he might have been forgiven all his past sins through belief.”¹⁰

What concerns us at this point is the attitude of some Muslim scholars toward Muslim brothers who engage in some actions not in line with the tenets of *Sharī‘ah*. The caution is that they should not be declared infidels due to their attitudes, as long as they do not legalise their unacceptable behaviour. Muslim scholars, such as Ibn Taymiyyah, assert that *ṣalāt* (the five daily obligatory prayers) is the most meritorious deed that Muslims do. So, *ṣalāt*, he emphasises, could be observed behind any Muslim whosoever, even if he is an innovator. Ibn Tamiyyah in this regard went as far as to say: “Abandoning observance of *ṣalāt* behind an innovator is another introduction of innovation to Islam.”¹¹

In sum, the principle unanimously agreed upon by the *Ahlus-Sunnah*, is that, people should be judged according to their outward actions and their inward actions be left to Allah. Muslims are also enjoined to think

better of people and not to suspect themselves. The primeval law is to see everybody as innocent free from suspicion. The extremists who condemn other Muslims have turned these principles upside down, and so, they put every Muslim in the cage of suspicion while thinking better of themselves. They go further to make themselves judges on people. Observance of *ṣalāt* and committing oneself to going and coming back from Mosque and other externality rites of Islam practised by Muslims are not enough fact or evidence for them to judge a person Muslim, until they subject such a Muslim to rigorous test before they can conclude whether the person is a Muslim or not. On the contrary to the attitude of this group, the prophet said: “I am not commanded to dissect the heart the people in order to know what they harbour there.”¹²

One of the statements credited to Prophet ‘Īsā (Jesus) is that “Do not talk much forgetting the remembrance of Allah, because much talk without the remembrance of Allah is a sign of heart being hardened. The hardened heart is very far from Allah. Do not look at the sins committed by people as if you are their Lord, but look at it as servants, because people are only divided into two groups: one who is tried and the other free from trial, therefore sympathise with those tried and praise Allah that He frees you from trial.”¹³ The emphasis here is that Muslims are Muslims wherever they are as long as they do not associate partner with Allah.

Tolerating a Sinning Muslim as Depicted in the Writings of Abdullah bin Fodiyo

In his attempt to protect himself from falling into the error of convicting the innocent Muslims, Abdullah made use of principle of *’usūl al-fīqh* (Principles of Jurisprudence) that evidences are not established on the basis of texts but are largely contingent on intellectual efforts and requirements of the circumstances. To forestall any tendency towards disapproving sinning Muslims wrongly, Abdullah as an *’Usūlī* and *Mujtahid* adopted the principle of *Istishāb* (presumption of continuity) in his writings to establish that the state of affairs known to exist in the past continues to exist until the contrary is established.

Application of *Istishāb* (Presumption of Continuity) by Abdullah

Literally, *Istishāb* means (concordance or companionship). Technically, several definitions of *Istishāb* were given by theorists (*’Usulīyyūn*) Matlub defines it as a theory which denotes a rational proof

which may be employed in the absence of other indications, specifically, those facts or rules of law and reason whose existence or non-existence had been proved in the past, and which are presumed to remain so for lack of evidence to establish any change.¹⁴ According to Shawkānī, *Istishāb*, relates to its literal meaning in the sense that the past “accompanies” the present without any interruption or change.¹⁵ Coulson on the other hand defined *Istishāb* as merely a natural principle of legal evidence, the presumption that the state of affairs known to exist in the past continues to exist until the contrary is established.¹⁶ Thus, when the present is judged in the light of the past, it is, according to Qadri *Istishābal-hāl*, otherwise, it is termed *Istishāb al-mādī* or the past¹⁷. Abdullah in his work titled *al-fīyyat al-usūl wa bina’i al-furun ‘i’alayha* defines *Istishāb* in poetic form as a situation where a matter of law continues to remain as it is until when its change from that situation is confirmed, and it is one of the origins of rational proof (*amr aqli*)¹⁸. It is generally agreed among the theorists (*’Usuliyyūn*) that rational presumption is a valid principle applicable to circumstances of legal matter. An example of the application that a sixth daily obligatory prayer (*ṣalah*) is not mandatory, because according to Al-Ashqar, the texts decree that only five are necessary. The *mujtahid* may argue that as long as there is no evidence in the text to the effect that a sixth prayer is required, the presumption remains that only five *ṣalah* are mandatory. If an opponent maintained that a sixth prayer is mandatory, then, the onus of proof lies with him, he is required to produce textual evidence to sustain his statement¹⁹.

Similarly, a missing person, as Sha‘bān noted, is presumed to be alive until the contrary is established by judicial decree of his putative death based on the fact that such a time has elapsed since disappearance, leading to the assumption that the person has completed his normal life span. In other words, the estate of a missing person cannot be distributed, since the presumption must be that he is alive as long as there is no proof that he is dead. This presumption is known as *al-barā’ah al-’asliyyah*, that is, natural freedom from liability. If proof of his death is adduced, distribution of the missing person’s estates therefore opens at the time determined accordingly.²⁰

Istishāb involves maintaining the assumption that things retain their natural or normal state until there is good reason to believe that the position has changed. Thus, for instance, every person is presumed to be innocent of a crime until there is good to believe that he is guilty. In the same manner, a

person known to be a Muslim is regarded as such until there is strong evidence to prove his apostasy.²¹ According to this principle, the normal and natural assumption in respect of those living in a Muslim community and who regard themselves as Muslims and perform the externalities of Islam is that they are Muslims. Once this is established, they should be presumed to be Muslims until there is a clear evidence of apostasy. On this, all Muslims are agreed.

Shaykh ‘Uthman’s and Sultan Bello’s Views as what Constitutes Apostasy

What constitutes apostasy has raised a polemical argument among the three pillars of Sokoto caliphate, namely Uthman bin Fodiyo, Abdullah bin Fodiyo and Muhammad Bello bin ‘Uthman bin Fodiyo. For instance, Abdullah’s emphasis is placed on *Istishāb*, that is, the situation is as it is known to be in the past. Unless there is conclusive evidence that there has been a change in the situation, there is no justification for the removal of the already established assumption. Therefore, Abdullah would not, for instance, admit the apostasy of a Muslim unless he clearly and explicitly rejects the tenets of Islam by declaring his non-recognition of them. But if a Muslim were to fail in observing them without explicitly declaring his non-recognition of them, then he was still to be regarded as a Muslim, albeit a bad, sinning Muslim.²² The same is true of a Muslim whose words and deeds could be interpreted to mean either belief or unbelief.²³ For a verdict of unbelief and apostasy on a Muslim to be reached, nothing short of clear, explicit and unequivocal declaration of non-recognition is necessary. A Muslim’s actions and deeds alone are not sufficient grounds to justify condemning him an apostate.²⁴ His intentions and his motives must be ascertained first before a verdict can be passed on him.²⁵

For the reasons given above, Abdullah often emerged as a very tolerant scholar towards those Muslims who found themselves near the dividing line between believers and non-believers. To him, the principle of *Istishāb* should continue to hold until clear evidence emerged to necessitate its abandonment.²⁶

Shaykh ‘Uthman and Sultan Bello hold opposing views as what constitutes apostasy. Muhammad Bello argues that the practice of the rulers of Bornu, of riding to special places and offering sacrifice is unbelief regardless of what the rulers claimed to be the motive of their action.²⁷ For Shaykh ‘Uthman and Muhammad Bello, the weight of *Istishāb* was such

that the evidence needed to neutralise it was not as great as that required by Abdullah. Thus Abdullah was prepared to accept the practice of some Fulani people involving killing animals and combing their hairs with the blood as constituting a sin, but not unbelief, on the ground that these Fulani did not expect this practice to bring benefit or to ward off evil.²⁸

Sultan Bello on the other hand saw in this practice enough evidence to justify condemning these Fulani,²⁹ because no matter what they claimed their motives and intentions to be, the acts suggested to neutral observers nothing but unbelief. "Actions speak louder than words", he seemed to be saying, in contrast to Abdullah's assertion that in matters of faith, actions alone were meaningless apart from the motives and intentions behind them. Abdullah might justify his view by the well-known prophetic tradition: "Actions are judged only by their underlying motives..." while Shaykh 'Uthman and Bello might argue that "judgments are based on outward evidence."³⁰

There is one practical problem in Abdullah's view: careful investigation (*Istiqirā'u*) is necessary before a Muslim is branded as an apostate. Evidence obtained from his words, deeds and motives must be pooled and weighed against the assumption of *Istishāb*. Unless apostasy is proved beyond reasonable doubt, the suspect must be regarded as a believer. This is because for 'Abdullah, "a mistake in regarding a thousand non-Muslims as Muslims is less serious than that of counting one Muslim as an infidel."³¹ For this reason *Istishāb* is adhered to very strictly because it was seen by 'Abdullah as a sure way of being on the safe side of the law.

An example of the practical difficulties which can ensue from 'Abdullah's view arose in his time on a number of issues. The Bornu rulers were accused of unbelief on the ground of assisting non-Muslim Hausa Kings³² and of taking part in some ceremonies which Bello saw as clearly pointing to polytheism³³ despite the fact that the Bornu kings claimed that they were Muslims, and that those ceremonies were not intended to have anything to do with polytheism or idolatry.³⁴ On the basis of Abdullah's criteria, these people, like the Fulani referred to above, may just be regarded as sinning Muslims, but Muslims all the same. Still they could be fought to bring them under allegiance to the caliph as they could be fought to rid them of their un-Islamic innovations.³⁵ It may seem somewhat paradoxical to see 'Abdullah, who condemned Yunfa and other Hausa kings as infidels and apostates,³⁶ arguing that the kings of Bornu might not be so. But his criteria show that there was no contradiction whatsoever in that. In the case

of Hausaland, he lived there and knew all that was necessary to assess the situation and pass judgement.³⁷ He was personally involved, and as such the situation was quite different from Bornu, where neither he nor Shaykh nor Bello had lived before the *Jihād*. Bello states, on behalf of the Sokoto Jihād leaders that they had no direct knowledge of the rulers of Bornu, but that they relied on second hand information.³⁸

In such a situation, he would most likely have given the Bornu people the benefit of doubt. Still, however, they could be fought for supporting the Hausa kings against the jihadists, but they were sinners and not infidels. So, in effect, the difference of opinion between him on the one hand, and Shaykh and Bello on the other would, in the final analysis, have made little or no difference in respect of the military situation in the Hausa states and in Bornu.³⁹

It is interesting to note that Sultan Bello referred to “convincing reply”⁴⁰ sent by ‘Abdullah to Al-Kanimi of Bornu in reply to the latter’s request for an explanation as to why the supporters of the Sokoto jihadists were attacking his people who were “innocent of unbelief”.⁴¹ This correspondence would certainly have helped to clear ‘Abdullah’s view on this question. Unfortunately, Bello did not reproduce or quote from it, and one does not learn of any other correspondence between ‘Abdullah and al-Kanimi. Probably, there was none except the one referred to by Bello. This is understandable, since ‘Abdullah’s view was different from the official one held by Shaykh and Bello on this issue.

We see the principle of *Istishāb* at work again when ‘Abdullah treated the question of *halāl* and *harām*.⁴² Also, *Istishāb* plays an important part in his treatment of *siyāsah shar‘īyyah*.⁴³

By far, the most important independent decisions which Abdullah also made use of can be derived from the principle of *maslahah mursalah*, that is unprecedented judgment motivated by public interest, to which neither the Qur’ān nor sunnah explicitly refers. Abdullah used the principle of *Istislah* to exhibit a high level of tolerance in religious matters. In the early pre-Jihad period, we see him arguing in favour of the education of women even if this should make it necessary for them to mix with men. This is in accordance with a maxim which says; *al-darurāt tubīh al-mahzurāt* (necessities permit forbidden things). Thus, Abdullah emphasises women education regardless of whether they mix with men or not. This rule is applied in accordance with the legal maxim of *Istihsān* which says: “when faced with two or more evils, the lesser evil must be allowed”.⁴⁴ This

and others show the elasticity of Islamic law in those matters that will benefit the mankind.

Conclusion

Like all other Muslim jurists, ‘Abdullah’s first and ultimate source is the Qur’ān. So long as there is a clear verdict in the Qur’an, it must be applied. Next he pursued the traditions of the Prophet (Sunnah or Hadith) and the consensus of scholars. As *ijmā’* and *Qiyās* (analogy), he saw them as having their basis in the Qur’an and Sunnah from which they derive. All the arguments forwarded by Abdullah that exhibit his tolerance on religious legal matters, are all in line with Islamic injunctions. Thus, any decision independently arrived at which conflicts with *maslahah* must be disregarded because it cannot be in the spirit of Islam. The difference in the interpretation of *Sharī‘ah* between Abdullah and his respected brother Shaykh ‘Uthman, have already been discussed. In these and a number of similar cases, ‘Abdullah’s independence of opinion and judgment and his tenacious adherence to his principle is once more demonstrated. The study showed that Abdullah continued to hold his own genuine personal understanding so long as he was not convinced by a stronger and more feasible argument. For him, blind acceptance of the view of others when one was not convinced of the rightness of such views, was one of the most obnoxious faults in some Muslim scholars. Many who understood him respected him for this in their writings, while those who did not understand him saw his difference of opinion with other scholars as a sort of disrespect for them.

Recommendation

The virtue of tolerance must be emphasised to Muslims spread across the globe. Tolerance is needed among communities. Leaders must foster tolerance through deliberate policies and efforts given the fact that the global community is increasingly becoming pluralistic. Youths must imbibe the principle of respecting the views of others. Above all, it must be stated that divergent views among Muslim scholars could be accommodated in such a way that, their differences would not be exploited by Islamophobias to cause crisis among the global Muslim *Ummah*. Therefore, it is suggested that Muslim scholars should review their *da‘wah* methodology and their style of dealing with Muslim groups other than their own. The honours of Muslim brothers are to be protected just as the protection of the blood and property of others are sacred as enjoined in the last sermon of Prophet Muhammad.

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