

UNIVERSITY OF ILORIN



**THE TWO HUNDRED AND SIXTH
(206TH) INAUGURAL LECTURE**

**NOT WITHOUT THE OWNER'S
MANUAL: YOUR RIGHT TO A SHARE
OF THE GLOBAL WEALTH**

BY

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**In the name of Allah, the Magnanimously Merciful, the
Especially Merciful**

Courtesies

The Vice-Chancellor,
Deputy Vice-Chancellor (Academic),
Deputy Vice-Chancellor (Management Services),
Deputy Vice-Chancellor (Research Technology and
Innovation),
The Registrar,
The Bursar,
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Heads of Departments, especially the Head of the Department of
Islamic Law,
Members of Staff (Academic and Non-Academic), particularly
of the Faculty of Law,
My Lords Spiritual and Temporal,
Students of this great University, particularly the Students
of the Faculty of Law,
My Family Members and Friends,
Invited Guests,
Gentlemen of the Press,
Ladies and Gentlemen.

At some level of extreme wealth, money inevitably corrupts. On the left and the right, it buys political power, it silences dissent, it serves primarily to perpetuate ever-greater wealth, often unrelated to any reciprocal social good.... that level is self-evidently somewhere around one billion dollars; beyond that, you're irredeemable.

Farhad Manjoo The New York
Time – Feb. 6, 2019

Preamble

Islamic v. Western Education - The Crossfire

All praise, adoration, exaltation, and thanks belong to Allah (SWT), the Lord of the worlds who honoured human being with intellect, taught them by the pen and gave them permission to exploit His other creatures for the general benefit of humankind. I extol Him for giving me this unique opportunity of delivering the two hundred and sixth Inaugural Lecture of the University of Ilorin. May His peace and benediction continue to shower upon the gentle soul of the noble Prophet Muhammad (SAW), members of his purest household, the most faithful companions, and the generality of the Ummah till the day when neither wealth nor nobility of birth would be of use except returning to the Creator with a submissive heart.

Mr. Vice-Chancellor Sir, I stand before you and this august audience to present the eighth Inaugural Lecture to be delivered from the Faculty of Law and the fourth from the Department of Islamic law. The first from both the faculty and the department entitled "Shariah in our Citadel of Learning" was delivered by my teacher, Professor Abdul-Qadir Zubair on 27th March 2003. The Second from the Department entitled "She has a Lion Share under Islamic Law" was delivered on 30th January 2020 by Professor A. O. Omotosho. The third, entitled "Islamic Financial Services: The Interplay of Religion, Law and Corporate Social Responsibility" was delivered by Professor A. A. Alaro on 22nd April 2021.

Mr. Vice-Chancellor Sir, kindly be hinted that today's inaugural lecturer came from a background where, like many other Ilorin families with Islamic scholarship, Western education was initially avoided. My dad told me the story of how he was kept in a room for days to evade compulsory enrolment in primary school. The concern was genuinely borne out of the fear of Christianization which accompanied Western education to our part of the world. When Western education was eventually accepted, a child of the Abikan-Rakan family must have attained a considerable level of Islamic scholarship before enrolment.

Given this background, it was convenient for me, in keeping with the family tradition, to enroll at Arabic Teachers' College Jebba for secondary education. Although I was not in any iota of doubt as to becoming a Grade II Teacher after this training, the dual function of 'local doctor' and 'rights advocate' played by my dad within the family and the entire Isale-Aluko quarters of Ilorin would have a great influence on my choice of career. He had the fortune of later exposure to Western education, through self-tutoring, that he was not only able to read and write in English Language but he was also able to administer first aid to ailing members of the family and neighbors. His courage to always stand by and for the truth and cause of justice also opened a career path. I was left with a choice of becoming a Teacher, Medical Doctor, or Lawyer.

The Nigerian economic quagmire of the late 80s introduced the fourth dimension to the career path. Rather than proceeding for higher education after the O' levels, the hard economic condition of the Structural Adjustment Programme (SAP) era forced me to take an apprenticeship with Ladsomas Printing Press Limited on Atili Street, Jos, Plateau State in 1987 – 1989. However, it was during this period that my interest in the legal profession was kindled. My elder brother had picked a diploma form of the College of Arabic and Islamic Legal Studies, Misau, Bauchi State for me on one of his journalism tours. I did very well at the interview and was admitted, yet, there was no fund to pursue the course.

By 1989, when I got employed as a Class Teacher in the old Ilorin Local Government Education Authority, the 'cold war' of a choice between teaching and the legal profession as a career resumed. The teaching career got reinforcement as I got admitted into the College of Education Ilorin in 1991, coupled with the perception within my family that the legal profession was 'not for the people of God'. However, divine intervention came through the then Dr. Oba Abu (Professor Shuaib Abdulraheem, the 6th Vice-Chancellor of the University of Ilorin) who facilitated my admission to study Common and Islamic Law at

Bayero University Kano in 1992. Coincidentally, my employer lifted the ban on study leaves with pay. Granting me such a leave to pursue a career outside the education line was unprecedented! Nonetheless, the Shariah content of my Law Program had to be greatly projected to the family to ward off the imminent danger of withdrawal by my big uncle, Sheikh Ahmad Rufai bin Uthman (Baba-Labikan), based on the aforementioned perception about the legal profession.

Mr. Vice Chancellor Sir, that family philosophy has had a great influence on my choice of career and research focus. It made it convenient for me to opt for the Department of Islamic Law instead of Private and Property Law, which Professor M. T. Abdulrazaq would want me to be in. The legal training made me an advocate, to ensure that people got their due RIGHTS, as taught by my religion and impacted by my father. In the same vein, the constraints and limitations on those rights are acknowledged especially when the rights of the subjects appear to be contesting the manual of the Creator of the object upon which the rights are exercised and are thereby reduced to mere privileges. Thus, rather than being just a teacher or legal practitioner, I chose to be a Law Teacher and an advocate guided by the manual.

In this lecture, virtually all my works are cited as Abdulqadir I. A. because I adopted Abdulqadir as my surname although I am popularly known by the genealogical name - Abikan. Although Abikan-Rakan is not among the Ilorin families that attained prominence vides the legal profession, the Islamic scholarship for which it is renowned long before the profession was imported into Nigeria imbues the advocacy style and practice of the five lawyers it has produced, while still counting.

Prologue:
Analogy of Human Blood

Analogy (*qiyās*) is a secondary source of Islamic Law. It is a process of applying a rule found on a case in the legal text

(of Qurā'n or Sunnah), to another case whose rule is not found in the text, on account of the equation of both cases in respect of the effective cause of the rule. It is a method of extending the rules of Islamic law to contemporary issues when the ratio of making the textual legislation is comparable to the one found in the new issue. It is used in its literal sense of measuring, comparing, or equating a thing with another (Kamali, 2009). Its usage here is meant to serve as a philosophical foundation to show how Allah (SWT), the Creator of heavens and earth together with all its contents, including human beings and their wealth, linked their sustenance in their physiological composition with the environmental resources.

Human blood is the mainstay of the existence human beings. It is made up of four parts: red blood cells (erythrocytes), white blood cells (leukocytes), platelets (thrombocytes), and plasma. Red blood cells carry oxygen from the lungs to the tissues. They also bring carbon dioxide back to the lungs. With a lifespan of about 120 days, red blood cells make up about 45% of the blood in the human body. White blood cells, which make up a very small part of the total blood (about 1%), fight infection, and are an important part of the immune system. White blood cells have a wide range of lifespans, from hours to years. Platelets are small parts of the blood cells. Their main function is to control bleeding. They make up a very small part of the blood (about 1%). The lifespan of platelets is about 9 to 12 days. Plasma is the pale-yellow liquid part of the blood that holds all of the blood cells. It makes up the rest of the total blood. Plasma helps move water, nutrients, minerals, medications, and hormones throughout the body. It also carries waste products to the kidneys. Thereafter, the kidneys filter out the waste products from the blood. It is made up of water, protein, and lipids (fats). It carries water, fat-soluble nutrients, and other substances to and from the different organs. (Sloan Cattering Institute: 2021).

My encounter with the human blood system is not that of a scientist (having stopped my science endeavor at the end of NCE 1 in 1992) but of a partner, as the Chairman of Muslim

Lawyers' Association, Kwara State branch, with Abiclinic USA in a health outreach conducted in 2017. During the outreach, I became more familiar with the above facts of the lifespan of blood cells and that the Creator (Allah) designed the body in a way to automatically reproduce the cells in the bone marrow and replace them through the liver. The replacement through the liver as against the spleen hitherto believed by scientists is a product of recent discovery (Theurl, I., et al.: 2016).

Having a close relation as leukemia patient in the course of preparing this lecture struck a researcher's cord in me, of how blood is one of the greatest wealth the creator bestowed on humankind. The creator designed its reproduction and replacement process in a way that many people would be able to donate blood (up to twice a year) before the expiration of the lifespan of the cells to cater to the blood needs of the weak and the sick. In that way, no one would suffer or die for lack of blood. In the Islamic legal parlance, therefore: in every drop of blood produced in an able individual's bone marrow, there is a share for the needy. This is more so, as scientists are yet to find a perfect manufactured alternatives to human blood (Global Blood Fund: 2021).

Despite this avalanche of opportunities, recent research on the supply and demand of blood has found that the global supply of blood for use in life-saving transfusions is insufficient to keep up with global demand, leaving most countries exposed to critical shortages. The research found that 119 out of 195 countries do not have enough in their banks to meet hospital needs. Those nations, which include every country in Western sub-Saharan, Eastern, and Central Africa, Oceania (not including Australia), and South Asia, are missing roughly 102,359,632 units of blood, according to World Health Organisation (WHO) goals of 10 donations per 1000 people (Roberts N., et al.: 2019).

The analogical hypothesis of this lecture, therefore, is that, like in human blood, the Creator and Owner of both man (human resource) and man's environment (material resources

turned to man's wealth) Have conferred on man, the role of the beneficial owner and trustee of the undivided shares in the global wealth. He gave the beneficial owners the right of use on the understanding that in the latter's exercise of the right, there exists another right of the weak and the less privileged, not to be impoverished. That is the manual of the Legal Owner, the Creator – Allah (SWT).

Introduction

Foremost among the preoccupations of human beings on earth, from early history to date is seeking livelihood. Subsequently, individuals feel the pleasure of the opposite sex and found themselves engulfed by the desire to procreate. By nature, they depend on other creatures within the ecosystem, including the environment, to survive. In the beginning, it was sufficient for to simply satisfy an immediate hunger and preserve a little for the rainy days. As the human population grew, however, competition ensued under the fear of imminent exhaustion of the resources.

By divine (natural) design, the resources of the world are unevenly distributed. This stark reality contributes to the resort of human beings to rat race of not only exploiting the environment but also taking advantage of fellow men in form of forced labour and slavery to advance their accumulation of wealth. Economic and financial systems were designed in a way that gives an advantage to the first comers and sustains their dominance. The outcome of financial and economic activities was not measured by the level of participants' contribution to the process of production. Rather than fulfilling the mandate of human creation which is majorly to balance the uneven spread of global wealth, the human systems put in place exacerbate the imbalance. Another layer of imbalance (artificial imbalance) was created and must be sustained. The stagnant opulence in the hands of a few created a class of people that are more or less than humans. The more-than human class has secured resources that are channeled towards vain engagements and amusement of

this world. Rather than spreading peace, providence, and good health, they acquire military capability and hand out hunger, diseases, including coronavirus, and insecurity to leave the less privileged in a perpetual inhuman state.

To justify this selfish greed, there was the need to claim ownership of the global wealth, in wrestling with the Creator of the universe, including other human beings and the wealth. The interest-based free-market economy put in place provides a rationale for the sustenance of the imbalances. There was a need for a legal regime to protect the loot. Such law must be ‘freely made by man’ and without any external intervention, not even of the real Owner. The law makes whatever a person acquires of the global wealth, their possession as of right in absolute terms except as may otherwise be prescribed by the same law. By that arrangement, they could legalize illegal acquisitions and legitimize illegitimate earnings. That was the idea behind global imperialism in history, whether in the name of colonization or neo-colonial occupation of foreign territories.

Earlier in human history, both Plato (428/427-348/347 B.C.) and Aristotle (384-322 B.C.) have contributed their ideas to modern economic thought. Their ideas discussed five major themes relating to economic issues of division of labor, incentives (motivations), private property, money, and trade. But their ideas were considered more as a philosophy of economics than pure economic theory because they were concerned with justice and morality (George, 2020). They were followed by Adam Smith (1723/1790) in laying the foundation for the modern state and economic theories including capitalism. However, they all have a common denominator in their recognition of a higher being in whom higher reasoning resides and from whom human reasoning, rights, and laws must take a cue.

Several economic ideologies emerged along with capitalism including Socialism, Marxism, and Social Darwinism. Social Darwinism is a loose set of ideologies that emerged in the late 1800s, with a combined effect of other *isms*. Charles Darwin

posited, in his theory of evolution that only the plants and animals best adapted to their environment will survive to reproduce and transfer their genes to the next generation. Animals and plants that are poorly adapted to their environment will not survive to reproduce (Darwin, 1895). They are viewed as having no intrinsic capability to add value to human existence. They are seen more like a burden to the global community, thus do not deserve to live. This theory is being used to justify certain political, social, or economic views. Social Darwinists believe in “survival of the fittest”—the idea that certain people become powerful in society because they are innately better. It has been used to sustain aggravated economic imbalances, imperialism, racism, eugenics, and social inequality at various times over the past century and a half (History.com 2020).

The manipulations of the global environment, especially its wealth, takes place at different eras and epochs. This is because, for the most part, human beings did not bother to ponder about the Creator, the purpose of creation, and the source of sustenance. Hence, the need for the Creator and Sustainer to send guidance to them from time to time. All the adherents of the revealed religions: Judaism, Christianity, and Islam are unanimous about the message contained in the Manual of the universe as sent down by the Creator through His messengers and Prophets. The Islamic tenets is that the message is one, namely submission to the Will and commandment of the Creator - Islam and that the bearers of the message are from a single source - Allah, the Initiator of creation and ‘drafter of its manual. The Islamic worldview is the direct opposite of the scenario discussed above regarding the current financial system. Human beings, as Allah’s vicegerent, are created to continually strive to make even the divinely deliberate unbalanced global wealth as a mark of spiritual submission. While recognizing the individual and group rights of private ownership and entitlement to improve wealth, mechanisms like *zakat* (compulsory alms), *waqf* (endowment), *sadaqah* (voluntary alms) etc are put in place to redistribute the wealth to reach the less privileged. The innate

human tendencies for greed, selfishness, vain desire is also tempered by the Islamic moral standards of *‘adl* (justice) and *Ihsān* (beneficence and equilibrium), *qanā‘ah* (contentment), *wahdatul Insaniyyah* (brotherhood of humanity), and *taqwa* (consciousness of the Creator), amongst others.

Over a half-century ago, Muslim scholars, imbued with the above Islamic mechanisms and tools, took steps to reverse the hegemonic *status quo* of global wealth. They conceived modern Islamic economics and finance, albeit, within the precinct and structure of the hegemonic system they seek to alter. While the new systems have recorded impressive achievement in competing with the existing ones in the accumulation of wealth, it has not been able to deliver its distributive justice objective. Islamic economy and finance was captivated because it is unable to carve a distinctive operational structure for itself. It has also not been able to create a synergy between itself and other heterogeneous and semi-formal mechanisms needed to achieve the goal.

Of the Global Wealth, Ownership, Right, and the Manual

In this lecture, a few variables which ordinarily appear to be of common knowledge will be considered. The fact that issues are treated from the perspective of Islamic law necessitates conceptual clarification on them. Such variables are Global Wealth, Ownership, Rights, and the Manual. They are forthwith clarified seriatim.

Global Wealth

The equivalent Arabic word for wealth is *al-Māl* (p. *al-Amwāl*). Wealth has been defined to mean all that a person has, with an inclination to nature which can be saved in form of cash or whatever can take its place (Muhammad and Ahmad: 1988). It is the value of all the resources that are possessed by an individual or society. It is an accumulated store of possessions and financial claims (Britannica: 2021). In effect, a person's

wealth is measured by the aggregate value of everything owned that can be exchanged for money, goods, or services.

Therefore, reference to global wealth in this lecture has the meaning of the entirety of all the resources of the whole world whether natural, produced, or intangible, capable of being possessed for human sustenance. In the realm of natural wealth, there are non-renewable resources of the earth that exist without human intervention. They are the materials modified and used by humans to make the produced wealth for their benefit.

Table 1: Some natural wealth and their use for produced wealth:

Natural Wealth	Products or Services
Air	Wind energy, tires
Animals	Foods (milk, cheese, butter, steak, bacon) and clothing (wool sweaters, silk shirts, leather belts)
Coal	Electricity
Minerals	Coins, wire, steel, aluminum cans, jewelry
Natural gas	Electricity, heating
Oil	Electricity, fuel for cars and airplanes, plastic
Plants	Wood, paper, cotton clothing, fruits, vegetables
Sunlight	Solar power, photosynthesis
Water	Hydroelectric energy, drinking, cleaning
Soil	Cropland, pastureland (Construction and cultivation)

Source: adapted from study.com

Baba (2021) did a comprehensive analysis of how minerals like gold, zinc, lead, copper, manganese, Ilmenite, rutile and iron, cassiterite and wolframite, beryl, calcite and barite ores, clay materials, diamond, as natural wealth, are extracted

and used for sustainable national development. It is incontestable that none of the advancements made so far by human beings in science and technology is achievable without the above-listed natural wealth.

Produced wealth are the byproducts of the natural wealth that has been turned into manufactured goods used in information and communication, transportation, human consumption (food, clothing, and beautification), provision of shelter (real estate), or stored in a medium of exchange (currencies – fiat or crypto) (World Bank, 2006).

The World Bank in 2006 introduced a dimension to the estimation of the global wealth by recognizing intangible capital/intangible wealth as a residual, i.e., the difference between total wealth and the sum of produced and natural wealth. It includes all assets that are neither natural nor produced, like human capital—the sum of knowledge, skills, and know-how possessed by the population (World Bank 2006).

Ownership

Ownership (*al-milkiyyah*) is a legal relationship that exists between a human being and property which renders the property specifically attached to the owner with the right to deal with the property unless there is a legal impediment restricting using it in any form (Zuhayli: 2003). According to Black's Law Dictionary (2009), Ownership is the bundle of rights allowing one to use, manage and enjoy the property, including the right to convey it to others. It is the ability of an individual to lay claim to the property right of a thing to the exclusion of all others.

The legality of the relationship of an owner with the property relates to the mode of acquisition of such property. Thus, once a person acquires the property in a manner recognized by law, it may be dealt with any how the person desires unless there is limitation by reason of the minority, lunacy, or idiocy or restricted by law from wastage or destruction (Quran 4: 5- 6).

There are different kinds of ownership recognized in law. However, this lecture shall restrict itself to a few in which many others are subsumed. Ownership can be legal or equitable or absolute or partial. Legal ownership is the ownership by recognition of the law. A purchaser of goods for consideration is a legal owner by valid purchase and can transfer ownership to another party. An equitable owner, also known as a beneficial owner, is not the real owner, but acquires only the right of use or benefit of the property, while the real property right is held by the legal owner. Thus, a citizen who is allocated a plot of land in an urban area and issued a certificate of occupancy by the governor in whom the ownership of the land is vested by law only has equitable interest to use the land for the assigned purpose for a stipulated period (*Ss. 13 and 14, Land Use Act, 1978*).

Absolute, total, or perfect ownership is the ownership of both property and usufruct of a thing. It confers on the owner, all possible legal rights associated with the property. It is unconditional and not constrained by time as long as the property exists. Partial ownership on the other hand is the ownership of either the property or its usufruct or vice-versa (Zuhayli, 2003).

Right

The equivalent word for right under Islamic Law is *haqq*. In its literal usage, it means to be true, established, proven, or truthful. Legally, it means right, claim, obligation, and power (*Mu'ujam al-ma'ānī al-jāmi'*: 2021). Like any other legal concept, the term 'right' derived its different usages from Quran and Sunnah to imply truth (Quran 2:26; 3:60, 4: 86,102,122, 151; 6:19,73; 7:44; 8:4,74; 9:111; 10:4, 55; 15:55 etc.), entitlement/justification (Quran 7:30;46:18; 22:18; 39:19 etc.), reality/real evidence (Quran 12:100; 15:55 etc.), desire/need (Quran 11:79), duty on both Allah and human being (Quran 2:180, 236, 241; 10:103; 30:47 etc.) and right (Quran 3:21, 112,181; 4:55; 22:40; 51:19 etc.) amongst others. *Al Ṣabūnī* (1972) had earlier opined that of about six different usages of

haqq in the Quran, the underlying concept permeating the usages is certainty and proof (*al thubūt wa al wujūb*). Meanwhile, it is pertinent to emphasize that virtually all the verses of the Quran relating to right are in the negation of the acts of individuals or groups taken without the right to do so. For instance, Allah (SWT) in Quran 3:21 says:

Verily, those who disbelieve in the Ayât (proofs, evidence, verses, lessons, signs, revelations, etc.) of Allâh and kill the Prophets without right, and kill those men who order just dealings, ... then announce to them a painful torment.

The only verse with direct reference to claimed or positive rights is the right of fellow men in the wealth of the wealthy. To this effect Quran 51:19 reads:

وَفِي أَمْوَالِهِمْ حَقٌّ لِّلسَّائِلِ وَالْمَحْرُومِ ١٩

And in their wealth, there was the right of the *Sā'il* and the *Mahrum*.

According to Ibn Katheer, the *Sā'il* is the poor who begs others, and he has a due right. As for the *Mahrūm*, Ibn `Abbas and Mujahid said, "He is the poor person who does not receive a stipend." Meaning he does not receive a stipend from the Muslim treasury, nor does he have a means of income, nor a profession. He quoted Qatadah and Az-Zuhri as saying: "The *Mahrum* is the one who does not ask the people for anything." Az-Zuhri added that the Messenger of Allah said,

« لَيْسَ الْمُسْكِينُ بِالطَّوَّافِ الَّذِي تَرُدُّهُ اللَّقْمَةُ وَاللَّقْمَتَانِ وَالنَّمْرَةُ وَالنَّمْرَتَانِ، وَلَكِنَّ الْمُسْكِينُ الَّذِي لَا يَجِدُ غَنَىٰ يُغْنِيهِ وَلَا يُعْطَنُ لَهُ فَيَبْصُقَ عَلَيْهِ »

(The poor (*Miskin*) is not the one who goes round to the people and asks them for a mouthful or two or a date or two. But the poor is the one who does not have enough to satisfy his needs and whose condition is not known to others, so that others may give him something in charity.) Reported in al-Bukhari and Muslim

The subject of right took prominence in varying degrees and titles in the Sunnah (deeds, sayings, and tacit approvals) of Prophet Muhammad (SAW). It is a commonplace to have rights like the right of neighbour (*ḥaqqu al-Jār*), right of spouse (*ḥaqqu az-zaujah*), right of mankind (*ḥaqqu an-Nās*), right of animals (*ḥaqqu al hayawanat*), etc. in *ahadith* (s. *hadith* - saying) of the Prophet. In his *hijjatul wadā'i* (farewell pilgrimage) sermon, the Prophet reaffirmed the right and sanctity of human life and his property when he said.

“O People, just as you regard this month, this day, this city as Sacred, so regard the life and property of everyone as a sacred trust.... O People, it is true that you have certain rights concerning your women, but they also have rights over you.... If they abide by your right then to them belongs the right to be fed and clothed in kindness. Do treat your women well and be kind to them for they are your partners and committed helpers.”

In a *hadith* reported by An-Nasāi, the Prophet established the negative right of animals not to be killed without the need while infringement of the right is questionable before the Creator (Sunan an-Nasai

عَنْ عَمْرٍو بْنِ الشَّرِيدِ، قَالَ سَمِعْتُ الشَّرِيدَ، يَقُولُ سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ " مَنْ قَتَلَ عُصْفُورًا عَبَثًا عَجَّ إِلَى اللَّهِ عَزَّ وَجَلَّ يَوْمَ الْقِيَامَةِ يَقُولُ يَا رَبِّ إِنَّ فُلَانًا قَتَلَنِي عَبَثًا وَلَمْ يَقْتُلْنِي لِمَنْفَعَةٍ " .

"I heard Sharid say: 'I heard the Messenger of Allah say: Whoever kills a small bird for no reason, it will beseech Allah on the Day of Resurrection saying: O Lord, so and so killed me for no reason. And he did not kill me for any beneficial purpose."

The foregoing rights and a host of others, including the right to a share of the global wealth established by the Shariah are a culmination of a process established by the Creator of human beings and the environment on how to organize the universe and distribute its resources. The process, started with the first man to be created by Allah (Adam) and his family from time immemorial (Scientifically put at about 30,000- 50,000 years

ago, (Wilford J. N. 2002)) and the legislation on right to life was passed on the occasion the murder of Hābīl (Abel) by Qābīl (Cane) (the incident and the accompanying law was reported in Quran 5:27-32).

Unlike the Western Scholars, Muslim Scholars did not shy away from defining rights. To them, the usages of haqq in the sources of Islamic Law are very clear and versatile that there is the proximity between its linguistic and juristic meaning, sufficient to rely on the linguistic meaning (al Khafīf, 1945). Thus, right was defined as an exclusive appropriation or power over something, or demand addressed to another party which the Sharī'ah has validated to realize a certain benefit (Al Darīnī, 1984).

Mr. Vice-Chancellor Sir, human beings his finite and confounding knowledge and defiance of the divine arrangement, introduced a secular dimension to the notion of right, thereby relying on human reasoning alone in the determination of rights. Developing from natural law as a universal system where God was initially recognized as the ultimate giver of the law after the conquest of Alexander III in the Greek world, right became a subject of division between God and human beings during the Middle and Enlightenment Ages. (Freeman M. D. A. 2008). Human beings felt that by his reasoning ability alone, they are able to deduce what a right is and recognize it as such. Despite this self-acclaimed reasoning ability however, "right talks" beyond rhetoric gained momentum only in the sixteenth and seventeenth centuries (Edmondson W. A. 2012, Griffin J. 2008). The impotence of this claim as against the declaration of the Creator that human's knowledge, reasoning, and comprehension of self and the environment is finite (Quran 17:85) and given their exploitative tendency (Quran 33:72, 2:279), leaving the determination of the right to them leads to the savage discriminatory end experienced till today. Little wonder, despite the American Bill of Rights of 1789, the reasoning of the legislators did not capture the right of an American Woman to vote until the 19th Amendment to the Constitution of June 5,

1919. It was only by the Voting Rights Act, 1965, a product of civil unrest and tumultuous demonstration led by Martin Luther King Jr., that Black American citizens were able to vote. Again, up till 1800, a white American woman did not have a property right not to talk of black Americans (male or female) who were themselves properties, owned by the whites (Lewis J. J. 2020).

As if the Universal Declaration of Human Rights by the United Nations in 1948 did not give enough rights to human dignity, segregation laws were still rife in America until Rosa Parks and Claudette Colvin defied them in 1955 (BBC News, 2018) and were eventually abolished by the Supreme Court in *Browder v. Gayle*, (352 U.S. 903 - 1956) (Abdulqadir, 2006). I have only used incidents in America being the acclaimed bastion of reason, reasonability, and rights. Interestingly, the American justices and jurists of reason gave legal backing to segregation laws through the doctrine of “Separate but Equal” between 1896 in the case of *Plessy v. Ferguson* (163 US 537 - 1896) and a plethora of others until it reversed the doctrine in *Brown v. Board of Education of Topeka* (347 U.S. 483 - 1954).

From the foregoing background on the constituents of the global wealth, ownership, and determination of the notion of right, it is appropriate to ask: who owns the global wealth and has the right to regulate its distribution?

Who Owns the Global Wealth?

Fig. 1: NASA Image of Galaxy



Credit: NASA (Image: © NASA)

There is no evidence on record of any valid claim to the ownership of the world or its natural constituents. An attempt made by one **Mr. James Thomas Mangan** who on January 1, 1949, proclaimed himself the founder and representative of the “Nation of Celestial Space” also known as **Celestia** were **rebuffed**. *Mangan* had claimed to be the highest sovereign of the entire observable universe, except for the earth (obviously because it was already occupied). He sent letters to 74 country leaders and the United Nations looking for recognition as a nation but he was ignored (<https://nationofcelestialspace.com/history/>).

Scientific conclusions on the origin of the universe and its contents including the wealth of the earth have remain confounded and replete with unresolved mysteries. Only in 1927 did George Lemaitre (1894 – 1966) proposed in his big bang theory that the Universe began during the period of inflation, about 13.8 billion years ago, like a rapidly expanding balloon, swelling from a size smaller than an electron to nearly its current size within a tiny fraction of a second. Before that, scientists have thought, for centuries, that the universe always existed in a largely unchanged form, run like clockwork (**Ruggeri A:** 2014). Recently, Steinhardt P., Khoury J., Turok N. and Ovrut B. (2001), proposed an amendment to the starting point of the Big Bang theory in their Ekpyrotic Model of the Universe where they opined that our current universe arose from a collision of two three-dimensional worlds (branes) in a space with an extra (fourth) spatial dimension.

To many scientists, the event of the creation of the universe was ascribed to nature. Hawking S.W. and Mlodinow L. (2010), unlike Sir Isaac Newton who saw the neat design of the solar system as a show of God's intelligence and power, pointedly proclaimed that the universe was created by laws of physics, not God. In their 2010 book titled *Grand Design*, they asserted:

... we have described how regularities in the motion of astronomical bodies such as the sun, the moon, and the

planets suggested that they were governed by fixed laws rather than being subject to the arbitrary whims and caprices of gods and demons... There could be no exceptions or miracles. Gods or demons couldn't intervene in the running of the universe.

The astronomical bodies referred to by Hawking was declared by God to be His Creation “(God is) the one who created the night, the day, the sun and the moon. Each one is traveling in an orbit with its motion.” (Qur’an, 21:33). The so-called fixed laws were no less His creation “The sun runs its course to a settled place, **That is the decree of the Almighty, the All-Knowing.**” (Qur’an, 36:38) (emphasis mine). It is, thus, the words of Allah (SWT) against the scientists denying God’s creation, to name the maker of their law of nature. According to Mahathir M. (2018), scientists have only been able to answer the question relating to how phenomenal events of the universe occurred but are unable to answer why they happen. They try to avoid admitting that there is a power, which they could not explain, that determines everything that happens in the world. It determines the law of science and the way they govern every action and reaction. He concluded that Nature must be God - Allah.

When asked about nature, its influence on the events ascribed to it, and the ability to take responsibility for the consequences of those events, the starting point of response would be that it has no universally agreed-upon meaning or understanding. Thus, the assertion is a scientific justification for the Western jurist, thinkers, and lawmakers to secularize the affairs of the universe and to ascribe determination of right and administration of the global wealth to human reasoning alone. By so doing, they can sustain their hegemonic tendencies being exhibited since the age of enlightenment to date. The Creator had predicted the arrogant behaviour of human beings over the little knowledge they are endowed with (Quran17:85) when He said:

No doubt! Verily, to Allâh belongs whosoever is in the heavens and whosoever is in the earth. And those who

worship and invoke others besides Allâh, follow not the (Allâh's so-called) partners, they follow only a conjecture and they only invent lies. (Quran 10:66)

Allah (SWT) Owns the Universe and its Constituents

Conversely, Allah (SWT) laid claim to the creation and ownership of the universe and its constituents including human and material resources. He did not only create but He also originated the creations of all things (Quran 6:101) i.e., without precedent. He created the heavens, the earth, and all that is between them including the bridges of matter which are present outside organized astronomical systems (Quran 25:59). All living creatures were created out of the water (Quran 21:30, 24:45). At the beginning of creation, heavens and earth were joined together as one united piece, then, He split them and set them in an expanding mode (Quran 21:30, 51:47). He adorned the lowest heaven with ornaments, the planets (Qur'an, 37:6). His statement that He coils the night upon the day and the day upon the night and that He subjected the sun and the moon, each running (on a fixed course) for an appointed term (Qur'an, 39:5) were not understood by scientists until man landed on the moon. It was then observed that the earth is spinning on its axis, that the dark half of the globe appeared to wind itself around the light and the light half appeared to wind itself around the dark (Bucaille M. 1995).

On the creation of man now trying to denying Him, Allah made a copious description of how He created Adam (the first human) from an extract of clay (water and earth), then described the embryology of his offspring which He created from a mixed drop of male and female sexual discharge (*nutfah*), lodged in the womb, transformed the discharge into coagulated blood (*'alaqah*), then into a little lump of flesh (*mudghah*) from which bone (*'isamah*) was formed and the bone was clothed with whole flesh (*lahmah*) to bring forth a new creation (Quran 23: 13-14). The Creator challenged the Nay-Sayers to show what they or their partner-gods have created in heavens or earth

(Quran 35:40). “Creating” life through cloning by using stem cells does not answer the question still. As the term implies, by cloning, scientists have only harnessed the behaviour of living things as ordained by Allah (Mahathir M. 2018).

Mr. Vice-Chancellor Sir, I am not by these details underestimating the powers of human reasoning which have improved the universe in very many positive ways through the advancement of science and technology. After all, the Creator Himself acknowledge human beings as the most honoured creature (Quran17:70) and according to Ibn Kathir, the peak of the honour is the heart given to them, with which to understand the environment, to benefit from it, and distinguish between things, to know which are good and which are harmful, in both worldly and religious terms. But overrating the finite knowledge to the point of denying the Creator is another fulfilment of Allah’s description of man as:

كَلَّا إِنَّ الْإِنْسَانَ لِرَبِّهِ لَكَنَّاظِرٌ ۚ ٦ أَن رَّءَاهُ اسْتَعْزَىٰ ۚ ٧

6. Nay! Verily, human beings does transgress. 7. Because he considers himself self-sufficient.

If the foregoing facts are not denied by the so-called nature or those representing it in the claim of creation and ownership of the universe, it necessarily follows that the actual Creator is more eligible to legislate on how the resources of the universe should be managed in procreation, accumulation, protection, and redistribution.

Owner’s Manual of the Global Wealth Management

A Manual is a document or instrument containing detailed information about the features, components, use, and operational guide of an object about which it is made. The information contained therein is based on the maker’s or observer’s knowledge of the object and is needed for its optimal and efficient use for its purpose. It gives practical instructions on how to do or how to use something (dictionary.cambridge.org). Concerning the universe, a researcher’s curiosity made me surf

the internet when I was rounding up the manuscript of this lecture on 5th August 2021 to see if something has been written on the manual of the universe. I was not surprised to find books with titles on Manuals of the Moon (Harland D. M. 2016), of the Mars (Harland D. M.2018), of the Universe (Harland D. M.2019), the Milky Way (Lavender G. .2019), and the Saturn’s Moon Titan (Lorenz R. 2020). What surprised me was the ascription of ownership “Owners’ Workshop Manual” to each of the books. A bird-eye-view of the books showed that the authors did not claim ownership of the objects but that the manual is a scientific observation of the publishers’ workshop (a little distraction!).

The Creator of the universe, Allah (SWT) communicated the manual of its use to mankind in form of revelations, like the ten commandments (*at-Tawrah*), the Bible (*Injil*), Psalm (*Zabur*), and al-Quran, to explain its terrestrial and astronomic features and components. Quran as the last of such revelations is a composite document containing narratives, laws, predictions, science, beliefs, organization of society, etc. It is the primary source of Shariah from which the Sunnah (the second primary source) and the secondary sources like *Ijma’* (Consensus), *Qiyas* (analogical deduction), *Istihsan* (Equity), *Maslaha Mursalah* (Consideration of public interest), *Urf* (Custom), and *Istishab* (presumption of continuity) were legitimized.

Human beings are the dominant actors in Allah’s organization of the universe; hence they are appointed as its manager and vicegerent in harnessing its resources for both individual and the common good (Quran 27:62, 2:30, 6:165). The human relationship with the wealth of the world is a direct creation of beneficial ownership by the Creator, the Owner of both, in favour of the former. In establishing the beneficial ownership, Allah (SWT) in Quran 2:29 says:

هُوَ الَّذِي خَلَقَ لَكُمْ مَّا فِي الْأَرْضِ جَمِيعًا... ٢٩

He, it is Who created for you all that is in the earth

Imam al-Qutuby in his exegesis of the verse opined that the verse along with Allah's sayings that it is He Who subjected the sea, that ships may sail through it by His Command, all that is in the heavens and the earth to man as a favour and kindness from Him (Quran 45: 12-13), amongst others, gave man authority of taking benefit of other creatures (see also Quran 31:20). The combined effect of the verses also validates the jurisprudential maxim:

الأصل في الأشياء الإباحة حتى يدل الدليل على الحظر.

The basic assumption of actions or transactions is permissibility until they are negated by textual evidence.

Abdulqadir (2008) analyzed the above assumption as laying the general principle governing human transitions and whatever prohibitions that may be found in the Shari'ah in relation thereto are a few that forms exceptions to the general principle (this will be discussed in further details shortly).

By the above authority, individuals have the right to pursue a livelihood, procreate and harness the proceeds of the heavenly wealth within the limits prescribed by the rule of Shariah (*hukmu Shar'i*). In setting the rules, the Creator, Allah (SWT) is seen in Islamic jurisprudence as the ultimate Law Giver (*Hākim*), the objects of his laws (*Mahkum alayhi*) are the legally responsible human beings (*mukallaf*), while the subject matter of the law (*Mahkum fihi*) are the acts, rights, and obligations of the *mukallaf* (Kamali M. H. 2009). It was necessary to regulate the conduct of man concerning wealth because of the fear, inherent in his nature, of extermination of the source of the wealth (unfounded) or the portion he was able to appropriate (probable); and/or because of his innate greed of having it all. Allah says concerning his greed:

... وَأَحْضِرَتِ الْأَنْفُسُ الشُّحَّ وَإِنْ تُحْسِنُوا وَتَتَّقُوا فَإِنَّ اللَّهَ كَانَ بِمَا تَعْمَلُونَ
خَبِيرًا ١٢٨

... and human souls are swayed by greed; and if you do good (to others) and guard (against evil), then surely Allah is aware of what you do. (Quran 4:128)

In another place, He says:

وَإِنَّهُ لِحُبِّ الْخَيْرِ لَشَدِيدٌ ۝٨

And most surely he is tenacious in the love of wealth. (Quran 100:8)

In an authentic hadith narrated by Anas Ibn Malik Allah's Messenger (ﷺ) said:

"If Adam's son had a valley full of gold, he would like to have two valleys, for nothing fills his mouth except dust (of the grave). And Allah forgives him who repents to Him."

The other reason for regulating the management of the global wealth is because the Creator of the wealth and man (the manager) has His purpose and object to achieve in the manner of 1. its creation, 2. Its accumulation, 3. Its protection and 4. Its distribution, as indicated in the manual. Ismail and Antonio (2012) identified these as the steps in modern wealth management which conform with Islamic arrangement. the purpose stems from the general objective of Shariah (*māqasīd - s. maqṣad - Shariah*) in the global social order:

جلب المصالح و درء المفساد

Attainment of what is beneficial and rejection of harmful (Ibn Ashur: 2006; Quran 11:88 and 7:142).

While expounding the universal objectives (*maqāsid al-‘amm*) of Islamic law, Muslim scholars have identified five indispensable (*darūriyyah*) things it sought to be protected and preserved for the continuous existence of human society viz: protection (*hifẓ*) of 1. Religion (*dīn*), 2. Life (*nafs*), 3. Wealth/property (*māl*), 4. Intellect (*‘aql*) and 5. Lineage (*nasab*). Imam al-Ghazali (2017) emphasized the need when he said:

Preventing the loss of these five fundamentals and protecting them can never be neglected in any religious

community or legal system that is meant for the good and well-being of human beings ... and this would be a consideration of a *maslahah* that we know by necessity was intended by the Shariah, not based on one single proof or one particular rule, but on multiple proofs that are beyond enumeration.

As already shown in the cause of this lecture, the rule of Shariah governing the creation and accumulation of wealth fall under the general principle of permissibility (Abdulqadir I. A. 2008). However, the other two legs of wealth management fall within the exceptions and limits set to curb the negative tendencies that are capable of distorting the purpose of the Creator. To protect whether communal/public or individual wealth from transgressive exploitation and mindless usurpation, rules of prohibition were set. To this effect, Allah says:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ تِجَارَةً
عَنْ تَرَاضٍ مِّنكُمْ وَلَا تَقْتُلُوا أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا ٢٩

29. O you who believe! do not devour your property among yourselves falsely, except that it be trading by your mutual consent; and do not kill your people; surely Allah is Merciful to you. (Quran 4:29)

Shafi (1979) identified three main sub-objectives of Shariah concerning the distribution of wealth. These are:

1. The establishment of a practical, natural and realistic system of economy which allows every individual to function in a normal way according to his ability, varying aptitude, choice, and liking, so that his activities may be more fruitful, healthy, and useful. Each participant in the economic activity is conscious of his status in life and level of contribution, deals with the other participants sincerely, and accept the outcome of the enterprise in good faith (Quran 43:32)
2. Enabling everyone in the community including those who, by reason of infirmity, sickness, or other natural

calamities, do not directly participate in the economic activity, to get what is rightfully due to them. Quran 70:24-25, 6:141, and 51:19 established the right of the poor in the wealth of the rich.

3. Eradicating the concentration of wealth in the hand of few. Wealth is allowed to circulate in society as widely as possible so that the distinction between the rich and the poor should be narrowed down as far as is natural and practicable. No individual or group is allowed to have a monopoly over the primary sources of wealth, but every member of the society is given equal right to derive benefit from them. Mines, forests, un-owned barren lands, hunting and fishing, wild grass, rivers, seas, spoils of war, etc., all are primary sources of wealth. Concerning them, every individual is entitled to make use of them according to his abilities and his labor without anyone being allowed to have any kind of monopoly over them

Abdulqadir and Zainudin (2006) summed up these specific objectives as distributive justice goals that an Islamic Financial Institution (IFI) must strive to achieve. They analyzed the combined effect of Quran 59:7 discouraging circulation of wealth among the rich and hadith No. 659 recorded in Sunan Al-Tirmidhī to conclude that the banking system is imbued with the capacity for equitable wealth distribution, elimination of absolute poverty, and efficient utilization of available resources.

Principles of Distributive Justice

To achieve the distributive justice objective of Sharī'ah, Scholars have laid down some general principles. The principles are:

1. Principle of lawful ownership: Shariah would not validate any transaction on a property subject of wealth distribution except the party possessing the property acquired it lawfully. This ensures preservation and

respect for property rights, as well as upholding the sanctity of contracts.

2. Principle of equity: this is the rationale for the prohibition of interest (*riba*), to protect the weaker contracting party. It is also the basis for prohibiting excessive uncertainty (*gharar*) insisting on disclosure of necessary information before engaging in a contract, thereby reducing information asymmetry. The concept of a 2.5 percent levy on cash or in-kind wealth (*zakat*), imposed by Shari'ah on all Muslims who meet specific minimum levels of income and wealth to assist the less fortunate and foster social solidarity is also founded on it.
3. Principle of participation: this principle insists that reward or return on capital is legitimized by risk-taking and determined ex-post based on asset performance or project productivity. Expressed in jurisprudential parlance as *الغرم بالغرم والخراج بالضمان* "reward (profit) follows risk-taking as tax follows security," the principles make every participant have a share of whatever is the outcome of the enterprise. It ensures a link between wealth distribution and productive economic activities. (Abdulqadir, 2012b, 2015; Mumtaz, Asghar and Rima 2015)

Abdulqadir (2006) posited that both the objectives and principles governing the distribution of wealth are encapsulated in Quran 95:6 which makes the whole essence of the life of a Muslim be to worship the Creator whether in rituals (*ibadāt*) or mundane affairs (*mu' amalāt*). It necessarily follows that wealth acquisition must be in accordance with Shari'ah dictates (Quran 45:18). Thus, in addition to *ribā* (interest) and *gharar* (uncertainty), any other prohibited economic activities involving intoxicants, gambling, pornography, etc. capable of corrupting the economic environment must be avoided.

The major departure point in the conventional and Islamic wealth distribution is the units of participants recognized to be eligible to a share in the return on economic enterprise. Islamic law recognizes two heads of sharers of the global wealth viz:

1. Those with primary right of share, based on their participation as factors of production. These are Land (*arḍ*), rewarded with rent; Labour (*ʿamal*), rewarded with wages; and Financial Capital (*rās al-māl*), rewarded with profit. The Entrepreneur does not stand alone as a factor but as part of the capital.
2. Those with secondary right of share, by being co-trustees of the major factor of production (land) which is the prerogative of Allah (SWT) who Has assigned them a right. These are the vulnerable members of the society like orphans, widows, the weak, the poor, needy, the less privileged and those afflicted with calamities, etc. (Shafi, 1997)

Whereas the share of the first group is a direct proceed of the economic enterprise, the second group gets its shares established in form of zakat (2.5% per annum compulsory alms from the accumulated amount of wealth currently ₦2,097,600.00 minimum) and *sadaqah* (voluntary alms). Other shares are established in inheritance (*wirātha*), bequest (*wasīyyah*), endowment (*waqf*) gift (*hibah*), expiation for breaking of an oath, benevolent loan (*qarḍ hasanah*), security for deposit of cash (*wadiah yad ḍamanah*), etc. (Muhammad, Usman, Majid and Lakhani 2013).

By this arrangement, land, and labour get a fair share of their participation as the technicality of a separate share for capital and its owner (entrepreneur) is avoided. The co-travelers in the world who, for genuine reasons, are unable to participate directly in the process of wealth creation or accumulation are also empowered that they sometimes are elevated to the position of active participants. The provider of labour and the vulnerable

are though not within the rich class but are comfortable and are not envious of the rich giving rise to a happy, balanced and harmonious society as envisaged by the Creator.

Muslims are expected to accept the outcome of this arrangement after putting in their humanly possible best as *qadar* (predestination). They pursue their share of the wealth legitimately and ordinally, paying living wages as employers and showing contentment for their portion as employees, within the underlying philosophy enunciated in the manual. To this effect Allah says:

Is it they who would portion out the mercy of your Lord? It is We Who portion out between them their livelihood in this world, and We raised some of them above others in ranks, so that some may employ others in their work. But the mercy of your Lord is better than what (wealth of this world) they amass. (Quran43:32)

Ibn Abbass (RA) has also postulated about individual's livelihood thus:

وعن ابن عباس رضي الله عنه، قال: ما من مؤمن ولا فاجر إلا وقد كتب الله تعالى له رزقه من الحلال، فإن صبر حتى يأتيه آتاه الله تعالى، وإن جزع فتناول شيئاً من الحرام نقصه الله من رزقه الحلال.

On the authority of Ibn Abbas, may God be pleased with him, he said: There is no believer or immoral person except that God Almighty has written for him his lawful sustenance. If he is patient Allah brings it to him but if he is hasty and seeks it from unlawful means Allah will deduct such from his lawful sustenance (Ahmad, 1433AH)

The Big Cheat: Man-Made Alternative to Distributive Justice

In the selfish greed described by the Creator early in this lecture, human beings fashioned a wealth distribution method that did not only give the early comer property owners advantage over other participants in the economic activities but also

exploits them. The starting point was direct thievery of the wealth of different nations through slavery and later colonization. Using the acclaimed ability to reason and determine the allocation of rights, the big cheating tool called INTEREST SYSTEM was devised to service the looting in perpetuity. Little wonder, visibly hovering behind the exploitative activities of the colonial administration and participating in the investments of the colonial trading companies were interest-based foreign banks, with branches spread across the colonized countries (Abdulqadir, 2010 and Rodney, 1982).

The capitalist economic system created another layer in the factor of production in addition to the three enumerated above – entrepreneur (*rab al-māl*). The system allotted a fixed and secure return to the capital component called interest and allocate profit to the entrepreneur as the risk-taker in the enterprise. By the second half of the 1800s Charles Darwin had propounded his theory of evolution and natural selection relying on Herbert Spencer’s concept of “survival of the fittest”, and Thomas Malthus’ “struggle for existence”. The theory which was later known as Social Darwinism believed that in human society the fit inherited qualities such as industriousness and the ability to accumulate wealth, while the unfit were innately lazy and stupid and do not need to be helped to survive (Darwin, 1888 and History.com). This explains why the weak and the vulnerable have no place in the capitalist’s conception of wealth distribution.

The implications of the Big Cheat

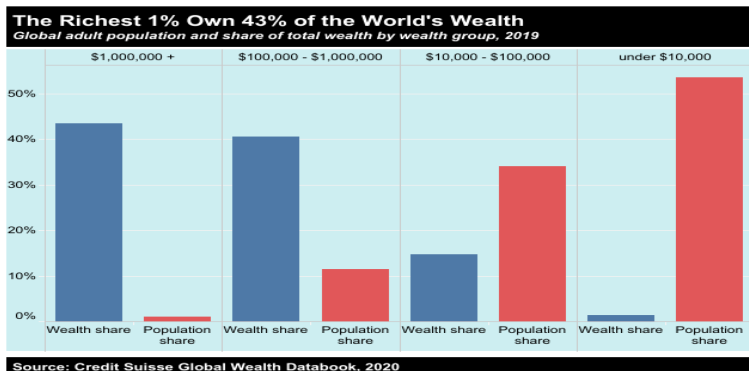
The natural consequence of the interest system is distributive injustice and wealth inequality. Abdulqadir (2012) is of the view that the reason for the intensely vitriolic tenor by which Allah condemned the practice of *ribā* (interest) in human transactions is that it is a direct distortion and contradiction of the mercy and benevolence He designed for men. The interest system is per the contrary, designed as modern enslavement of

man by fellow men and has become the greatest expression of inhumanity in man. Ahamad Kameel summarized the implication as follows:

1. Interest requires endless economic growth even when actual standards of living remain constant.
2. Interest encourages competition among participants in the economy.
3. Interest concentrates wealth in the hands of a small minority by taxing the majority.

According to the Credit Suisse Global Wealth Report (2020), the world’s richest 1%, i.e. those with more than \$1 million, own 43.4% of the world’s wealth. The data also shows that adults with less than \$10,000 in wealth makeup 53.6% of the world’s population but hold just 1.4% of global wealth. Individuals owning over \$100,000 in assets makeup 12.4 percent of the global population but own 83.9 percent of global wealth. The report which only stops short of showing the impact of the interest system in this inhuman inequality is graphically presented in figure 2 below:

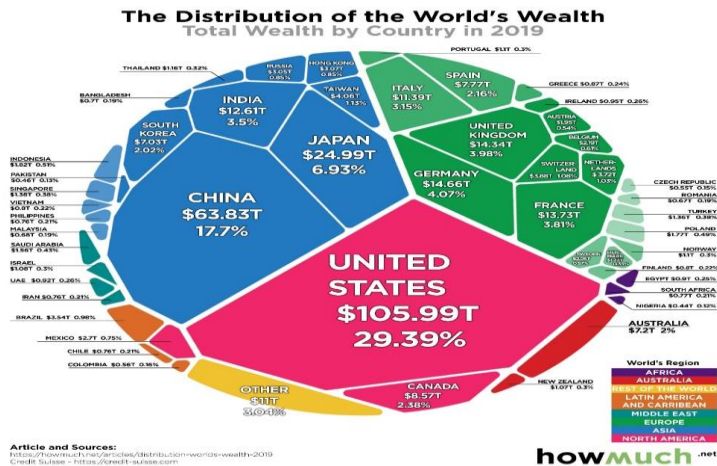
FIGURE 2: Share of the World Adult Population in the Global Wealth



Source: *Inequality.com* using *Credit Suisse Data Book 2020*.

Abdulqadir (2012a) in agreement with Ahamad Kameel (2004) pointed out that the interest system has been packaged into the contemporary banking system in the name of Fractional Reserve Requirement (FRR) under which all banks operate and together with the seigniorage created by the fiat money, it was easy for the financial institutions, which are the “main workshop” of the so-called rich, to commit theft of peoples’ real wealth. Those with extreme wealth have often accumulated their fortunes on the backs of people around the world who work for poor wages and under dangerous conditions. The unfortunate gap in the wealth divide between the global billionaires and the bottom half of humanity is steadily growing. Between 2009 and 2018, the number of billionaires it took to equal the wealth of the world’s poorest 50% fell from 380 to 26 (Coffey C. *et al*, 2020). Carlos J. (2020) did a pie/ball chart of share of the global wealth on a country and regional basis to reflect that the USA alone holds 30% of the wealth followed by Asia as a continent holding 39% and Europe, Africa 1.14% and Latin America 2.75%.

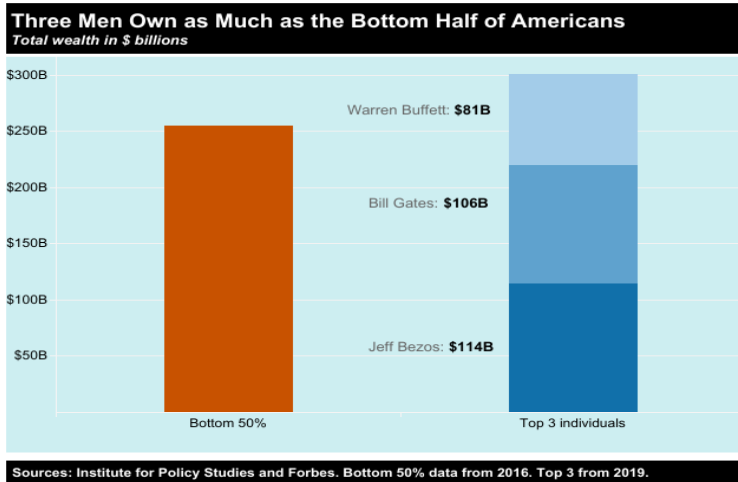
FIGURE 3: One View of the Global Wealth Distribution



Source: Howmuch.com
<https://howmuch.net/articles/distribution-worlds-wealth-2019>

To think that America’s share of the global wealth translates to equitable distribution among her citizen is misleading as researches have proved to the contrary. As shown in Figure 4 below, only three billionaires in America hold a wealth greater than those held by 50% bottom of the population.

Fig. 4: Wealth inequality within American Population



Source: Inequality.com using Credit Suisse Data Book 2020.

Aside from the wealth gap created by the above arrangement and the attendant exacerbation of poverty levels around the world, the interest system also causes economic dislocation and instability that further aggravates the condition of the vulnerable. Most of the developing nations including Nigeria became entrapped in the web of international debt to IFM, World Bank, and Paris Club, and in recent times, China to remain perpetually indebted and impoverished (Abdulqadir, 2005). This is because, at every turn of the dislocation, the rich still get richer while the poor get poorer. When the interest rate is high, they are insulated by passing its bulk to the teaming consumers and when the rate is reduced for the problem caused by the same interest system, they take the greatest benefit as borrowers without

having the price of their goods regulated. Abdulqadir (2015) found that the underlying booster factor for the global economic crisis/meltdown was the interest elements in all the conventional financial transactions. Repayment of interest and the principal worsen the illiquidity problem as there was a high default risk.

Legitimate concerns are already growing in the West on the need to reverse the exponential wealth disparity and the excruciating poverty rate. Turnbull (1975) identified four novel methods for sharing the new wealth as follows:

1. Employee Share Ownership Plan (ESOP). The logic of business cash-flow financing is used to allow directors, managers, and other employees to acquire part-ownership in the growth of their enterprise.
2. Ownership Transfer Corporation (OTC). Corporate employees¹ can be remunerated with part-ownership of the enterprise, according to their contribution to new values.
3. Land Bank (community-owned land or town co-operative). New wealth created in land values of the community can be shared by all residents in the region, according to their contribution to its creation.
4. Producer-Consumer Co-operative (PCC). Wealth created from the ownership of depletable natural resources can be pooled and so shared with the wealth created by regenerative consumer enterprises.

The proposal though recognized the common patrimony of the primary wealth (land) in its Land Bank its inability to deal with the “big masquerade” – the interest system convoluted the whole idea and is probably the reason it has not made an impact since its evolution about a half a century ago.

Nigeria's version of wealth inequality

Nigeria has had an unfair share of wealth inequity and inequality perpetrated both by the imposed interest system and self-afflicted theft of the common patrimony. Abdulqadir, (2008)

explained how the establishment of the Bank of British West Africa in 1894 ushered in the interest-based financial system into the country and concluded that interest-based operations were the most constant element of the system. Since it attained “independence” in 1960 the nation’s economy has remained tied to the apron string of the colonialists and other creditors through the interest system. Starting with a USD28 million loan contracted on behalf of Nigeria in 1958, for railway construction, the country’s debt profile now stands at USD 32,859.99bn (external) USD54,379.13bn. (domestic), totaling USD 87,239.12 (₦33,107,247.23trn) as of June 24, 2021. A substantial part of the debt accrued on interest servicing (DMO, 2021) much as a substantial part of the nation’s wealth is misappropriated through official corruption. How the infrastructural development for which some the debts were incurred cost the double of the price in neighbouring countries are in the public knowledge.

The official interaction with land and environment as primary wealth is the highest form of inequity. S.1 of the Land Use Act, 1978 vests the land in a state in the Governor of that State, to be held in trust and administered for the use and common benefit of all Nigerians. It is commonplace throughout the country that customarily held lands are acquired by the government for private businesses like Shoprite and other multinational and national companies paying peanut as compensation to the land-owning families. The true spirit of wealth distribution requires that after the initial compensation, the landowners should perpetually retain their interest in the land and be paid periodic annuity commensurate to the wealth made on the land. This should be seen as a matter of Human Right to economic use of the common trust.

Law as a Gate Keeper for the “Booty” of Wealth Inequality

The beneficiaries of the ‘booty’ or ‘loot’ of the interest system needed a higher order, to which every citizen must conform, through the systematic application of the force of politically organized society – law, to enforce compliance. Laws

were made to make payment or taking of interest on bank facilities compulsory and failure to charge interest or display its rate was an offense (s. 5, Bank Act, 1892 UK, s. 23 BOFIA, 1991, Abdulqadir, 2005 and 2012). The law was used as the basis of rejecting the initial entrant of the Islamic Financial system into the UK market when, in 1984, the Governor of the Bank of England **Sir Leigh Pemberton** declared that:

the Bank of England was not **LEGALLY** able to authorize Islamic banking under the Banking Act. This was because it failed the test of capital certainty for depositors, which was an indispensable feature of what constitutes banking in the United Kingdom. (Emphasis mine).

The judiciary that was to ensure certainty of redress in case of dispute in the economic and financial relationship was arranged in a way that only judges trained in the law of the interest system had jurisdiction (Abdulqadir, 2002). Even after the Islamic financial system was reluctantly adopted because of its economic viability, the battle for supremacy still raged between Common and Islamic law under which the two systems were conceived to the effect that a Common law judge is still the one approved to adjudicate on Islamic financial disputes. It was for this absurd arrangement that Abdulqadir (2011) suggested the adoption of Alternative Dispute Resolution (ADR) and insertion of an arbitral clause in every Islamic finance contract while the absurdity lasts.

Islamic Finance to the Rescue

The modern Islamic Finance (IF), comprising of Islamic banking, Islamic Insurance (*takāful*), and Islamic Capital Market emerged on the scene of the global financial market and wealth distribution in the early 1960s. Its primary objective as discussed earlier is to ensure that Muslims, especially, can conduct their financial and economic transactions in a way that is consistent with their religious beliefs and to participate actively

in the global distributive justice system. Within the space of about six decades, it has proved its mettle and viability as an alternative financial system (Abdulqadir, 2012).

Global Islamic Financial Services Industry (IFSI) has consistently maintained growth momentum and is now estimated to be worth USD 2.44 trillion across its three main segments. The profitability level of the industry has remained strong and stable over the past seven years (3Q13–3Q19), averaging a rate of 1.56% return on assets (ROA) and 14.30% return on equity (ROE) for stand-alone Islamic banks. This performance compares favourably with that of conventional banks in the United States and the European Union, whose ROEs in the same period, for instance, was 11.67% and 6.6%, respectively (IFS Industry Stability Report 2020 and Alaro, 2021). It has uniquely added a layer to the governance structure of the global financial industry to monitor its Sharī'ah compliance level (Ahmad and Abdulqadir, 2017). When the interest-based financial system occasioned the last decade Global Financial Crisis (GFC) it exhibited its internal mechanism which proved its resilience and proclivity for financial stability (Abdulqadir, 2011a).

Islamic Finance has also reopened the supposedly closed door of *ijtihād* (exertion of self-effort by Muslim jurist to derive new rule of law through indications in the primary sources). Contemporary scholars are inundated with Islamic legal issues requiring *fatāwa* (s. *fatwa* - legal opinion). Given the need to meet the challenges of the contemporary financing, therefore, several traditional commercial transactional concepts like *Mushārah* (partnership), *Mudārah* (sleeping partnership), *Ijārah* (lease), *Kafālah* (guarantee) have been refined for the Islamic Financial Industry use (Abdulqadir, 2017a).

Islamic Finance in Nigeria: Between Rights and Distributive Justice

The population of the Nigerian Muslims which was put at 90,020,000, making it 50% of the country's total population, 5.1% of the global Muslim population, and the 5th largest

Muslim population as of 2015, naturally makes the country a cynosure of the Islamic Finance Services Industry (IFSI) (Diamant, 2019). Abdulqadir and Oloyede (2014) reported that as of 2008 i.e. before the adoption of IFS in Nigeria only 21% of adults were banked, 5% were previously banked and 74% of them, mostly Muslim were unbanked. Most of the unbanked Muslims were financially excluded because they avoid the existing interest-based banking services like a plague given the tenure of the hanger with which the Almighty prohibits *ribā* (interest). The introduction of the financial system was thus necessary for financial inclusion and the nation's economic growth generally.

The Nigerian Islamic financial market has a very huge potential that the three local-currency sovereign Sukuk issued by the Federal government in 2017 (₦100 billion), 2018 (₦100 billion), and 2020 (₦150 billion) were oversubscribed (Alaro, 2021). The composition of the investors which included pension funds, Islamic banks, insurance companies, retails investors (both Muslims and non-Muslims constituting 17.3% of the 2018 issue), and asset managers (Bashar and Naif, 2021), is significant for deepening not only the country's economic growth but also religious harmony.

Outside the realm of the financial industry, one of my postgraduate students drew my attention, in 2018, to the need for more efficient management of the National Hajj Commission of Nigeria (NAHCON). I conducted unfunded research into what I call "The Economics of Hajj (Muslim pilgrimage)" and did a ten (10) year conservative projected savings (2020 – 2029) through the Hajj Savings Scheme (HSS). S. 7, National Hajj Commission of Nigeria (NAHCON) Act empowered the Commission to establish HSS but it has not been able to implement the mandate four decades after, despite the mandatory nature of the law.

The 10-year hajj savings projection relied on 95,000 seats allocated to Nigeria by the Saudi authorities and ₦1,534,582.55 hajj fare of 2017. A pilgrim participating in HSS pays this amount over 10 years which is $\text{₦}1,534,582.55/10 =$

₦153,458.26 per annum and this is divided by 12 months = ₦12,788.19 per month. A sum of ₦80,181,951,300.00 would be mobilized in 10 years (Abdulqadir, 2018). The breakdown of the savings and its progression for the period under consideration is presented in Table 2 below:

Table 2: 10-year Conservative Projection of Hajj Savings Scheme

Table 1: 10 years conservative projection for investment fund mobilisation through Hajj Savings Scheme											
	YEAR	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
S/No	MONTH	9,500 IP	19,000 IP	28,500 IP	38,000 IP	47,500 IP	57,000 IP	66,500 IP	76,000 IP	85,500 IP	95,000 IP
1	JANUARY	121,487,805	242,975,610	364,463,415	485,951,220	607,439,025	728,926,830	850,414,635	971,902,440	1,093,390,245	1,214,878,050
2	FEBRUARY	121,487,805	242,975,610	364,463,415	485,951,220	607,439,025	728,926,830	850,414,635	971,902,440	1,093,390,245	1,214,878,050
3	MARCH	121,487,805	242,975,610	364,463,415	485,951,220	607,439,025	728,926,830	850,414,635	971,902,440	1,093,390,245	1,214,878,050
4	APRIL	121,487,805	242,975,610	364,463,415	485,951,220	607,439,025	728,926,830	850,414,635	971,902,440	1,093,390,245	1,214,878,050
5	MAY	121,487,805	242,975,610	364,463,415	485,951,220	607,439,025	728,926,830	850,414,635	971,902,440	1,093,390,245	1,214,878,050
6	JUNE	121,487,805	242,975,610	364,463,415	485,951,220	607,439,025	728,926,830	850,414,635	971,902,440	1,093,390,245	1,214,878,050
7	JULY	121,487,805	242,975,610	364,463,415	485,951,220	607,439,025	728,926,830	850,414,635	971,902,440	1,093,390,245	1,214,878,050
8	AUGUST	121,487,805	242,975,610	364,463,415	485,951,220	607,439,025	728,926,830	850,414,635	971,902,440	1,093,390,245	1,214,878,050
9	SEPTEMBER	121,487,805	242,975,610	364,463,415	485,951,220	607,439,025	728,926,830	850,414,635	971,902,440	1,093,390,245	1,214,878,050
10	OCTOBER	121,487,805	242,975,610	364,463,415	485,951,220	607,439,025	728,926,830	850,414,635	971,902,440	1,093,390,245	1,214,878,050
11	NOVEMBER	121,487,805	242,975,610	364,463,415	485,951,220	607,439,025	728,926,830	850,414,635	971,902,440	1,093,390,245	1,214,878,050
12	DECEMBER	121,487,805	242,975,610	364,463,415	485,951,220	607,439,025	728,926,830	850,414,635	971,902,440	1,093,390,245	1,214,878,050
	TOTAL	1,457,853,660	2,915,707,320	4,373,560,980	5,831,414,640	7,289,268,300	8,747,121,960	10,204,975,620	11,662,829,280	13,120,682,940	14,578,536,600
	GRAND TOTAL										
		80,181,951,300.00									

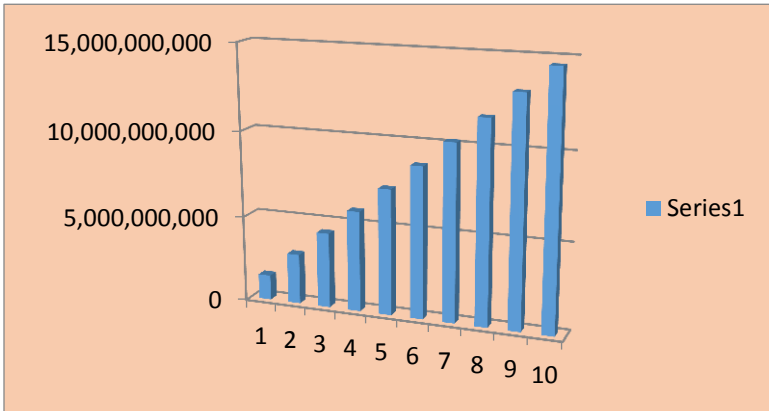
Source: table plotted by the author
Note: IP = Intending Pilgrim

Source: Plotted by the Author

Formula: **Monthly savings** = $1/12 \times 10\% \times \text{average of 2017 hajj fare (₦12,788.19)} \times \text{IP}$ for each year where IP is Intending Pilgrim.

The last row of table 2 above shows the total saving accruable per annum from HSS. The last column shows the total of ₦80,181,951,300.00 which is the aggregate of the total saving for the 10 years of the scheme. The progression of the savings and build-up of the IPs are more delineated in Fig. 5, 6, and 7 below respectively:

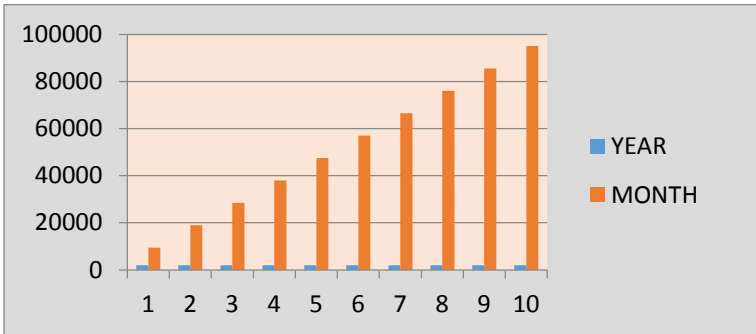
Fig. 5: Bar Chart showing the progression of savings in the scheme.



Nos. 1-10 on the Y-axis of the chart represent each year from 2020 – 2029

Source: Author

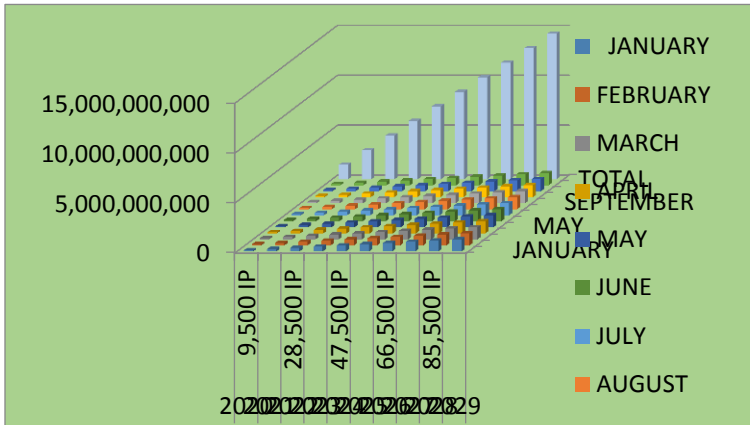
Fig. 6: Bar Chart showing the build-up of participants in the scheme



Nos. 1-10 on the Y-axis of the chart represent each year from 2020 - 2029

Source: Author

Fig. 7: Combined Chart of Annual Savings and participants in HSS 2020 – 2029



Source: Author

The range of investment outlets for the mobilized fund is not farfetched in a nation that is battling with the infrastructural deficit and the government seeking funds to upscale. Thus, the fund could be invested in FGN Sukuk, Agricultural Value-chain businesses, aviation business, real estate business, hospitality business, and manufacturing of hajj materials, etc. Careful investment of the mobilized fund is capable of giving NAHCON financial autonomy that would relieve the government of allocation of scarce resources and send individuals or religious group that establish pilgrimage as a share of national cake out of business.

Mr. Vice-Chancellor sir, it is saddening to report that while different parts of the world including the United Kingdom were struggling to accommodate this novel idea to have a share of the fund it is capable of mobilizing or for its focus on liberating the world from the shackles of interest system, it was ferociously attacked in Nigeria as an attempt to Islamize the country. Gordon Brown, the Prime Minister of the UK once proclaimed that he would make his country a hub of Islamic

Finance. The country did not only license the Islamic Bank of Britain in 2004 but also amended its Financial Act, 2006 to accommodate Islamic Finance (Abdulqadir, 2012). The inability of Nigeria to amend its finance laws to make robust provisions for smooth operations of the system is not unconnected with that initial attitude. Islamic Finance still relies on subsidiary regulations made by the Central Bank of Nigeria which are prone to abuse and devoid of the robustness of the law-making process (Abdulqadir and Ahmad, 2017).

My Contributions Towards Equitable Share of the Global Wealth

Mr. Vice-Chancellor sir, I hinted at the beginning of this lecture that my sojourn in academics is not accidental. My family background of Islamic scholarship and my teacher's training has a level of influence on my choice. My interaction with Prof. Shuaib Oba Abdulraheem, the 6th Vice-Chancellor of this great university) about 1994 also influenced on me in two ways. The interaction gave me hope of teaching at the university level and taught me a lesson of attaining the level of the global wealth ascribed to me by my Creator irrespective of my Career choice. An impression created by some of my friends at 300 level in Bayero University Kano, of the possibility of courting poverty by choosing to become a university teacher, had led me to seek his advice. Thus, when by divine design he became the Vice-Chancellor and recruited me into the faculty of law in 2001, it was easy to channel a career path in Islamic law relating to equitable distribution of wealth in research, advocacy and practice.

Mr. Vice-Chancellor Sir, distinguished audience, you would have noticed that a chunk of my research work constituting 45% is dedicated to the area of Islamic distributive justice. Other areas of Islamic law I venture into are area of rights constituting 15% including **Abdulqadir** and Olagunju, (2012); Abdulraheem, Salman and **Abdulqadir** (2014); **Abdulqadir**, Folorunsho, and Ibrahim-Eletu, (2016); Folorunsho

and **Abdulqadir** (2016); and **Abdulqadir** (2017), etc. These researches showcase the high recognition of Human Rights in Islamic law, predating the Western conception of the rights, yet highlighting the right of God in the ascription of the rights of man he created and delineating the limit of man in their determination. Another 13% is dedicated to the general area of Islamic Law and the remaining 27% is dedicated to general areas of law relating to justice and governance.

Convening Al-Burhan Multi-Purpose Cooperative Society

It is commonplace to invite the new staff of the university to one or the other existing cooperative societies. On such an invitation, I realized that all the Cooperative Societies on campus were interest-based. None could convince me of why they charged interest of about 10% pa. when they were not banks. I came to know that the accumulation of the interest was responsible for the fight over the leadership of such societies. Therefore, on 16th December 2002, I issued and circulated notice of a meeting to intending members on establishing Interest-Free Cooperative Society held on Friday, 20th December 2002. The overwhelming attendance and responses at the meeting indicated the birth of a lifelong engagement.

Figure 8: Resolution and Notice of Meeting for the Establishment of Al-Burhan

UNIVERSITY OF ILORIN
FACULTY OF LAW
DEPARTMENT OF ISLAMIC LAW

Ref: EMC/UI/002/23 4th Dhul-Qadah, 1423 AH
(7th JANUARY, 2003)

File copy

Dear Sir / Ma,

As-Salam Alaykum

RE: ESTABLISHMENT OF AN INTEREST FREE MULTI-PURPOSE COOPERATIVE SOCIETY FOR THE STAFF OF UNIVERSITY OF ILORIN.

My correspondence of 13th Shawal, 1423 A H (16th Dec., 2002) refers please

Sequel to that letter the maiden meeting of the society was held on Friday 17th Shawal 1423 (20th December, 2002) where the following resolutions were made:

1. That in compliance with the recommendation of the Ministry of Commerce and Industry, Kwara State, the pioneer members should be financially committed by making a monthly contribution in cash, of an amount of their desire while the process of registering with the Ministry is still on.
2. That a bank account be opened in the name of two members to be nominated at the next meeting for a safe keep of the said contribution.
3. That the proposal of our modus operandi be prepared by the convener and submitted to the Ministry as required.
4. That the said contribution shall, God willing, commence with the payment of January 2003 salary and shall reach the designated persons not later than 10 days from the date of payment.
5. That each contributor shall pay a running cost of N50 for the main time, in addition to his / her contribution.

In view of the foregoing, you are hereby invited to attend the next meeting of the society which shall in-sha-Allah, come up on Friday 28th Dhul-Qadah 1423 AH (31st January, 2003) at the main campus, *Faculty* immediately after the Jumaat services.

AGENDA

1. Opening Prayer
2. Convener's Remark
3. Proposals for the name of the society
4. Up date on registration
5. Appointment bank account Trustees
6. A. O. B
7. Closing Prayer

Your attendance is highly anticipated. Maa-s-Salam

Yours faithfully,
Abdul Qadir I Abikan Esq
Abdul Qadir I Abikan Esq
Islamic Law Department
Convener.

The name Al-Burhan (the proof - of the workability of divine legislation) was proposed in a meeting with late Dr. Muhammad Ali Olukade, late Professor Muhammad Nasir (Biochemistry), and the current Mallam Abdulmumini Jimoh, SAN (DPP Kwara State) on Saturday, 25th January 2003. The then director of Cooperatives in the Kwara State Ministry of Commerce and Industry thought it was a youthful exuberance. She insisted I should come with elders of the Muslim Community and after series of meeting in company with Professor Zubair A., Mrs. Oladosu, Professor I. A. Yusuf, etc., the Society was registered as the first of its kind in Kwara State.

Mr. Vice-Chancellor Sir, it is gratifying to report that after series of teething challenges, including sabotage from some elders who felt slighted by not having the idea earlier, despite their long stay on campus as community leaders and misdemeanors by some members, the society now boasts of 835 members. As of Thursday, 5th August 2021, it had granted a non-Interest loan to the tune of **₦1,634,624,916.00** between 2009 and 2021. The implication of this is that, if the loan had been granted by an interest-based cooperative at 10% pa. and the loan tenure is between 12 and 24 months, taking an average tenure of 18 months would make the interest 15%. Therefore, the expected interest on the loan would be $15/100 \times 1,634,624,916 = ₦245,193,737.40$. Assuming all members took an equal amount of loan, each member would have paid: $₦245,193,737.40 / 835 = ₦293,645.19k$ in interest. The Society made a profit of **₦22,907,436** in its business ventures between 2016 and 2021 and has a liquid and fixed asset worth **₦25,000,000.00k**. It is fulfilling to mention that tens of academic members used the facility to pursue their Ph.D. degrees abroad. That was the result of the toil of team Al-Burhan in the loan facility alone. Some of the challenges of running such a cooperative have been documented in Abdul-azeez and Abdulqadir, (2018).

Preemptive Ph.D. Research in Islamic Banking Laws

Mr. Vice-Chancellor Sir, kindly indulge my storytelling style of contribution. It is because we are talking about the certainty of an individual's share of the global wealth in an era of a universal scramble for riches at the expense of human honor and dignity. The above effort on Al-Burhan was not based on deep knowledge of the workings of the Islamic distributive justice system. However, the life-touching result was encouraging and was the motivator for the first Ph.D. Islamic banking law research in Nigeria titled "Islamic Banking under the Existing Laws in Nigeria: Problems and Prospects". The research was carried out at one of the leading and the first English-speaking universities in Malaysia – a leading country in Islamic finance, International Islamic University, Malaysia (IIUM). The research was completed at a record time of two years (August 2004 – August 2006). It is reported to be a reference material for subsequent researchers in Islamic finance-related areas and me, a manual for the establishment of the financial system in the country.

At IIUM, citizens of about 110 countries were on campus and the postgraduate research focus was to train leaders in different fields of knowledge who would return to develop their respective countries. Structured leadership training was organized for students' leaders (I had the privilege of serving as Postgraduate Students' President 2005 - 2006). The graduates were imbued with the philosophy that wealth of individuals must surely get to them wherever they may be, hence it was not difficult to return home to implement the findings and recommendations of my research despite very juicy offer to stay back at Universiti Brunei Darussalam where I served as visiting lecturer.

CBN Exposure Draft of Framework for Regulation and Supervision of Non-Interest Banks in Nigeria

The Central Bank of Nigeria issued an exposure draft on the Framework for the Regulation and Supervision of Banks

Offering Non-Interest services in Nigeria on 4th March 2009 and called for comments from the public. This call tallies with the finding in my Ph.D. research of difficulty that would be encountered in making laws for the takeoff and running of the banking system (Abdulqadir, 2012b). therefore, I and Professor A. A. Alaro (then Dr. Alaro) under the auspices of Al-Barka Trust Fund responded to the call and I traveled to Abuja to submit our reaction vide a document reference No. ATF/IL/COOP/006/1430, dated 18th March 2009. Although the CBN did not formally acknowledge receipt of our submission, the final draft reflected a great impact on our submission. For instance, we recommended that the Memorandum and Article of Association of intending Islamic banks should establish the office of Shariah Advisory Committee. We also suggested that the CBN Shariah Council now called Financial Regulation Advisory Committee of Experts (FRACE) should be in-housed within the CBN rather than being outsourced given the enormity of its function. And that nothing in Banks and Other Financial Institutions Act (BOFIA) 1991 supports the prohibition of the use of Islamic in the name of a proposed bank provided prior permission is sought etc. That Framework is the foundation and the main instrument relied upon by the CBN for regulating Islamic banks in Nigeria till today.

Advocacy and Enlightenment for the Establishment of Islamic Banking System in Nigeria

One of the findings of my Ph.D. research was that there was a lack of awareness in Nigeria about the trending Islamic financial system and that tendency was rife to misunderstand it as an instrument of Islamization, hence the need for a rigorous enlightenment campaign (Abdulqadir, 2012a). Premised on this, I sought the support of my Vice-Chancellor, Professor Ishaq O. Oloyede early in 2009 to convene an international conference on Islamic banking titled: “International Conference on Islamic Financial Services: Emerging Opportunities for Law/Economic Reforms of the Developing Nations”. We found a willing partner

in Islamic Development Bank, Jeddah Saudi Arabia, and its research wing co-organized the conference sponsoring the flight, accommodation, and local cost of all foreign participants from 13 countries including the USA, UK, Canada, Malaysia, Indonesia, Tunisia, etc. That conference held on 6 – 8 October 2009, put our “Better by Far” university in the global limelight. On 2nd June 2011, a colloquium organized by the Nigerian Institute of Advanced Legal Studies (NIALS), Lagos almost turned into an ambush for Islamic banking in Nigeria on the eve of issuance of the operating license to Jaiz Bank Plc. Thanks to Professor M. M. Akanbi, SAN (then Dr. M. M. Akanbi) who was invited to speak for Islamic banking but declined expertise and insisted that I must also be invited. It was a foiled coup de tat. The audience, including the representative of the CBN Governor, was better informed and enlightened and the honorarium was also handsome!

Mr. Vice-Chancellor Sir, public enlightenment on a faith-based national issue can never be too much especially in Nigeria. For that reason, I co-convened a one-day sensitization seminar organized by the Department of Islamic Law, University of Ilorin in collaboration with Al-Barka Trust Fund on “Non-Interest (Islamic) Banking in Nigeria: Opportunities and Challenges”. The seminar was held on 27th July 2011. Meanwhile, the debate over the banking system had become overheated by that time, but my publication on “Constitutionality of Islamic Banking in Nigeria” (Abdulqadir, 2006) had also gone viral to douse the tension.

Mr. Vice-Chancellors, it is heartwarming to report that all these humble efforts together with those of other stakeholders culminated in the birth of the Islamic banking system with the issuance of the operating license to Jaiz bank Plc. on the 11th day of November 2011. Two other banks – Taj and Lotus bank Plc. have also been licensed within that time with two others – Sterling and Stanbic IBTC operating at window level.

Deepening the Distributive Justice System

Mr. Vice-Chancellor sir, realizing that the workings of an Islamic bank in a chronic interest environment would make nonsense of all the above efforts, another grand-breaking research was embarked upon on the existing deposit insurance scheme. S. 15 of the Nigeria Deposit Insurance Corporation (NDIC) Act, 2006, mandates all banks licensed in Nigeria to participate in the insurance scheme. Abdulqadir, (2011b) called attention to the impropriety of an Islamic bank operating under such a system. The grey areas identified were penal interest, flat premium rate by both ailing and healthy banks, interest-based investment outlet of the scheme's fund, and non-participation of the banks in the distribution of the return on the Corporation investment.

The article appeared strange but indispensable that the editor of the Corporation's journal (NDIC Quarterly) late R. W. Ogunleye had to travel down to Ilorin despite the exchange of correspondences, to clarify his area of doubt. The article titled "Islamic Banks' Participation in Deposit Insurance Scheme: A Legal Appraisal" was eventually published with a handsome reward! Mr. Vice Chancellor sir, I am pleased to report that in substantial implementation of the recommendations in that article, the NDIC introduced a Non-Interest Deposit Insurance Scheme for Islamic banks in 2016. Going forward in deepening the new scheme, I received a special invitation and participated in the experts-only National Conference on Sustainable Islamic Finance in Nigeria: The Deposit Insurance Scheme Perspective organized by the Corporation on 26th September 2019. That was two days after returning from a business meeting I led some Nigerian sub-sovereigns to attend at the International Islamic Liquidity Management Corporation's (IILMC) headquarters in Kuala Lumpur, Malaysia on possible funding opportunities. I am proud to announce that the CEO of the Corporation owned 12 Countries and multi-national corporations, Dr. Umar Oseni was my student and alumnus of this great university.

Mr. Vice-Chancellor Sir, these investments in scholarship were also noticed by the Islamic Finance Project of the Harvard Law School when it invited me along with Professor Oloyede I. O., (the 8th Vice-Chancellor) to speak at the Tenth Harvard University Forum on Islamic Finance. The article presented at the Forum in Cambridge, Massachusetts, the USA on 24 and 25 March 2012 was published by Harvard Law School in a book: Islamic Finance and Development (Abdulqadir and Oloyede, 2014). I receive a similar invitation from the College of Islamic Studies of Hamad Bin Khalifa University, Doha, Qatar to speak at the Global Conference on Awqaf and Endowments held on 4 - 6 December 2018. The article presented at the conference by me and one of my mentees Dr. Abdullahi Ishola of Kwazu (Abdulqadir and Abdullahi, 2020) is now being published in a book titled: Waqf Development and Innovations: Multi-Jurisdictional Case Studies by Taylor & Francis (Routledge), USA.

Mr. Vice-Chancellor sir, as follow up to the success of our 2009 conference on Islamic banking, I was consulted again in 2014 by the Islamic Research and Training Institute (IRTI) of the Islamic Development Bank (IsDB), Jeddah, Saudi Arabia in conjunction with African Development Bank (AfDB) to organize a Thematic Workshop on the Development of Islamic Banking in Africa. Because I was on sabbatical leave at Al-Hikmah University, Ilorin at the time I convened the Workshop jointly organised by IRTI/IsDB and AfDB in collaboration with Al-Hikmah University and the Department of Islamic Law, University of Ilorin held on the campuses of the two universities on 6th – 8th January 2015. Sir, as the then Vice-Chancellor of Al-Hikmah University, you are a living witness to the success of the Workshop. The University of Ilorin also issued a letter of commendation attesting to its success.

Equitable Distribution of Intangible Wealth

Mr. Vice-Chancellor Sir, in line with the UN's recognition of knowledge, skill, and technical know-how

involved in wealth creation and distribution as intangible wealth, I have also made a humble contribution in its equitable distribution. You would recall Sir, that as the Vice-Chancellor of Al-Hikmah University, you invited me to facilitate the establishment of the University's College of Law. I had to drop an offer for sabbatical leave at the Univeristi Utara Malaysia to undertake the milestone assignment. In the process, I developed the curriculum of the two programmes (Common Law and Common and Islamic Law), secured the National Universities Commission's (NUC) and the Council of Legal Education's (CLE) approvals, and oversaw the recruitment process of all the academic staffs. I am glad to report that the first set of students admitted into those programmes have graduated and are already on their way to the Nigerian Law School. In the same vein, you gave me the privilege of being the designer of the Turkish University (formerly Turkish Nile University) Law programme curriculum in 2014 when you were consulted on the same.

Mr. Vice-Chancellor Sir, the Common and Islamic Law curriculum of Al-Hikmah University was uniquely designed to cater to the gap noticed, in my years of teaching Islamic law, in the strength of the Shariah content of the Nigerian programme compared to those of Arabia or Middle Eastern Countries. Unfortunately, the curriculum was reversed immediately after I left the university. This informed our publication: *The Status of Shariah in the Nigerian Legal Education System: An Appraisal of the Role of Madaris* (Abdulqadir and Folorunsho 2016). Based on the findings of this research, my department agreed with me to convene a national conference titled: *Shariah in the Nigerian Legal Education System* in collaboration with the Nigeria Supreme Council for Islamic Affairs (NSCIA). The conference was successfully held on 13th - 15th November, 2018.

Permit me to also mention Mr. Vice-Chancellor sir, that in addition to imparting knowledge and transferring skills in the academic area of distributive justice, I have supervised tens of undergraduate and Master projects and theses. I have also supervised four Ph.D. theses in the area (two completed and two

near completion). I have examined seven Master and six Ph.Ds for the University of Abuja and Lagos State University and assessed five academics into professorial rank for three universities.

University Administration

Mr. Vice-Chancellor Sir, I have a unique privilege of cutting my administrative teeth working with quintessential university administrators who saw a promise in me and afforded me the opportunity of learning the rope. In this regard, I have served as Ag. Dean of the Faculty of Law and H.O.D. Islamic Law, University of Ilorin, pioneer Dean of Law, Al-Hikmah University and currently serving as the Director, School of Preliminary Studies, University of Ilorin,

Rights Advocacy

Mr. Vice-Chancellor Sir, advocacy is not only training but also a pride of most lawyers. My law office practice at Y. K. Saadu & Co. is dedicated to the cause of fighting for the rights of the downtrodden and the less privileged especially, most time, at no or little cost. As it must have been noticed, this lecture is dedicated to that cause. Citing a few examples of my humble contribution in that regard, however, is the recent denial of Amasa Firdaus from the use of hijab during her Call to Bar ceremony by the Body of Benchers in 2017. That incident is now part of history, nonetheless, it is my pleasure to report that I took a frontline position in the cause to secure her rights that the then Chairman of the Body gave me a special VIP invitation to attend her call with the privilege to invite a few others. Another incident is the recent hijab crisis in the public schools in Kwara State. The needless crisis has to do with the right of the Muslim girl child to use hijab in public schools. There had been decisions in different cases, the recent one being *The Incorporated Trustees of the Christian Association of Nigeria and 10 Ors. v. The Kwara State Government and 14 Ors.* (Unreported Suit No. CA/IL/108/2016 Judgment delivered on 20th September 2019) to

the effect that the use of hijab is a Fundamental Human Right to Freedom of the religion of a girl child. In this case, despite the decision of the High Court of Kwara State and the Court of Appeal to that effect, the girls were denied their rights. I represented some of the claimants at the two levels of Courts and the implementation stage until the rights of the girls were established.

Challenges

Mr. Vice-Chancellor Sir, I must not conclude this lecture without mentioning a few challenges encountered along the way either as a researcher or concerning the distributive justice sector. Some of the challenges include:

1. Suspicion against religious-affiliated ideas

In my academic sojourn, I realized that there is an entrenched suspicion, especially in Nigeria, against developmental ideas and innovations of religious affiliation, however beautiful and beneficial such ideas may be to humanity. It is common to tag such ideas as an attempt to Islamize the country. It is most dangerous when such suspicion is mooted or promoted by religious leaders who may sometimes have a personal interest to serve, but with a strong capacity to mislead their followers. My interaction with the CBN officials in the course of the efforts for the dual banking system revealed that some foremost religious leaders opposed the issuance of a license to Jaiz Bank Plc. as blackmail to negotiate the impending sanction against their privately owned banks for previous misdemeanors.

2. Lack of funding for Islamic Law related research

Mr. Vice-Chancellor Sir, in what appears as apartheid against, or lack of appreciation for the impact of religious-related fields on national development, researchers in Islamic Law and allied areas like religions and Arabic language have been neglected in access to funding for research and higher degree

studies. Several attempts have been made to secure a Tetfund research grant to fund some research with an impact on national economic development in agricultural financing. It is discouraging that research proposals were not acknowledged. I am also not aware of any of the academics in the Department of Islamic Law or any of the allied departments that have benefitted from Tetfund higher degree sponsorship. Again, for an organisation like Tetfund to adopt a policy of its staff traveling around the world in the name of monitoring attendance of academics at the conferences funded by it in the 21st century is not only ridiculous but wasteful. It has gotten to an embarrassing stage that staff of universities is now being sponsored to international conferences just for attendance's sake.

3. Super Profit Target of Islamic Banks

Abdulqadir and Zainudin, (2006) found that Islamic banks at the global stage were missing out on their overall objective of combining profitability with the attainment of social justice through the provision of competitive economic advantage to especially the poor. They were warned of competing with the conventional banks in the declaration of super-profits. This attitude is sadly creeping into the Nigerian system even at the nascent stage. It took my resilience to resist a proposal by a bank I chair its (Shariah) Advisory Committee of Experts (ACE) to offer facilities to School owners with Ijarah (lease) as an underlining contract. Unfortunately, I received a complaint, supported by documentary evidence, from a customer of one of the few Islamic banks around showing that Ijarah (termed as a sale of service) was used as an underlining contract for the facility for payment of a school staff salary during Covid-19 pandemic at 28% markup. To worsen the situation, the school's inability to pay for two months due to total lockdown was sanctioned with a penalty higher than the markup. This is grossly unacceptable and cannot be justified by any guise under the Sharī'ah. It reminds one of the unfortunate incidents in the case of *Shamil Bank of Bahrain V. Beximco Pharmaceutical Ltd*

[2004] EWCA Civ 19, [2004] 1 W.L.R. 1784, [2004] 4 All E.R. 1072 and call to question, whether the ACE of the bank is checking the Shariah compliance of the bank's activities.

Conclusions

The fact that Allah (SWT), the Creator of heavens and earth together with its contents, including human beings, is the Owner of the wealth inherent therein has been demonstrated from the Islamic textual perspective. Human beings are appointed trustees and beneficial owners of the resources of the earth having been endowed with intellect to improve upon them in accumulation and protection and to ensure their equitable distribution among the stakeholders. Those stakeholders include the providers of labour, the capital used for the improvement, and those who for reasons of infirmity, weakness, or any natural disadvantage could not participate in the process of wealth creation. The shares of the latter group are created by default of being co-trustees of the primary wealth improved upon (the land and all its contents). This is the major departure major point of departure in the conventional and Islamic wealth distribution mechanisms.

Islam recognizes the human's capacity for reasoning. Yet the Al-Hakeem, the All-Wise, who created them and their wisdom knows their rational limit as well as their greedy idiosyncrasies, and tendency to exploit others. Allah's Creator status and position of Knowledge justify His role as the legislator on equitable distribution of the global wealth. Those negative tendencies inherent in man, which religions sought to abate, disqualify human beings from being the maker of the principal laws that would limit their unjust grips on the global patrimony. This is the rationality of the involvement of a higher order that is free from any need of the wealth. That a handful of individuals hold stupendous wealth created and accumulated through the sweat and toil of billions of inequitably paid laborers and in disregard for the right of the weak population while the acclaimed human reasoning does not know how to deal with the

situation, is copious evidence of human rational limit. Left to the holders of the global wealth, the *status quo ante bellum* is the best they can offer.

Therefore, Allah (the real Owner) Has legislated on the just accumulation of the global wealth through the abolition of interest system, gambling, uncertainty in transactions and other prohibited elements and its equitable distribution through fair labour wage, zakat, sadaqah, inheritance, *wasiyyah* (bequital), *waqf* (endowment) and fair taxes. As a matter of Muslims' belief, human's exploitative tendencies are tempered by the morals of recognizing their status as a beneficial owner of a trust, accountability for the trust to the Creator, and fairness, mercy, justice, benevolence, and contentment, etc. in dealing with the trust. The manual indicating all these (Qur'ān and Sunnah) is immutable and not rationally contradictable but is expandable (through rational secondary sources *ijmā'a*, *qiyas*, *istislahah*, etc.) to meet changing temporal circumstances and transient needs. The summary of the indication from the sources is: just as in my analogy of the human blood – in every Naira, Dollar, Pound Sterling, Euro, Yen, etc. and other items of wealth in the hand of the rich, there is a right of a better labour wage and a share of common patrimony for the weak, less privilege and the vulnerable.

Recommendations

Therefore, arise O! men and women of dignity, who have toiled and labored in the creation and accumulation of the global wealth held by a very negligible few, to claim your legitimate right for a just distribution of the wealth. Arise O! men and women of honour whose wealth of nations were stolen vide colonization, neo-colonialism, corruption in governance, and manipulation of the interest system to claim your right to a fair share of the common patrimony. This is not a call for violence or carriage of arms. It is a call to liberty and true independence (on the eve of Nigeria's independence) from the shackles of the global materialistic hegemony which respects

neither the honour of humanity nor dignity of labour. It is a call to global peace, harmony, and happiness, achievable through the following means:

1. Since no individual has been able to validly claim the ownership of the universe except Allah (SWT), all human beings should accept His sovereignty by way of submitting to His Will and Commandments including His manual, at least, for distribution of the global wealth. This goes beyond religious belief, after all, the UK and USA and other parts of the world amended their laws to adopt Islamic financial system without necessarily becoming Muslims.
2. The over 7 billion people of the world outside the class of billionaires and millionaires (in dollars) should insist on better wages for their labour used in the creation and accumulation of wealth. This is achievable by ensuring that the wages are measured, to a fair extent, by the quantum of labour in the wealth created.
3. The global non-Governmental and humanitarian societies should put pressure on different national governments to eschew interest systems in their national, regional and international financial engagements. Dr. Okonjo Iweala, the Director-General of the World Trade Organization once did this as the Nigeria Finance Minister when she opted for the interest-free facility from the IsDB in preference to facilities from other Monetary organizations to which she belonged.
4. Scholars of Islamic law should work harder to institutionalize and popularize other Islamic concepts of equitable wealth distribution like *wirāthah* (inheritance) and *waqf* (endowment) to augment the achievements of the Islamic Finance Industry. The current handling of inheritance in Nigeria, for instance, promotes the destruction of the deceased estate when immediately shared among the heirs, many of whom do not have management acumen of the deceased. A better approach

to be supported by scholarly research should be for the estate to be managed by holding companies and the returns shared at an agreed periodic time in line with the Islamic injunctions.

5. Nigeria and other nations of the world should adopt other Islamic equitable wealth distribution mechanisms like zakat, which shares the wealth rather than the income of the rich. It does not need to be called zakat because of religious sensitivity and sensibility, provided that the aim of wealth distribution is achieved. Just as in the case of Sukuk, investment of funds mobilized through Hajj Savings Scheme in the deficit side of the economy would be for the benefit of all, irrespective of religious orientation.
6. TETFund and other educational funding agencies should stop the apartheid against faith-based research and researchers and adopt inclusive funding for all as the Islamic Financial system has proven that those areas of knowledge have a strong capacity to impact positively on humanity. They should also review their policies that tend to profligate rather than concentrate on research funding.
7. Religious leaders in Nigeria especially and other parts of the world should stop promoting their private businesses in the name of God by way of attacking every idea that comes from other religious groups however laudable. The attack on Islamic banking in Nigeria in 2011, seven years after the Islamic Bank of Britain had been licensed, and the lack of evidence of Islamization since then really exposed how misleading religious leaders could be on issues of great importance to humanity.
8. The Shariah experts in banks offering Islamic financial services in Nigeria (the ACE) and their counterparts in the CBN must work harder in their advisory and supervisory roles on those banks to ensure that the practices of those banks are Shari'ah compliant. Bank

- customers should also assist them by reporting any infraction noticed to the regulatory authorities.
9. Nigeria should embark on wholistic reorientation across ethnic groups, religions, and ages to reverse the widespread craze for materialism and get-rich-quick syndrome. This would impact her leaders to stop stealing the nation black, on the youth to engage in productive economic activities in earning their wealth and generate substantial wealth for equitable distribution.
 10. Nigerian, and by extension global land and environment administration system should be reorganised to make a share in the wealth created from their economic use an inalienable Human Right.

Acknowledgment

If the Oceans and Seas of the world were ink and the trees, pen or had I thousands of tongues to write or sing praises, all would have been exhausted before the debt of my gratitude to Allah (SWT) is fulfilled. You alone are deserved of all praises and adoration for the bounteous favours accomplished on me devoid of any strength of wisdom on my part. I am devoted to thanking you all through my life and cannot be more grateful for guiding me on how to thank you to your satisfaction:

سبحان الله وبحمده سبحان الله العظيم

I seek the blessings and benedictions of Allah (SWT) on the gentle soul of the noble Prophet Muhammad (SAW) the bearer of the true guidance and mercy and messenger of peace to the world. May the peace and blessings be extended to his household, companions, and the generality of the Ummah till the day of resurrection.

I owe a debt of gratitude to every person I met on my sojourn in life, including my detractors who made me appreciate that a little man cannot survive (die okunrin 'oto), what more about my benefactors, who supported me sincerely to attain this feat.

My parents are the next in line of gratitude. My mother, thank you for everything. Thank you for bringing me to this world, for being a loving and caring mother to all your children. Thank you for the support, especially for those nights, I remember with nostalgia when you were confounded about what next to do, to be able to support our education. You were considering leaving your matrimonial home to take up menial jobs in a faraway land, just for our sake. We were both crying until sleep overtook us and by the Mercy of Allah (SWT), we have had succor by the following morning. Maami! may Allah grant you good health and the end of the righteous. Then my father, for your courage to make us better than you were. For changing the narrative of Western education, especially the legal profession, not being for the people of God. For the lessons of courage, loyalty, hard work, truthfulness, honesty, and plain-mindedness you taught us. May Allah be more merciful to you both than you cared for us when we were young.

I am indeed grateful to all my teachers from the madrasah, through primary and secondary schools to the university. Foremost in this direction is my Murshid, ash-Sheikh Ahmad Rufai' bin Uthman (Baba Labikan). Mr. Giwa and all my primary school teachers, Alhaji Zulqarnain and all my secondary School teachers, Professors Zubair A., Yadudu A. H., Popoola A. O., Nasir A. and all other teachers at different levels of university degrees. I must single out my Ph.D. supervisor Professor Uzaimah Ibrahim and my internal examiner Professor Norashimah M. Y. Professor Uzaimah, you lost your husband in the course of my Ph.D. research, and a week after, you were back in the office to continue the supervision in fulfilment of your promise to support a student without sponsorship. To all of you, *jazakumu Llahu khayran*.

Members of Abikan-Rakan family, "*eyin omo 'ogbo giiri alejo matakiji, ani bi'obawa sanwo asijepe owaya.*" Abikan's Child expresses no fear of sudden appearance of a stranger believing that s/he could only have to either repay the loan taken or to borrow money (cognomens). Starting with the

Magajia- Alhaja Ruqyyat Igi-owo Idi-Ape, then all other members of the family, men and women represented by the Family Head, (Baba Magaji) Alhaji Sulaiman Abdulhameed Abikan, may your reign be long.

I must make specific mention of my siblings starting with Egbon Olorire, Alhaji Shuaib Abdulkadir Abikan, retired General Manager NNPC Headquarters Abuja. You did not only blaze the trail of the entire family Western education after a solid background from Markaz Agege but you have also been a strong pillar. You did not make me feel my friends' prediction back in BUK, of courting poverty for choosing to be a university lecturer. My sister, Alhaja Raihanah Jumoke, I thank Allah (SWT) for blessing us with your presence as the only daughter, we all cherish you for your special care for our mother and appreciate your husband Sheikh Lukman Abeokuta and your mate (co-wife) for their understanding. To the last born, Abdulgafar Abikan, Abiclinc USA, you are the toast of our hearts. Your wife and her family and your kid are wonderful. May Allah (SWT) continue to bless our family. I also appreciate my guardian, Alhaji and Alhaja Abdulhameed Kunle Oloriomokewu, Professor and Alhaja Ibrahim Otuyo and all colleagues at al-hikmah Univesrity.

To my employers, I found an uncommon favour with Ilorin and later Ilorin East Local Government Education Authority for not only giving me the job of a class teacher in 1989 but also granting me study leave with pay, to pursue my degree programmme. Then, Kwara CAILS and eventually, the University of Ilorin. I appreciate all the successive administrations of the university from Professor Abdulaheem S. O. who recruited me, Professor Amali O. O. who released me for my Ph.D. on Staff Development Award, Professor Oloyede I. O. who believed in my distributive justice idea, supported it fully and later entrusted me with the Deanship of the Faculty of Law, Professor Ambali A. who supported our process to the realization of Islamic banking in Nigeria and the current Vice-Chancellor and Professor Abdulkareem A. S. You all nurtured

me academically and cut my teeth in university administration. Professor Age, you gave me the opportunity of a milestone academic achievement by inviting me to start the College of Law, Al-Hikmah University, Ilorin, and became its pioneer Dean. You culminated the efforts of all previous administrations to appoint me as Professor in 2017 and currently Director of the School of Preliminary Studies. More importantly, you gave me the opportunity of being your friend and confidant. I do not take any of the opportunities you all gave me for granted. *JazakumulLahu khayran.*

I also thank the government of Malaysia for the fantastic academic environment it provided for postgraduate studies. IIUM was wonderful! I was amazed to learn that the university had a yearly budget for every postgraduate student to acquire books not available in the library for his/her research, from anywhere in the world. You trained your alumni as leaders, to go back to their respective countries and be beneficial to humanity. You had the fortune of Dr. Mahathid Muhammad as Prime Minister that took the country from grass to grace within 21 years. We are proud to follow his footsteps as I pray Allah for forthright leaders like him, to salvage my country from ruins.

To our elders in the University and my Faculty represented by Professors Abdulkareem A. Y., Qadri Y. A., Omotosho A. O., Egbewole W. O. SAN, Akanbi M. M. SAN, , Omotesho O. A., Adeoye A., Oba A. A., Omotosho A. B. O, Salman R. K., Alaro A. A., Yusuf I. A., Etudaiye M. A., Ijaiya H. O., Omididan B. A., Professor Adam K., Abdulhameed O.Y., Adebayo, Dr. Ismail S. I. and our Land Lady of the Faculty Professor Abdulraheem N. M. (Mrs.), I appreciate your leadership and companionship. I also appreciate other committed members of my department and Faculty (Teaching and Non-Teaching) singling out the lady of the department Dr. Amaloye A. O. (Mrs.) who served diligently as NALT national Secretary while I was President to took the pain of proof reading this lecture, and all others represented by Dr. Folorunsho A. H., a friend, and confidant of long-standing.

I must specifically appreciate members of the management team of the previous and present administration represented by the current DVCs (Academic, Management Services and Research, Innovation and Technology), the Registrar, Bursar, and the University Librarian. My friends in the non-Teaching staff list of the university, Mallam Mansur Alfanla, Mrs. Ishola, Mrs. Zakariyau, Mr. Olajugba, and a host of others. It has been splendid working with you all. The Board, Management Team, staff, and students of the School of Preliminary Studies are also appreciated. Your support, dedication, and uncommon loyalty that saw us through a successful 2019/2020 session online, amidst COVID-19 Pandemic were marvelous.

To my professional Association, the NBA, NALT, and MULAN, I appreciate all the previous and current leadership. You have all entrusted me with the leadership of our noble unions at one time or the other and I hope I have not betrayed the nobility of our profession. Ilorin Emirate Staff Association of Unilorin, the late and current Amir Dr. Muhammad Ali Olukade and Mallam Abdulrazaq Al-Ameen Aladodo and entire members of Araatul Islamiyyah of Nigeria are highly appreciated. The Unilorin prayer warriors constituted by late Amir are wonderful, your services are for Allah alone and He alone can reward your selflessness.

I especially appreciate my classmates at all levels of education particularly the '86/'87 Class of ATC Jebba, '96/'97 Class of BUK represented by George Olorunmotito Esq., Hon. Sulayman Dawud Esq. Nazeef Muhammad and Muhammad Gausu Esq. The '97/'98 Class of the Nigerian Law School, Abuja (1999 Call) represented by Musbau Adetunbi SAN and Afam Mazi SAN and 2000/2001 LL.M Class of OAU, Ile-Ife, I am proud of you all.

All my inlaws at Ile-Epo, Popo-Giwa and Oniponmo Compound, Ajikobi, Ilorin represented by Late Alhaji Abdulrazak Ile-Epo, Alhaji Umar Oniponmo and Alhaja Rihanat Oniponmo; and those of at Ile-Onibbode, Offa represented by

Mallam Abdulfatai and Mrs. Fatiha Bello are greatly appreciated for giving me the joys of my life.

To my nuclear family, my two beautiful, loving, and caring wives, my Sweetheart and my Precious, Alhaja Abikan Raliat Ranti and Alhaja (Dr.) Abikan Khayra Oluseyi, you both mean the whole world to me and you know that is the truth, the whole truth and nothing but the truth. My proud, promising children Bilqees Abikan, Mukhtar Olukade, Abdulqadir Abikan, Mahmud Olukade, Muahmmadul-Ameen Abikan, Haneefah Abikan, Mardiyah Abikan, Maryam Abikan and Rawdatul-Jannah Abikan. And my other Children, Ruqayyah Oladiran, Muslimah Abikan and Muinat Maaruf. I cherish your good manners and dedication to knowledge and hope that you will carry the banner of the family's scholarship further. I do not take your sacrifices that saw me to this height for granted. The schedule of academic and social responsibilities took most of my time. I do not think that will stop soon, but I promise to make whatever time I spent with you a quality one. You can also be assured of having a responsible husband and father.

To everyone that has come to attend this lecture, I am indeed grateful, May the good Lord take you to your destinations safely.

... and the end of our affairs is: Glory be to Allah, the Lord of the Universe.

Thank you for your rapt attention.

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