



Nigeria's Crisis of Priorities: What *Fiqh al-Awlawiyyāt* Teaches About Governance Failure

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Abstract: Nigeria's governance challenges are often explained through corruption, weak institutions, and limited resources. While these factors are significant, they do not sufficiently account for a deeper structural problem, the consistent misordering of national priorities. This paper examines this issue through the framework of *Fiqh al-Awlawiyyāt* (jurisprudence of priorities), a principle in Islamic legal theory that emphasizes the ranking of actions according to necessity and public benefit. Drawing on the *maqāṣid al-sharī'ah* hierarchy of *ḍarūriyyāt* (necessities), *ḥājjiyyāt* (needs), and *taḥsīniyyāt* (embellishments), the paper argues that many governance decisions in Nigeria reflect a persistent inversion of priorities. Resources are frequently directed toward highly visible or politically attractive projects, while foundational sectors such as healthcare, education, electricity, and rural infrastructure remain underdeveloped. The study adopts a qualitative conceptual approach, relying on policy patterns and infrastructural development trends to illustrate this imbalance. It identifies a clear legal and normative gap in Nigerian public finance law, specifically the lack of an ethical framework for guiding the prioritization of public expenditure. This study explicitly fills this gap by demonstrating that *Fiqh al-Awlawiyyāt* provides a structured normative framework capable of guiding public resource allocation in line with the *maqāṣid al-sharī'ah*. The paper concludes that governance reform in Nigeria requires not only institutional restructuring but also a principled ethical framework for prioritization that consistently places essential human welfare above symbolic or prestige driven projects.

Keywords: Nigeria's crisis, *Fiqh al-awlawiyyat*, *Maqasid Sharia*, Governance failure

Introduction

Governance is a structured institutional mechanism through which political authority allocates scarce resources to achieve collective welfare, sustain institutional order, and ensure long-term societal stability. In normative political theory, governance legitimacy is not determined solely by procedural compliance but by its substantive outcomes in enhancing human development and protecting fundamental human capabilities (Sen 3–5).

Nigeria presents a persistent developmental paradox in which significant fiscal inflows from oil revenues, taxation, and external borrowing have not



translated into proportional improvements in public welfare outcomes. Despite sustained economic resources, the country continues to experience weak infrastructure, inadequate healthcare delivery, and persistent insecurity. This indicates that the core governance challenge is not absolute scarcity but inefficiency in resource allocation (Falola and Heaton 210–212).

This condition reflects a structural crisis of allocative governance, where public expenditure is disproportionately directed toward symbolic infrastructure, administrative expansion, and elite consumption projects, while essential sectors such as education, healthcare, and internal security remain chronically underfunded (Lewis 145–148). Mainstream political economy explains such governance distortions through theories of corruption, rent-seeking behavior, and weak institutional accountability. These frameworks provide strong explanatory value regarding elite capture and incentive distortion but remain largely descriptive and do not establish a normative hierarchy for evaluating the ethical validity of public priorities (Acemoglu and Robinson 78–81).

In contrast, Islamic political thought within the tradition of *al-siyāṣah al-sharʿiyyah* introduces a structured normative framework for governance evaluation through the concept of *fiqh al-awlawiyyāt*, which organizes public obligations according to priority and necessity in achieving welfare and preventing harm (*al-Qaraḍāwī* 25–27). This framework is grounded in *maqāṣid al-sharīʿah*, which defines the higher objectives of Islamic law as the preservation of five essential values: religion, life, intellect, lineage, and wealth (Ibn ʿĀshūr 88–90).

These objectives are operationalized through a hierarchical classification of human needs into necessities (*ḍarūriyyāt*), needs (*ḥājiyyāt*), and luxuries (*taḥṣīniyyāt*). Classical jurists emphasize that necessities must be prioritized over all other categories when resources are limited or when policy conflicts arise (*al-Shāṭibī* 167–170). Within this hierarchy, governance legitimacy depends on the prioritization of essential public goods such as life, intellect, and wealth over symbolic or non-essential expenditures. A governance system that persistently elevates luxury-oriented spending while neglects foundational needs is considered to be operating under normative inversion, thereby undermining both ethical governance and institutional stability (*al-Ghazālī* 52–55).

Nigeria's governance trajectory therefore reflects a persistent misalignment between public resource allocation and the hierarchical structure of human needs. Accordingly, this paper employs a *Maqāṣidī Analytical Framework* grounded in *Fiqh al-Awlawiyyāt* and thematic *istinbāṭ* to examine Nigeria's governance crisis within the broader objectives of *Maqāṣid al-Sharīʿah*. Through this methodological approach, the study evaluates governance priorities based on the hierarchy of necessities (*ḍarūriyyāt*), needs (*ḥājiyyāt*), and complementary interests (*taḥṣīniyyāt*), particularly in relation to public expenditure, institutional responsibility, and welfare distribution. It argues that the central problem is not merely corruption or administrative inefficiency, but a structural inversion of priorities in public policy design. The study further examines how reorienting governance toward necessity-based allocation can provide a normative foundation for institutional reform and sustainable development.

Method

This study employs a *qualitative research* design with a conceptual approach to evaluate the ethical and normative dimensions of public finance governance that

cannot be captured by statistical measurements alone. The data sources consist of secondary data, including classical and contemporary Islamic legal literature and Nigerian statutory documents, to align legal theory with existing policy realities. Data collection was conducted through a documentation study of authoritative texts and media reports to obtain a valid factual basis regarding government spending trends. Furthermore, the data analysis technique is descriptive-evaluative based on the *Fiqh al-Awlawiyyāt* framework, as this method provides a structured moral benchmark to assess whether national budget allocations fulfill the hierarchy of public welfare (*darūriyyāt*) or are instead diverted toward secondary prestige projects (*taḥsīniyyāt*).

Result and Discussion

Normative Foundations of Governance in Islamic Legal Theory

Islamic legal theory (*uṣūl al-fiqh*) is grounded in a normative orientation toward human welfare (*maṣlaḥah*), most comprehensively articulated through *Maqāṣid al-Sharī'ah*. At the foundational doctrinal level, these objectives are classically defined as the preservation of religion, life, intellect, lineage, and property, as articulated in *al-Mustaṣfā* and later systematized in *al-Muwāfaqāt* (*al-Ghazālī*, *al-Mustaṣfā* 1:286–87; Kamali 15–18). From a systematizing interpretive layer, contemporary *maqāṣid* scholarship emphasizes that these objectives should be understood as dynamic, relational, and context-sensitive principles rather than fixed legal categories. Kamali's analysis of *uṣūl* development and Aḥmad al-Raysuni's *maqāṣid* framework both extend classical theory toward broader jurisprudential adaptability under changing socio-political conditions (*al-Raysuni* 23–27; Kamali 18–22). Jasser Auda further develops this trajectory through a systems-based reading of Islamic legal theory, emphasizing interdependence, complexity, and contextual reasoning in legal judgment formation (Auda 45–49).

Within the classical doctrinal layer, jurists such as *al-Ghazālī*, and *al-Shāṭibī* developed a tripartite classification of welfare into *darūriyyāt*, *ḥājiyyāt*, and *taḥsīniyyāt* (Eko Saputra & Busyro, 2018). This classification functions as a structural hierarchy of legal preference within *uṣūl al-fiqh*. In interpretive scholarship, however, its application is not mechanical but contingent upon juristic reasoning (*ijtihād*) and probabilistic inference (*ghālib al-ẓann*), particularly in complex governance environments where competing interests intersect (Kamali 18–22; Auda 73–77).

The principle of *tarjīḥ* (juristic weighting) operates within this framework when competing welfare interests cannot be simultaneously realized. Interpretive *maqāṣid* scholarship, particularly in the works of *Yūsuf al-Qaraḍāwī*, suggests that prioritization may occur both vertically across necessity levels and horizontally within the same category when multiple essential interests conflict. Such prioritization remains context-dependent and evidence-sensitive rather than rule-bound (*al-Qaraḍāwī*, 33–36).

Within the legal-maxim tradition (*qawā'id fiqhiyyah*), governance reasoning is reinforced through established normative principles. The maxim *dar' al-mafāsīd muqaddam 'alā jalb al-maṣāliḥ* (preventing harm takes precedence over attaining benefit), found in *Ibn Nujaym's* legal-maxim synthesis, reflects a harm-prevention priority in legal reasoning (*Ibn Nujaym*, 119–121). Similarly, the governance maxim *taṣarruf al-imām 'alā al-ra'iyyah manūṭun bi al-maṣlaḥah* links political authority

to public welfare considerations as developed in the *siyāsah* tradition (al-Suyūṭī, 87–88; Ibn Taymiyyah 45–47). Jasser Auda's systems approach situates these maxims within a broader integrative structure of legal reasoning rather than as isolated prescriptive rules (Auda 102–05).

Within governance application analysis (analytical layer), these combined frameworks provide a structured but flexible evaluative model for public resource allocation under scarcity conditions. Healthcare is commonly classified within the *darūriyyāt* category due to its relation to the preservation of life (*ḥifẓ al-nafs*), while symbolic or prestige infrastructure is generally situated within *taḥsīniyyāt*. However, *maqāṣid* scholarship emphasizes that such classifications are context-sensitive and may shift based on empirical realities such as public health emergencies, demographic constraints, or infrastructural deficits (al-Raysuni 60–66).

Within *siyāsah sharʿiyyah* (administrative governance theory), fiscal decisions such as national budgeting may be evaluated through *maqāṣid*-based reasoning. When public funds are disproportionately allocated to low-impact or prestige projects while essential services remain underfunded, such allocations become open to normative critique within the *maqāṣid* framework. However, interpretive caution remains necessary, as welfare judgments require empirical grounding and cannot rely solely on abstract theoretical hierarchies (Auda 110–12).

From a legal classification perspective within *uṣūl al-fiqh*, such governance decisions are not considered *bāṭil* (invalid), since invalidity applies primarily to juridical acts failing formal conditions, such as contracts or ritual acts. Administrative and political decisions fall under *tasarrufāt siyāsiyyah* (discretionary governance acts), which remain procedurally valid even when normatively suboptimal (Ibn al-Qayyim 11–13). Contemporary *maqāṣid* analysis therefore moves beyond binary legal validity, introducing layered evaluative distinctions between procedural validity, *maqāṣid* coherence, governance efficiency, and moral responsibility within interpretive reasoning.

In conclusion, *maqāṣid al-sharʿah* and *fiqh al-awlawiyyāt* provide a structured yet flexible evaluative framework for governance analysis. While classical doctrine establishes a hierarchical ordering of welfare priorities, contemporary interpretive scholarship situates its application within contextual and probabilistic reasoning. Accordingly, state actions may remain legally valid while still being subject to *maqāṣid*-based ethical critique when they fail to adequately reflect the hierarchical prioritization of public welfare.

Fiqh al Awlawiyyat and the Moral Foundations of Fiscal Governance in Nigeria

Nigeria's fiscal governance architecture is formally anchored in statutory instruments designed to promote accountability, transparency, and prudent management of public resources. Prominent among these are the Fiscal Responsibility Act 2007 and the Public Procurement Act 2007, which collectively regulate budgetary discipline, public expenditure management, and procurement procedures within the public sector (Federal Republic of Nigeria, Fiscal Responsibility Act; Federal Republic of Nigeria, Public Procurement Act). The Fiscal Responsibility Act institutionalizes fiscal prudence through medium-term expenditure frameworks, debt limitations, and transparency requirements, while

the Public Procurement Act establishes competitive bidding processes, value-for-money principles, and administrative oversight mechanisms intended to curb procurement irregularities.

Notwithstanding these legal frameworks, empirical governance outcomes in Nigeria continue to reflect persistent inefficiencies, including project abandonment, contract inflation, misallocation of public funds, and recurring allegations of corruption. This reveals a structural limitation within procedural legalism: compliance with formal rules does not necessarily guarantee substantive alignment with public welfare. In other words, legality does not automatically translate into moral or developmental legitimacy. This disjuncture indicates a normative gap between fiscal governance as legally structured and fiscal governance as ethically evaluated.

Within Islamic legal theory, *Fiqh al Awlawiyyat* (jurisprudence of prioritization) provides a methodological framework for addressing precisely this type of normative imbalance. As articulated by Yusuf al Qaradawi, it is concerned with the systematic ordering of obligations, interests, and harms according to their relative weight in Shariah reasoning, particularly in contexts of competing public demands (Al Qaradawi 35–38). Its epistemic function is not merely advisory but evaluative, establishing criteria through which actions are ranked in terms of necessity, benefit, and harm.

This prioritization logic is structurally grounded in *Maqasid al Shariah*, particularly the classical tripartite classification of human welfare into *daruriyyat* (necessities), *hajiyyat* (complementary needs), and *tahsiniyyat* (refinements). As Kamali explains, *daruriyyat* represent those essential interests without which social order collapses, including the preservation of life, intellect, property, religion, and lineage (Kamali 15–18). Al-Shatibi further elaborates that *hajiyyat* function to remove hardship and facilitate ease, while *tahsiniyyat* operate at the level of ethical refinement and civic excellence (Al Shatibi 220–228). This hierarchical structure introduces an internal logic of value differentiation that is directly applicable to public resource allocation.

Applied to fiscal governance, this maqasidic hierarchy yields a normative classification of state expenditure. Public investments in healthcare systems, basic education, food security, infrastructure for potable water, electricity supply, and public safety fall within the *daruriyyat* category due to their direct relationship to the preservation of essential human interests. By contrast, expenditures characterized by symbolic political consumption, redundant administrative expansion, or prestige-driven capital projects may be classified within *tahsiniyyat*, and therefore should not displace urgent welfare-oriented priorities. This establishes a substantive ethical constraint on budgetary discretion that complements, rather than replaces, statutory fiscal rules.

In this context, *Fiqh al Awlawiyyat* functions as a normative corrective mechanism that enhances the internal coherence of Nigeria's fiscal governance regime. While the Fiscal Responsibility Act and Public Procurement Act regulate procedural compliance, they remain largely silent on the ethical prioritization of competing public needs. Prioritization, however, is not value-neutral. It is precisely at the level of allocation decisions that governance either reflects or distorts public interest (*maslahah al-ammah*). Al-Raysuni emphasizes that public interest

constitutes a central interpretive principle in Islamic jurisprudence, particularly in matters affecting collective welfare and state policy (Al Raysuni 52–54).

The integration of Fiqh al Awlawiyyat into fiscal governance therefore introduces a dual-layer accountability model. The first layer is procedural, governed by statutory compliance under Nigerian fiscal and procurement law. The second layer is normative, governed by maqasid-based prioritization ethics. This dual structure enables a shift from rule-based legality to welfare-sensitive governance rationality. In practical terms, it implies that fiscal decision-making should not only satisfy procedural requirements but also pass a substantive test of necessity prioritization: whether allocated resources advance daruriyyat before hajiyyat, and hajiyyat before tahsiniyyat. Accordingly, this framework can be aligned with the constitutional directive principles of state policy under Chapter II of the Constitution of the Federal Republic of Nigeria 1999, particularly those relating to security, welfare, and social justice (Federal Republic of Nigeria, Constitution). Although non-justiciable, these provisions establish normative expectations for governance outcomes. Fiqh al Awlawiyyat thus provides an external ethical grammar that reinforces these constitutional aspirations by offering a structured hierarchy for evaluating policy priorities.

In sum, Fiqh al Awlawiyyat does not operate as a parallel legal system but as a normative evaluative layer that strengthens existing fiscal institutions. It bridges the gap between procedural legality and substantive welfare by embedding ethical prioritization into governance reasoning. This integration enhances the intellectual coherence of Nigeria's fiscal framework by ensuring that resource allocation is guided not only by regulatory compliance but also by structured moral reasoning grounded in the maqasid tradition.

Structural Misprioritization and Governance Outcomes in Nigeria

Nigeria's governance structure reflects a persistent misalignment between fiscal capacity and human development outcomes, as evidenced by sustained low Human Development Index performance despite continued public expenditure. Available development indicators show that increases in aggregate revenue have not translated into proportional improvements in health, education, or income distribution outcomes (United Nations Development Programme; World Bank, "Nigeria"). This pattern points to a structural problem located less in resource scarcity than in the sequencing and prioritization of public expenditure.

This condition is reinforced by the structure of Nigeria's fiscal system, particularly its dependence on oil revenues and exposure to external price volatility. Such dependence produces recurrent instability in budget planning and encourages short-term adjustments in spending decisions. At the same time, institutional fragmentation across federal, state, and local levels weakens coordination and produces gaps between policy formulation and implementation. The combined effect is a governance environment in which development outcomes are shaped not only by the scale of public resources but also by the ordering logic through which those resources are allocated (International Monetary Fund; World Bank, "Worldwide Governance Indicators").

Within the Nigerian constitutional framework, the Fundamental Objectives and Directive Principles of State Policy establish a normative orientation toward welfare prioritization in governance. Section 14(2)(b) identifies the security and welfare of the people as the primary purpose of government, while Sections 16 and

17 direct state policy toward economic management oriented toward social welfare and the provision of healthcare, education, and related public goods. Although these provisions are generally non-justiciable, they function as directive standards that structure governmental priorities and provide interpretive benchmarks for assessing state action.

A structurally comparable ordering logic appears within Islamic legal theory through *Fiqh al-Awlawiyyāt* and the *maqāṣid al-sharīʿah* framework. This tradition organizes public obligations through a hierarchy of welfare objectives in which *darūriyyāt* (necessities) take precedence over *ḥājjiyyāt* (needs) and *taḥsīniyyāt* (enhancements). The preservation of life, intellect, and property occupies the highest level of this hierarchy, reflecting their foundational role in sustaining social order and human wellbeing (Kamali 15–18). Contemporary *maqāṣid* scholarship further interprets this hierarchy as a flexible evaluative framework in which prioritization is determined through contextual assessment of harm and benefit rather than rigid categorical application (Auda 73–77).

Read comparatively, both the Nigerian constitutional framework and *maqāṣid*-based legal theory converge on a shared governance logic in which state legitimacy is linked to the prioritization of essential welfare obligations. In both systems, security, healthcare, education, and basic economic protection occupy structurally superior positions relative to symbolic or non-essential expenditures. This convergence does not arise from shared legal origin but from a functional similarity in how each framework organizes state responsibility under conditions of limited resources.

Within this perspective, Nigeria's governance challenge can be understood as a breakdown in priority sequencing within public decision-making processes. Persistent deficits in essential services such as healthcare, education, and security indicate a misalignment between normative welfare hierarchies and actual fiscal allocation patterns. The issue therefore lies not simply in administrative capacity, but in the consistency with which public spending reflects the ordered structure of obligations embedded in both constitutional directives and *maqāṣid*-based reasoning. In this sense, governance effectiveness is ultimately determined by the extent to which state action aligns with a coherent hierarchy of public priorities. Where this alignment is weak, developmental outcomes remain constrained even in contexts of substantial fiscal resources.

Priority Sequencing and Welfare Governance in Nigeria

The application of *Fiqh al-Awlawiyyah* to governance analysis rests on a foundational assumption within *Maqāṣid al-Shariah*, namely that public policy must be evaluated according to a hierarchy of necessity in which the preservation of life, security, health, intellect, and essential welfare takes precedence over secondary, symbolic, or aesthetic expenditures (Kamali 16–18; al-Shatibi 220–224). Within this normative framework, governance failure is not limited to resource scarcity but extends to distortions in priority sequencing, where lower order expenditures are elevated above foundational welfare obligations.

In the Nigerian governance context, public discourse has frequently highlighted expenditure patterns that reflect this tension between welfare necessity and administrative prioritization. Media reports have drawn attention to financial allocations associated with the Office of the First Lady, including administrative funding and procurement related expenditures within

supplementary budget frameworks. While such allocations may be justified within administrative logic, critics have questioned their necessity under prevailing economic constraints (Pulse Nigeria). Within Maqasid classification, such spending is more appropriately situated within tahsiniyyat, as it relates primarily to institutional representation rather than direct fulfillment of essential welfare obligations

A related concern is the continued non implementation of the Oronsaye Report, which recommended the rationalization of overlapping government agencies to reduce recurrent expenditure (Pulse Nigeria). Although this does not constitute direct expenditure, it represents a structural inefficiency that sustains fiscal leakage and limits the state's capacity to redirect resources toward daruriyyat-level sectors such as healthcare and education. From a Fiqh al Awlawiyyah perspective, such policy inertia reflects a failure of prioritization at the institutional level rather than merely at the budgetary level.

Similarly, public debate surrounding the construction of a new Vice Presidential residence estimated at approximately ₦15 billion has raised questions of opportunity cost and fiscal sequencing. While state infrastructure is a legitimate component of governance, its classification within Maqasid remains within tahsiniyyat, as it pertains to protocol and representational dignity rather than essential welfare protection. Its justification becomes analytically weaker when placed alongside persistent underfunding in critical social sectors such as healthcare and education (Pulse Nigeria).

The procurement of a presidential aircraft further illustrates the complexity of prioritization within governance expenditure. Government justification emphasizes operational security and efficiency, yet public concern has focused on timing under conditions of economic hardship. Within Maqasid al-Shariah, such expenditure may fall between daruriyyat and hajiyyat, depending on necessity thresholds and the availability of alternative functional assets. Its classification is therefore contingent rather than absolute, requiring contextual evaluation of urgency and cost efficiency (Pulse Nigeria).

The Hajj subsidy policy raises a significant jurisprudential and public finance question concerning the extent to which a modern state may allocate limited public resources toward facilitating a religious obligation that is, in classical legal theory, conditionally binding. Within the maqāsid al sharī'ah framework, such interventions are often justified under the rubric of ḥifẓ al dīn (preservation of religion) and social inclusion. Nevertheless, their normative classification remains intermediate between ḥājiyyāt and ḍarūriyyāt, insofar as they facilitate religious compliance while competing with more pressing public obligations under conditions of fiscal scarcity (al Shatibi 2:8–12).

At the level of foundational legal theory, the obligation of Hajj is explicitly contingent upon istiṭā'ah (capacity), as indicated in the Qur'ānic injunction: "And pilgrimage to the House is a duty owed to Allah by people who are able to undertake it" (Qur'an 3.97). Classical juristic literature consistently affirms that istiṭā'ah functions as a shart li wujūb al ḥajj, that is, a precondition for the establishment of legal obligation (al Qurṭubi 95; Ibn Qudamah 212; al Jassas 397). This position reflects a broadly shared juristic understanding that Hajj, in its original legal construction, does not generate an unconditional collective fiscal

duty upon the state but remains contingent upon individual legal and financial capacity (al Qurṭubi 95; Ibn Qudamah 212; al Jassas 397).

When this doctrinal principle is examined through the lens of taḥqīq al manāṭ and tarjīḥ, a question of prioritization emerges. Classical uṣūl al fiqh recognizes a hierarchy of interests in which ḍarūriyyāt take precedence over ḥājiyyāt, while the preservation of life under ḥifẓ al nafs occupies a higher normative rank than supplementary welfare considerations (al Shatibi 2:17–20). Accordingly, the allocation of public resources toward facilitating a conditionally obligatory act must be evaluated in light of competing obligations directed toward the protection of essential public interests (al Shatibi 2:17–20).

This normative ordering is further supported by the legal maxim dar' al mafāsīd muqaddam 'alā jalb al maṣāliḥ, according to which the prevention of harm takes precedence over the attainment of benefit (al Suyuti 87–88). While Hajj subsidies may yield identifiable religious and social benefits through expanded access to pilgrimage, such benefits remain subordinate where their financing risks undermining essential public welfare functions (al Suyuti 87–88; al Shatibi 2:17–20). From a maqāṣid perspective, the preservation of life and other necessity level interests therefore assumes priority over the facilitation of an obligation whose legal force is itself contingent upon capacity (al Shatibi 2:17–20).

When viewed collectively, these cases reveal a consistent structural pattern: governance challenges in Nigeria are not solely defined by expenditure levels but by the sequencing of priorities under fiscal constraint. This becomes particularly evident in the case of the State House Clinic in Abuja. Despite repeated budgetary allocations and reform discussions, reports have continued to highlight functional inadequacies within the facility, alongside continued reliance by senior officials on foreign medical treatment (BusinessDay; The Sun). Given that healthcare occupies a central position within daruriyyat due to its direct relation to the preservation of life, such systemic weakness raises fundamental questions about coherence in welfare allocation (Kamali 16–18).

A similar illustration emerges in the reported allocation of approximately ₦37 billion for the renovation of the National Assembly complex during a period marked by insecurity, inflationary pressure, and widespread socioeconomic hardship. Public reactions to this expenditure reflected concerns about its timing and scale relative to urgent national welfare needs (Channels Television; Premium Times). From a Fiqh al Awlawiyyah perspective, the issue is not institutional maintenance itself, but the elevation of symbolic or administrative enhancement above daruriyyat-level obligations such as security, healthcare, and poverty alleviation (al-Qaradawi 35–38).

Taken together, these cases demonstrate that governance effectiveness cannot be measured solely through expenditure visibility or infrastructure expansion. Rather, Fiqh al Awlawiyyah requires an evaluative framework that examines whether public resources are consistently directed toward the most urgent and foundational human needs. Where symbolic or administrative expenditures expand while crises in healthcare, security, education, and poverty remain unresolved, governance systems risk producing structural priority distortion, a condition in which fiscal action diverges from the ethical ordering of necessity embedded within Maqasid al-Shariah (al-Shatibi 220–224; al-Qaradawi 35–38).

Conclusion

This study examined governance challenges in Nigeria through the analytical framework of Maqasid al Shariah and Fiqh al Awlawiyyah. The study argued that governance failure cannot be understood solely in terms of institutional weakness, corruption, or inadequate economic performance, but must also be analyzed as a problem of priority sequencing within public policy and expenditure structures. By applying the maqasid hierarchy of daruriyyat, hajiyyat, and tahsiniyyat, the study demonstrated that governance legitimacy is closely connected to the protection of essential human welfare, particularly life, security, healthcare, education, and economic stability. The study established that Islamic legal theory provides a structured framework for evaluating how competing public obligations should be ordered according to urgency, necessity, and collective welfare. Within this framework, Fiqh al Awlawiyyah emphasizes that harm prevention and protection of essential welfare must take precedence over secondary or symbolic interests. Applying this framework to Nigeria revealed persistent tensions between visible state expenditure and unresolved welfare deficits, particularly in sectors related to healthcare, security, poverty alleviation, and public welfare protection.

The study further demonstrated that governance effectiveness should not be measured only through infrastructural expansion or economic activity, but through the extent to which state institutions consistently prioritize the most urgent dimensions of human welfare. Where lower order expenditures continue to expand while foundational welfare systems remain weak, governance outcomes become structurally distorted despite continuous policy activity. This study therefore contributes to governance scholarship by showing that Maqasid al Shariah and Fiqh al Awlawiyyah can function as practical evaluative frameworks for analyzing governance priorities, public expenditure patterns, and welfare protection in modern states. The Nigerian case illustrates that governance crises may persist even where development projects remain visible if the sequencing of priorities does not correspond to the hierarchy of human needs. Governance legitimacy, therefore, depends not only on state activity itself but on whether essential welfare obligations are consistently recognized and protected.

Recommendations

The study recommends that governance evaluation in Nigeria should move beyond reliance on aggregate economic indicators and adopt welfare-based assessment models tied to security, healthcare, education, poverty reduction, employment generation, and economic stability. Governance performance should be evaluated according to the extent to which public institutions protect and enhance human welfare rather than merely achieving procedural or macroeconomic targets. The study further recommends the development of a legislative and institutional framework incorporating the hierarchy of Maqāṣid al-Sharīḥ into budget vetting, public expenditure assessment, and policy prioritization. Such a framework would enable policymakers and legislative bodies to classify national expenditures according to levels of societal necessity (ḍarūriyyāt), public needs (ḥājiyyāt), and complementary welfare interests (taḥsīniyyāt). Through this approach, sectors directly connected to the preservation of life, security, education, religion, intellect, and economic survival

would receive priority allocation during fiscal planning and budget implementation.

The study also recommends the adoption of priority-based public expenditure systems that align government spending with the most urgent welfare needs of citizens. Under conditions of economic hardship, insecurity, inflation, unemployment, or institutional fragility, expenditures associated with administrative luxury, excessive recurrent expenditure, political patronage, and non-essential capital projects should be substantially minimized in favor of investments that directly protect public welfare and social stability. There is also a need for stronger transparency and accountability mechanisms in public expenditure management. Government institutions should provide clear welfare-based justifications for major administrative and capital expenditures, particularly during periods of widespread poverty, fiscal deficits, and socioeconomic instability. Legislative oversight institutions, anti-corruption agencies, and civil society organizations should strengthen expenditure monitoring mechanisms to ensure that budgetary allocations correspond with national welfare priorities and developmental objectives.

The study further recommends greater investment in primary healthcare, preventive healthcare systems, public education, agricultural productivity, youth employment initiatives, and grassroots security structures. Since the preservation of life, intellect, economic stability, and social order constitute foundational societal obligations within both governance theory and Maqāṣid al-Sharīʿah, strengthening these sectors should remain central within national development planning and resource allocation.

The study additionally recommends institutional reforms aimed at reducing wasteful governance expenditures and improving fiscal discipline across public institutions. This includes stricter controls on recurrent expenditure, reduction of excessive political office costs, enforcement of transparent procurement systems, and improved monitoring of public projects to minimize corruption and resource diversion.

Finally, the study recommends further interdisciplinary research integrating Islamic legal theory, governance studies, political economy, development economics, and public policy analysis. Such scholarly engagement would contribute to the emergence of broader evaluative frameworks capable of assessing governance effectiveness from both ethical and institutional perspectives while offering alternative policy models for welfare-centered governance in Nigeria and other developing societies.

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