

INTRODUCTION

For your immediate reading pleasure I present you with two quotations that sum up the spirit of Nigeria's mainstream Muslim community in relation to our subject:

One of the most far-reaching consequences of Nigeria's colonial experience was the imposition, by our British colonisers, of the English Common Law, which has now largely supplanted our time-honoured judicial principles and processes, most especially in regard to the sharia to which the majority of Nigerians, being Muslims, subscribe. The contempt and antagonism with which the English Common Law holds the sharia has meant that Islamic legal practice was, and still is, relegated and restricted to civil matters and other personal issues such as marriage and inheritance, while English Law claims monopoly over nearly all other forms of law. Thus, despite the fact that the majority of Nigerians are Muslims, Common Law, rather than sharia, serves as the main judicial code and procedure. To this extent, law in Nigeria is

largely divorced from its socio-cultural and religious contexts. What an injustice!

—Professor Mahdi Adamu, Vice-Chancellor,
University of Sokoto¹

Islam takes into consideration the fact that man, whatever be his religious persuasion, culture and nationality, has an inherent love or respect for the law in which he has faith. In other words, Allah has endeared law to mankind, as law is the very essence of civilised life. It is this innate love for law that impelled Muslims to give up their lives in their thousands to preserve the integrity of the Sharia against colonial usurpers. Thousands of others undertook the hijra (flight) to escape being governed by the laws of Roman paganism and English colonisers. The same love now impels the Muslims of today to seek to be governed by the Sacred Sharia and an end to subservience to neo-colonialism.

—Ibrahim Sulaiman²

Throughout this series so far I have emphasized that Christian-Muslim relations are among the key determinants of Nigerian current affairs. In other words, we are dealing here with issues central to the life of the nation and its people. The *New Nigerian (NN)*, the FG-owned daily based in Kaduna, on January 1, 2000, featured the heading “Sharia Sweeps the Scene.” Under that heading was written,

Several governmental policy issues—minimum wage, probes, scrapping of Petroleum Trust Fund—charged public debate in 1999, but sharia was the mother of them all. Zamfara State’s youthful Governor Ahmed Sani Yerima Bakura was the one who blazed the trail. Many Muslims now see him as the Mujaddid of the new millennium, but a lot of Nigerian Christians frowned.³

This needs occasional restatement on behalf of Western readers, many of whom are steeped in secular cultures where religion is marginalized. They can hardly imagine how religion can possibly play such a central role in a nation's affairs. Now I want to add to that emphasis that *within* that key element of religion, at the very heart of *that* are the issues of secularism and sharia. I have dealt with secularism in Monographs 4 and 5. In this and the next monograph, sharia comes centre stage.

The Nigerian debate about sharia and the eventual declaration of sharia by Zamfara state should not be seen as a surprising development or as an event that has no genuine basis in Islam. As Sanusi Lamido Sanusi, a prolific Nigerian Muslim economist/banker-scholar of international repute, put it, "The desire of Muslims living in various epochs in different parts of the world to base their social order on Islamic principles has been a major stimulant to the evolution of discourses on Islam and modernity." There is almost something instinctive about Muslims struggling to shape their societies and cultures according to the norms of their religion. It is a struggle that will not cease as long as there is a viable Muslim community in the world.⁴ Ruud Peters similarly argues that the Nigerian debate "has its roots in deeply felt religious convictions and emotions." It is their "native breath" in much the same way as it is for the Kuyperian tradition I have introduced into the discussion in Monographs 1 and 5. That being the case, the Nigerian debate is typical of a number of countries. After you read a few chapters, turn to Peters' pages 123-124 and you will think he specifically summarized the Nigerian debate. In fact, he summarized the situation in a number of countries.⁵

Ibrahim Sulaiman affirmed back in 1986, "By far the most important issue before this nation is the application of sharia; on this momentous issue lies her future, whether it survives or breaks asunder." Hence, Muslims must "approach it with an utmost sense of responsibility and with unflinching determination." He warns

Christians to approach this issue “with caution and understanding.” All communities expect that people respect and obey their own laws. This is true even for those who want to restrict sharia. Well, the same is true for Muslims.⁶

The period from 1999-2001 is marked by a dizzying international array of conferences dedicated to the sharia issue. But already some decades earlier there were sharia stirrings with conferences held in various locations abroad.⁷ All told, I count fourteen. If that is not enough evidence of the profound importance attached to the sharia issue, I invite you to take up any Nigerian daily published during the various constituent assemblies and from late 1999 till 2005. Or log onto various Nigerian Web sites like Gamji to see the amount of energy spent on sharia issues. It is nothing less than staggering.

As I have emphasized in the earlier volumes, Christians and Muslims need to listen to each other carefully. The purpose of this listening should not be primarily to find fault, trap or trick. The purpose should be to understand, sympathetically, empathetically. Since this particular volume presents the Muslim point of view, the burden of such listening once again rests upon Christians. The burden will shift to Muslims in the next volume, where I take up the Christian case again. No one should be offended or surprised by this call for listening and understanding, since both Christian and Muslim leaders call for it all the time.

Muslims especially should welcome my constant call to Christians to understand, for there is a tendency among Muslims to assume that understanding will automatically lead to conversion to Islam or, at a minimum, to accept sharia, since Islam is regarded as mankind’s “natural” religion and the most reasonable. Failure to convert or to accept sharia means there is misunderstanding and ignorance. Hence the strong emphasis among Muslims on understanding and knowledge. Abubakar Gwandu was optimistic that, once “Muslims and non-Muslims alike study the implications of the application of the sharia” objectively, “the whole nation is likely to sympathize with the adher-

ents of Islam and support the application of the sharia *in toto* to all of them.”⁸ So far, that expectation has not been realized.

Muslims should be careful not to assume that Christians misunderstand everything about Islam. Though adherents usually understand their own religion better than outsiders, the latter, when living among the adherents, may well gain insight into a religion to which adherents themselves have developed a blind eye. Adherents seldom appreciate the impact of their religion, whether positive or negative, on their neighbours, for they have not experienced that impact. The outsider’s experience is foreign to the adherent. The Muslim experience of Islam, it is clear from the Nigerian situation, is very different from the Christian experience of Islam—with the opposite being equally true. An important goal of this series is to help outsiders increase their understanding of the inside experience and vice versa—without the glib Muslim assumption with which I begin this paragraph.

Unfortunately, both Christians and Muslims have handicapped themselves with their extreme anger at and suspicion of each other; it is almost impossible for either party to listen seriously. Auwalu Yadudu of Bayero University, Kano, described the process as a “dialogue of the deaf” since “each side was talking to itself, avoiding to take a hard look at the issues.”⁹

Abubakar Mohammed wrote, “One of the most annoying things is that all the non-Muslims and Christians who write on the sharia issue are stark illiterates on what sharia is all about and display their ignorance on the issue.”¹⁰ An essentially similar declaration comes from Abdullahi Bego, a Nigerian living in Tehran, who published an article with the title “The Sharia Debate: Between Ignorance and Fanaticism.” He writes about a “hysteria” that fills the atmosphere either “to vilify” or “to justify the application of the Muslim legal system.”¹¹

If it is not anger or ignorance, it is dogmatism. Sanusi writes of the “seeming impasse” that is the result of frozen positions. He

asserts that “opponents of the sharia are too willing to accept... every criticism of the discourse as ‘progressive,’ or ‘liberal,’ or ‘reformist,’ without subjecting the arguments to rigorous intellectual scrutiny. Defenders hold firmly to equally dogmatic ideological positions to which they ascribe dubious labels of authenticity and tradition, and insist on the authority of sources” that are themselves the product of rational human debate. That’s Sanusi saying in complicated English—*dogon Turanci*—that various traditions and ancient documents are attributed exclusively to divinity while human contributions to their development are ignored or even denied.¹² This point is, Sanusi insists, a major concern that has made him anathema to many mainstream and Islamist Nigerian Muslims alike.

This and the next monograph summarize most of the major points of adherents of both religions with respect to sharia. The healing Nigeria requires must be based on facts in so far as we can access them, not on prejudice or dogmatism, and certainly not on anger. I offer these collations of facts or, rather, opinions, to both parties in preparation for more serious dialogue that simply must occur and which hopefully will lead to a level of mutual understanding sufficient for them to live together somewhat peaceably and develop the nation together. I am *not* expecting wholesale absorption of the one into the other, though, based on what already pertains in both directions, I do expect continuing busy border traffic between them. I am not even expecting a relationship devoid of tension. I am only expecting tension management at a reasonable level and a relative peace. The differences between the religions are too basic to expect more than that—but that’s a vast improvement over what obtains presently.

I do remind you that we are talking almost exclusively of Christian-Muslim relations and perspectives in *Nigeria*. You will not find many references to either non-Nigerians or non-Nigerian events. Muslim nations and cultures vary greatly from each other, so much so that when their citizens meet each other

as immigrant neighbours in the West, they often have a hard time relating to each other.¹³

For our purpose it is significant to realize that in Northern Nigeria “Islamic law was more extensively enforced than almost anywhere else in the world outside the Arabian peninsula.”¹⁴ Nigerian advocates of sharia reject the relevance of colonially-induced changes in sharia. In searching for an alternative to the colonial sharia, it is good for Nigerians to remember that there are many models out there in other countries, some colonially inspired, that even years after colonialism millions of Muslims appear to accept. Islam embraces an almost endless variety of expressions, though all sharing the core confession and the five pillars that give them a recognizable universal face. It is good for Nigerian Muslims to take that variety into consideration and thus reduce their tendency to dogmatism, absolutism and rigidity. Not every non-Islamist is an unfaithful *kafir*.

Some ask why Muslims demand sharia now that Nigeria has a Christian President. Why not in the days of Murtala, Shegari, Abacha, Babangida—all former Muslim Presidents? Of course, the demand for sharia goes back to the Constituent Assembly (CA) of the 1970s, if it did not predate that event. Back in 1986, the Nigerian Khalid Rashid referred to “the recent phenomenon of Islamic resurgence” that has “rekindled world interest in the sharia.” He explained, “After centuries of religious, cultural and intellectual persecution at the hands of colonial powers, Muslims all over the world are now beginning to realize the extent of damage they suffered and the indignities to which their whole system of life was subjected to and the brainwashing they received at the hands of anti-Islamic and colonial forces.”¹⁵ Similarly, A. Rahman Doi wrote of the “growing evidence of political resurgence of Islam in most Muslim countries,” a resurgence that includes a debate “to establish a truly Islamic legal system.” Even Western universities are including Islamic law in their curricula.¹⁶

During 2003, sharia became an issue even in my own adopted

Canada.¹⁷ In Nigeria, the *demand* has been there long; the *declaration* is of recent vintage. The situation had to ripen, mature. It waited for what Christian theologians call the *kairos*, the right, proper, or favourable time.

Probably in no country has sharia been discussed for so long and with so much heat by so many people as it has in Nigeria. But then, no country has anything approaching the Nigerian configuration of 60 million adherents of each religion, in other words, a balanced situation without majority versus minority issues, that are staring each other down. Sharia controversy is a natural development in such an environment. The environment is further enhanced by the global Muslim revival in which Nigeria is also caught up. Mahmoud Turi, an associate of El-Zakzaky, declared in an interview conducted by a staff member of *The Pen*,

*If we take a glance at the globe, we will see a spirit of reawakening and revivalism among the entire Ummah. This, I want all Muslims to note, is the handiwork of Allah (SWT). Allah has promised to raise a Reformer (Mujahid) at the beginning of every century. And today we are at the beginning of the 15th century and we are witnessing the wind of change blowing all over the world, including this country. So, it is the duty of every Muslim to realise this and see he is part of this change.*¹⁸

While sharia developments are berated by some, the declaration of sharia by Zamfara State, the major subject of this monograph, kindled a lot of hope and enthusiasm for a genuine Muslim revival. Almost every speech or publication on the subject expresses that hope or desire. Alhaji Muhammadu Maccido, the Sultan of Sokoto, compared this declaration to a “revival of the Islamic legal system and jurisprudence” and called it a “welcome development.”¹⁹

During the inaugural meeting of a committee to guide the establishment of sharia in Adamawa State, the chairman, retired

Grand Khadi Alhaji Ahmadu Abba Yola, “expressed optimism” that the move would lead to a “spiritual reawakening” of the people.²⁰ The same optimistic spirit has existed already for over twenty years globally. In 1987, Denny described the “overall picture” as “one of progress, with successes in missionary work, charitable endeavours on the part of the wealthier Islamic nations...and a regained sense of pride and strength that has largely replaced the feelings of weakness, backwardness, and humiliation of the colonial period.”²¹

It is that dynamic of renewed hope and determination that drives the long campaign for sharia in Nigeria.

▲ NOTES

¹ M. Adamu, 1986, p. vii.

² I. Sulaiman, *May/86*. See Appendix 6, vol. 4.

³ *NN*, 1 Jan/2000.

⁴ S. Sanusi, 11-14 Mar/2002. For many Sanusi articles see folder <Sanusi> on *Companion CD*.

⁵ R. Peters, "The Enforcement..." pp. 123-124.

⁶ I. Sulaiman in I Sulaiman and S. Abdulkarim, 1986, pp. 14-15.

⁷ For a long list of conferences over the decades, both in Nigeria and abroad, consult *Companion CD* <Mono 6-Expanded Version/ Mono 6-Introduction>. This is by no means an exhaustive list.

⁸ A. Gwandu, 1986, p. 25.

⁹ A. Yadudu, 2000, p. 34.

¹⁰ A. S. Mohammed, 14 Jan/2000, p. 5.

¹¹ A. Bego, "The Sharia Debate."

¹² S. Sanusi, 16-17 June/2005.

¹³ See *Companion CD* <Mono 6—Expanded Version/Introduction> *in loco* for details on these variations.

¹⁴ J. N. D. Anderson, 1969, pp. 42-44. J. Kritzeck and W. Lewis, 1969, p. 4. S. Richardson, 1969, p. 111. A. Mahmud, 1988, p. 2.

¹⁵ S. K. Rahshid, 1986, p. 88.

¹⁶ A. R. Doi, 1986, p. 129.

¹⁷ J. Boer, "Sharia in Canada." *Companion CD* <Other Countries/ West/Canada/Boer: Sharia in Canada>.

¹⁸ *The Pen*, "Interview," 15 July/88, p. 6.

¹⁹ *NN*, 24 Dec/99, p. 2.

²⁰ *NN*, "...Constitutes Committee on Sharia," 23 Feb/2000.

²¹ F. Denny, 1987, p. 126.