

# CHRISTIANS AND GOVERNMENTS

This entire *book* deals not with sharia by itself but with Christian reactions to it. This *chapter* has two major foci, both looked at from the Nigerian Christian perspective. First is the Christian reaction to generations of Nigerian governments in their relationship to sharia. Secondly, it reviews the actions of the FG with a special focus on the Christian President and other highly placed Christians. State governments play a minor role in this chapter.

This does not mean these governments are not mentioned in other chapters. You cannot write about Nigerian affairs without governments popping up everywhere, since they tend to be omnipresent. These governments are presented here in so far as I could somewhat reasonably abstract them from affairs discussed in earlier chapters. Some of the material in this chapter could just as well have appeared in another chapter. Sometimes it was little more than a toss up. My aim here is simply to keep chapters to reasonable length as per editorial advice. After a lengthy one, you deserve a short chapter!

Nigerian Churches had role models in their predecessor missions when it comes to friction with the Government. Though the Western missions supported the colonial enterprise in general, they frequently clashed with the colonial government. The eviction of the early SUM team from Wase was only the beginning.<sup>1</sup> I attach three documents from the late 1920s indicating the struggles of missionaries against the colonial Government. The authors were pioneer missionaries Gilbert Dawson and Henry G. Farrant of the SUM and Roland Bingham of the SIM. I believe I honour these heroes by thus making these documents available to the present generation.<sup>2</sup>

I begin with the period of high tension between Christians and FG during the BZ era. Then I move over to the present dispensation, first reviewing the *actions* of major Christian actors in the FG, including, of course, President Obasanjo himself. Then I proceed to review Christian *reactions* to FG action, after which I move on to Christian reactions to policies, actions and other items coming out of a few state governments.

## ▲ PRE-ZAMFARA TENSIONS (BZ) —————

### 1. SHARIA TENSION TO BREAK UP NIGERIA

I have written enough about the first CA 1978 in previous volumes and do not intend to repeat all that. I just draw your attention here to the thesis of Yusuf Yariyok that, in general, attempts to expand the sharia are attempts to break up the country. All that started with the first CA.

*An attempt to break up Nigeria was the sharia controversy introduced in the 1978 draft of the Constitution that led to Muslims, including Shehu Shagari, Aminu Kano and [other] Muslims of Northern extraction, staging a walk-out from the 1977 CA. To save Nigeria from disintegration, elements like*

*Christopher Abashiya, a northern Christian, mobilised and convinced the Middle Belt and Southern Christians to reach a compromise by inserting the sharia as a “Muslim Personal Law” that would have no jurisdiction over criminal matters and Christians. Such a compromise once more saved Nigeria from breaking.<sup>3</sup>*

## 2. BUHARI-BABANGIDA CONSTITUTIONAL STUNT

The 1980s were a decade of high tension, suspicion and hostility towards the FG and some state governments on the part of Christians. During the short-lived regime of Muhammad Buhari in the early '80s, several attempts were made to advance the sharia. Buhari tried to force the Northern governors to co-operate with him in amending the Constitution with a view to opening the way for an extended sharia. The governors could not agree with each other and most of the chief judges opposed the measure. After he sent them threatening letters, Buhari got enough support from them that would have allowed him to carry out his plan.

He did not get the chance to complete the process: He was overthrown by his fellow Muslim, Babangida. Whatever differences there may have been between them, Babangida “wasted no time in implementing the plan by Buhari.” He introduced Buhari’s shrewd apparently minor constitutional amendment but with far-reaching effects. It reduced the phrase “Islamic personal law,” a term found in several sections of the Constitution in vogue at the time, to “Islamic law.” Yusuf Yariyok wrote a slightly different version: “Buhari came with a grand design to Islamize the country but was cut short by Ibrahim Babangida. Before Buhari was overthrown, the havoc had already been done. He had upgraded the sharia from Muslim personal law to Muslim law in the 1979 Constitution, a phrase that was responsible for the fireworks in the 1989 CA.” By so doing, the Buhari-Babangida “team” unwound the compromise with which Abashiya and his fellows had saved the first CA. This

left Christians wondering which aspects of sharia were now legal currency. Things became vague. Ever since, commented both Yariyok and Byang, “The sharia issue continues to be the catalyst for all religious and social unrest” in the country. Governor Sani’s new sharia was based on this constitutional change.<sup>4</sup>

*The action triggered queries from at least two Christian sources. The Nigerian Association of Christian Lawyers “questioned the intentions of government.” In a communiqué it suggested “that Islamic law has been elevated from the level of Customary Law to that of substantive law.” They asked FG for an explanation of the implication of the change. “The need for clarification arises out of the recent clamour in some quarters to convert the Nigerian legal system into the Sharia Law system.” CAN accused the FG of using the entire ship of state to Islamize the country. CAN Northern Zone published a press statement against the FG action in which it “decried the decree, saying that it has conferred on state governments the competence to ‘enact laws or edicts conferring additional jurisdiction on Sharia Courts in civil proceedings.’” CAN recognised the move as “the use of the state towards the ultimate but quiet realization of the dream of imposing Islamic law on the country. It appears there might be various other plans, designs or machinations of the Muslims through the use of state apparatus to ensure at any cost that Nigeria becomes the ‘Islamic Republic of Nigeria.’”*

Explanations for the change were few and contradictory. The Donli report on the 1987 Kafanchan riot<sup>5</sup> admitted “that the decree has widened the scope of sharia.” A report by the Kaduna State Government denied it: “The scope of the sharia has not in reality or essence been widened *yet*.” Byang commented that this statement, vague as it was, was the only official explanation ever offered. “Many observers believe that it is part of the grand but

subtle design to fully implement sharia in Nigeria. If there is anything the decree implies, it only confirms the non-Muslims' assertion that this government is being used by Muslims to advance the Islamic cause." He further expressed the hope that the upcoming CA and the FG "will throw overboard this stealthy attempt to play on the intelligence of Nigerians. The struggle continues."<sup>6</sup>

### 3. BABANGIDA INTERFERENCE

The tensions did not decrease with the assumption of power by Babangida, who ruled from 1985–1993. Ambassador Tanko Yusuf spit fire when he recalled the way Babangida interfered in the 1987 CA. He "arbitrarily interfered with the democratic process whenever possible." One day, as the CA was in the middle of debating the sharia and

*were nearing a resolution of this important and very troublesome problem, suddenly and without warning, General Babangida shocked the Assembly! His second-in-command appeared at the door and rudely stopped the debate, wresting the entire subject from the competent hands of the peoples' representatives. Acting as though the government had not authorized the assembly, he said, "Your work is finished. The matter has been placed in the hands of nineteen newly selected members of the Armed Forces Ruling Council." These nineteen men later inserted into the Constitution the phrases and clauses they desired. Where was General Babangida during this travesty? In West Africa, on a visit. When he returned, he announced that the inclusion of specific sharia provisions in the 1979 Constitution was adequate.*

*Did Christians recognize this political deceit? Of course. Babangida had pressured these men to retain the sharia in the Constitution to appease his Muslim brothers. The subsequent*

*Constitutional Revision Commission recommendations confirmed his intent.*

The chairman of the CA eventually presented the unfinished draft of the revision that included the old sharia provisions of the old Constitution. He explained that leaving it out would have left a blank in the document. Only the chairman and secretary of the CA signed the document. Christians, if given the opportunity, would have refused to sign. “In fact,” commented Yusuf, “all the maneuvers and manipulations were designed to prevent Christians from using their majority to embarrass Babangida’s government.” There is more to the story, but enough.<sup>7</sup>

The anonymous writer of a 1989 editorial in *TC*, probably Danjuma Byang, reacted as follows:

*It is highly regrettable that the Military FG prematurely intervened to short-circuit the deliberations on the sharia issue by the CA. It is not true, as the Government alleged, that there is a broad national consensus on the issue. And even if there were, that consensus is definitely not that sharia should remain entrenched in the Constitution. In fact, it is because the Government was afraid that majority opinion in the Assembly would vote out such an obviously parochial law, that it unjustifiably swooped in to postpone the evil day.*

In essence, according to the editorial, the Government swept the problem under the carpet. “We want to state our total disapproval of this action. This administration cannot honestly resolve the sharia issue and, indeed, has no moral justification to attempt to do so, because its hands are not clean.” The FG intervention is clearly biased, the editorial argued. This is clear from the fact that “only Muslims seem to be rejoicing at Government action in favour of sharia.”<sup>8</sup> “By intervening on the Muslim side, Government has demonstrated once more the general belief that non-Muslims’

opinion can be taken for a ride. Now is the time for non-Muslims to stand up and disabuse the mind of Government of the fantasy that they can always be taken for granted with impunity.” The FG is told it

*should realize that by unnecessarily meddling into the crucial aspect of the Constitution being framed, it is only compounding the problems which it created in the first instance. Such ostrich-like interventions in the name of “agreed ingredients” are hypocritical and injurious to the wellbeing of the Third Republic. Religious laws in our Constitution are the bottom line of our troubles. Christians now know better and they will resist further attempts to hoodwink them.*

The writer wanted it made clear to Government that Christians will have “nothing to do with the proposed constitution, if sharia is included. We shall not continue to tolerate the violation of our inalienable rights for the sake of ‘peace’ which Government, through its clandestine moves, has always tended to undermine.” He demanded that “all Sharia Courts of Appeal must be dismantled. This is the only way to restore the confidence of Christians in this Government. We will no longer fold our arms and watch Christians harassed at Sharia Courts. Let every one be warned.”<sup>9</sup>

CAN was waging its own war with President Babangida. It reprimanded him for allowing the government-owned *New Nigerian (NN)* to be used as a proselytizing agency for Islam. Northern CAN published a statement in April 1989 in which it traced in great detail events surrounding sharia developments in the 1980s and highlighted all the steps the president took to steer the entire country in the direction of Islamisation. It accused Babangida of having adopted a “naked discriminatory religious posture through overt and covert acts of patronage and preference for Islamic religion.” They dubbed his administration “the principal agent for the

Islamisation of Nigeria” and listed a number of examples. As you will see below, they faulted him for allowing the sharia debate in the *NN*. Another serious critique was his interrupting the sharia debate in the CA of 1987 as already reported. It ended with the warning, “Let it be known that a sharia-laden constitution is unacceptable to us and our stand is not negotiable. We shall assert our rights as our God did not put us under any bondage.” Should the Government proceed on its present path, “the consequences will be too grave and obvious.” CAN reminded the president that “Sudan has after a bitter experience opted for the path of sanity out of sharia or religious law. We think Nigeria has every opportunity to profit from the lessons of the Sudanese experience.”<sup>10</sup> I recommend that you read this worthwhile document in its entirety.

#### 4. FEDERAL GOVERNMENT DENIAL: NO SHARIA

Only a few months before Governor Sani’s declaration, the FG, under the short-lived pre-election military regime of General Abdulsalami Abubakar, sought to ensure Nigerians by officially announcing that the FG had no intention of imposing the sharia on anyone. Speaking on behalf of the Provisional Ruling Council (PRC), the highest policy-making body in the land, to a group of journalists, Rear Admiral Taiwo Abiodun Odedina said, “Let me make it clear this morning that there is no plan to impose sharia law on the Nigerian populace. No sharia law is being imposed on Nigerian people. And there is also no division whatsoever in the PRC regarding all its deliberations in the past four days.”<sup>11</sup> This was the promise of a transition government preparing to return to civilian rule. Its temporary nature reduced the weight of its promise and it was apparently never taken seriously by Christians.

#### 5. INFLUENCE OF ULAMA

Tanko Yusuf, whose life and work straddled the two eras, explains in his biography from BZ days that in the Islamic coun-



tries of the Middle East “religion and government are one and the same. There it is considered legitimate for Muslim political leaders to use state facilities, institutions and power to promote Islam.” That being the case, Yusuf continued, “it seemed natural, when Nigerian self-government began, for Muslim leaders to openly use government for both religious and political purposes.”

In Nigeria, this is true not only of fundamentalists but even of moderates. Yusuf asserted that the Muslim community as a whole “have pushed Islam as hard as they could.... They have maneuvered jurisdiction over religion, education, economic and personal lives. They have set up Islamic judicial institutions and instituted administrative policies that aimed to implement sharia throughout the country.” In fact, it seems difficult for Muslims to distinguish between their religion and the state. We are talking about distinguishing, not separating, something to which most Muslims are not likely to agree anytime soon. They tend to think of them so firmly and so blatantly as one single unified entity, even in a multi-religious context like Nigeria, that is nothing short of shocking.

Yusuf gave the example of the Council of Ulama that back in 1987 submitted a “Model of an Islamic Constitution” to the FG’s Constitution Review Committee. They hoped that some day the document would be accepted for Nigeria. They affirmed that a society based on Islam “requires the complete application of the sharia in the Constitution.” The sharia would be paramount in such a regime, they wrote, along with all of its detailed rules for all of life. No law that contradicts Islam would be allowed to stand.

The Model included assurances of freedom from harassment for “every person.” However, sharia holds only for Muslims. Thus such guarantees would not hold for non-Muslims. The Model also would “compel all persons in governmental offices at any level to ‘follow the sharia in letter and spirit, to uphold the message of Islam at all costs.’” Article 42 in the document deals with the estab-

lishment of *Hisbah*, an institution we have already met. It is a traditional Muslim institution for “the promotion and protection of Islamic values with a view to establishing what is right and forbidding what is wrong.”

Article 57 explains that jihad is incumbent on every Muslim as a “perpetual and inalienable duty” to “defend the land of Islam and the Islamic order.” Muslims must bring down any government not headed by Muslims. To achieve this, says the next article, there needs to be “a program of Islamic education and training to inculcate in the Armed Forces the concept of *jihad*.”

The rest of the Model contains various statements about issues like human freedom throughout the world and opposition to wars waged because of differences of religion.<sup>12</sup> Yusuf commented “What a despicable contradiction.” As to Article 12 with its oft-repeated “There is no compulsion in religion,” Yusuf simply commented, “I shake my head.”

Yusuf’s exposure leads his readers to serious questions. Can you imagine a disregard for Nigeria’s multi-religious situation more blatant, shameless and selfish than this? An outright “We don’t give a damn about anyone else. This is the Muslim idea and this is the way we want it!” It is indeed hard to understand such an attitude—except that Muslims recognize something similar in Christians with their insistence on their secular alternative!

As impossible as these Ulama ideas may seem in multi-religious Nigeria, they had the ear of General Babangida. According to Yusuf, Babangida “relied heavily on the advice of the... Council of Ulama.” They “revised standing rules and regulations and drafted new federal policies.” The General declared their “recommendations to be policies. The objectives of the Ulama, so quietly fashioned and cleverly implemented, are now firmly embedded in government regulations and directions”—and all “based on... [their] interpretation of the Qur’an.”

Yusuf asked “Can this kind of constitution work in Nigeria?” His answer is a straightforward “No!” And though he and all other Christians are not happy with the continuous tension between the two religions, he predicted that, the attitude of Muslims being what it is, the tension “would continue until all citizens... are equal in the eyes and in the practice of law and government.”<sup>13</sup>

## 6. THE ABACHA DAYS

Obed Minchakpu wrote about developments leading up to the CA of 1995. While the Constitution that emerged stated that the government “shall not adopt any state religion,” it had provisions “for the establishment of Sharia Courts” and for appointments of *Khadis* at state levels and for Abuja, the Federal Capital Territory. The contradiction was glaring. This was clearly an attempt to use government machinery to entrench sharia. “If this is not so, why must Sharia Courts, which are exclusively Islamic institutions, be established and funded by the government?”<sup>14</sup>

Throughout the CA decades, Christians addressed, advised and warned the FG about policies to pursue or to avoid. The Constitution of 1999 was no exception. The new Constitution was scheduled for completion end April. In mid-April, CAN cautioned the FG “against including sharia.” It was rumoured that the subject was under discussion at the highest level of FG, but that a consensus proved illusive. National CAN President, Sunday Mbang, explained that “Christians were becoming more radical in their protests. He felt the government should not provoke resentment.” Hence CAN was requesting “the Ruling Council not to include anything that shows bias for religion in the new Constitution.” The Northern Christian Elders Forum backed CAN in that they insisted that “Nigeria is a secular state” and rejected “any attempt to include sharia in the Constitution.” They also denied that Nigeria is a multi-religious country.<sup>15</sup> This rejection of multi-religion was, it seems to me, a step backward. In Volume 5 you will

find that mainstream Christian opinion embraces the concept. I am inclined to take that statement as an emotional outburst under the pressure of the moment rather than a carefully thought-out rejection of mainstream opinion.

## 7. ROLE OF THE MEDIA

### *a. New Nigerian*

Kukah gives us a clear, if not complete, picture of the wholistic fashion in which Northern politicians sought to maintain and extend Northern power, a notion that was deeply shaped by Islamic ideals. Six major institutions were established to achieve this goal: the New Nigeria Development Corporation, the Bank of the North, ABU, the Kaduna Polytechnic, the Federal Radio Corporation and the New Nigerian Newspapers. Following Kukah, I will only summarize some salient items about the *NN*, the major of the two newspapers it published, the other being the Hausa-language *Gaskiya Ta Fi Kwabo*, a pithy expression meaning "Truth is worth more than a penny." The maiden copy of *NN* appeared on January 1, 1966, just weeks prior to the first military coup.

Kukah provides us with good insight into the role of the *NN*, that serves as a perfect counterbalance to the complaints of Ibrahim Ado-Kurawa about the alleged anti-Northern and anti-Muslim role of the Southern media.<sup>16</sup> There is, however, a significant difference: Most of the Southern press is private, whereas the Northern ones are mostly government-owned. This means, in our context, that when they support Northern-cum-Muslim causes and struggle against Christian causes, even when these may represent *Northern* Christians, it is legitimate to interpret their unilateral support as sponsored by their owner, the Government. Ado-Kurawa's complaints about the one-sidedness of the Southern press is legitimate, but it is largely a *private* press. Their positions cannot be said to represent that of Government. The complaints of Northern Christians about Northern media is that their pro-Muslim per-

spective is reflective of Government, *their* government, paid for with *their* tax nairas and *their* oil wealth. It is in that context that we must read Kukah's discussion in Volume 6.

Kukah reports a conversation with Adamu Ciroma, the first *NN* boss, who explained the need for a Northern press. A paper always takes on local colouration and reflects local inspiration. The Lagos press reports when a Southern uncle sneezes but is silent about any Northern event, however significant. Fair enough and true enough. I have read those Southern papers from that perspective, especially earlier ones. Ciroma's first editorial stated up front that *NN* is a Northern paper that will identify "with the North and its people, their interests and aspirations. For that, we have no apology to offer." Again, no problem—except that Northern Christians were not included in that equation. Similar to Ado-Kurawa, Kukah describes the reactions of the Southern press as totally non-comprehending and as totally hostile, based on their "contemptuous view of the North." The stage was set for a long press war of (im)pure mutual prejudice that precluded the entire Nigerian press world from playing a constructive role in the sharia storm that was slowly gathering.<sup>17</sup>

Kukah described the *NN* during the 1977 CA as being "at its best." "It imposed its ideological supremacy" on the developments and was used effectively to support "Northern interests and hegemony," meaning, of course, Muslim interests. The surprising appointment of Daniel Agbese, the Christian journalist from Benue, to the post of editor was no indication of a widening of the tent to include Northern Christian interests. It was a strategic appointment that only temporarily suspended the principle that this position was restricted to Muslims. Agbese's appointment, it would appear, was merely an astute political move in the context of that particular day or month that I cannot go into, but that was not designed to shift the direction of the paper.<sup>18</sup> They continued to use its pages to "blatantly protect the interests of Islam." At another

time, 1985—it is not always easy to follow Kukah’s chronology—, Mohammed Haruna, famous as a journalist but not for towing the establishment line, now serving as *NN*’s Managing Director, announced that the paper “would continue to fight for the introduction of sharia.” In the same year, the paper declared itself the centre for the thirty-day sharia debate.

Being a government agency, the *NN* eventually succumbed to narrow political interests and deviated from its editorial excellence, according to Kukah, to become an arena for jockeying for power, ethnocentrism, manipulation and intrigue, all negative factors that invariably lead to a loss of quality. These developments have led to “blunting the cutting edge of *truth as a weapon*,” the legacy the Sardauna imprinted on the paper. However, its role as an advocate for Muslim interests, not the least of which is sharia, continued. In an undated interview, Paul Unongo said, “...the *NN* is unashamedly, openly, a newspaper financed by taxpayers’ money, yet supports, advocates, advertises and pushes everything Islamic.” If you check the endnotes of the books in this series, you will note that the volumes presenting Muslim views contain many more references to *NN* than do those presenting Christian views, including this one.<sup>19</sup>

CAN had its bone to pick with the FG’s use of *NN*. It reprimanded Babangida for allowing its *NN* to initiate a public sharia debate, while he “knew that the subject is a tension builder, but did so to lay the foundation for its desired goal of Islamising Nigeria.” CAN reminded the public that only three years earlier it had predicted in the same *NN* that “the sharia debate was a prelude to ensuring that in any subsequent constitutional arrangement in this country, Islam will be imposed.” It called its own a “prophetic suspicion” that proved right when shortly after, the Council of Ulama, also in the *NN*, “threatened that Muslims in the country vowed to reject any new political order that does not recognize the uninhibited application of sharia.”<sup>20</sup>

### *b. Electronic Media*

Problems also exist(ed) in some state-owned electronic media. The media complaints you remember from Volume 3 continued to be aired regularly. I will not go into more detail here, except to point you to a CAN press release of December 17, 1997, where CAN complained about the refusal of many Northern TV stations to air a Christian programme that included a convert from Islam, one Mohammadu Ali Bui, giving his testimony. Some directors of stations that did show the programme were brought in for interrogation. Christians were especially offended because these stations did show programmes that featured Muslim converts from Christianity.<sup>21</sup> The CAN document was accompanied by an analysis by *Worldreach Nigeria* of the religious TV programming of a few Northern states that yielded the following information: Borno: Christian—30 minutes, Muslim—410 minutes; Kano: Christian—0 minutes, Muslim—1065 minutes; Katsina: Christian—0 minutes, Muslim—570 minutes. The report included the explanation that some of the programmes considered Muslim “were not explicitly Muslim, but in their content and presentation, they are pro-Islamic to the total exclusion of alternative views. This includes entertainment, news and even children’s programmes.”<sup>22</sup> The tendency of Muslims to use government unilaterally for the advancement of Islam and, in our present context, of sharia, is thus by no means anything new or sudden. It has been there all along, at least ever since the days of the Sardauna.

Though the sharia situation took a sharp turn at the end of the century, the role of the media has not recognizably changed. With this sentence we have reached a transition to the new sharia era.

## ▲ THE POST-ZAMFARA YEARS (AZ) —————

Debki describes the media of the new era as “politicized” and places them, together with sharia itself, in the category of “tension

builders.” “They seem to have stepped out of their duties of giving situational reports of what exactly happened into favouritism reports, representing the interest of a particular group of people, contrary to what actually happened.” I cannot really judge the accuracy of the last phrase. Neither do I wish to cover events and arguments already found in earlier volumes.

## 1. FEDERAL GOVERNMENT REACTIONS TO SHARIA

### a. Obasanjo: Fumbling or Shrewd Ambivalence?

In Volume 6 I already gave considerable coverage to the FG reaction to sharia. Since then, new documents have come in hand, new developments taken place and additional opinions formed. In this section I focus on all of these with a concentration on the reactions of Christians within the FG, including, of course, President Obasanjo himself.

The FG’s initial reaction was a classic study in ambivalence. The question is whether that was a politically contrived ambivalence or the result of being caught by surprise. It did not help that the media misrepresented the president’s first public statement on the subject delivered at the American Harvard University. He was alleged to have declared sharia unconstitutional and predicted it “would not last.”<sup>23</sup> At the beginning of 2001, he was quoted as saying that he would not “intervene in the sharia controversy because of the passionate emotions surrounding it.”<sup>24</sup> It took FG almost two years to declare it illegal.

At the end of August 2002, President Obasanjo delivered a speech to the nation on sharia. According to Madu Onuorah, he expressed concern over the expansion of sharia from the private to the criminal sphere as well as over the death sentences. He hoped that the higher courts would overturn those judgments. If not—and then comes his famous and sometimes despised statement about weeping: “If for any reason she is killed, I will weep for Amina<sup>25</sup> and her family, I will weep for myself, and I will weep for Nigeria.”



It did not seem to occur to the president that the women who had been condemned to death would not have the resources to pursue the lengthy and expensive methods of such appeals. In other words, the system defended by opponents to sharia did not really give the victims of sharia access to justice. Some of the critique by pro-sharia forces about the difficult access to the Western legal system was right on. Perhaps the president simply assumed that they would receive help from lawyers and/or human rights groups—or secretly, from the FG itself.

In the above address to the nation, the president also showed concerns over the effects of sharia and its fallout on foreign investments in the country.<sup>26</sup> A few months later, he again referred to the issue. Foreign investors, he reported, “have expressed apprehension about the stoning of women or men found guilty of adultery.” This time he addressed the issue with greater assurance, also with a view to the upcoming Miss World Pageant.

*Our assurance to those who care to listen is that we have a legal and judicial system which grants any accused person the full opportunity of appeal to the highest court in the land. For this reason, we have never entertained doubts that whatever verdict a lower court may give, the appellate courts will ensure that justice is done. We fully understand the concerns of Nigerians and friends of Nigeria, but we cannot imagine or envision a Nigerian being stoned to death. It has never happened. And may it never happen.<sup>27</sup>*

When Safiya<sup>28</sup> was acquitted, the President reportedly said, “Wherever I went in the world, I had no peace.” The president of Spain said, “...this matter of Safiya....” When he held discussions with the Norwegian Prime Minister, Obasanjo was trying to talk oil, but “all he wanted to talk about was Safiya.” Had anyone been stoned, Nigeria would have suffered a serious international setback, the President commented.<sup>29</sup>

The President's talk of foreign pressure was not contrived. Professor Kalu reported the following international turmoil surrounding Safiya's case: "The Nigerian embassy in Italy received two container loads of protests over the verdict. A letter bomb was intercepted at the nick of time. The ambassador was summoned three times.... In Spain, the Nigerian embassy received 600,000 letters.... The Vatican called for prayers. Naples and Rome adopted Safiya and offered her keys to the cities." Nigeria was getting a bad reputation all over. The American Centre for Religious Freedom dubbed their report on Nigerian developments "The Talibanisation of Nigeria."<sup>30</sup>

A representative of *The Pointer* interviewed President Obasanjo and described the latter's position on sharia as "fairly neutral." The interviewer asked how he actually felt about it. The President agreed that he adheres to some "sort of neutrality." He dislikes sharia, he disagrees with and disapproves of it, "but the states concerned have the power and the constitutional right to do it." However, there is also the issue of human rights and on basis of them he will not allow anyone to be stoned. "I know for sure" that this will not happen. So far—2007—in fact, it has not happened. This is a President who was caught between two types of rights, both of which are inconsistently enshrined in the Constitution: states' rights and human rights. He acknowledged he was bound by this Constitution with its contradictory rights, even if it allows ugly things. So far, we have not had the privilege to discover how he would prevent stoning from happening. Perhaps, the fact that no stoning has so far taken place is proof of the wisdom of FG public ambivalence. Perhaps it is an indication of the FG preventing it behind the scenes, saving the face of Islam.<sup>31</sup> In Volume 6 I did give some indication that the FG may have secretly funded at least part of the legal expenses. So far President Obasanjo.

#### b. Other Federal Officials

In the previous volume we already learnt that Justice Minister Godwin Agabi wrote to Northern governments that "Muslim citi-

zens should not be subjected to a punishment more severe than would be imposed on other Nigerians for the same offence.” “A court which imposes discriminatory punishments is deliberately flouting the Constitution,” he wrote. Continued implementation would endanger the very existence of Nigeria, according to the letter. Agabi asked the governors “to secure a workable panacea of all criminal laws in their states,” so that the courts could impose equal punishments to all who broke the law, Muslim and Christian. He urged the governors not to let “your zeal for justice and transparency undermine the fundamental law of the nation, which is the Constitution.”<sup>32</sup> Some Muslims, you may recall, were offended by that statement, since no Muslim had complained about sharia discrimination.

A year and a half later, an Associated Press item reported an FG vow to “block Islamic courts from carrying out any executions by stoning, promising to hold the line against sentences... that have provoked international protests and boycott threats.” This time the vow was uttered by the Minister of State for Foreign Affairs, Dubem Onyia. The Minister said, “Nobody will ever be stoned as a result of sharia law. Nobody.” This statement was made in view of the approaching Miss World Pageant that faced a possible boycott by contestants.<sup>33</sup> He further explained that FG “would not force Islamic court systems...to change their laws. Instead, the cases will be overturned individually in appeals before federal courts.” How the government could offer such assurances about the court system was not explained.<sup>34</sup> It appears that the FG simply expected that judges on the “secular” courts would not put the sharia above the Constitution, not even their Muslim members.

That expectation had a legitimate basis. Less than two weeks earlier, Muhammadu Lawa Uwais, the *Muslim* Chief Justice of the Federation, “urged judges in the nation’s courts to regard their allegiance to the Constitution of the Federal Republic of Nigeria as

sacrosanct” and “not to allow ethnic and religious bigotry to influence them in the discharge of their duties.” “The Constitution is supreme and must be respected by serving judges.”<sup>35</sup>

The opinion of the main FG leaders was supported by some highly placed citizens. Professor Ogbu Kalu wrote that if the FG had taken Governor Sani to court over the sharia issue, it would have lost. It is up to the individuals who feel sharia has trampled on their rights to take the matter to court. If someone slaps you, the government will not go to court for you. “The rights [so] violated have nothing to do with the state. If the FG goes to court against Zamfara over sharia,” according to the professor, “it will be dismissed, because it will be academic.” Musa Gaiya commented, “This explains why the AG told the world that what the sharia states were doing was constitutional.”<sup>36</sup> In fact, as we have seen earlier, Gaiya agrees with this stance.

### c. The Banning of *Hisbah*

A constitutional feud developed around the *Hisbah* corps. The FG declared the corps illegal and banned it. Here is one place they began to act decisively. In February 2006, Frank Nweke Jr., Federal Minister of Information, announced a ban on the corps, saying it had usurped the law enforcement role of the FG. The 1999 Constitution recognizes the NPF “as the only agency entrusted with the policing of the federation,” announced Nweke. The confrontation turned into a legal battle, the outcome of which Nigerians await anxiously, since “it could mark a turning point in the country’s religious history.”

Not only was the *Hisbah* corps banned, but the FG also alleged that Kano was applying for foreign funds to support the corps, another illegal practice. The Kano Government challenged these allegations by filing a lawsuit against the ban. Governor Shekarau argued that the Kano State law establishing the corps of 9,000 was both legal and “necessary to provide good governance.” He

promptly ordered the *Hisbah* back to work. The editor of *The Guardian* commented,

*Commissioner Tijani [representing the Kano Government] said that his Government has challenged the federal action in court. This is the right and proper step to take. Which is why we think that it is not good judgment that Mr. Shekarau should, in brazen defiance of the FG, order the Hisbah back to their duties. He should not pre-empt the court. Now that the matter is in court, all parties should put personal ego, bigotry and political grandstanding aside and allow the court to pronounce on the issues of federalism and rights that have been raised.*<sup>37</sup>

At the time of writing, the battle was still going on.

## 2. CHRISTIAN REACTIONS TO THE FEDERAL GOVERNMENT

Though the main aim of this section is to report on Christian reactions to FG, it is not always possible to separate their reactions to FG from those directed to state governments. As to the President, many Christians were in a great hurry for him to take immediate action to nip this alleged threat to national unity in the bud. Northern Anglican bishops held a meeting in Abuja and called on the FG to “prosecute Governor Sani because ‘he has committed treason by declaring sharia and Islam as both the official legal system and official religion.’” They compared Governor Sani to Colonel Emeka Ojukwu, when he declared the Republic of Biafra. Peter Akinola, speaking for the bishops, said, “Governor Sani is a rebel and must be treated as such.” Others wanted the President “to declare a state of emergency in Zamfara.” No action was taken on that one, though a couple of years later that was exactly what the President did in non-sharia Plateau State, to the chagrin of the proponents of such an action for Zamfara.

Bauchi State CAN, in a petition to the Bauchi House of

Assembly against the introduction of sharia almost immediately after the new sharia regime saw the daylight, reminded the FG that it “owes the citizens the responsibility of providing good leadership and security of lives and property. What happened in Zamfara was an affront and a direct challenge to the leadership of the FG and the Constitution. The matter should not be allowed to go unchecked, as it portends a time bomb for the nation.”<sup>38</sup>

TEKAN always publishes a communiqué after its annual meeting in January. Its communiqué of January 2000, was probably published before the Zamfara January sharia launching. Without mentioning the FG or the President, it urged that sharia states “be called to order as it is already eminent that this action is a grand plan—[there you have that term again]—to destabilise the democratically elected government by the enemies of this great nation.”<sup>39</sup> In its 2001 communiqué, it did not refer to sharia by name, but it implied a strongly critical stance towards the FG. It called on the Government “to take measures to ensure that the freedom of conscience and religion as well as the non-adoption of state religion is strictly adhered to and any elected leader who violates the Constitution must be removed.”<sup>40</sup> This is all sharia language.

CAN also expressed itself. Minchakpu reported that “church and government leaders in Northern Nigeria are becoming increasingly impatient with Obasanjo’s failure to prevent Northern states from using sharia to demolish church buildings and deny land to Christians.” Saidu Dogo, Secretary General of CAN’s Northern chapter, revealed that his organisation had sent “a demand for an end to sharia” to the President, for it had led to “the demolition of church buildings, rejection of applications to build new churches, and denial of land to Christians,” all issues discussed in other sections of this book. Dogo continued, “Nobody is saying anything about this. We feel that we are unjustly being discriminated against, and that is why we are demanding the expunging of this Islamic law, which encourages this discrimination against

Christians.” Minchakpu explained that this demand was made after the President had delivered a speech about the recently concluded National Political Reform Conference, but ignored the complaints Christians had aired there.<sup>41</sup>

In his paper of 2000 accusing President Obasanjo of supporting the Islamization of Nigeria, Danjuma Byang wrote that the first sign of this policy was “when he looked away as Governor Sani introduced full-scale sharia,” even though the Muslim legal luminary Justice Muhammad Bello called this sharia “a breach of the Constitution.” Byang continued, “Many well-meaning Nigerians expected Obasanjo to stomp his feet and say ‘No’ to Sani. But when he put his head in the sand and pretended not to see what was coming, he emboldened the other governors in the North to follow suit.” According to Byang, this ostrich-type action was only the first of many steps towards Islamization.<sup>42</sup>

Professor Mobolaji Aluko considered the President’s stance a refusal to handle a hot potato that he hoped would cool off by itself. Referring to that other famous Presidential line about weeping, he exclaimed sarcastically, “Great assurance indeed!” It was all weakness at the top. “The fact of the matter is that had the Executive and the Legislature shown intestinal fortitude and brought a case on the criminal application of sharia to be heard before the Supreme Court, then the legal, political and religious fog which we currently are in, would probably be much clearer now and maybe we would have been spared the recent killings” related to Miss World.<sup>43</sup>

The legal people let themselves be heard. Oghenemara Emiri, senior lecturer in the Faculty of Law at Lagos State University, wanted the federal AG to “bring a suit against the Zamfara Government” to apply “an injunction so that the *status quo* remains as is provided for in the Constitution, pending the determination of the suit.” Alternatively, a state of emergency should be declared and the Governor be replaced by an FG-appointed administrator.<sup>44</sup>

Joseph Bamigboye, also a lawyer, points out that the Supreme

Court has the authority to handle disputes between the FG and state governments. He comments, “I humbly submit that the FG ought to have long referred this dispute to that court for final pronouncement, and it should do so without further delay.”<sup>45</sup> Lawyer Michael Chukwu considers the whole sharia movement as purely political. He fully blames the President for it and its aftermath of violence. The rulers of the country “are cooking this pot of sharia to scatter us,” he declared. The President is not ready to have the country settle down. If he did, he would “not even think of bringing back the issue of sharia again.”<sup>46</sup>

Rotimi Williams, a national legal luminary, disapproved of the Federal AG for folding his arms and “simply watch events as they unfold. He ought to do something.” That something could be a meeting of the AGs of the states or the federal AG could “invite the Supreme Court to pronounce on the validity” of the Zamfara venture. At any rate, *something*... The FG’s failure to act, according to Williams, is “sending the wrong signal.” It indicates actions against the Constitution “will go unchallenged because of the supposed sensitivity of the issues involved.”<sup>47</sup>

The politicians weighed in with their critique as well. A US-based political scientist, Omo Omoruyi, wanted the President “to prevail on sharia governors to stop such engagement, saying that their action constituted a secessionist quest.” The country could fall apart, with “many other parts of the country to agitate for autonomy” and thus turn Nigeria into a question mark.<sup>48</sup>

Shortly after the Zamfara announcement, some of the “Christian” states in the South-East sprang into action. First, the Enugu State House of Assembly condemned the move by the Zamfara Government to adopt sharia with all the usual arguments. The House called on the National Assembly and the President “to forestall the implementation of sharia in order to avert a national crisis which would endanger the nation’s democracy.” “They should resist the move in the overall interest of the corporate exist-



tence of Nigeria.” The House did also express appreciation for the concern of the Zamfara government “to curb corruption and crime,” but insisted that this was not the way to go.<sup>49</sup>

A few days later, the House of Assembly of Cross River, another Southern state, followed suit by calling on the FG “to properly address this affront to the Constitution” immediately—“within a period of one month.” The FG should “guarantee the secular nature of the country as provided for in the Constitution,” while it described “the adoption of sharia as having ‘secessionist intentions,’ which could lead to anarchy if not properly addressed.” Cross River is one of Nigeria’s oil states, the revenues of which are shared with all the states. Even without the sharia controversy, the sharing formula has long been a point of friction between the oil-producing states and the happy beneficiaries. However, this time Cross River was really serious. The House “warned the FG against using funds from mineral resources from Cross River as federal allocation to religious fundamentalist states.”<sup>50</sup>

The editor of *The Comet* blamed it all on the President. Muslims were “emboldened to take these unconstitutional steps, because nobody called them to order over sharia.” “The time has come to rise up and defend the Constitution from the battering ram of these governors. President Obasanjo, the first defender of the Constitution, cannot afford to continue to sweep this matter under the carpet.”<sup>51</sup>

Women also had their opinion about FG reaction to sharia. The women at the NGO conference referred to earlier were “shocked that those who have the responsibility of ensuring that our constitutional rights are not violated, have not taken action to protect our rights. Why has the National Commission on Human Rights not criticised what is happening? We call on the President, state governors and federal and state ministers of justice and attorney-generals to speak out and take action against these unconstitutional acts.”<sup>52</sup>

Not everyone was opposed to the President's handling of sharia. There were "Aye's" as well as "Nay's." Ademola Ishola, General Secretary of the Nigerian Baptist Convention, supported the FG for declaring sharia illegal and thanked them publicly for this boldness. I draw your attention to his reference to "boldness." Along with many others, Ishola was worried about the violence that so often follows sharia.<sup>53</sup> Governmental boldness might provoke it. It took courage to proceed.

Paul Adujie, a Nigerian in New York, argued that Nigeria is a federation. Sharia states are within their rights. He approved of President Obasanjo's hesitance to get involved in the sharia controversy. It is not his job to interfere with the rights of the states in the matter of sharia. According to Adujie, the President "repeatedly exhibited exquisite restraint in the matter of state and local rights." Nigerians must let the ideals of federation blossom. Why do some people think the "President should act in trepidation and haste" with respect to sharia? It is clearly a state matter. "The President should not micro-manage local divisions of Nigeria, that would be reminiscent of dictatorship! The President must not usurp state and local authorities." However, while agreeing to the constitutionality of sharia, Adujie disagreed with the extended sharia on other grounds,<sup>54</sup> but that is for another section in this chapter.

Vice Admiral Nyako also approved of the initial response of the FG. It had declared that the Zamfara sharia is "not illegal or against the constitution." Nyako felt that "any action should be left to the victims of the law in the form of redress in a court of law against a sentence by the Sharia Court." This was, of course, exactly the opinion of the President and of a host of others, both Christian and Muslim.<sup>55</sup>

Professor Sulayman S. Nyang of Howard University in the USA, tried to sum up the situation in which Obasanjo found himself. Sharia advocates have made things very difficult for him.

Referring to the Miss World debacle in Kaduna, an event deeply influenced by the sharia atmosphere, he wrote, "Caught between the crossfire of religious, ethnic and class forces, President Obasanjo found himself constrained. His political silence has been interpreted as a sign of weakness by some, but others have come to see it as the tactical move of a political fox who knows when to attack and when not to attack."<sup>56</sup>

So, we have divided opinion among Christians, but the negative carries by far. Many Christians do not see Obasanjo an innocent victim caught in a net; they see him, a Christian, as an active Islamizer and a traitor. They are as puzzled about Obasanjo as they remain puzzled after so many years about the Christian Gowon's confiscation of Christian institutions in the 70s. Yiljap Abraham summarized the different feelings Christians have of their Christian President. These feelings are by no means all positive, but probably the one that weighs in the most heavily was his initial response to sharia. "Christians say their sympathy for this 'big brother' has waned following his apparent lackadaisical approach to the sharia issue when it first burst out from the wombs of politicians. The President had dismissed it as a storm in a teacup. Boy! What a storm that was in Kaduna, Bauchi, Borno, Nasarawa, Kano and Plateau, which remained at boiling point until the advent of Emergency Rule in May 2004."<sup>57</sup>

Most Christians just demanded that the President put a stop to the sharia endeavour without apparently counting the potential cost of such a dangerous move. Or would leaving sharia intact be even more dangerous? Who would be able to predict the cost of an outright rejection on the part of FG? Only a few would consider war or separation viable options for Nigeria.

Yiljap Abraham wrote a graphic profile of President Obasanjo's religious spirit. He first established his solid Christian credentials by pointing to numerous pro-Christian acts on his part. The President, he concluded, has given clear public expression to his

Christian faith. Nevertheless, “there are both Muslims and Christians who will swear to you that the President is neither of the two religious persuasions.” Christians “see him as too much of a Muslim to be a Christian.” The reason is his participation in certain Muslim events. For example, during the second centennial celebration of the “Islamic Jihad,” that is, the founding of the Sokoto slave empire of Usman Dan Fodio, Obasanjo appeared in public clad in the full regalia of an “Islamic *Jihadist*.” Christians thought that “if only the President had known the negative consequences of that *jihad* on the lives of non-Muslims in the Middle Belt, he would not have agreed to identify with what the *jihad* stood for.” There were more. There was his insult of Chairman Pam of Plateau CAN, his position as chairman of the committee to raise funds for the National Mosque. And then, of course, there was his “lackadaisical approach to the sharia issue.”

Christians have a hard time appreciating this kind of Christian president, but neither are Muslims impressed with him. In spite of presidential overtures to Muslims, not all of which are listed above, “they tagged his style as the Christianisation of Nigeria.” They think of him as marginalizing them, of “easing out Muslims from the very lucrative positions in government and the military and replacing them with Christians. As long as Muslims from the ‘core North’ are not controlling the strategic ministries and other positions of authority in government, it means Obasanjo is anti-North, anti-Islam and pro-Christian.” To be sure, some of these positions are occupied by Northerners, but as long as they are not *Muslims* of *Hausa-Fulani* or *Kanuri* stock, they refuse to regard them as genuine Northerners. Worse yet, if they are *Christians* of northern origin. “Their logic appears to be that Christians are not and cannot be Northerners. Period.”

Poor Obasanjo. He did not stand a chance! No one recognized the positive points of his spirituality. Christians were confused about his Christianity; Muslims saw him as a Christianizer.<sup>58</sup>

### 3. CHRISTIAN REACTION TO SHARIA STATE GOVERNMENTS

At the dawn of the AZ era, before the Zamfara launching in 2000, TEKAN published its annual communiqué containing a strong condemnation of the new sharia. It called on Christians “to disregard the political gimmicks and empty propaganda of the Governor of Zamfara regarding the introduction of sharia.” Obviously, TEKAN did not believe a word of all the promises and reassuring talk of the Governor.

#### a. Sharia Governments’ Support for Islam

In 2001, *The Comet* published an editorial exposing blatant support by Northern governors for the spread of Islam. “Imperiously, by a sleight of hand,” it was announced by Governor Abdulkadir Kure of Niger State that “15 Muslim governors are to collectively donate N100 million to the Appeal Fund to build the national headquarters of the Izallatu Islamic Society in Abuja.” It fell to Governor Sani of Zamfara to explain the motive for this largesse. In his words: “The plan to spread Islam to the four corners of Nigeria is a *fait accompli*.” “He beat his chest and earnestly railed that nothing will stop his pet project—the sharia—from becoming the legal norm in every part of the Nigerian federation.” There you have it. If you ever doubted the plan, which I did for many years, here it is in naked form and carried out by your governments with your tax nairas. *The Comet* editor commented that it is always “unjust to divert state funds to enrich one religion to the neglect of others,” but it is even worse when it is done by governments whose populations are evenly balanced between the two religions as in the case of Kogi, Kaduna, Bauchi and Nasarawa. Such “sectarian proselytisation constitutes official discrimination against competing faiths.”<sup>59</sup>

You will remember Wakili’s stories in Chapter 4 of female abductions in Bauchi State. In that same report, we read of Shamaki Gad Peter of the League for Human Rights, Jos. Gad

alleged that the State Government was supporting these abductions by the way the local courts were organized. For example, the LGA in which Gloria Simon, one of the abductees, lived, “had two courts—area and magistrate courts—but with the introduction of sharia, the area court was changed to a sharia court, which the Christian majority resisted. Until recently, all the judges posted to the court were Muslims and most often they pass their judgment in favour of Muslims and sued the sharia law for judgment. Thus Christians who had their women or daughters abducted, were very reluctant to take the issue to court.”<sup>60</sup>

#### b. Dress Code

Dress code has often been a focus of tension. If you check the indices of previous volumes you will see that it has been an irritant for decades. In the previous chapter you have learned that the extended sharia has led to renewed frictions around the code. There the frictions were evoked mostly by government agencies such as the *hisbah*, hospitals and schools. In this section we are concerned more with governments themselves. Another difference is that this time the men are included, not just the women or girls.

Actually, many Christian men in Northern Nigeria, including pastors—and this missionary—, have long worn the gowns they know come from Hausa Islamic culture. When I am in Nigeria I wear them when I want to really dress up. It is their/our own choice; no one forced us to wear them. But now it is becoming a matter of identity<sup>61</sup>—*forced, imposed* identity.

Again, it started in Zamfara. Governor Sani declared that all Christians are to conform to the Muslim dress code. What happened to that other declaration, the one about sharia being restricted to Muslims? Actually, is the Hausa robe, beautiful and stately as it is, really prescribed by the real sharia? At any rate, Elder Saidu Dogo, Secretary-General of CAN, Northern Zone, warned that “a religious war is imminent in Zamfara if a new law

directing Christians to conform with the Islamic code of dressing is not reversed.” He said that “all Christians in the state were poised for a showdown with the Governor.” His, Dogo continued, “is an open invitation to anarchy. Christians have resolved to resist this new law and we are all ready for battle.” It is “both morally and constitutionally wrong” for the Governor to have approved this law. “Only God can predict the end of the crisis that this law will trigger.” “I foresee a crisis coming, but nobody should hold Christians responsible.”<sup>62</sup>

This development is not restricted to Zamfara. Minchakpu reports that on May 16, 2005, Governor Shekarau of Kano “ordered that all Christians in the state must dress in accordance with Islamic tenets. The order was sent to Christian churches and institutions in the state.” The Governor declared, “All Christians in Kano are henceforth prohibited from dressing the way they like. Their dress must reflect the culture and religion of Islam.” Initially the dress code will be implemented in the schools throughout the state, but eventually it will cover the entire Christian population. For women it will mean “head coverings and long flowing robes that cover from head to toe.” The local Anglican bishop, Zakka Nyam, accused the State Government of various misdeeds, including forcing Christians to “imbibe Islamic culture.”<sup>63</sup>

At one time, the FG sought to overcome the dress issue in schools by proposing that Christians and Muslims have their own distinctive uniforms. The idea of uniforms itself was an attempt, I believe, to put an end to the practice of immodest dressing on the part of some students. The distinct uniforms for each religion would solve that problem without forcing one style on either. It seemed like a perfect solution to some. However, CAN rejected the idea of uniforms altogether. It serves no purpose, it stated, for it would emphasize division and difference at the expense of the unity that students should be taught.<sup>64</sup> Christians and Muslims seemingly find it impossible to come to an agreement about uniforms at various fronts. There is the barrier of

static reading of religious texts. There are the anger, suspicion and hidden agendas that stand in the way of sound reason in a culture where Christians have long freely donned styles that originated in the Muslim community and Muslims, Western styles.

Engineer Salifu of CAN Northern Zone, in true CAN tradition, has always advocated that government “should wash its hands neatly from anything religious.” This includes the dress code issue. “In Kaduna State, some people are talking about wearing some identities to school to show their religion.” “This,” he concluded in view of the above CAN principle, “doesn’t make sense.”<sup>65</sup> It was for the same reason that years later Kaduna CAN wanted the House of Assembly to disband their 12-man committee to study sharia. For one thing, the membership of the committee consisted of only Muslims! Secondly, they argued, the issue was too volatile in this tense state. But a major reason was the classic CAN’s opposition to governmental involvement in religion. In a press briefing, Chairman Benjamin Achigili said “There was no need for the House of Assembly, be it national or state, to legislate on religious issues, which were purely religious leaders’ responsibility.” He pointed out that “Christian leaders have been passing laws and regulations to their adherents without bothering any House of Assembly or Muslim neighbours. Similarly, the Council of Ulama do not need to bother any House of Assembly or Christian neighbours for their agitation, but they should rather go to their mosques to pass their rules and regulations to their Muslim faithfuls.”<sup>66</sup>

### c. Sharia vs Sharia Governor

A major issue Muslims themselves brought up frequently in the previous volume is that the sharia is applied only to the poor, while the elite literally get away with murder and oppression. However, you may recall the story of a member of the elite, Governor Saminu Turaki of Jigawa State, who was hauled before



sharia court by a former Minister of External Affairs, Sule Lamido, for alleged embezzlement of funds. Reuben Abati, a Christian who refers to the Governor as his “friend,” took a hard look at this situation.

Abati began his story by reminding us that Turaki is a sharia governor. Along with all the others, he “jumped on the sharia bandwagon, turning it into a political issue and a platform for advertising their credentials as Muslims before a besotted electorate and a band of fanatical clerics for whom sharia is the equivalent of a *jihad*.” Abati reminded his readers that he had at that time objected to “this over-politicisation of the sharia, but this was interpreted as an affront against Islam.” All protests that the new sharia is unconstitutional were dismissed, since the Constitution is irrelevant *vis a vis* sharia. All who argued against it were dismissed as mere “infidels.”

I do not need to regurgitate Abati’s summary of all the things that happened in the name of sharia, since that history is recorded in Volume 6 by Muslims themselves. The class discrimination is, according to Abati, a clear demonstration of “the insincerity of the jihadists.” In spite of all that, Turaki “referred readily to his popularity with the clerics and the ordinary voter.” However, now his faith in sharia was going to be put to the test. “His sincerity has become a political issue. His integrity is at stake.” His accusers played the smart card by challenging him before a sharia court that he himself helped establish. They thus exposed conflicts between sharia and common law, but also handed the governor a political pickle!

One issue was that one of Turaki’s lawyers was Samuel Monopod, a Christian. That brought up the issue whether a Christian lawyer could operate in a Sharia Court. Abati wondered, “Could it be that the Governor has no faith in Muslim lawyers?” The judge allowed Monopod to continue, even though the court was conducted in Hausa, a language Monopod apparently does not understand.

There were a couple of constitutional issues. While a crowd had gathered outside shouting the usual “Allahu Akbar!” Turaki’s lead counsel, Adamu Abubakar, argued that since the Constitution grants governors immunity, this Sharia Court had no jurisdiction over the case. He also insisted that the Sharia Court judge was not even a lawyer. This, too, was unconstitutional. The response of the judge and the plaintiffs was that in a Sharia Court the “constitution does not apply. They explained that there is no such thing called Section 308 in the Qur’an and that no Muslim, irrespective of status, can claim immunity before an Islamic court.” Steve Nwosu reported that according to Lamido, the ruling that sharia does not recognize gubernatorial immunity “is a victory for the oppressed people of Jigawa, who have been forced to live with the strict dictates of the sharia regime, while their ruler operates above the law, protected by immunity.” The case was dismissed due to improper filing and insufficient evidence.

Abati commented,

*There can be no doubt that the sharia judge, who is neither a lawyer nor a judge, was violating the Constitution. The defence counsel was right in pointing out the ludicrousness of a Sharia Court attempting to interpret the Nigerian Constitution. What is worse is the attempt to place the Islamic law above the Constitution. It is a trite point to say that the Constitution is the supreme law of the land; anything that goes contrary to its provisions is null and void. Lamido cannot pretend not to know this. If they do not, then their ignorance is truly lamentable. Lamido was once Nigeria’s Minister of Foreign Affairs. How could such a fellow who exhibits so much disdain for the Constitution have been chosen to represent Nigeria at that level? Lamido is playing politics. He is Turaki’s sworn opponent. He wants to discredit the Governor where it would hurt most.*

*The circus is interesting. For, shortly after the incident of the*

*Sharia Upper Court, the State Government immediately announced a new package of sharia laws under what was labelled "Sharia Phase Two." All businesses will now have to close down during the five daily Muslim prayers. And "all unauthorised places of worship in the state would be shut down." This is a prescription for indolence and a violation of the freedom of choice. Obviously, Turaki is playing to the gallery. He is trying to save his neck. He needs to reassure the people of Jigawa, especially the clerics, that he is still committed to sharia.*

*But he is only too clever by half. He has merely succeeded in advertising the hypocrisy of the Northern elite over sharia. When it suited Turaki to violate the Constitution by supporting the imposition of the sharia as state religion, he did not hesitate to do so. When he is confronted by the same sharia, he seeks protection under the Constitution! This kind of duplicity is a bad comment on his character and the class he represents. He should tread the path of honour. If he believes in sharia, the case before Sharia Court provides him with an opportunity to demonstrate that he is a true Muslim. Lamido should not allow him to get away so easily. He should provide the proof that is needed and get the Sharia Court to examine the suit properly. If Turaki is found innocent, good for him. But if for any reason his guilt is established according to Islamic law, then due punishment should be administered. If Turaki's lawyers quote Section 308, he should be courageous enough to insist, like Mallam Jangedi, that he has willingly chosen to abide by the Islamic law as a "true Muslim." And we would all understand. We would accept Turaki as a symbol of courage. Nigerians would never forget him. His Muslim brothers and sisters will immortalise him in their hearts as a true defender of the Islamic faith. But if Turaki runs away from the Sharia Court, then those*

*who have always argued that the Northern governors are interested in politics and not justice, in grandstanding and not Islam, would have been vindicated. Speaking as a friend of Saminu Turaki, as someone who considers him a likeable personality, I would like to see him receive the Jangedi treatment. Let the Sharia Court rule that one of those long arms of his should be chopped off. And that will be the triumph that the sharia promoters seek. And I shall join them in proclaiming: "Allahu Akbar!"<sup>67</sup>*

#### d. Foreign Support

Many Christians suspect that there is foreign money behind sharia. The presence of Saudi officials at some public sharia occasions has already been noted in Volume 6. Osa Director reported that as soon as Governor Sani announced his intentions, "he was allegedly visited and egged on by the ambassadors of some countries. These are Saudi Arabia, Sudan, Pakistan, Syria and Palestine." Gaiya wrote of "a strong delegation from the Arab and Islamic world" that had come "to show solidarity." Their visits were publicised by Sobu Sowemimo, a Senior Advocate. He condemned their presence and declared it "a clear interference in Nigeria's domestic affairs." *The Comet* published an editorial calling upon the FG "to take appropriate actions against these governments."<sup>68</sup> The Vatican news organ *Zenit.org* backed up the reports that Saudi was present at the second Zamfara launching in January 2000. The Saudis promised to aid every state that was going to adopt sharia. The Vatican voice also reported that Saudi had never helped Nigeria before, but I wonder if that is true.<sup>69</sup>

In Volume 6 we took note of the role of Al-Muntada Al-Islamic Trust, a charity based in the UK and funded by Saudis. It supports(ed) various militant causes in Nigeria, including a group calling itself "Nigeria's Talibans" that "declared a part of the country an Islamic republic and launched attacks on Christians."

“Islamic republic”—well, that means sharia. The Trust is/was also supporting the propagation of Wahabism in the country. Its Sudanese director, Sheik Muhiddeen Abdullahi, was arrested during a visit to Nigeria, but was released after ten days. His release prompted a mass protest in Kano by more than 5,000 Sufi Muslims, who wanted the office of the Trust closed and Wahabism banned from the country.<sup>70</sup>

The above story gives substance to the charges published by The World Igbo Council (WIC) in the USA. It published a statement saying the Saudis are behind every religious crisis in the country in order to destabilize it and impose its Islamisation programme. They achieve their goals “through pseudo-charity, religious propaganda and theoretical methods to spread fanatical Islamic Wahabist theocracy in Nigeria.”<sup>71</sup>

However, Governor Olusegun Osoba of Ogun State was doubtful about reports of foreign money. He said, “The funds reportedly granted to the state may not be true, because it has no powers to receive funds from international agencies or countries without the consent of the FG. I don’t see how the FG will allow that collection of funds, because under the FG law, no state can directly collect foreign aid. That is a subversion of the federal system. Any state taking any grant or loan is breaching the Constitution.” Governor Sani himself concurred with his colleague. He said, “It is not possible for any state to have additional resources which the FG would not know.”<sup>72</sup>

In spite of the denial of these two gentlemen, in February 2006, reports surfaced that the Kano State Government “was seeking foreign support to train 100 jihadists among vigilante enforcers of sharia.” This was more than mere rumours, since it was said by no one less than the FG Minister of Information, Frank Nweke. The countries approached were Iran and Libya.<sup>73</sup>

Still another form of dependence on other countries showed up. From CSW and *Compass Direct* sources, which in turn receive

their information from Nigerian journalists, der Nederlanden reported that the Zamfara government was importing weapons in preparation for a “full-scale *jihad*.” The Governor claimed this was to fight crime, but police spokesmen denied they were bought for them, while their commissioner stated that a governor does not have the authority for such purchases. The Governor’s action appeared to follow directly from a proposal he made a year earlier to form a “Muslim army for the North to help protect Muslims and to promote Islam.” It may follow from that proposal, but it was hardly in line with the promise of peace and social rest.<sup>74</sup>

#### e. Hypocrisy and Trickery among Sharia Proponents

A common charge amongst both Christians and Muslims is that sharia leaders do not live up to it. Idowu-Fearon, Anglican Archbishop and a post-graduate student of Islam, complained that Muslims make him feel unequal since they do not treat him equally. He praised Governor Makarfi of Kaduna as the only sharia governor who takes the sharia provisions for Christians seriously, but the others.... He advised the other sharia governors to imitate Makarfi. They do not even fear God. How do they spend their governments’ money?

*They talk about sharia. The poor man steals, they chop his hand off. A lady is caught committing adultery, she is convicted, but they don’t even adhere to the procedure before they can stone the offender to death. They talk about sharia, sharia. You see, the way these governors are presenting sharia is creating more crises. Sharia is not wearing a long beard; sharia is not flogging people; sharia is not beating people because they are consuming alcohol. Sharia is a total way of life. You know, these people are not presenting a positive side of sharia.*

Fearon then suggested that Muslim scholars should speak up

more. They can “present the positive side of sharia and stop making a ridicule of sharia.”<sup>75</sup> I find it strange that he seems unaware of the numerous Muslim scholars who have produced just such materials. Especially *NN* published many of them. You can find a lot of that information in Volume 6.

One of the declared hopes for sharia is that it will re-instill morality into the culture by doing away with the rampant immorality that many see as the key reason for the nation’s woes. We have read all about that also in Volume 6. Alas, seven years after the Gusau Declaration this had not yet materialized. Yusuf Yariyok wrote, “Some of us are privy to information about the sharia Apostle [Governor Sani] and some of the members of his implementation committee camping girls in hotels in Kaduna and getting drunk in those hotels. We see them during the weekends in Southern Kaduna, Jos and its environs, running after young girls even when they think nobody notices them.”<sup>76</sup>

Debki expressed it this way: “Who among sharia propagandists is qualified to cut off the hand of a thief or give lashes to a drinker? How did the governors, the chairmen [of the LGCs] and the rest raise money to contest for election? I am saying without reservation that no one in either legislative or executive position from May 1999 to May 2000, has not illegally used public funds.” The Pharisees of Jesus’ day “were as hypocritical as the sharia propagandists clamouring for sharia implementation in Nigeria.”<sup>77</sup>

Debki reports that sharia made progress in his state of Kaduna due to Muslim trickery. Even before the agreed-upon research by an appointed committee was completed and properly processed, the powers that be in the state made it sound as if it were a done deal and expressed support for sharia. In the meantime, Governor Makarfi went abroad for a “pretend medical checkup or treatment. The purpose was to allow sharia to take its course but no one would be able to blame him. That would be fixed on the House of Assembly. It was against this intrigue that Christians staged a

protest that turned into a violent riot.”<sup>78</sup> Obviously, not everyone has the same opinion of Makarfi.

#### f. Miscellaneous Christian Reactions

CAN of Northern Nigeria submitted a memorandum to the National Political Reform Conference in June 2005, in which they catalogued cases of persecution of and discrimination against Christians. “While the Nigerian Constitution professes a secular status for the nation, state governments in Northern Nigeria are Islamic institutions whose main task is to promote and propagate Islam, using public funds.” In addition, the old restrictions on church land still apply, as do the denial of media access and religious instruction in schools. CAN demanded “that all provisions for religious laws in the Nigerian Constitution be removed, that all persecution of Christians be stopped and that all be given equal opportunity in the country.” If you have read Volume 3, you will recognize this as pretty old hat. Sharia has not solved any problems, it would seem.

President Obasanjo, in response, urged that everyone “put all our cards on the table to discuss as one family, engage in exchange of ideas, vigorous debate and innovative involvement in shaping the future of our nation.” In distinction from previous CAs, this conference did not even have anything religious on its agenda, not even sharia!<sup>79</sup>

Only a few weeks later, the Northern States Christian Elders’ Forum published a communiqué in which it accused eight of the sharia state governments of both compromising the secularity of Nigeria and denying Christians “their God-given rights and privileges.” It also complained about “the alleged attempt by a District Head in Zamfara State, one Alhaji Bunu in Taka Lafiya, to force indigenous Christians to denounce their faith or to leave the area.” The Forum referred to this incident as “an act of religious intolerance and official intimidation.”<sup>80</sup>

Undoubtedly, Governor Sani received many warnings and



worse from some gubernatorial colleagues, but this is not always made public. Governor Dariye from Plateau took the opportunity during a visit paid him by Governor Sani on June 24, 2005. Dariye “spoke out against Islamic abuses resulting from sharia law.” The religious crises in the North, he warned, “may result in the destruction of Nigerian unity. Religion is being manipulated with the aim of destroying Nigeria. Unless something is done very urgently by the FG, religion will become a tool that will not only bring setback to the country, but will eventually lead to her destruction.”<sup>81</sup> Of course, one may question the propriety of such chiding by a governor whose own state was thrown in far greater turmoil due to a combination of factors among which religious conflict and his own corruption were prominent.

### ▲ CLOSING REMARKS

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So far in this book you have read about a host of miscellaneous Christian opinions on sharia, both of groups and of individuals. You will have noticed that there is a strong consensus almost everywhere. There are some differences, but they do not play any significant role.

There is also considerable confusion and uncertainty about the relationship between religion, including sharia, and politics. This is no surprise. Apart from their experience with sharia, Christian views on sharia are mostly based directly on their view of secularism and related concepts as discussed in Volume 5. Since their attitude towards secularism is ambivalent as shown in that volume, their view of this relationship is also bound to be confused sometimes and uncertain.

We are done with generalities. As promised earlier, the following three chapters will focus more on a few individuals and on one state and church, where the relationship between state and church is as intimate as in any sharia state, with the exception that they do

have some Muslims in appointed and elective positions. In the next two chapters, I will be relatively silent, with only an introduction and some comments in endnotes.

Enjoy the change of pace. The voice of your fellow Nigerians and their emotions....