

**SHARIAH AND GOVERNANCE IN NIGERIA,
1979 – 1999**

297.14
AW. 63-S
M. TH
NBTS

**A Thesis
Presented to the Faculty of the
Nigerian Baptist Theological Seminary
Ogbomoso, Oyo State, Nigeria**

**In Partial Fulfillment of the Requirements
For the Degree of Master of Theology**

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June, 2003

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government to tread softly on the Shariah issue and put all necessary things into consideration to ensure peaceful co-existence in the nation.

5.2 Conclusion

It is observed from the research that the Shariah issue in Nigeria is a chronic phenomenon. Some learned Muslims are of the opinion that Shariah is yet to be understood and its implementation needs caution. Apart from the criticism that is noticed among the Muslims themselves, other religious bodies, and some international bodies express their negative response to the full implementation of Shariah in Nigeria as they feel it may tear the country into pieces. Some other people believe that the judgements so far passed on Shariah, are barbaric and inhuman, while Shariah's full implementation is viewed by some others as unconstitutional.

The government feels concerned about the heated arguments and the effects of Shariah issue, but does not know what to do. Professor Jerry Gana, the then Information and National Orientation Minister once said, "The states practising the Islamic legal codes were moving towards total disregard for human rights which no reasonable government would tolerate."¹ He went further to say that an advisory committee of legal experts had been set up to study how this Muslim legal code had affected the rights of people and the nation's image. The government is therefore aware of the danger in accepting Shariah as a state or national legal system, but action is not taken on it.

¹The Guardian, 20 August 2002, pp. 1-2.

Muslims however insist that Shariah cannot be placed under any other law, but it is impossible to practise supreme Shariah under the present Federal Constitution.

In the light of all these unresolved arguments and for the good of Nigeria, a deep thought should be given to the diversity of the Nigerian society. It would be wrong and inconsiderate for anyone to struggle and impose his or her religion on others. Shariah means the law of God, and God the lawgiver has the peace and harmony of mankind in mind. This is the teaching of the true major religions in Nigeria (Islam, Christianity and African Traditional Religion). No matter how good in itself a religion may be, it cannot bring lasting peace and order if it has selfish motives and ambition behind it.

Don Chadike² concluded his discussion on Shariah debate in the following words:

To avert further bloodshed and the possible break-up of the country, the people and the government of Nigeria must make urgent and conscious efforts to diffuse the current religious tension. Nigerians need to realise that any society that draws its entire inspiration from religion, whether traditional or universalistic lives in the past. Nigerians need to realise that the country is a multi-religious nation. Anyone who still dreams of imposing either an Islamic or Christian code on Nigeria is living in the distant past. The age of forced conversion of Jihad and crusade is over.

In conclusion, based on the findings, observations, interviews and library research of the writer, the full implementation of Shariah should not be allowed for the good of the nation. Shariah should maintain its status as directed by the Federal Constitution of Nigeria. The law if allowed to operate in full and not as Islamic personal law as discussed in chapter three, will mean an imposition of a religion on the people against their wish and beliefs. Non-

²J. O. Hunwick, Religion and National Integration in Africa (Evanston, Illinois: Northwestern University Press, 1992), p. 120.

Muslims regard the law as too harsh and an anti-clock to the socio-religious, economic and political development of Nigeria as a united nation. Even the Quranic injunction in Quran 3:159 calls for peaceful co-existence in the society. It says, "deal gently with others." This should be our watchword in Nigeria to give room for effective governance and a peaceful relationship.

5.3 Recommendations

The following recommendations are made to the government and the public.

1. The national or state encouragement of religion must be basis that all religions are treated equally, with no favouritism, preferential treatment, protection, or sponsorship of any kind. There should be no enforcement of the injunctions or doctrines of one religion against the other. The federal government should only encourage but should refrain from financing religious projects and activities. It should cease maintaining religious traditional rulers with public funds. The government should maintain neutrality. It should not be partisan on religious issues. The government should play only the role of overseer to ensure fairness, justice and check subversive tendencies under the cover of religion. No religion must be allowed to become the baby of the government.
2. The public must be educated on the fact that religion is a private matter and that in a multi-religious society all public parties should be founded on political and economic ideologies not on religious ideologies as a secular state. Under no circumstances should politicians be allowed to mobilise or manipulate religion for their own private ends.

3. Nigerian judiciary should not be patterned along any one religion, instead the moral and value system of all the people of Nigeria should be incorporated into the legal system to ensure that the laws are indigenous to us all. The duality of the judiciary is to be vehemently objected to. It does not present an image of a united and stable country. The Shariah law can successfully function only in countries with an overwhelming Muslim population.
4. Inter-religious dialogue should be organised and pursued to a reasonable and positive level. This must involve frank and serious conversation between individuals or groups from various camps or religions. Each side will be prepared to listen respectively to the other with a view to increase understanding on both parts. There had been records of such in the past,³ but it had not been successful because the concept has not yet gotten to the hearts of Nigerians. Most adherents and most importantly fundamentalists view inter-religious dialogue as a way of compromising their faith, which is unnecessary.. Dialogue is the intentional engagement with persons of other faith(s), for mutual understanding, cooperation and learning. The venue for meaningful dialogue may be neutral ground where each of the groups will be free to express itself with a very needed security. It is hoped that this understanding and coming together vis-à-vis religious dialogue will ensure an attitude of religion-political peace, harmony and justice for all at all levels of society in Nigeria. At the end of each inter-religious dialogue, religious leaders should intimate their adherents with the

³Nnamdi Emma Omaire, "Christianity and Islam: A Missiological Encounter," Journal of Religion and Theology, Vol. 1, No. 1, February 1993, p. 57.

