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THE IMPLICATIONS OF THE ADOPTION OF SHARIA STATUTES
BY
NORTHERN NIGERIAN STATES
FOR THE TRANSITION,
STABILITY AND POVERTY ERADICATION

By

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INTRODUCTION

Since 1956, there have been efforts to declare Nigeria an Islamic state. If successful, such a campaign would have meant that Sharia, or Islamic Law, would be above the secular Constitution; and that all Nigerians would have to be subject to it. While this debate has continued over a few decades at some level, it recently evolved into a major issue that can be manipulated by anti-civilian rule and anti-Obasanjo forces to derail the transition completely, or at least to slow it down. Pervasive poverty and a heightened sense of marginalization--felt by Nigerians along religious, regional and ethnic lines—serve as additional catalysts to this country's present crisis or "hiccup". The inability to resolve the crisis surrounding the adoption of Sharia statutes led to approximately 1,300 deaths¹ in February and heightened insecurity in 19 states. (See Attachment A.)

This paper does not purport to present a religious discussion of Sharia. It takes no position on Islam or Sharia or on any other religious tradition. It is, however, focused on presenting a discussion of the current political crisis created by the movement by some northern state governments to pass and implement laws--based on an interpretation of Sharia--that may contravene the 1999 Nigerian Constitution and may lead to massive violations of the human and civil rights of Nigerian citizens, regardless of their religious beliefs or status in society.

Synopsis of the Current Crisis

On October 27, 1999, Zamfara state's Governor and legislators enacted what has commonly become known as "Sharia statutes" in Northern Nigeria and began developing structures to implement Sharia statutes throughout its jurisdictions—covering everything

¹ Note: While official estimates of the February deaths in Kaduna have been reported as between 200 to 400, both Reuters and BBC put the death toll in Kaduna around 1,000. When one adds this to the estimated 304 in Abia, actual deaths appear to be much higher than "a few hundred".

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from domestic issues to civil and criminal concerns. (Traditionally, Sharia has been applied to matters concerning domestic affairs—i.e. cases concerning inheritance, divorce, child custody, disabilities and the elderly.) **Following Zamfara's declaration, the states of Niger, Sokoto and Kano in the North enacted similar legislation. Bauchi, Borno, Jigawa, Kaduna, Katsina, Kebbi, and Yobe are implementing and/or planning to enact new Sharia statutes. Pressure is being brought to bear on Gombe and Kwara to follow suit. A new organization, the Supreme Council for Sharia in Nigeria (SCSN) has been established in July of 2000. SCSN is calling for the implementation of Sharia in the South in Lagos, Oyo, Ogun, Osun, Edo Anambra, Akwa, Ibom, and Ekiti as well. (See Attachment B.) Non-Muslims in the North and in the South question the legality of Sharia state statutes under the secular 1999 Nigerian Constitution which is to apply equally to all Nigerians regardless of their religious persuasions.**

Between February 21st and March 4th of 2000, approximately 1,000 to 1,300 hundred Nigerians died in religious-based disputes over Sharia in Kaduna in the north-central region and in Aba, Owerri and Umuahia in Abia state in the South. (See Attachment C.) On February 29th, as a result of a meeting with the National Council of State², Nigeria's Vice President Atiku announced that northern Governors had reached a "gentleman's agreement" to desist from implementing statutes that would make Sharia the "supreme law" of their states.³ On March 1, 2000, after visiting Kaduna and having sent in troops to shore up police efforts to restore peace, President Obasanjo addressed his nation. He stated the following:

"The [National] Council [of State] also reviewed the remote and immediate causes of the disturbances, and noted that the Penal code currently in force in the Northern States is substantially based on Sharia Law, with the modifications that imprisonment is substituted in place of amputation of limbs, as punishment for stealing, and also as punishment for adultery, instead of stoning to death. The Council noted that these modifications are consistent with the human rights principles enshrined in our Constitution, and considered the punishments adequate in the circumstances.

² The National Council of State is an advisory body comprised of former Heads of State and state Governors.

³ Former President Shangari pointed out that the National Council of State does not possess legal authority to enforce the agreement that it reached with the governors of states regarding Sharia. Former President Buhari then claimed that Sharia was not even on the Council's agenda. Both appear to be in favor of Islamization of northern states. Both are reported to be members of "arch-conservative Sokoto royal family" and represent interests that have been "set aside" by Obasanjo's presidency. (Former President Buhari's claim, however, was refuted when the Federal Government released a transcript of the Council's meeting.) Major tests may come if some of the governors renege on the agreement.

“The Council unanimously agreed that all States that have recently adopted Sharia Law should in the meantime revert to the status quo ante. That is, Sharia, as practised in Penal Code, continues to be practiced by all States concerned...”

If President Obasanjo had had the “last word” on this subject, then there would be no need to draft this paper. However, after agreeing not to implement Sharia penal codes, some governors of northern states reneged on their promise to cease and desist from executing the newly enacted statutes.

For example, a May 14, 2000 article in **The Punch** newspaper stated that Zamfara’s governor had signed-off on a penal code permitting the crucifixion of robbers.⁴ There are reports that Kano may follow suit. After the two violent implosions in February and in May resulted in approximately 1,300 deaths in Kaduna, the Kaduna State House of Assembly endorsed its 11- man Sharia committee report signaling that Kaduna may become an Islamic state.

Many civil society groups continue to urge President Obasanjo and the Executive Branch to take a more proactive stance against the movement to expand the depth and breath of the application of Sharia statutes in the North. Nigeria’s President--until the violence swept over Kaduna--was steadfast in his position that the application of Sharia statutes, for example, in Zamfara was unconstitutional. Under a democratic government, any challenges to the rule of law had to come from individuals and/or groups within civil society and not from the Executive Branch. This position did not change, even when human carnage began to litter the streets of Kaduna in North-Central Nigeria.

However, in early June, signs began to appear indicating that President Obasanjo’s stance is changing. The shift in his position may be due in part to his reaction to Kano’s announced plan to implement Sharia laws starting on November 28, 2000. Rumors are circulating that the state intends to extend the statutes coverage to include the military and National Police Force (NPF) stationed within its boundaries. President Obasanjo appears to be cautioning those that would use the Sharia state statutes to threaten the transition that such behavior will not be tolerated. Vice President Atiku Abubakar, on the other hand, has adopted a more conciliatory and supportive position towards Sharia statutes and governors executing these laws. Further clarifying his position, the Vice President recently stated that Islamic state statutes were not the “supreme law of the land”. The 1999 Constitution is above these state laws.

⁴ President Obasanjo continues to insist that a political solution is possible. He believes that a judicial solution would lead to chaos. This is perhaps the reason underlying his government’s decision to publicly continue to issue statements that the agreement between the Federal Government and the governors of Sharia states is being honored, thus ignoring many pronouncements from the governors and their states to the contrary.

As a result of the movement to Islamize the law in Northern states and the human carnage accompanying it, Nigeria's leaders and citizens recognize that the present crisis, left unresolved, has the potential for derailing the transition. Therefore, it becomes important to explore the questions and issues that are central to the crisis in order to continue to provide appropriate and effective assistance in support of Nigeria's transition to democracy.

Salient Questions

What is Sharia? What are Sharia or Islamic statutes? How are these laws being applied in Nigeria's Islamic states? What Constitutional questions have arisen as a result of the movement to adopt Sharia statutes in the North? How are Nigeria's leaders responding to the crisis posed by the Sharia state phenomenon? What are the linkages between the attempt to implement the Sharia statutes and security forces (military and police)? Is Sharia contributing to a heightened sense of marginalization between ethnic, religious and regional groups? How would the application of Sharia laws in Islamic states impact the poor? What benefits do advocates expect to derive from the movement? Why do some Christians and ethnic minorities fear it? Which areas are most vulnerable to violent implosions that may accompany the Sharia state phenomenon? What questions must the donor community address if it is to assist Nigerians in resolving this crisis in a non-violent manner?

Basic Definitions

Sharia is commonly referred to as the "way of the Prophet" [Mohammed]. In Arabic, it simply means "'the path to be followed'...In the strict legal sense therefore Shari'ah as a 'path to be followed' by Muslims refers to the corpus of revealed law as contained in the Qur'an and in the authentic Sunnah [proverbs, "deeds and tacit approvals"] of the Prophet. It is this paradigmatic and resolute belief in the sources of the Islamic faith that make it impossible for Muslims to live without the Shari'ah. Where it is beyond their ability to apply it as public law, Muslims do endeavour to adhere to the Shari'ah in their private lives as far as circumstances permit. Muslims are, of course, entitled to and must be respected for their resoluteness of faith in their Shari'ah, which they, on the other hand, may not also force upon non-Muslims who choose not to believe in it."⁵

⁵ Mashood A. Baderin. *The Shari'ah Altercation: The moral and legal questions.* NigeriaWorld.com Publications, November 10, 1999. p. 2 of 5.

This paper is not about Sharia as a way of life that is to be followed by faithful Muslims. It is not a commentary about Islam. Rather, the paper seeks to present a cogent discussion of the movement in northern Nigeria to enact and implement what are commonly referred to as **Sharia or Islamic statutes**. The statutes prescribe legal standards for public and private behavior impacting all citizens of these states, regardless of their religious affiliations. These laws seek to apply Islamic codes in civil and criminal spheres of life in states belonging to a nation governed under a secular constitution.

Application of the New Sharia Statutes in the North

As stated earlier, Sharia traditionally has been a **voluntary** option available to Muslims for addressing cases involving domestic-related issues such as divorce, inheritance, the custody of children, the elderly, the disabled, etc. Provisions exist in the 1999 Nigerian Constitution for Sharia. Chapter 1, Part II, Section (6) provides for the Sharia and Customary Courts of Appeal of the Federal Capital Territory of Abuja and at the State level. The Constitution assures that Sharia courts are legal alternatives available to Muslims in states where appropriate. Even in states where it is an option, Muslim citizens have the right to choose civil courts to have their legal issues addressed under the Constitution.

Under the new Sharia statutes, Sharia's coverage would be extended from the domestic sphere of life for Muslims to include criminal matters.⁶ **Muslims, under the new dispensation, lose the right to choose civil courts over Sharia courts.**

In a recent case in a Sharia state in the North, a Muslim man was tried under a Sharia law and found guilty of stealing approximately (US) \$9 worth of beans. He was flogged and imprisoned. In rendering the decision, the judge in the case stated that the verdict would have been more severe, if the guilty party had stolen (US) \$12 worth of beans. A more "severe" sentence might have resulted in the amputation of a hand.

Zamfara took an even bolder step in implementing the Sharia penal code when it tried and convicted a suspected cattle thief. The sentence: the amputation of his right. Pictures taken of him after the amputation were disseminated far and wide. In a recent article, Muslim citizens of the state were described as being elated with the execution of the sentence while the rest of the country was described as "mortified".

According to the advocates for Sharia statutes in states following Zamfara's example, Christians are not to be subject to the application of Sharia laws in cases involving non-Muslims parties and/or cases involving both Muslim and non-Muslim parties. In the later instance, for example, where a non-Muslim man commits adultery with a Muslim woman, she would be punished under Islamic law. The non-Muslim man would not be covered by Sharia statute, but by civil laws. His sentence would be less severe. However, this assurance does not address the fact that the steps taken and described below do, in fact, impact non-Muslims and commerce in Islamic states.

Examples of the Implementation of Sharia laws in Zamfara State

- Women and men, under the new statute, were henceforth forbidden from riding together on public transportation facilities-buses and taxis. Governor Ahmed Sani Yarimah orders this to " minimize unnecessary intermingling of the opposite sexes". New buses were ordered and eleven delivered and put into service. These were to be used to transport all women in the state wishing to travel via public vehicles.
- Plans were announced to introduce " the Islamic-banking scheme at the community banks level".
- The sale and consumption of alcoholic beverages were outlawed in most establishments. Certain areas where canteens are located for the military are apparently exempt from this ban. (Igbo Christians were described as being owners of businesses that serve alcoholic beverages--assumed to be banned as well. Igbos were described as fearing that they and their businesses will be penalized under Sharia statutes. Igbos are afraid that they will be forced out of their businesses and forced to flee--thus losing their property as they did as a result of the Biafran War.)
- A Council of Ulamas (Muslim clerics and scholars) was established.
- Muslim preachers were hired and are being paid approximately \$100 per month for grassroots ministries.
- A committee was established to address unemployment and other problems of youth.

Other pro-Sharia statute advocates would not exempt non-Muslims from coverage under Sharia laws pertaining to civil and criminal matters.

Depending on the Islamic state, women are also being impacted in new ways. For example:

- Single women, working for a unit of government, were given deadlines either to marry or lose their jobs.
- Single women and prostitutes were given ultimatums to either marry or move out of the jurisdiction in question.

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- Young women considered to be inappropriately dressed were assaulted and young men attempting to "enforce" Sharia reportedly raped some young girls in Kano.
- Single women and prostitutes were given cash awards for taking husbands. (Kano and Zamfara)

Sharia State Statutes and the Constitution

Proponents of the movement to establish Islamic civil and penal codes at the state level and those opposing it are both using the Constitution as the foundation for their arguments. Advocates for Sharia statutes point to the fact that both Sharia and cultural courts have standing in the 1999 Constitution. They also rely on the fact the Constitution contains provisions guaranteeing the freedom of religion.

“The constitution of Nigeria, section 6 sub-section 5 says, state governments can create courts and provide jurisdiction to these courts.

“He did not say specifically that this is the type of jurisdiction or this is the type of court. So, I used that section 6 and sub-sections 4 and 5 to create sharia court and provide Sharia law as their jurisdiction-by providing Sharia Penal Codes. Section 38 of the constitution provides for freedom of religious worship.

“So, if I have freedom to practice my religion either alone or with others, why are people complaining? They say we are contravening section 10 of the constitution which says there shall be no state religion. We haven’t adopted sharia as the state religion, we have magistrate courts, we have indigenous courts, we have high courts. And I want to tell you that indigenous Christians are happy with sharia.”

Alhaji Sani Ahmed Yerima, Governor of Zamfara State⁷

Those opposing Islamic statutes at the state level present arguments typified by those posited by many human and civil rights advocates in Nigeria.

“Chapter 2 section 10 of the constitution prohibits the adoption of a state religion at any level. What obtains in Zamfara State is the adoption of Islam as a state religion. This is a contravention of this section of the constitution. Though the governor of the state argues that Islam was not adopted as a state religion, the establishment of a Ministry of Religious Affairs and the creation of a Preachers’ Council which has the responsibility of mobilising support for Islam clearly indicates that Islam is the official religion of the state.”⁸

Civil Liberties Organization (CLO)

Even Abacha’s former Attorney General and Minister of Justice, Dr. Olu Onagoruwa, took issue with the move to Islamize the civil and penal codes of the states. Although focusing on Zamfara state’s adoption of the new Sharia legislation, his remarks are applicable to other states planning to and/or implementing Sharia statutes. Dr. Olu Onagoruwa stated the following:

⁷ Lagos P.M. News, April 3, 2000.

⁸ Vanguard, “Sharia, the constitution and Nigeria’s future: CLO’s report”, p. 9.

- What has taken place in Zamfara is not just the enactment of a law; that state has opted out of the Nigerian State by declaring a state religion...He accused Zamfara of violating Chapter 1 of the constitution (supremacy of the constitution): sections 13, 14, 15, 18, 19 and 21 of Chapter 2; and Chapter 4 (human rights and protection against inhumane treatment). Examples given of violations of Chapter 4 are the amputation of human limbs, segregation of women and men—even husbands and wives—in transportation vehicles, etc.
- Chapter I, Part I, Section (1) refers to the supremacy of the constitution and declares void any other law that is inconsistent with the constitution. (Since Zamfara has declared that Sharia is above the constitution, then there would be merit in such claims that the State violated the constitution with its adoption of Sharia.) Part II, Section (3)(c) further gives credence to the argument that Zamfara's governor overstepped his bounds since it prohibits executives of states from "endanger[ing] the continuance of the Federal Government in Nigeria."
- Chapter 1, Part II, Section 10 prohibits the government, from the Federal to the State level "from adopting any religion as a state religion." The implications of Zamfara's actions are clear under this clause.
- Chapter II covers the "Fundamental Objectives and Directive Principles of State Policy". It requires states to carry out its functions in a manner that respects the sovereignty of the Nigerian people, their security and welfare and right to participate in their government. The diversity of the population should be recognized and "discriminate based on place of origin, sex, religion, status, ethnic or linguistic association or ties" prohibited. States are also to "promote or encourage the formation of associations that cut across ethnic, linguistic, religious or other sectional barriers." Most measures imposed through the implementation of Sharia in Zamfara can be interpreted as clearly violating these sections of Chapter 2.
- Chapter 4 of the Constitution spells out the basic human rights that are to be protected. Under it, "no person is to be subject to torture or to inhuman or degrading treatment". Sentences like death by stoning of an Islamic woman that is found to be guilty of adultery or beheading a Muslim man for the same offense, or cutting off the arm of a convicted robber are all considered to be forms of torture and inhumane."

The Christian Association of Nigeria (CAN), in addition to some civil and human rights organizations, has been an outspoken critic of the new Sharia laws. CAN and human and civil rights organizations continue to urge the Federal Government to bring judicial action against Zamfara and the other states passing and/or carrying out Sharia statutes. CAN filed a suite with the Federal High court in Abuja on May 19th against Zamfara's "imposition of Sharia law" in the state.⁹ CAN asserts that Zamfara's actions in this area are illegal and unconstitutional. The Governor of Zamfara has publicly stated that he will deem any suit brought by non-residents against the state to be irrelevant. For him, a suit filed by a resident of Zamfara is "what counts".

⁹ Note: CAN has reported filed and withdrawn this suit twice.

Recently, a retired Supreme Court Judge, Justice Kayode Eso also urged the Federal Government to use the judicial system to address constitutional issues surrounding Sharia state statutes. Concurring with CLO, Justice Eso cited section 10 of the 1999 Constitution which forbids states from adopting official religions and "Section 42 ...which frowns at the adoption of Sharia as official religion of any state because Sharia discriminates against Muslims and Christians alike."¹⁰

While seeking to reach a political solution, the Federal Government announced that it is monitoring the activities of those fueling the crisis created by the movement to pass state level Sharia statutes. Those being monitored are alleged to include an "Arab leader". According to a March 12, 1999 Guardian article, the Federal Government has "identified an Arab leader who has been implicated in an intelligence report to the effect that if the North declares a republic he would build and link a Kaduna refinery with a crude line from his country." In June, Libya announced plans to build an Islamic University in Kano. Other countries reportedly offering to assist Islamizing states include Sudan, Saudi Arabia and Chad. In early August, Bishop Oladunjoye of the Anglican Church appealed "to the Federal Government to investigate the information as we have been informed by reliable sources, that some Arab nations are sponsoring the Sharia legal system in some states in Nigeria. They promised each of the state[s] \$800 million as a gift while any organisation that puts pressure on the state to make it adopt the legal system is promised a gift of \$10 million."¹¹

CONFLICT PREVENTION AND RECONCILIATION ISSUES

A question of leadership

As was discussed earlier, the Obasanjo government has refrained from taking decisive action—i.e. requesting the courts to determine if Sharia statutes violate the 1999 Nigerian. Instead, the present government is seeking a political solution. It may believe that the "religious" affiliation of 9 of 17 of the judges will impact the extent to which an impartial decision would be rendered. President Obasanjo continues to urge all Nigerians to use peaceful methods to resolve conflicts.

Also, as was stated earlier in this paper, there has been a great deal of speculation that certain northern military and political elite anticipated holding power and continuing to have unchallenged access to the coffers of the country with the election of President Obasanjo. Events since the 1999 election have not fulfilled their expectations. They now perceive themselves as being "set aside" and/or in competition with "newcomers". Disappointed and disgruntled, these elites are thought to be behind the pro-Sharia movement and violence being perpetrated by "pro-Sharia" youth. If such a conspiracy of

¹⁰ Vanguard. "Eso faults FG handling of Sharia problem." June 23, 2000.

¹¹ The Guardian. "Moslem council plans Sharia for Southern States." August 7, 2000.

interests does exist, it is believed that the ultimate goal is the destabilization of the Obasanjo regime. Former Presidents Buhari and Shagari, some analysts claim, have exhibited proof. Both have publicly made strong statements in defense of the Sharia statutes.

Traditionally, military and political elites have not ingratiated themselves to people at the grassroots. In a strategically effective move, Zamfara's governor made promises to the poor at the grassroots that implementing the Sharia statutes would contribute to security and prosperity within the state. His recent overtures—i.e. dispensing motor bikes and feeding the poor--symbolically send a message that the Governor Sani and his supporters "care" about the welfare of the poor majority.

Steps are being taken by some Islamic leaders in the North to reach consensus within the Islamic leadership throughout the country in order to promote the application of Sharia on an expanded scale in the North and in the South:

- The Sultan of Sokoto, Alhaji Muhammadu Maccido, recently established the Fatwa Committee, comprised of a 30 "emirs, Ulamas and southern Moslem leaders" to "perfect the strategy for the adoption of Sharia". After meeting on April 3, 2000, the Committee is to prepare and submit its report to the Sultan within 30 days. The Committee supports the adoption of Sharia statutes and strict application of its criminal code.¹² The Sultan's communiqué stated that "the jurists and scholars were to provide consensus positions on both issues based on the Islamic provisions, the place and position of Muslims in the federation and the national situation generally."¹³ This Committee also advises the entire network of the 19 northern governors.
- Northern governors reached agreement to desist from applying the Sharia penal code in states, where applicable. They met on April 5, 2000 to reach consensus "for arriving at the adoption of the controversial Islamic legal system."¹⁴ They also decided to establish an interfaith committee to discuss the adoption of Sharia.

The actions of the Fatwa Committee may prove to have a far-reaching impact on the viability of Nigeria as a whole. In the event that the Committee is successful in garnering and unifying support in both the North and the South for the imposition of Sharia statutes for Muslims on a national level, then the Fatwa will invariably have an affect on the secular nature of Nigeria's democratic transition to civilian rule. If Yoruba Muslims adopt a pro-Sharia state stance, then they may be pitted against their Christian kin who most likely hold to anti-Sharia state position.

¹² Comet News, April 5, 2000.

¹³ Vanguard, "Sharia: Fatwa Committee raises 30-man panel," April 5, 2000.

¹⁴ Vanguard, "Sharia: Northern govs woo Xtians—Reject convocation of National Confab"

In early August, “prominent Ulamas and Moslem scholars were described as planning “under the aegis of the Supreme Council for Sharia in Nigeria (SCSN) “ to meet with governors of southern states to implement Sharia in states with large Moslem populations in such states as Lagos, Oyo, Ogun and Osun. Dr. Ibrahim Datti Ahmed, SCSN’s also expressed the opinion that “Anambra, Akwa, Ibom, Edo, Osun and Ekiti” states will want to emulate the example of Zamfara state and adopt Sharia statutes as well.¹⁵

As stated earlier, some leaders of Christian denominations, ethnic organizations, and human rights and women’s organizations continue to urge the Obasanjo government to take a decisive stands against the Sharia statutes and elected officials that have enacted and/or are in the process of promulgating these laws. Many within these communities of interest are calling for the federal government to convene a sovereign national conference to address issues related marginalization, reconciliation, the constitution, etc.

A number of interfaith groups are taking a very proactive stand for peace. These include members of national and local level interfaith organizations and committees and local public and civil society leaders. Even during the Abacha years, these groups and organizations courageously began working to promote the nonviolent resolution of conflict and peaceful coexistence between Christians and Muslims.

Those Who Control the Heart Will Control the Crown: Using the Movement to Create Islamic State as Part of a Strategy to Capture the Heart of the Military and the National Police Force (NPF)

The Military, the NPF and the Sharia States. Nigeria is a militarized society. Every crevice of civilian life has been affected by the military and preoccupied with it. Military and political experts alike acknowledge the importance of the military in Nigeria in either ensuring that the transition stays on course or derailing it. The military is also a focal point of groups that perceive themselves as marginalized, including pro-Islamic state supporters. **They are paying serious attention to the military. For example, the Fatwa Committee urged participating Emirs to encourage those with whom they have influence to enlist in the army and especially in the officers’ corp. Since the Fatwa is comprised of Muslim leaders and scholars, then one can assume that those encouraged joining the army will be Muslims under the religious influence of pro-Sharia state supporters.** While this act, in and of itself, may appear to be inconsequential, it does warrant attention given the fact that the Nigerian army’s officers’ corps was historically dominated by Muslim Hausa-Fulanis with the rank and file troops coming from northern and middle belt minority groups. Today, Muslim Hausa-Fulanis are in the minority in the officers’ corps and with military officers coming from the middle belt. The “call for recruits” by the Fatwa can be viewed as part of a strategy to

¹⁵ The Guardian. “Moslem council plans Sharia for Southern states.” August 7, 2000.

increase the numbers of Sharia states' supporters within the military. In the event that the young followers of the pro-Sharia state movement and the Fatwa Committee join the army officer corps in large numbers, recruits will receive military training and equipment that could be used by the movement to threaten the transition or worse. We must then ask the following: How will these recruits be used? Whose orders will they follow? To whom will they owe their ultimate allegiance? What will they do with the training, positions and weapons that will be receive? Are there officers, currently within the army, that will ensure that individuals answering the call of the Fatwa Committee will be admitted in large enough numbers to make a difference? What ends will be achieved? Will the military's retooling exercise be used to ensure that one ethnic or religious group does not dominate over others?

Other recent incidents demonstrate how military and police forces, called on to provide security, can be ensnared in the crisis surrounding the Sharia state phenomena. These include the following:

- A report that Kano's strategy to implement Sharia laws would also extend the jurisdiction of Sharia statutes to cover the military and possibly the National Police Force (NPF) stationed within the state elicited a swift response from military on June 20, 2000. . Military authorities declared "that no state could impose Sharia on any barracks or military formation, dismissing in particular threats by Kano State to extend the Islamic law to barracks in the state...According to Col. Felix Chukwuma, Director of Army Public Relations, 'We are Nigerian Army not Kano State army. We are responsible to the Federal Government; we don't have two armies. The Nigerian Army cannot obtain or operate different systems. What obtains in Lagos, Enugu or Benin formations of the army is what will obtain in Kano Formation.'"¹⁶
- The NPF, on the other hand, may be more vulnerable in Kano. In the second Kano incident, police were ordered by NPF authorities not to enforce Sharia statutes. The orders were reportedly "disregarded" and police assisted in the apprehension, processing and detention of individuals caught drinking alcohol.
- Zamfara's Governor Sani issued an order to police, under the jurisdiction of the NPF to arrest individuals violating Sharia statutes. He also threatened to have the Police Commissioner transferred out of the state, if he refuses to follow the Governor's orders.
- Police, again under the jurisdiction of the NPF, fought with military officers as they waited to apprehend individuals that they suspected of drinking alcoholic beverages at a military base. The injured police were themselves taken into custody and turned over to the Divisional Police Officer. He, in turn, expressed "shock over the action of his men."¹⁷

Several important questions must be addressed in the near future to avert further violence and to ensure that the military and NPF serve the interests of the entire citizenry and uphold the 1999 Constitution. How can the national government guarantee that one religious, regional or ethnic group does not monopolize the military? What tools are available to the national government to address these problems that are central to its ability retain control over troops and police? How can civil authorities, at the national level ensure that troops and police are ultimately loyal to them?

¹⁶ *Vanguard*, "No to Sharia in barracks—ARMY", June 23, 2000.

¹⁷ *Post Express*, "Sharia: Police, Soldiers Clash over Alcoholic Consumption", July 24, 2000.

When Monopoly Is Not a Game. The Government has a number of tools at its disposal to prevent any single group from becoming a “monopoly” within its ranks within security organs --including the use of downsizing and employing inclusive recruitment practices. These could be supplemented by conducting careful background checks, prior to induction, on recruits—as well as identifying and monitoring the geographic, ethnic and religious affiliations of soldiers and police. If necessary, quota systems could be employed to ensure that there is no predominant group within the military or the police force, officers or enlisted. Troops and the police could also be required to take loyalty oaths. Severe penalties could be prescribed for violating them. This, again, could be part of the process to retool the military and the NPF.

Who Is in Charge: President Obasanjo or Governor Sani? As witnessed in Zamfara, Niger and Kano, some pro-Sharia state supporters would require that military forces and/or police, stationed within a Sharia state’s boundaries, be bound to enforce and answerable to Sharia state statutes. This, the Nigerian military has indicated that it will not accept. Since the Nigerian military is a national force, it cannot be subject to locally generated laws. Surrendering ultimate authority to command forces to states would prove to be yet another divisive factor in the nation.

Given recent pro-Sharia state advocates moves, tensions will most likely increase between the “camp” comprised of Fatwa, pro-Islamic state Governors and the “camp” made up of the military, the NPF and ultimately with the Commander-in-Chief, President Obasanjo. Given the militaristic nature of the Fatwa and the military, for example, these tensions could result in violence.

The Obasanjo Administration has developed a plan to restore faith in the military through its professionalization. This strategy has a direct bearing on the relationship of the military to the citizenry and to civil authority. Elements of the strategy to retool the military include rendering redundant soldiers closely associated with past military regimes’ excesses and abuses perpetrated against government and the citizenry; refurbishing barracks and equipping troops; and providing soldiers with training on human rights and the role of the military in a democracy. An important thrust of professionalization should be in legislating and implementing changes that would put the military squarely under civilian authority. The military is a tool to be used at the discretion of elected officials and nothing more.

Biting the Bullet: Minimizing the Military’s Domestic Security Role. A major issue facing Nigeria’s leadership concerns the appropriateness of the military’s role in providing and maintaining security within its national boundaries. If the NPF is primarily responsible for providing internal security, then does the military playing a primary role in this area duplicates this effort? Is this a cost-effective arrangement? Does the NPF possess sufficient control over the police force in Sharia states to guarantee security and ensure that the 1999 Constitution is upheld? If not, what can be done?

Many experts express the belief that military should relinquish responsibilities for domestic policing to the NPF. For these experts, eliminating the military's role in policing should be a significant component of any strategy aimed at professionalizing the military. Dislodging the military from this area will require an almost complete overhaul of the NPF. It would require providing the police with appropriate training and arms. Police, with the exception of specific "special duty" units, should not patrol the streets with automatic and military assault weapons. However difficult, experts believe that the task of removing the military from playing a primary role in domestic security must be undertaken. One method that has been used successfully in the past is to retrain demobilized soldiers as policemen. As long as emphasis is placed on the difference in a soldier's role and a policeman's role.

Loyalty to the Military and the NPF versus Loyalty to the Leaders of the Islamic State Movement. The question of loyalty to authority is also an important consideration when looking at the linkages between the Sharia state movement and military affairs in Nigeria. In a democracy, soldiers must be loyal to the elected civilian government and no one else. Another advantage of reducing (right sizing) the armed forces is that there can be more selectivity in the troops that are inducted. One advantage of a professional military is that it can serve as a unifying force.

IMPACT OF SHARIA STATE-LEVEL STATUTES ON MARGINALIZED NIGERIAN GROUPS

Until the Kaduna riots, most attention in Nigeria and that of the international community was focused on the Niger Delta. Few in the international community noticed the extent of marginalization, real and/or perceived, expressed by Nigeria's multitude of ethnic and religious groups. Within the last year and prior to the February implosion in Kaduna, over 1,000 deaths have been reported as a result of ethnic and/or religious clashes throughout the country. Pervasive poverty, lack of access to increased opportunities that the masses hoped would accompany the transition to democracy, and the fear of the loss of opportunities and power by a few elites contribute to the malaise of marginalization that characterizes life for most Nigerians.

In the North, it is thought that the political and military elites--anticipating a loss of power and access to "the troth" that they have historically maintained--began perceiving themselves as being "marginalized" under the Obasanjo administration. It is therefore believed that some former high-ranking members of the military establishment are backing political elites to push for the passage of Sharia state statutes in the North and eventually the country.

Calls for the Islamization of state civil and penal codes are contributing to a heightened sense of insecurity within most ethnic and religious communities in the country. Public reaction to the adoption of the Zamfara statute was swift in coming from various marginalized groups. For example, some segments within the Oodua Peoples Congress (OPC) urged President Obasanjo to act decisively to halt the spread of Sharia. They

warned that if the Presidency did not act that their group would begin seriously calling for the establishment of "Yorubaland". Igbos, other ethnic groups, and some Christian and civil society organizations continue to urge the Presidency to respond decisively. Although his rhetoric is becoming more forceful, he has chosen not to follow their advice. Human rights lawyer, Olisa Agbakoba, offers a plausible explanation for the President's stance: the "government has insisted that Sharia is an issue that must be resolved politically, rather than through a Supreme Court ruling on its constitutionality. Analysts say the mathematics is very simple. Out of 17 Supreme Court judges, nine are Muslims and the government is unsure it could win a court victory."¹⁸

As stated earlier, the anticipated adoption of an Islamic code in Kaduna contributed to the violence that left over 1,000 Muslims and Christians dead in February and an additional 400 were murdered in subsequent implosions in May.¹⁹ Both groups killed one another and/or were killed by authorities attempting to restore order. Over 20 Christian ministers were killed in the mayhem. Approximately 294 churches were destroyed. Igbos, in particular, felt that they were marked for death.

After the first Kaduna implosion, landlords were described as evicting tenants of different ethnic backgrounds and religious persuasions. For example, Muslim Hausa-Fulanis began to evict Christian Igbos; and Christian Igbos began to evict Muslims Hausa-Fulanis. By the end of the first week of June, issues associated with the possible adoption of Sharia laws in Kaduna had also begun to be linked with the plight of the Gwari or Gbagyi people.²⁰ Once considered "the liberal state", Kaduna is now being referred to as "Nigeria's 'Beirut'" with Muslims living north of River Kaduna and Christians living south of it.²¹

Unhealed wounds from the Biafran War became infected with fear with the spread of the Sharia statutes in the North and with the Kaduna riots. Non-Muslims, residing in northern states, where either Sharia laws have been adopted and/or where the issue is being studied, fled in large numbers out of state and/or into military barracks for protection from the attacks that were expected to be launched by Muslims. In February, in the Southeast, trucks carrying the bodies of Igbos and members of other groups from the South ignited attacks by Igbos on Hausa-Fulanis. Hausa-Fulanis, residing outside of the North, in turn fled to military barracks in southern states for protection. (See Attachment C for states where Sharia-related tensions are high.)

It is interesting to note that the crisis surrounding Sharia laws was initially "labeled" or "mislabelled" as a "religious" problem. In reality, it began a political issue that dawned

¹⁸ UN Integrated Regional Information Network, March 16, 2000.

¹⁹ Note: Figure includes 1,000 deaths in Kaduna and 304 in the South in February.

²⁰ Note: The Government of Kaduna state is attempting to carryout plans to relocate the Gwari people living in Gonin Gora village in order pave the way for industrial development, barracks for police and federally- and state-sponsored housing development projects.. The Gwari are an ethnic minority and predominantly Christian group and are indigenous to the area. They reside in the area where a member of the House of Representatives, Major Ibrahim Abdullahi (rtd.) was killed during the second implosion in Kaduna.

religious vestments. When the killing started, ethnic and regional animosities and labels began to take on as much significance as did political ones. Some representatives of the Igbos, for example, claim that the move to implement Sharia statutes in the North is just a ruse to hide an attempt to perpetrate genocide aimed at their community. To address these problems, many Nigerians are calling for a sovereign national conference, a conference of ethnic nationalities as proposed by leaders from the Middle Belt, a confederacy as posited by some Igbo leaders, the development of a formula to divide the country along ethnic and/or religious lines, or the inclusion of Christianity in the Constitution in the same manner that Sharia is included. Additionally, in the Middle Belt, the calls are now being heard for the separation of the Middle Belt from the North.

What Does Poverty Have To Do With Sharia?

“According to [the] UNDP, Nigeria’s human poverty index of 46.1 in 1998 showed that the country [Nigeria] had become one of the poorest countries in the world. This is saddening indeed, for a nation that is richly endowed with natural resources, but which lost its direction as a result of pathological greed and widespread corruption...The UNDP found that life expectancy in the country remained at 52 years while about 33.8 per cent of Nigerians were unlikely to survive beyond the age of 40 years. The Nigeria’s infant mortality which is put at 114 per 1000 live births remains one of the worst in the world, while mortality rate for children below five years is estimated at 92 per 1000 for males and 174 for females,, is a clear manifestation of the country’s lackadaisical and penurious state in human development.”²²

“There are two significant paradoxes about poverty in Nigeria. ‘The first is that Nigeria is the 6th [largest] oil producing and exporting country in the world. Yet, it is ranked as the 13th poorest country in the world.’ ‘The second is that Nigeria has the largest number of poverty alleviation agencies, institutions, programmes and projects, yet the poverty profile keeps rising.’ He further went on to state that in 1960, 22% of the population lived below the poverty line. The UNDP now estimates that 70% of the population lives below the poverty line.”

Dr. Peter Ofgang, Head of President
Obasanjo’s Poverty Alleviation Team

Recently, President Obasanjo at the “launch of the 1999 Human Development Report and the 1998 Nigeria Human Development Report stated that four out of [every] 10 Nigerians is living in extreme poverty condition with less than 320 naira [or \$3.20 US] per capita per month, barely enough to provide for a quarter of the nutritional requirements for a healthy living.”

President Obasanjo . Launch of the 1999
Human Development Report and the 1998 Nigeria
Human Development Report

Pervasive poverty, in and of itself, does not cause conflict. It cannot be cited as the single source of violent conflict as in the case of the truculent implosions that are associated with northern attempts to introduce Islam as a state religion. That being said, **poverty does provide a ripe milieu from which contenders for power and wealth recruit**

²² Vanguard, “National currency and the poverty of education, Nigerian experience,” February 15, 2000, p. 4.

“troops”, “followers”, and “allies “ either in the movement to establish Sharia states or to deepen the divisions that mark relations between different religious and ethnic groups. Its contribution to the creation and maintenance of an environment that is conducive to the violent resolution of conflict cannot be overstated in Nigeria’s subterranean disputes and in other countries where close to half of the population lives in abject poverty.

Recent estimates put Nigeria’s population at 123,338,000. Approximately 82 % or 101,956,000 of the population are younger than 40 years of age. The youth, between the ages of 15 and 39, account for 39 % of the population.²³ “Twenty million or 43 per cent of all children under five in Nigeria are stunted” due to nutritional deficiencies.²⁴ The welfare and future of the 54,053,000 children below the age of 14 are inextricably tied to the present and future opportunities of the youth.

Youth violence in urban areas and banditry have been described as rampant in the Nigeria. Their angry and anti-social reactions are in part due to poverty and their lack of access to educational and employment opportunities. It is from these ranks that pro- and anti-Sharia state forces are recruited and can be mobilized for violent responses.

For example, in Kaduna state, it was reported that 200,000 persons were retrenched approximately two years ago from government service. The majority of those losing their jobs was from Southern Zaria and has yet to be reabsorbed in the workforce. It is from the ranks of the youth in this population group that those participating in the violence on the side of the “Christians” were recruited. (In the past, it was stated that Christians normally are not the group on the offensive. This time, things were different: a reservoir of frustrated youth with no hope of accessing jobs and making a decent living was available and ripe for manipulation.)

Over 80% of Nigeria’s workforce are employed on small-scale farms in the agricultural sector, with women producing 70 to 75 % of the food. According to Dele Sobowale²⁵ “Agriculture perpetuates poverty in rural areas because small scale farmers invariably cultivate small parcels of land and mostly produce just a little more on the average than what is required for their own subsistence. Furthermore, most farm produce is harvested once a year, creating over-supplies and depressed prices for a short while. Lacking storage facilities, rural farmers must sell off their produce at low prices as much as they can and watch a significant percentage of the rest deteriorate and perish on account of pests as the supply thins out.”

Rural communities have the least access to accurate information as a result of their isolation. Consequently, their poverty and isolation render them more susceptible to manipulation by political, military and economic elites that are either seeking power and/or attempting to retain it. **Until now, the violence associated with responses to the Sharia phenomenon in Nigeria has been localized in urban areas. If it spreads to more rural communities and becomes intertwined with land use or other disputes**

²³ United States Census Bureau, International Data Base.

²⁴ Vanguard: July 19, 2000.

²⁵ Vanguard: February 26, 2000.

over resources, then a security nightmare could develop that would be difficult for the Nigerian government to diffuse.

What Pro-Sharia State Advocates Expect from Islamic States in Nigeria

“Despite the essentially cosmetic, limited and superficial efforts at change on the part of President Obasanjo, the Hausa-Fulani political elite is clearly ill at ease. They apparently do not want any change whatsoever in the pre-May 29, 1999 status quo. Not content to sit back and sulk, they are fighting back with Sharia, for example as a most deadly weapon that can not only truncate democracy but led to the disastrous unraveling of Project Nigeria. It is now clear that even if it is currently politically disadvantaged, the Hausa-Fulani political elite still has the capacity to cripple governance in Nigeria.”²⁶

Many in the South perceive northerners as benefiting disproportionately from Nigeria’s wealth at the expense of other regions. And yet, as one individual in the North put it: “a few elites have benefited. The rest of us have no roads.”

Northern political, military and economic elites are perceived to be the primary beneficiaries of the successive military regimes that ruled Nigeria since Independence. Anticipating that President Obasanjo would act as their surrogate, if Northern elites back his candidacy, they are believed to have provided financial and other types of support in favor of his candidacy. With his election, the northern elites backing President Obasanjo’s candidacy found that they were “set aside” –i.e. not appointed to ministries and other positions of influence that would still allow them to control resources and power. Threatened by President Obasanjo’s influence, northwestern elites—in particular—are thought to be the backers of the pro-Sharia state movement. They would be “hard pressed” to garner support or sympathy from the poor northern majority for their plight. Using Sharia as their shield, northern elites are believed to be “boxing in” the Obasanjo regime and weakening it. The movement to establish Islamic states in the North provides them with protection, a weapon and troops. It may also prove to be a double-edged sword if elites are brought to trial in Sharia courts for corruption and/or abuse of office where sentences may be more severe than those imposed in civil or criminal courts.

When Zamfara state’s Governor announced Sharia, he promised to take steps to create a secure environment within which investors would be willing to target resources. With the implementation of Sharia, corruption and greed would be tackled and defeated. Jobs would be created within the reach of the poor. He has also taken several demonstrative steps to address concerns that are important to the poor. For example, through initiatives to address the general welfare of the public, Governor Ahmed Sani

- “released N240 million (apparently from the state’s internally generated revenue estimate of N400 million) to his ministry of Religious Affairs to buy grains to feed the masses during the month of Ramadan;”

²⁶ Ayobolu Segun in Lagos This Day, June 8, 2000.

- “bought “tokunbo” buses and taxis, which were reserved exclusively for the use of women, and distributed 100 motorcycles to unemployed youths and hundreds of bicycles to messengers in the state civil service;”
- “introduced ₦5,000 as the minimum wage in the state;” and
- “created a preacher’s council, a Zakkat collection and distribution board and the Zamfara Youth council (a vigilante group.)”²⁷

He is also constructing a few new schools and has promised to develop an Islamic banking system.

The poor that have directly benefited become Governor Sani’s spokespersons and advocates within their communities. The youth, his troops, receive ideological indoctrination and training. An additional 4,000 persons will also receive employment since they are being recruited and trained to “enforce and monitor the implementation of Sharia statutes. Zamfara, is but an example, of what poor northerners expect to gain in pro-Sharia states.

The poor Muslims in the North that are believed to support the movement to enact and to carry out Sharia laws may see it as a way of finally accessing the benefits that have been promised since Independence. In an environment under Islamic law, greed and corruption will not be tolerated and will be severely punished. Proponents hope that abundance, security and an increased access to opportunities will result. (It does not “hurt” that immoral behavior--i.e. imbibing in alcoholic drink and prostitution are also being prohibited. Prostitutes and unmarried women are being advised to marry, given stipends to do so, or told to “get out of Dodge” in the event that they choose not to take a husband.)

To ensure that the Islamic North speaks with one voice in favor of Sharia state level statutes, leaders of the Islamic states’ movement are attempting to stifle dissent within the Muslim community by declaring that if a Muslim is against the application of Sharia statutes then he/she is not a good Muslim. The questioning or dissenting individual is therefore against God. So far, this strategy appears to be successful.

Why Christians Fear the Imposition of Sharia Statutes

Christians and “non-indigenes”²⁸ in the North often express the belief and fear that they are “marginalized and treated as “second class citizens” even under the best conditions. The movement to pass Sharia statutes in the northern states is serving to exacerbate those fears. Christians and ethnic minorities in the North believe that the statutes will

²⁷ Vanguard. “Sharia, the constitution and Nigeria’s future.” March 3, 2000.

²⁸ Term here is used to refer to members of ethnic groups whose historical roots are to be found in other regions. Even if an individual was “born”, let’s say in Zamfara state, he or she would not be considered as “indigenous” to the area because their ancestors hailed from another part of the country. have the same access to public resources or be considered

negatively affect them even though Zamfara's governor and those of other Sharia states claim that the Sharia laws will only impact Muslims.

While in theory, the Sharia state governor(s) may be expressing their "good intentions"; practice may not necessarily prove them to be right. For example, passage of laws and regulations to ban the sale and consumption of alcohol has already had a negative impact on the commercial interests of Christian and ethnic minorities operating hotels, restaurants and bars where alcoholic beverages were once served. These businesses have been described as loosing income in Islamic states. If they are not allowed to operate such establishments, then Sharia is indeed violating their rights. Similarly, Zamfara's new rule that women cannot ride in public transports with men impacts on Christian women as well. Christians and ethnic minorities also fear that more militant members of the Islamic community will use the Sharia statutes as a rationale for justifying violent attacks against Christians, their houses of worship, and ethnic minorities. Evidence substantiating this fear is the murders of the 20 Christian ministers and destruction of the 294 churches in Kaduna and the report of Muslim youth "'enforcing' the Sharia Law by molesting young girls whom they accuse of dressing indecently. There are reports of "'Kano Area Boys' raping some of the girls all in the name of enforcing the Sharia."²⁹

Christians and ethnic minorities in the North often characterize relations between them and the predominantly Islamic Hausa-Fulani in the North as "careful": "careful" not to incite the Islamic majority; and "careful" not to draw attention to themselves. Again, fear generated within the Christian and minority communities of the North, may be beginning to fuel these groups to take more forceful positions in opposition to the pro-Sharia state movement.

WHAT TO DO NOW THAT THE CAT IS OUT OF THE BAG: THE ANALYSIS

Where Implosions Are Most Likely To Occur

In February, there were 19 states where tensions were reported to be high as a result of the crisis that has developed in response to the movement to enact Sharia statutes at the state level. By mid-July, the number of states where tensions could be expected to be high had grown to at least 21. (See **Attachment D.**) Included in this category were states where statutes were enacted and/or are being considered, where violence had already occurred, and /or where relations between Muslims and Christians were troubled and inextricably linked to ethnicity—i.e. between Christian Igbos, and Muslim Hausa-Fulanis. It is assumed that the most volatile areas, within these states will be those where

- unemployment is high and youth are concentrated;
- poverty is prevalent and the lack of access to opportunities is most severe;
- heightened sense of marginalization (ethnic and religious) in response to Sharia statutes is present;

²⁹ P.M. News (Lagos), June 21, 2000.

- where residents have lost relatives due to Sharia-related violence., and the manner in which the dead are returned to their relatives serves to stir the emotions of those receiving them;³⁰
- local leadership --i.e. governmental, religious and ethnic leaders lack the will and/or skills to mediate disputes before violence ensues;
- state plans to enforce new Sharia statutes are progressing towards implementation and/or are being implemented; and
- state Sharia enforcement strategies seek to extend the jurisdiction of state level Sharia statutes to include military and police barracks stationed within the states and to employ either in the enforcement of the these state level laws over the objections of the military and NPF police.

CONCLUSION: FOOD FOR THOUGHT AND ACTION

With the promise and advent of the transition from military to civilian and democratic rule in Nigeria, the international community focused its attention on the 1999 elections, the fight against corruption, the “hotspots” in the Delta, and the “professionalizing the military”. Little note was taken of the whispers in the North calling for the establishment of Islamic states. Within the last year, barely audible utterances have become the “battle cries” of the millions of Sharia state proponents that recently crowded into the state capitals of Kano and Zamfara when governors of these states announce plans to implement new Sharia statutes. This single concern is inextricably tied to major issues that threaten the transition—poverty, guaranteeing human and civil rights to a people that have been deprived of such rights for most of their history, the extreme sense of marginalization perceived by most ethnic groups, and corruption.

The mere fact that approximately 1,400 people lost their lives in Sharia-related disputes in Kaduna between February and the end of May 2000 highlights the significance of this issue in Nigeria. Approximately 400 other individuals were killed in the South in retaliation for the Kaduna deaths. Poverty and unemployment also served as incentives for non-Muslim youth to violently respond to the threat of Kaduna becoming a Sharia state.

Proponents at the grassroots level see Sharia as the panacea for the corruption, insecurity and chronic poverty that limit the opportunities of most Nigerians. It puts God at the helm of both the spiritual and secular aspects of their lives. Poverty and lack of

³⁰ In two instances over the last twelve months, when the living bodies and corpses of victims of ethnic and/or religious conflict were returned to their home communities in open trucks like in an “unceremonious manner”, violence followed.. In the first instance, when victims of the Hausa Sagamu dispute were alleged to have been carried in an open truck from Sagamu to Kano and parked in front of a mosque. Rumors spread that “dead bodies” were returned and parked in front of the Mosque. Lethal reprisals followed on the Yoruba community in Kano leaving an estimated 120 dead. In the second instance, dead Igbos was returned to the South from Kaduna in a truck. The sight and probably the smell of the bodies infuriated those that received the corpses. Violent reprisals, again, followed.

opportunities serve as incentives for Muslim youth to support the Sharia state movement. Some are showing their support in a violent manner—i.e. torching Christian churches and homes, harassing young women in Kano because they are not dressed in the “acceptable” garb of a Muslim woman in their attempts to “enforce” Sharia, and launching violent attacks on individuals thought to be Christian.

Those alarmed by the promulgation of Sharia statutes perceive it as a threat to the transition, to civil and human rights of all Nigerians that are guaranteed in the 1999 Constitution, and to non-Muslim communities--which are comprised of ethnic and religious groups that perceive themselves as marginalized. Their apprehensions are also expressed in a number of ways from calls for a sovereign national conference, to ones that would partition the country along ethnic lines.

Many believe that the Sharia state movement is but a ruse to mask the attempt by military and political elites to retain power, to destabilize the transition and to ensure that the military will do their bidding. Circumstantial evidence exists to substantiate this belief. Left unchecked, the Sharia state movement could very well continue to aggravate other cleavages in Nigerian society and ultimately derail the transition.

For several months, the Obasanjo-led government chose not to act decisively to counter the Sharia state movement. This has allowed for insecurities within most non-Muslim communities to escalate and has unwittingly nurtured an environment within which pro-Sharia forces have begun to expand their sphere of influence throughout the North and in Islamic communities in the South. The “wake-up call” for the Obasanjo Administration came in the form of reported plans and concrete actions by Sharia state governors to wrestle authority and control over national security forces, stationed within their jurisdictions, away from the national government.

This paper concludes with the questions similar to those posed in the forward: *What will it take for Nigeria's friends in the international community to work with this nation and its citizens to ward off a probable manmade disaster? Are Nigeria's friends willing to wait and provide humanitarian assistance to a major segment of the population in the event of a significant implosion? Did we, in the international community, learn anything from Rwanda? Are donor strategies, pouring millions into the country, designed to build bridges between marginalized communities, between the governed and the governors, and between the security forces (military and police) and the civilian government and Nigeria's citizens? Are donor investments and strategies adequately and appropriately designed to expand opportunities that benefit those that are prone to conflict? What can donors do, acting in a coherent manner, to assist the Nigerian government and its citizens in resolving this crisis and other disputes nonviolently? Are donor investments designed to assist Nigerian efforts to reconcile old wounds, and to shore up the institutions that are responsible for maintaining the rule of law and security for all? Are their investments made in a manner that will address the special needs of Nigeria's most vulnerable population groups—women, children, youth, the poor and particularly those that derive their livelihoods from agriculture?* It is hoped that these questions will be used by all reading this report to discern the relevancy of donor assistance in Nigeria in

light of the crisis posed by the passage and implementation of the new, state level Islamic statutes.