

THE INTERNATIONAL JOURNAL OF HUMANITIES & SOCIAL STUDIES

The Paradox of Sharia Agitations and Implementation in Nigeria

Dr. Amanambu, Uchenna Ebony

Lecturer, Methodist Theological Institute, Abia State, Nigeria

Abstract:

This paper seeks to dispassionately unearth the history of sharia and tries to survey the detailed overt and covert plans of agitations and implementation of sharia in Nigeria. These moves have exposed the qualities of leadership and followership obtainable in Nigeria. It highlights some positive principles and virtues Islam promises for the peaceful existence of any society noting why sharia issues have been highly controversial. The study outlines some reasons why the language of sharia has been fascinating to some of the Islamic adherents. The periodic moves to implement sharia have led to the incessant destruction of lives and property of many innocent Nigerians. Amidst this situation, the unity and future of the country are drifting towards the edge of precipice.

1. Introduction

Right from the amalgamation of Nigeria in 1914 till today, one of the challenges of the unification is religious related issue. While the northern part of Nigeria is said to be predominantly Muslims, the southern part is dominated by Christians. Religion has always been a thorny issue in the Nigerian history. Majority of the deadly crises especially in the northern part of Nigeria are religiously inclined. Sharia being one of the tenets of Islam has attracted series of wars and conflicts in Nigeria. Basically, the adoption of the law claimed to curb social problems such as: homicide (*qisas*) (b) Adultery and homosexuality (*zina* and *luwad*) (c) Theft (*sariqa*) (d) Robbery (*al-muharaba*) (e) Drunkenness (*shurubulkhamr*) (f) Defamation (*al-qazaf*) (g) Apostasy (*ridda*). Other behaviours the law set out to control include: marriage ceremonies and bridal gifts, begging, praise singing, picnic and disco, mode of dressing, prostitution, gambling, cinema and video houses, payment of zakat, girls' schools and education, hawking, hoarding, payment of *diyah*, observance of the month of Ramadan, code of conduct for the personnel of Sharia Courts, publication and translation of Islamic literature, code of conduct for political leaders, traditional title holders and public officers. Why will alaw that seeks to checkmate these vices cause quarrel even when Christianity and traditional religions abhor them? Of course, something must be wrong.

1.1. Clarification of Terms

Paradox: implies a situation that looks impossible or difficult to understand because it contains two opposite facts or characteristics. A seemingly contradictory statement or situation that is opposed to common sense yet is perhaps true. **Sharia** can be seen as the law governing every aspect of life, belief and a detailed conduct of a Muslim. **Agitations**-the plural form of "agitation" means a situation in which people protest or argue especially in public with the aim of achieving a particular goal. **Implementation:** stands for the act and process of putting a plan into action. It is the noun form of the verb "implement" meaning the process of carrying out or accomplishing something. **Nigeria** according to Meek (1925), is a name given by Flora Shaw, who later became the wife of Lord Lugard, the first Nigerian Colonial Governor-General (p.59). Nigeria can be briefly defined as the conglomerates of nations that were amalgamated into one country in 1914 but on 1st October, 1960, it gained political independence from Britain.

Contextually, the Paradox of Sharia Agitations and Implementation in Nigeria can be understood as contradictory, metonymy and compromised situations or detailed conceptual plans by some people with material vested interest in bringing into reality the concept of *hadd* aspect of sharia law to the multi religious and cultural Nigerian state. It means the ulterior moves initiated with the garb of religion by vested material interest individuals to introduce sharia in Nigeria and the crises that have produced unwanted ending against the people and the country in general.

1.1.1. Theoretical Framework

The Functionalist and Conflict theories are adopted in this study. Iruonagbe (2013) avers that Durkheim one of the proponents of Functionalist theory believes that social life is impossible without the shared values and moral beliefs that form the collective conscience. The absence of the aforementioned threatens social order, social control, social solidarity or cooperation and the unity of the people (p.5). Coser (1956), one of the disciples of the foremost originator of the conflict theory, Karl Marx, said that conflict is a struggle over values and claims to scarce status, power and resources in which aims of the opponents are to neutralize, injure or eliminate their rivals (p.3). Ani (2012) affirms that conflict manifests as products of interactions amongst human beings and groups who plot to outwit others (p.158). This theory is used because it implies that conflict is generated by the quests to protect one's identity and maximize one's interest. Functionalist theory is employed because religion is one of the factors that a society needs to

properly function. Therefore, the society will be in danger if religion refuses to perform or functions negatively. The theories are employed to highlight the dangers of using religious tenets in achieving political and other personal ends in a multi religious and cultural Nigerian state.

2. An Overview of Sharia

The general idea of sharia is distinguishable into five important elements in Islam commonly known as “the five pillars” which primarily center on the worship of Allah. For Nwanaju (2008), sharia defines crimes and punishments, regulates contractual relationship and provides guidance as well as a legal framework for relationships with non-Muslims within its jurisdiction, and relations with societies and states beyond its jurisdiction (p.199). Etymologically, Wendy (1999) believes that sharia is derived from the Arabic word meaning “the way or the path to the water”. To some Muslims, the law is founded on the words of Allah as revealed by Angel Gabriel on the Quran and traditions (Hadith) gathered from the life of Prophet Mohammad. Akintola (2001) said that there are four sources to the sharia and they are the Quran, the *Sunna*, the consensus of scholars’ opinions known as *ijima* and the analogical reasoning of individual discretion called *Qiyas* or *ijihad* (pp.6-7). Amanambu (2012) states that there are topics which sharia is made to address and they can be organized into different ways but mainly these five main branches: *ibadah* (ritual worship), *mu'amalat* (transactions and contracts), *adab* (morals and manners), *i'tiqadat* (beliefs) and *'uqubat* (punishments). Others are: Purification, Prayer, Funeral prayer, Taxes, Fasting, Pilgrimage, Trade, Inheritance, Marriage, Divorce, Justice and so on (pp.52-54). Sharia therefore from this idea or account is a path which every Muslim must go in order to worship Allah and it governs every facet of a Muslim’s life.

1.2. Survey of Sharia Debates, Agitations and Implementation in Nigeria

Arguably, the agitations and debates about sharia in Nigeria are as old as Islamic history, not only in Nigeria but also virtually throughout the world. The differences in the legal principles derived from the Quran can be traced to the sectarian divisions in Islam. Islamic jurists have however developed elaborate methodologies in interpreting the Quran. Clarke (1982) and Olupona (1991) agree that many schools arose in relation to the debates and agitations of sharia. The schools were the Hanafi School, the Shafii School and the Maliki School. Nigerian sharia courts are patterned after the Maliki School which had existed in pre-colonial northern Nigeria and it is the oldest of the classical Sunni schools. He alluded that the Mais in Kanem-Bornu Empire, had to tolerate a good deal of traditional religious practice in their domains and to a certain extent even in their courts.

However, Nwanaju (2008) notes that the first agitation and attempt to incorporate Sharia in Kanem Empire led to the dethronement of Mai Biri Dunami (1163-1190) after being accused of causing the death of a thief through the process of amputation (p.200). Kenny (2000) said that at the beginning of the century, after the Usman dan Fodio’s jihad in Hausa land, sharia had replaced completely whatever was left of the pagan legal practices in the areas. Before the arrival of the British, sharia was said to have applied in all its ramifications both to civil and criminal matters in Hausa land. But the colonialists super-imposed the English law on it and progressively confined its jurisdiction to personal matters (p.223). By the Northern Nigerian Order in Council of 1899, Northern Nigeria was to be ruled by proclamation (pp.196-205). Oloyede (2000) affirms that in 1900, the Native Courts Proclamation allowed the application of sharia in criminal cases in northern Nigeria. At the amalgamation of the southern and northern Nigeria, Native Court Ordinance of 1916 was proclaimed with the permission to apply the sharia in the north while the south applied the British laws. The criminal code was introduced but native courts in northern Nigeria still applied the sharia to both criminal and civil cases. However, an amendment to the code in 1933, removed exemption granted to the native court so that appeals from the sharia courts were to lie to the British courts except on laws of personal status (pp.129-154).

In view of the above, Kenny (1996) notes of a case between Tsofo Gubba and Gwandu Native Authority in which the West African Court of Appeal overturned its judgment. It was a case where an appealed trial prevented the imposition of death penalty for homicide as provided by sharia but disallowed by the British Criminal Code. The judgment was unpleasant to the northern Muslims who alleged undue interference in the application of sharia. It was not until 1956 that sharia was formally written into the northern regional constitution (p.222). Kukah (1993) posits that sharia was one of the main issues in northern Nigeria during this period as it was concerned with the conditions under which non-Muslims lived. It also related to the issue of the minority ethnic groups in the region. In that case, the British responded by setting up the Willink Commission which was officially called the “Commission to Enquire into the Fears of Minorities and the Means of Allaying Them”. This Commission sat in different parts of Nigeria. In the north, the minorities expressed their bitterness at the discrimination meted against them by the Muslim ruling class. After traversing the country, the Commission essentially recommended that the issue of the security of non-Muslims in the north should be decided by a policy drawn up by the regional government. The Premier of Northern Nigeria, Alhaji Ahmadu Bello and the colonial government sent an official delegation in 1958 to Sudan and India to study how English and Islamic laws were accommodated. The panel report led to setting up of a Sharia Court of Appeal in Kaduna and the promulgation of a combination of laws known as the Penal Code in the region. Significantly, their recommendations resulted in the Penal Code and Criminal Procedure Code which replaced the Maliki law that had been entrenched for generations in the emirates (pp.117-118).

Meanwhile, Oloyede (2000) maintains that the protest of the minorities led to the enactment of the Penal Code for the North in 1960 and the Criminal Procedure Code for the South. The heat was so hot that a measure was adopted to placate the north. He notes that Karibe Whyte said that some Islamic criminal laws were introduced in the Penal code in order to appease the North. The Penal code is a product of the conflict between the operation of the Islamic criminal law and the criminal code (p.133). Nwanaju (2008) notes that at the Nigerian independence, the Northern People’s Congress (NPC) leadership led by Ahmadu Bello, had made a dramatic u-turn in its initial position on the application of Islamic law in Nigeria having seen the departure of the colonial government as the best awaited

opportunity. The government had written to the Muslims in Pakistan stating that the next “phase of the struggle” in Nigeria would be the full implementation of sharia as a state law and a means of consolidating unity among Muslims with the transformation of the educational system to reflect Islamic ideas and ideals. This was in contradiction to their earlier position when it sent a group of experts in Islamic laws on an international tour to re-evaluate the relationship between Sharia and modern Nigerian state. The government’s moderate position was to replace the entire Sharia system with secular and comprehensive criminal code. Thus, the court of appeal became limited to civil cases between Muslim litigants. The reason for this no doubt was because of the pressure mounted by the colonialists when they threatened not to assent to the Nigerian independence if Sharia was not modified. However, the leadership of Ahmadu Bello later succumbed to the Northern and other personal pressures after independence and renamed the old Alkali and other Muslim courts that were created during the Colonial Indirect Rule as the Sharia Court of Appeal (pp.206-208). The issue resurfaced again during the Constituent Assembly convened by the military government between 1977 and 1978 to prepare a Constitution for the restoration of democracy in Nigeria.

Furthermore, Clarke (1982) observes that when the proposals of establishing a Federal Sharia Court could not go through in that prolonged and heated committee, the Muslims’ political leaders including Shehu Shagari, who later became the Nigerian President, staged a walkout. But a sub-committee was set up by Justice Udo Udoma and headed by Chief Simeon Adebode and they arrived at a consensus that, “whenever there was a Sharia case on appeal, the Federal Court of Appeal would be constituted by three judges learned in Islamic law (who may not necessarily be Muslims) to handle the case” (p.91). It seems that the boycott-strategy bore the needed fruits as the Federal Sharia court of appeal was established. Somehow, it was expected to bring solution but the agitation has continued. Perhaps sensing the danger, the agitations portended to the country, Kenny (1996) affirms that General Ibrahim Babangida removed from the Assembly’s jurisdiction to handle the issue of sharia and decreed the maintenance of the status-quo. However, the Sharia debate was allowed to quiet down but it paved way for the Nigerian membership of ever-controversial Organization of Islamic Community debate (OIC) (pp.348-349).

However, Babangida unilaterally smuggled Nigeria into the Controversial OIC and Eme (2010) notes that when his second-in command, Commodore Ebiti Ukiwe acknowledged that the Nigerian membership of OIC was never discussed in the Armed Forces Ruling Council, he was sacked (p.96). Paradoxically, it was the same administration that bastardized the sharia debate by detaching the prefix “personal” from the Islamic law by the decree 26 of 1987. Some Christians and some progressive Muslims who were in opposition to Sharia in Nigeria received unexpected support among the Muslims. According to Clarke (1982), they formed Muslim committee for a progressive Nigeria, (MCPN) and other socialist associations which described Sharia as the most backward Muslim religious law. They argued that sharia was customary instruments in the hands of minority feudal and emirs who use it to cage the poor masses, the oppressed and the peasants of the society, deceived the people and then have the freedom to continue with their exploitation of the poor masses (p.88).

In the view of Oloyede (2000), right from the period of the return of civilian rule in 1999, Nigeria has witnessed a dramatic turn of events in the enforcement of Islamic code. Following the new interpretation of the Nigerian 1999 constitution by most northern states led by Zamfara state, they made certain laws, repealed some and amended others. By these, they established Sharia courts and vested them with not only the entirety of civil but also criminal jurisdictions (p.133). The other eleven northern states followed suit and Nigeria went aflame. Subsequently, cases of sharia implementation were reported but the final outcomes of almost all these cases remain unknown. Weimann (2010) said that in three states of Borno, Gombe and Yobe, no court cases under Islamic criminal law were reported during this period. From Niger, Kaduna and Kebbi about two, three and eight cases respectively were reported that time. In Bauchi, Jigawa, Kano, Katsina, Sokoto and Zamfara account for 60% of all cases. Over time, the number of cases reported decreases. However, in Katsina state, two cases attracted widespread attention. The first was the death sentence against Sani Yakubu Rodi for homicide in November 2001. Rodi was convicted of brutally stabbing to death the wife of a high-ranking security officer and their two children while attempting to rob their house. The victims’ next of kin demanded retaliation (*qiṣās*) and the court therefore ruled that Rodi should be stabbed to death with the same knife used in his crime. The method of execution was later changed, probably to avert riots and he was hanged on 3rd January, 2001. This is the only publicly acknowledged execution courtesy of Sharia court in Nigeria since the transition to a civilian government in May 1999. The second internationally known case was the one of Amina Lawal Kurami, who after giving birth to an illegitimate baby in November 2001, was sentenced to death by stoning for *zinā* in March 2002 (pp.34-65).

Reportedly, only Muslims have been subjected to the jurisdiction of Sharia courts, yet experiences have shown that there are potentials for extending the judicial practice and coverage to adherents of other religions. For instance, Awoyokun (2015) notes that fatwa was declared on Isioma Daniel by the Zamfara state government. Mamuda Aliyu Shinkafi, the government spokesperson argued that like Salman Rushdie “the blood of Isioma Daniel would be shed” (p.23). By that law, it is abiding on all Muslims wherever they are to consider the killing of the writer a religious duty. Probably, that accounts for why Ogebeche (2016) said that Methodus Chimaife Emmanuel, a 24-year-old Igbo Christian trader based in Padongari, Niger State was on Sunday 29th May, 2016 butchered with three other persons including one personnel of the Nigeria Security and Civil Defence Corps and about thirty shops looted by Hausa Muslims over the allegations of blasphemy (p.3). Muhammad (2016) concurs that a 74-year old Igbo Christian woman, Bridget Agbahime was on Thursday 2nd June, 2016 gruesomely slaughtered by Hausa Muslims at Kofar Wambai market Kano in presence of her husband over alleged blasphemy (p.6). The debates and agitations continue.

3. The Paradox of Sharia Implementation in Nigeria

It is pertinent to articulate some of the peaceful and human oriented injunctions of Islam. In that case, Aziz-Us-Samad (n.d) states that Prophet Muhammad (peace be upon him) said that a man cannot be a Muslim until his heart and tongue are so. In another stance, he adds that there is no compulsion in religion because every human being is one community. He emphatically declares:

No Arab has superiority over any non-Arab and no non-Arab has any superiority over an Arab: no dark person has any superiority over a white person and no white person has superiority over a dark person. The criterion of honour in the sight of God is righteousness and honest living". And we did not send you (O Muhammad) except as a mercy for all creation. And say truth is from your lord. Then whosoever wills, let him believe and whosoever will, let him disbelieve. And had your Lord willed those on earth would have believed all of them together so will you O Mohammad then compel mankind, until they become believers. Allah does not forbid you to deal justly and kindly with those who deal with equity. Allah only forbids you as you regard those who fought against you on account of your religion and have driven you out of your homes and helped to drive you out to befriend them and give them assistance. It is those who are friends and assisted such that are the wrong-doer. (p.62)

From the above, it can be observed that Islamic religion has some peaceful and social virtues that if properly harnessed will ensure peaceful existence in Nigeria.

But for some reasons, the positive and humanistic virtues of the religion seem sidelined. For instance, Abner (1969) affirms that at a point in the Nigeria history, Sharia Court itself was used as instrument of oppression against political opponents (p.151). In the fourth Republic era of Nigeria, Babasola (2000) confirms that a Supreme Court Judge, Justice Eso faulted the Federal Government handling of the adoption of Sharia by some northern governors. The jurist argues that the politics of option was aggravating the problem (p.7). Nwanaju (2008) states that the leaps of Sharia from Constitutional provisions on family matters to public penal code were politically disconcerting. He maintains that Olusegun Obasanjo, admitted the constitutionality of sharia in Nigeria but boasted that since it was a political Sharia, it would "die its natural death" (pp.218-235). He appears to be proven right but it was at the cost of many lives especially Igbo Christians.

In the meantime, Fwatshak (2004) states that in Jigawa State, *hisba* (sharia police) members arrested a son of the Emir of Dutse and caned him for drinking alcohol and the emirate dissolved the vigilante (p.19). Adebayo (2011) said that Ahmed Sani Yerima got into another controversy with his marriage to an Egyptian minor but he claimed that Islam allowed child marriage (p.2). Yet, it was the same man who introduced sharia with the claim of ensuring girl's education. Similarly, Amanambu (2012) said that in its editorial of 15th August, 2000, *ThePath*, a weekly newspaper published in Sokoto, observed that anti-Sharia activities such as gambling, prostitution and consumption of alcohol thrived in discrete hideouts. There were incidences of attempts to bail out contraveners of Sharia who were taken to court, especially prostitutes by some prominent personalities. The Paper argues that these conducts sabotage Sharia even more than crimes such as theft, drunkenness, adultery or gambling (pp.45-60). Another instance can be seen from the Boko Haram terrorists which claimed it wanted to implement sharia. Nwanaju (2010) posits that for Boko Haram to carry out destruction of lives and property on 7th September, 2010—a supposedly day in the month of holy Ramadan shows the other side of Sharia agitations in Nigeria (p.45). Anyanwu (2010) argues that the name Boko Haram itself implies that anything western is abomination and there seems to be huge contradictions with it. One of the contradictions is that this sect is not using sticks, machetes or swords to carry out their nefarious activities but they use the most violent, sophisticated system of weapons and devices such as bombs and missiles. They make use of telephones, internets and cars and these ammunitions which are the products of western education. Another disturbing irony is that the sect's press release is usually released in English language instead of Arabic or any other classic language (pp.38-39). Isa Yuguda, the former governor of Bauchi State in Danjibo (2012) said that late Mohammed Yusuf beclouded his people by living a life of deception as he rode exotic cars including expensive jeeps, sent his children to choose private schools where they received sound and quality education. He had private lawyers and doctors who attended to him yet he had the power to indoctrinate people and criticize western education (p.14). Ogunwale (2014) alludes that M'uazu Babangida Aliyu, the former Niger State Governor, echoed the Goodluck Jonathan's assertion that the Boko Haram sect had sponsors but asks the president to go after them (p.6). Omonobi (2013) made a shocking revelation on the dirty sides of the Boko Haram's lifestyle. There were strange and bizarre objects such as several used and unused condoms, syringes, test tubes, narcotics, charms and amulets of various shapes in the captured terrorists' camps. Apart from chemicals and materials used for producing Improvised Explosive Devices (IEDs), vehicles and various brands of electronics believed to have been stolen from various parts of the country were also found abandoned or destroyed in the camps and the escape routes of the insurgents (p.4).

Ekwujuru (2014) agrees with Sobowale (2000) that apart from the sale of Crude oil, taxations from tobacco and liquor are the largest sources of revenue to the federal government of Nigeria (p.12). The same federal government shares these revenues with the state governments according to the sharing formulas and ratios approved by law but none of these Sharia states has ever returned to the federal government its own allocation from these forbidden items. Ironically, almost all the men who championed the causes of sharia were later quizzed for corruption. For example, Brussels (2010) confirms that in Kano state, a probe instituted by the government in December 2004 indicted the former governor, Rabi'u Musa Kwankwaso, and ordered him to refund almost a billion naira (about \$6.6 million). In November 2009, a commission of inquiry ordered the former governor of Bauchi state, Adamu Mu'azu, to refund 1.6 billion naira (about \$10.3 million) which he allegedly stole. The former governors of Jigawa state, Saminu Turaki, and Sokoto state, Attahiru Bafarawa, are being prosecuted by the Economic and Financial Crimes Commission (EFCC) on charges of corruption involving N36 billion (\$240 million) and N15 billion (\$100 million) respectively (p.23). Owing to these paradoxes, the agitations and implementation of sharia have received stiff opposition even among some Muslim adherents. For example, Nwanaju (2011) notes that El-Zakzaky, the Muslim cleric sees the Zamfara State practice of sharia as a misapplication of what is known to be Sharia. He calls it

the “Zamfara Sharia” and not “Islamic Sharia” (p.406). The Muslims committee for progressive Nigeria (MCPN) in 1977 opposed the sharia and according to Olanrewaju (2015), catholic Bishop of Sokoto, Mathew Kukah emphatically asserts,

We must locate the current crisis of Boko Haram within the context of the inability of the northern Muslim elite to live by their own dubious creed. They preached Sharia Law but only for the poor. They preach a religion that encourages education, yet their own people are held in the bondage of ignorance. They came to power on the basis of a democratic society, but they turned around and declared Sharia to generate a false consciousness among the poor. They did not wish to live by the same standards, so they decided to live their own Islam in the capitals of the world away from the prying eyes of their own people. Boko Haram began as a revolt against this hypocrisy...They have become tools for access to political and economic power (pp.2-5).

The paradox of implementing sharia in Nigeria can be objectively and summarily be understood by the comment of one of the foremost initiators of sharia imbroglio in Nigeria, Sani Yerima. Weimann (2010) states that in September 2001, Zamfara State Governor Sani Ahmad Yerima, in an interview with a Nigerian newspaper, This Day, described the adoption of the sharia by most states in northern Nigeria as politically motivated and intended to allow governors to be re-elected to office. The governor said that only Zamfara and, to some extent, Niger State adopted the sharia with purely religious intentions whereas the other states were motivated by political expediency (p.10). Some of these politicians have since left office without any legacy of human empowerment or accountability rather they have helped in inflating poverty, crime and unemployment. They are confident of regaining and staying in power by resorting to religious tenets like sharia.

1.3. Why Sharia Languages Have Fascinating to Some Nigerian Muslims

➤ *Economic Poverty:* Kukah (2003) notes that an initiative undertaken by the sharia proponents in Zamfara was in the area of people’s welfare. In this area, money was given to rehabilitate prostitutes, provision of public transportation and housing (p.56). Keffi (2003) observes that the implementation of the socio-economic aspect of Sharia has improved the quality of life of Muslims in Zamfara State (p.217). Ostien (2010) concurs that the states implementing sharia actually established the Zakat Board which comprises some eminent personalities. They were charged with the collection and distribution of (Zakat) almsgiving (p.67). Kukah as cited by Lemuel (2010) paints a picture of life under Sharia as one that seems to offer the prospects of the enforcement of such important aspects of Islamic life. It is imagined that such aspect will ensure rapid access to inexpensive justice, a reduction of social excesses, a redress to the moral meltdowns and the applications of the principles of the Zakat (alms tax) which will force the rich to consider the welfare of the poor (p.305).The high level of economic poverty in Nigeria is so alarming that many people are finding it impossible to eat one good meal a day. Kendhammer (2013) affirms that the demands for the implementation of sharia in Nigeria were pointedly economic especially the problems of unemployment. He cites a case where the former governor of Kano state, Musa Kwankwaso in the year 2000, became hesitant in joining other northern governors in implementing sharia, a group of single and divorced women staged a protest against the governor. They demanded the government’s assistance to help them find husbands and provide the men with dowries, beds or funds to start small-scale businesses. They also demanded economic empowerment because that would make them attractive to suitors (p.8). Many Islamic adherents have believed that sharia will lead to the even distribution of common wealth.

➤ *The desire for ethnic and religiously controlled federal power.* Russell (2009) argues that the love of power is the ruling motive of many politicians. It is also the chief cause of wars, which are usually a bad speculation from the mere point of view of wealth. The problem of the distribution of power is more difficult than the problem of the distribution of wealth. The machinery of representative government has concentrated on “ultimate” power as the only important matter and has ignored immediate executive power (p.184). According to Mutum (2015), Lt. Gen. Kenneth Minimah, the former Chief of Army Staff, asserts that “Boko Haram was used as effective tool to advance political, religious and sectional interest in Nigeria” (p.4). Mazrui (2012) affirms that the Sharia movement was a cultural assertion by Northern elite at the state level to compensate for their political decline at the federal level. Nwanaju (2012) maintains that the stated mission and aim of the Boko Haram from the beginning gave the impression that it was a religious mission but the events between 2009 and after show that it is economic and political agenda. Just like its previous forebears, its goal from the beginning was to establish sharia government in the country but it turned out a political adventure (pp.37-38). Virtually all the tribes and religious organizations in Nigeria are ready to blindly support their member who rules Nigeria even if the person is mad. The agitations of sharia appear to be less forceful now but whenever power changes hand, they will spring up ferociously.

➤ *Massive Corruption:* Nigerian politicians and elites have no dichotomy between corruption and religiosity. Corruption in this case is the way through which individuals use their position to acquire (and personalize) what is meant for them and other people. It accounts for why there is offensive poverty, joblessness, absence of health care, poor educational institutions and general lack of basic amenities. These are offensive to the people and they are seriously looking for a good channel of fighting it. They are made to believe that sharia will route out all these evils. They have not understood that politicians (their religious leanings notwithstanding) usually capitalize on sharia and other religious practices to confuse the poor to achieve their political ends.

➤ *The irony of the thirst for sanitized social system garbed in the quest for the so-called national cake:* Kenny (1996) argues that “Muslims are inclined to support a politician who wave the flag of sharia because it is a symbol of Islam and a politician who promotes Islam will be expected to share generously the national to Muslims” (361). The questions that need to be answered from these sharia promulgators are: does the implementation of sharia stop the government at local, state and federal level from spending a lot of resources to sponsoring delegations to holy pilgrimages either to Mecca or Jerusalem? A lot of state resources have also been committed to either the building of mosques or churches-the National Mosque and the National Ecumenical Centre all in Abuja are

some examples. Has the sponsoring of their bills rebuilt Nigerian death-trapped roads, have they revamped the economy and created jobs for the teeming population? Have these ensured that corruption is sincerely and objectively fought? There is nothing wrong with sharia as a religious tenet but the motive and the process of embarking upon it has brought many controversies into it.

4. Conclusion

In 1804, Usman dan Fodio launched a jihad preceding the amalgamation of Nigeria which led to the establishment of the Sokoto Caliphate where sharia was applied. Close to a century after the jihad, the colonialist arrived, modified the sharia and unified the Sokoto Caliphate with other tribes that were not part of the empire and thus it formed the present-day Nigeria. Since then, sharia issues have been overtly and covertly controversial in Nigeria. Sharia especially in the fourth republic life of Nigerian is more of political agenda than religious movement. The phenomenon has great repercussions against the country just as it has led to the emergence of political jobbers who rise to handle political and social concerns of the country. The resulting consequences are that it has bred insensitive leadership and corruption. Therefore, the sharia agitations in this type of place will always provide an escapist for the people. The acceptance and popularity of sharia among the populace is anchored on the hope that it will help curtail the life of impunity and looting spree of politicians. While the poor masses have different beliefs, ideas and hopes about sharia, the rich and politicians have their own agendas. Their own agenda is primarily centered on the use of sharia as the “opium” with which to placate the unsuspecting masses. It is not yet clear if Sharia hammer should only be unleashed only on the poor and common people who are caught in adultery, stealing yam, goat and fighting, while those who drink intoxicating wine in hidden and expensive places, use pen to steal, embezzle and loot public treasury are tapped on the back and celebrated. They know that considering the heterogeneous composition of Nigeria that the implementation of *hadd* aspect of sharia will be violent and deadly but they still fan its ember because they feed from its fallouts. They are not taking into cognizance of the Constitution under which these politicians who later turned clerics came to power. Is it the Nigerian Constitution or Sharia Constitution? Ideally, the agitations for sharia should have been channeled their ammunitions towards the common good of citizens. The root cause of human problems obviously boils down on human factors. Warnock as cited by Ekei (2013) maintains that the root cause of human predicaments is inherently liable to go bad because most human beings have the natural tendency to be more concerned about satisfaction of their own wants than others. These human factors manifest in the existential traits such as corruption, nepotism, tribalism, power tussle, sabotage, indiscipline and others (p.19). The paradox of sharia implementation in Nigeria is that while the poor masses hope the genuine and spiritual sharia will help in ensuring just and equitable society, the politicians hijack it for their selfish reasons.

5. References

- i. Abner, C. (1969). Custom and politics in urban Africa-a study of Hausa migration in Yoruba towns. California: university press.
- ii. Akintola, I. (2001). Shariah in Nigeria: an eschatological desideratum. Ijebu-Ode: Shebiotimo.
- iii. Amanambu, U.E (2012). The challenges of sharia implementation in Nigerian nation state. Okigwe: Whytem.
- iv. Ani, K. J. (2012). “The Impact of Religious Conflict in Inter-Group Relations in Nigeria”. in Boko haram and terrorism vol2. Eds. Anyanwu, S. Isidore, N. Enugu Snaap.pp.156-172
- v. Anyanwu, S. Eds. (2010). “Boko Harm Matters Arising”. Boko Haram Religious conflicts And Dialogue Initiatives in Nigeria vol.1 Owerri: Edu-Edy pub. pp.30-42.
- vi. Awoyokun, D. (2015). “Politicians, Islam and threat to peace”. Guardian 16th March.
- vii. Aziz-Us-Samad, Ulfat. Islam and Christianity. (n.d). Pershewa: University Pub.
- viii. Babalola, S. (2000). “Eso faults FG handling of Sharia problem” Vanguard 23rd June.
- ix. Brussels, D. (2010). “Northern Nigeria: Background to Conflict” Africa Report N°168 – 20 December.
- x. Clarke, P. and Linden, I. (1982). Islam in modern Nigeria: a study of a Muslim community in a post-independence state 1960-1988. Munchen: Kaiser.
- xi. Coser, L. (1956). The functions of social conflicts. New York: Free press.
- xii. Danjibo, N.D. (2012). Islamic fundamentalism and sectarian violence: the maitatsine and boko haram crises in northern Nigeria. Ibadan: Institute of African Studies
- xiii. Ekei, C.J. (2013). The Task of Nation Building in Multi-Ethnic Nigeria: Problems, Prospects and Philosophical Implications”. In Nwadiakor, K. etal. (Eds). The humanities and nation building. Awka. pp.17-39.
- xiv. Ekwujuru, P. (2014). “Before the Tobacco bill takes Effect”. Vanguard 28th March
- xv. Eme, K. (2010). “Factors Favourable to Inter Religious Dialogue in Nigeria” Boko Haram Religious conflicts and Dialogue Initiatives in Nigeria vol.1 Owerri: Edu-Edy pub. pp.90-98
- xvi. Fwatshak, K. (2004). “Sharia enforcement” in Tell magazine, 16th February.
- xvii. Iruonagbe, T.C. (2013). Religion and its attendant conflicts in Nigerian: a paradox. Ogun: Covenant
- xviii. Keffi, S.U, D (2003). “Improving the quality of life through the implementation of the ocio economic aspect of sharia in Nigeria”. In ezilo J.N, Ladan M. T &afolabi Akiyode, A. (eds) sharia implementation in Nigeria issues and challenge on women’s rights and assessto justice.
- xix. Enugu: WACO. Pp. 207-227
- xx. Kenny, J.O.P. (1996). “Sharia and Christianity in Nigeria: Islam and a secular state”. Journal of religion in Africa,xxiv (4) pp.339-363

- xxi. Kendhammer, B. (2013). "The Sharia Controversy in Northern Nigeria and the Politics of Islamic Law in New and Uncertain Democracies" in Comparative politics.45. (3). pp.291-311
- xxii. Kukah, M.H. (2003). "Dialogue and the Church's Mission in a Pluralistic Society: The Case of Nigeria" Bulletin of ecumenical theology.15. (1). pp.37-60.
- xxiii. Lemuel, E.O. (2010). "The Resurgence of Sharia Issue in Contemporary Nigeria 1999-2009" in Benue valley journal of humanities (9) 1&2. pp.1-15
- xxiv. Loimeier, R. (1997). "Islamic Reform and Political Change: The Example of Abubakar Gumi and the Yan Izala Movement in Northern Nigeria." In E. Rosander, and Westerlund, D, (eds). African islam and islam in africa: encounters between sufis and islamists.
- xxv. Mazrui, A. (2012). Nigeria: From the Sharia movement to Boko Haram. A project of the United Nations Alliance of Civilizations.
- xxvi. Meek, C.K. (1925). The northern tribes of Nigeria. London: Oxford. London: Hurst.
- xxvii. Muhammad, A. (2016). "Murder of Igbo woman: police arrest 3 suspects in Kano" Vanguard 4th June.
- xxviii. Mutum, R. (2015). "Tribal, Religious Sentiments fuel Boko Haram Crises, Minimah". Daily Trust. Thurs.6th august.
- xxix. Nwanaju, I. (2008). Christian-Muslim relations in Nigeria. Berlin: Lagos.
- xxx. Nwanaju, I. (2011). "Strides of Religious Fanaticism in Nigeria and Sustainable Development: Interpretative Issues and Criticism" Aspect of religious studies and philosophy. Eds. Okereke, C.C and Michael, N. Owerri: Still Mark. pp. 405-424
- xxxi. Nwanaju, I. (2012). "Boko Haram and violence (A reversion of Values)" in Anyanwu.
- xxxii. Boko Haram religious conflicts and dialogue initiatives in Nigeria vol.11 Owerri: Edu-Edy.pp.33-46.
- xxxiii. Ogbeche, D. (2016). "Religious crisis looms in Niger as Muslims kill a man for alleged blasphemy". Daily Post 31st May.
- xxxiv. Olanrewaju, M. (2015). "Boko Haram, Revolt Against North's Muslim Elite's Hypocrisy – Kukah" Newswatch. 24th November.
- xxxv. Oloyede, O.I. (2000). "Sharia in the North, Concerns of the South: Renewed Controversy over the Sharia in Nigeria". in Balogun, I.A.B. Ed. Islamic tenets and the sharia. Ibadan: Sambookman.pp.129-154
- xxxvi. Ostien, P. (2010). Sharia implementation in northern Nigeria 1999-2006: A sourcebook vol.vi. <http://www.sharia-in-africa-net>. Assessed 11/10/2015
- xxxviii. Russell, B. (2009). Political ideals. London: Gordon Keener.
- xxxix. Weimann, G.J. (2010). Islamic Criminal Law in Northern Nigeria Politics, Religion, Judicial Practice. Amsterdam: university press.
- xl. Wendy, D. (1999). The merriam webster's encyclopedia of world religions. Springfield: Merriam.