

## Book reviews

# *Democratization and Islamic law: The Sharia conflict in Nigeria*

**Harnischfeger, Johannes 2008**

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### *Reviewed by Françoise Ugochukwu*

Prof Françoise Parent-Ugochukwu is currently attached to the Open University in the United Kingdom (UK). She has her Ph.D. in French Literature (Grenoble, 1974) and has been lecturing in Higher Education in Nigeria, France and the UK for more than thirty-five years. A former Professor from the University of Nigeria, she qualified as a French University Professor in Comparative Literature in 2004.

This book is the fruit of a three-year research mission in Nigeria (1993–1996) followed by three research trips in 2001, 2002 and 2006, during which the twelve States of the Federation which adopted Sharia in various degrees were covered: Zamfara, Kaduna, Sokoto, Kano, Bauchi, Katsina, Kebbi, Jigawa, Borno, Yobe, Niger and Gombe. It is a precious first-hand account of the implementation of Sharia in the north of the country, prompted by the fact that ‘observers in Europe and North America paid little attention to the political implications of Sharia’ (p. 17). It is based on interviews with local informants, personal observations, and the scrutiny of archive documents, media articles, religious tracts, the Quran, the Bible and academic publications. Central to the book

are the effects of Sharia both on the Muslim community and on Muslim-Christian relations. The author first attempts to 'reconstruct some of the reasons that led to the Sharia campaign' (p. 28), going back into history up to Usman Dan Fodio's jihad in 1804 (p. 42), which presented Islam as the only unifying factor between Fulani, Hausa, Nupe and Yoruba. For Harnischfeger, the colonial period which followed was 'a blessing for the spreading of Islam' (p. 54), as the British closed the region to Christian missionaries, a move which, while facilitating the rapid Christianisation of the south, led to positive discrimination in favour of northerners and to the present educational imbalance between North and South. Sharia remained in force in all Emirates until the Independence, with non-Muslim settlers – mainly Igbo and Yoruba – discriminated against.

For the author, 'Nigeria's transition to democracy upset the balance of power and aggravated ethnic-religious tensions' (p. 25). The book focuses on the campaign which followed Nigeria's return to democracy in 1999 and led to the rapid adoption of the Sharia by northern States in the midst of the ills of democracy 'Nigeria's style': 'rigged elections, falsified census figures, crushed opposition' (p. 24). The push to implement the Sharia, often supported by northern intellectuals, and coinciding with the election of a Yoruba Head of State that signalled a power shift from north to south, is seen as an attempt to assert the northerners' right to self-determination. This development has been used to exert power over politicians from the south, with the expressed Muslim aim now being the introduction of the Sharia throughout the federation. The author highlights the fact that the Sharia campaign, launched for political reasons, yet often inspired by genuine religious motives, rapidly gathered momentum, fast becoming the expression of the masses' growing distrust of the government. It was then embraced by activists whose zeal saw it as a tool to subject the lukewarm elite to public control. Religion, which, in Nigeria, 'permeates all aspects of life' (p. 221), has traditionally been seen as a way out of economic and moral decline, and several chapters expand on the way Sharia was initially taken as a panacea, a restorer of morality and sanity, an alternative to the perceived failure of democracy and Western models of government, the State's weakness and lack of control of lawlessness. The

author suggests that it was also seen as a positive alternative to the perceived abuse of freedom manifested in the south in the summary mob executions occasionally targeting armed robbers.

Yet the study reveals the gulf between the claims of regional State governments and religious clerics on one hand, and the effects of the application of Sharia on the other, and goes through a catalogue of ills: violations of human rights, gender inequalities (pp. 211–213), the restriction of freedoms, and legal insecurity affecting schools, media, law courts and daily life. Added to that list are the decline of Central Government authority, the disregard for the federal Constitution and the growing restrictions to non-Muslim forms of worship. The author highlights the fact that Sharia implementation, seen by its advocates as a dividend from democracy, a unifying force transcending ethnic antagonisms and a means of quelling inner Muslim rivalries by pointing to a common enemy, has led to the exclusion of non-Muslims from important aspects of public legislation and to the marginalisation of Christian minorities. This has, in turn, brought about bouts of documented, widespread and growing unrest and violence throughout the whole north, in particular in the States of Kaduna, Kano and Plateau. It may be true that ‘in most cases, religious antagonisms are interwoven with ethnic conflicts, with disputes over scarce land resources, and with rivalries in local markets’ (p. 16); but the net result, revealed by this study, is the staggering number of killings, usually prompted by minor incidents and affecting major northern cities on a regular basis, coupled with growing waves of retaliations battering Lagos, Ibadan and Igboland – leaving since 1999, ‘at least 50,000 people killed in ethnic, religious and communal violence’ (p. 24).

Christian minorities have termed the introduction of full Sharia ‘irresponsible madness’ and accused ‘Sharia politicians [of breaking the] religious compromise which has held the multi-faith country together since Independence’ (p. 221). Harnischfeger’s study confirms the political role of religion as a tradition in Nigeria, which colonisers did not eradicate. It shows that ethnic and religious groups which were lumped together in the Nigerian federation failed to develop common values and convictions and drifted more and more apart, with the northern attempt to implement Sharia throughout the federation and

make Nigeria an Islamic State alienating it in the eyes of the south. The unity of the federation is being questioned: the country, after a near collapse in 2000, is now experiencing a fragile peace, with different States in different situations. The personal difficulties encountered by the author – his being arrested and questioned on several occasions by the security services in the course of his research, and the lack of open debate about Sharia, even in academic circles – confirmed his views that Sharia ‘flies in the face of Nigeria’s moderately secular tradition’ (p. 13). Yet he managed to reveal a ‘creeping islamisation’ (p. 76) which tends to now spread to European countries with the Muslim diasporas. For him (p. 239), although ‘the Sharia movement has lost political momentum [...], yet the religious revival has entrenched the Islamic identity of most Sharia States’ and religion is likely to play a prominent role in future conflicts in Nigeria. This book is an unashamedly honest, remarkably well documented study, and a courageous exposure of the major threat to Nigeria’s stability.