

CHAPTER NINE

SHARIA POLITICS, OBASANJO'S PDP FEDERAL GOVERNMENT, AND THE 1999 CONSTITUTION

Following many years of repressive military rule, the euphoria that welcomed the arrival of Olusegun Obasanjo's PDP federal government turned into despair when the sharia crisis became a platform for prolonged religious violence in Northern states. With the federal government unable to provide security for Christian minorities in Northern states, Southern activists together with irate Christian leaders in Northern and Middle Belt states were dismayed that Obasanjo's federal government had no effective response to the crisis.¹ Rt. Rev. Peter Jatau, Anglican bishop of Kaduna, chastised Obasanjo's government for remaining silent while the state was consumed by religious violence. He blamed Obasanjo for inaction: "This ambivalence will not do. The President must tell the sharia people whether what they are doing is permitted in the Constitution. He must make a declaration now before it is too late."² Catholic archbishop Okogie advised Christian groups to shame the government into positive action.³ Rev. Isaac Orihaki, general superintendent of the Gospel Light Redemption Church, a popular evangelical church, supported public reaction against Obasanjo's administration, but also argued that the federal legislature had been negligent in tackling the crisis.⁴ Anger at the Obasanjo

federal government reached a boiling point as sharia violence escalated in February and March 2000: Obumna Abiakam, a well-known attorney, sued President Obasanjo in court for negligence, arguing that the president had a duty to demonstrate that the Northern states' expanded sharia policies were unconstitutional.⁵ Ben Nwakanma, a prominent Owerri lawyer (in the southeast Igbo region), also sued the government and asked for the resignation of the federal attorney general.⁶ The Catholic archbishop of Owerri, the Rev. Dr. Anthony Obinna, expressed his disappointment in the federal government's failure to protect Igbo (Christian) settlers in Northern Muslim states.⁷ Bishop Abraham Oyeniran, a prominent Pentecostal leader, also sued the government, saying that President Obasanjo's delay in dealing with the crisis had compromised public safety.⁸ Equally revealing of public frustration about perceived federal government ineptitude, Nobel laureate Wole Soyinka blamed Obasanjo for allowing a legal dilemma to become an intractable political crisis.⁹

In hindsight, Obasanjo's tardiness in responding to the crisis might have been the product of a complex political calculus. Two factors, not mutually exclusive, seemed to have shaped Obasanjo's response as the crisis intensified in 2000 and 2001. The first can be observed in the contingent nature of party political alignment after the transition from military rule to democratic government at the turn of the century. Although the president is a Yoruba Christian, Yoruba political networks had long been suspicious of him; his election had largely been engineered without their support; instead, Obasanjo depended on political support from Northern Muslim power brokers as well as the political class of the Igbo, Niger Delta, Cross River, and Middle Belt regions. Obasanjo was hesitant to engage the fight on sharia, perhaps because of the fear that such a move would alienate his most coveted constituency in the core Northern states. Second, Obasanjo was reluctant to hand the sharia matter to the Supreme Court for a constitutional solution because it was assumed that a legal quashing of Northern Muslim aspirations would intensify the conflict, particularly along ethno-religious lines, if the Hausa-Fulani political class interpreted a decision as a product of Southern Christian political assertiveness.¹⁰ According to Murray Last, such a move would cause "populist pandemonium" in the core Northern Muslim states.¹¹ Or, in Johannes Harnischfeger's formulation: "If a Christian [Southern Yoruba] president had attempted to outlaw sharia, this would have stirred up millions of [Northern] Muslims against the central government."¹² Besides, many Hausa-Fulani Muslims already viewed the Constitution itself as illegitimate, therefore a legal decision derived from that document probably would have had little moral authority and could have even backfired by

deepening the divisions. Even worse, were Obasanjo to challenge sharia in the Supreme Court and lose, the result would have been disastrous.¹³ He opted, instead, for a political solution, which he said would “end up without any victor or vanquished,” co-opting the hugely successful reconciliation slogan that was adopted by Gowon’s military regime after the civil war.¹⁴ With so much at stake for their long-term interest, Obasanjo felt that Nigeria regional power brokers would ultimately embark on a political compromise to resolve the sharia crisis.

Sharia and the 1999 Nigerian Constitution: Contending Issues

Mohammed Bello, a former Nigerian chief justice and the most prominent Northern jurist, had once argued that while major provisions in the Nigerian Constitution limited the scope of sharia, many legal principles in the same document also empowered it.¹⁵ Many Nigerian lawmakers at the national assembly agreed with Bello and cited his views in the debates that unfolded in the federal legislature.¹⁶ Principally, the debates on sharia were not always defined along strict ideological, partisan, or ethno-religious lines; for example, while President Obasanjo, the Christian Yoruba PDP leader, felt that expanded sharia was largely unconstitutional, Balarabe Musa, the noted radical socialist governor of Kaduna State during the Second Republic, saw sharia as superior to the Constitution. These two renowned national figures held views on sharia that reflect the complexities of defining the sharia crisis along conventional ideological, religious, or regional lines. The fierce conflict hinged on whether the Constitution ultimately had authority over sharia or whether sharia retained an infallible legal authority over Nigeria’s Muslim citizens. Former federal minister of justice Olu Onagoruwa, a Yoruba Christian, contended that as the Constitution was Nigeria’s ultimate legal document, all other legal systems must defer to it. For Onagoruwa, therefore, by expanding sharia the twelve Northern state governments had subverted the Constitution, leaving the federal government no other choice but to challenge the constitutionality of sharia through appropriate legal channels. Similarly, interpreting Islamic jurisprudence, analyst Jemila Nasir noted that sharia (as “God’s law”) places sovereignty in Allah, violating the basic tenet that the Constitution is sovereign over the Nigerian state.¹⁷ Conversely, Islamic legal scholar Abdulmumini Adebayo Oba writes: “Islamic law, having accepted the sovereignty of Allah and His Laws, cannot accept the ‘supremacy’ of the Constitution and the sovereignty of the people.”¹⁸ Furthermore, Governor Sani, the lightning rod for all those who opposed expanded sharia, underscored the supremacy of sharia over the legal affairs of

Nigerian Muslims. Affirming Sani's position, the emir of Ilorin, Alhaji Ibrahim Sulu Gambari, drew extensively from the Qur'an and hadith to challenge the secular state argument, contending that in Nigeria's religiously plural society, the Constitution gives Muslims the right to be governed by expanded sharia.¹⁹ Indeed, Northern Muslim opposition to the secularity argument had consistently featured in these debates even before the sharia crisis of 1999. For instance, in a debate in the 1980s, Northern analyst Ibrahim Suleiman described the secularity of the Nigerian state in rather colorful language. Nigerian secularity, he proposed, is "a child, albeit a bastard, of Christianity . . . [that] has become a sinister but convenient mechanism to blackmail Muslims and impede the progress of Islam."²⁰ Others simply traced the roots of common law to Christian traditions.²¹

Despite the strong Northern Muslim opposition to the idea of Nigerian state secularity, influential Southern Christian legal analysts continue to exercise considerable influence in the debate on the role of sharia. For example, legal scholar Vincent Nmeielle looks at section IV of the 1999 Constitution and proceeds to present two primary questions at the core of the debates on the sharia conflict.²² He argues that the imposition of a comprehensive sharia policy in the Northern states undermines the role of the Constitution to mediate the jurisdiction between federal and state authorities. Nmeielle further contends that expanded sharia "encroaches on fundamental human rights guaranteed in the Nigerian Constitution and in various international treaties and conventions that Nigeria is party to."²³ He also observes: "Freedom of religion is not an absolute freedom, but one that is limited by another individual's freedom in that one person's freedom to practice his or her own religion cannot legally impede another's freedom."²⁴ Nmeielle concludes:

The zeal and determination of the twelve northern governors to provide leadership to Nigerian Moslems through the implementation of the Sharia are insensitive to the balance required. . . . The political zeal of a particular leader on an issue that has overwhelming sectarian support must be expressed within the confines of the Constitution no matter how strong that zeal may be. It does not justify taking "unconstitutional measures" for the sake of providing sectarian leadership.²⁵

Given the serious contradiction between the expanded sharia policies of the twelve Northern states and the 1999 Nigerian Constitution, the analyses that follow will explore major national challenges posed by expanded sharia to the Nigerian state and society in the Fourth Republic.

Sharia and Women's Rights in Historical Perspective

Nigeria's anti-sharia and human rights advocates have long been concerned that expanded sharia poses severe threats to the constitutional rights of women and girls, particularly since unrestricted Islamic law excludes women from public office, positions of authority, and personal interactions with men not their relatives. On this, expanded sharia contravenes the constitutional guarantee of equal rights to all Nigerian citizens.²⁶ One critical editorial in a Lagos-based newspaper, the *National Concord*, amplified this constitutional anomaly: "In our encounter with the Governor [of Zamfara], we were surprised when he said two women were equivalent to one man especially in serving as witnesses in a sharia court."²⁷ Even the most casual observer of Nigerian society would be aware that expanded Islamic law is not particularly attentive to women's rights in Northern communities and that the application of expanded sharia to the everyday lives of women is problematic in the context of a modernizing society. This systemic marginalization of women through expanded sharia has a long history in emirate Northern Nigeria, going back to the Sokoto Jihad in the early nineteenth century.

Historians of Northern Nigeria generally agree that local mythology recognized women's participation in the royal courts of many Hausa city-states; for example, Hausa oral traditions show that in a few notable cases, such as the warrior Queen Amina of Zaria, a few women retained considerable power in Hausa city-states.²⁸ Women's power, however, steadily eroded in public affairs with the growth of Islam from the sixteenth century, and was severely curtailed after the Sokoto Jihad in the nineteenth century.²⁹ However, it is noteworthy that there is some scattered information about the role of women in public affairs, despite the restrictions imposed by the reform of the jihadists in the early years of the Sokoto Caliphate. A perusal of the works of the founders of the new Islamic confederacy—notably Usman dan Fodio; his brother, Abdullahi; his son, Mohammed Bello; and his daughter, Nana Asma'u—confirm that some women performed important roles in the new emirate communities during the jihad and immediately after the establishment of the caliphate.³⁰ Kathleen McGarvey says that while women supported the military efforts of the jihadists through important domestic activities, such as nursing the wounded and feeding the fighting men in Usman dan Fodio's jihad, leading reformists also highlighted the need to incorporate women into the new emirate society.³¹

Nevertheless, Barbara Callaway argues that the institutionalization of sharia after the Sokoto Jihad significantly curtailed the rights of women in critical family matters such as marriage, divorce, inheritance, and custody of children.

As emirs and members of their courts dominated public institutions, Hausa women, as mothers and wives, were effectively relegated to the household, further marginalizing them. This process was particularly apparent in Hausa marriage practices that continued after the Sokoto Jihad. In many local communities, marriages are arranged, usually with a bride price. Although divorce was easy to obtain and carried little stigma, it generally favored husbands.³²

Within the colonial system of indirect rule and the colonial cash-crop economy, women's autonomy in the public sphere was further curtailed. For example, the practice of wife seclusion seems to have grown in response to the new colonial economic system, in which rigid gender roles became an essential part of a cotton- and groundnut-export-oriented economy. In addition, as emirate society embraced greater religiosity in resistance to colonial rule, women's role outside of male-headed households was severely curtailed in local communities, and their voices were marginalized in the leadership of the two dominant Sufi orders in the region—the qadiriyya and the tijiyya.³³

This entrenched gendered structure continued in the relationship between men and women of all social classes since the period of decolonization in the 1950s. In postcolonial emirate communities, elite women, for example, who because of minor government reforms embrace careers in the modern professions, are sometimes alienated in a deeply patriarchal emirate society. In short, over the centuries, ideology, religion, marriage, law, and culture have systematically circumscribed women and girls' lives, effectively subordinating them to men and boys in Northern Nigerian Muslim society.³⁴

Despite the entrenched patriarchal practices of emirate society, an increasing number of women and some male allies have consistently resisted male domination, especially since the late colonial period. During decolonization, resistance to the domination of the patriarchal *masu sarauta* was carried out by their rival, the Northern Elements Progressive Union (NEPU), especially in Isa Wali's commentaries in *Gaskiya*, the popular Hausa newspaper in the 1950s and 1960s. Wali insisted that in Islam, women and men have equal rights and the marginalization of emirate women had more to do with local cultural practices. While this position achieved limited success in the struggle against the dominant emirate political party, the Northern Peoples Congress (NPC), progressive political activists have drawn from this enduring tradition to shape contemporary social realities since the attainment of independence in 1960. For instance, NEPU's ideological successor during Nigeria's failed Second Republic (1979–1983), the Peoples Redemption Party (PRP), though dominated by a male leadership, embraced this perspective in its support for comprehensive education for both boys and girls in emirate society. In one form or the other,

Hausa-Fulani women's organizations have drawn from these narratives at the intersecting histories of marginalization and resistance, especially since the decolonization process.

Women made some important inroads into the public sphere of Northern Muslim society after the introduction of the Federal Military Government's Universal Primary Education (UPE) scheme and the 1979 constitutional reforms that gave Northern Nigerian women the right to vote.³⁵ After Nigeria signed the treaty of the Committee on the Elimination of Discrimination against Women (CEDAW) in 1984 (ratified in 1985), the Federation of Muslim Women's Association of Nigeria (FOMWAN) was established, and many Muslim women's groups emerged to articulate the concerns of Nigerian Muslim women.³⁶ However, in contemporary emirate society, Islam continues to impact social relations in divergent ways, and women consistently have developed creative strategies to counteract patriarchal traditions that are embedded in religious structures.³⁷ Thus, a key aspect of the discussion on expanded sharia is how to engage the rights of women, both within Islamic jurisprudence and the wider rights of citizenship guaranteed by the Constitution. Callaway argues that many Northern Nigerian women feel that progressive change is most expedient if they avoid Western feminist discourse and strategically articulate their resistance politics within the framework of Islamic law and practice.³⁸ This is the perspective taken by a group of Northern Muslim women who challenged the patriarchal voice that dominated the implementation of expanded sharia in the twelve Northern states, especially in two landmark zina cases where two talakawa women, Safiya Hussaini (October 2001) and Amina Lawal (March 2002), were charged with adultery as the sharia crisis raged on in Northern states.

Thus, the impact of expanded sharia on women's rights exploded onto the national and international scene following the sentence of death by stoning of these two women for the crime of zina (adultery, fornication) when they became pregnant outside of marriage in 2001 and 2002 respectively. The details surrounding these cases are complicated, but here it suffices to explain that both women were divorcées, and the men alleged to have fathered their unborn children denied paternity under oath and were acquitted because of lack of evidence to prosecute them in accordance with sharia. As the controversy engulfed the country, anti-sharia advocates, reinforced by the fierce opposition of Nigerian and international women's and human rights groups, argued that the death sentence underscored the main objections to expanded sharia: that is, the strict application of sharia to criminal law is incompatible with modern ideas of human and civil rights that have evolved in Nigerian jurisprudence

since the colonial period. Nevertheless, these cases set the stage for “a vitriolic confrontation between international human rights and women’s group and sharia advocates.”³⁹

Following many tense months, the two women were eventually acquitted on appeal through the hard work of a group of Nigerian women lawyers, some of them trained in both Islamic and common law. They engaged Islamic law to challenge the women’s convictions. Indeed, so important were these cases that President Obasanjo, who until then had kept a low profile on the sharia crisis, lent support to the defense of the two women’s constitutional rights.⁴⁰ Nevertheless, “a problematic area in the application of sharia lies in the control of the public behavior of girls and women. The sharia movement’s organizational apparatus is partly based on the *hisba* [volunteer community police on public morality].” Controlled by “overzealous, conservative and narrowly trained *ulama*,” the *hisba* has consistently regulated “the behavior of women, especially those who are poor, uneducated, and powerless.”⁴¹

Debates on the rights of women under expanded Islamic law by Northern Muslim organizations is consistently advanced by groups such as FOMWAN and BAOBAB for Women’s Human Rights. During many seminars and workshops to explore strategies to protect women’s rights, members of these Northern Muslim organizations focused on Women’s Human Rights against the backdrop of theological interpretations, especially in the context of the Qur’an and the hadith. They distanced their discourses from Western feminist thought and from the perceived liberal values of Southern Nigerian Christians. These Northern Muslim women’s groups focused on exploring new analytical horizons in Muslim scriptural interpretation of the rights of women to life, equality, freedom of thought, and economic advancement.⁴² Drawing on the concept of Islamic feminism, Margot Badran contends that rather than confront Islamic traditions, with its populism in Muslim society, Muslim women activists have challenged the conservatism of Muslim clerics by insisting on the rights of women (and girls) through more progressive interpretations of religious texts.⁴³ Consequently, Nigerian advocates for Muslim women’s rights argue that the promotion of women’s rights in Northern Nigeria will not be realized from international conventions’ pronouncements such as CEDAW, which calls for the removal of legal discrimination against women from the perspective of Western-oriented international legal conventions. Strategic campaigns for women’s rights must also take into account a dynamic process of local religious and social conditions that advance freedom and social justice for *talakawa* women.⁴⁴

Sharia, Christianity, and the Discourse on National Disintegration

As the sharia crisis intensified from 2000 and 2002, Obasanjo's federal government cultivated leaders of thought across the country, especially former government leaders, emirs, ulamas, and Christian leaders, for religious reconciliation and national integration. Obasanjo convened the National Council of State (NCS), the advisory board composed of current and former heads of the federal government's three branches, to define a clear pathway for a resolution to the sharia crisis. As an initial response to the crisis, the federal government, evoking the support of the NCS, called on the pro-sharia Northern states to suspend the implementation of their sharia policies.

Former presidents Shehu Shagari and Muhammadu Buhari, both Hausa-Fulani Muslims, despite frustrations with the religious riots in Northern states,⁴⁵ denounced the federal government's interference in the affairs of the twelve Northern states. A much more confident Obasanjo would take things in stride; in a national broadcast after Shagari and Buhari's announcement, he reassured the nation: "I must not end this brief address without assuring all our fellow citizens of the firm determination of our Government to resist any attempt from any quarters to pursue a line that can lead to the disintegration of this country. Those who break our laws will be punished to the full extent of the law. There will be no sacred cows. And those that extend the hand of fellowship to their fellow citizens will find understanding and friendship."⁴⁶

Nevertheless, the Zamfara State government questioned the legitimacy of the federal government to interfere in its affairs; this was followed by the Kano State governor's insistence that the federal government had no constitutional authority to interfere in his state's sharia policy.⁴⁷ However, the federal order was respected in Bornu, Jigawa, and Niger States, whose governors temporarily suspended their sharia policies, pending further dialogue with the federal government to find a lasting resolution to the crisis.⁴⁸ And with the resolve of Zamfara to implement sharia by carrying out actual amputations, federal Minister of Justice Kanu Godwin Agabi cautioned Governor Sani: "Life is sacred and should be treated sacredly."⁴⁹

National support for the federal government began to build because Obasanjo now seemed determined to encourage national mobilization against sharia advocates in the twelve Northern states. As reflected in the theology of prominent Pentecostal leader, Pastor Kehinde Osinowo, many Christian leaders, following the arrival of the Fourth Republic, increasingly connected their theological disposition to Nigerian nationalism, linking Obasanjo's national political project with God's divine plan for Nigeria's progress. They

contend that Obasanjo had first risen to power in the 1970s after Hausa Muslim military leader Mohammed's assassination, and successfully handed power to Shehu Shagari (a Hausa-Fulani Muslim) through a transition program to civil-democratic government after sixteen years of military rule. Imprisoned by General Abacha (a Hausa-speaking Muslim), Obasanjo reemerged as a democratically elected head of state with strong Northern Muslim support. Calling on Nigerian Christians to pray for the president, Osinowo claimed that the sharia crisis was "engineered" by Nigeria's spiritual enemies, who were determined to destabilize the country's nascent democracy.⁵⁰ Ebenezer Obadare captures this sentiment:

To many Christians, Obasanjo's "second coming" was a spiritual metaphor, one that went beyond the ordinary fact of his fortuitous emergence as a beneficiary of a political compromise between the country's geo-political power blocs. . . . For Christians, it was a fulfillment of God's promise to liberate his children (southern Christians) from the yoke of northern (Muslim) leadership. . . . Obasanjo's messianic status had been enhanced by his personal circumstances before his election as president. Jailed by Abacha on charges of plotting to overthrow the government, Obasanjo languished in various jails in the country until his eventual release by General Abubakar following Abacha's death. Following his release, Obasanjo went public with the fact of his "spiritual rebirth" in prison.⁵¹

Nevertheless, Pastor Osinowo, like many other Pentecostal leaders, had by now situated Obasanjo as a leader of destiny at the center of Nigeria's political narrative, positioning the president in major historical landmarks such as the Civil War, successful service as military head of state, escape from General Abacha's clutches, and emergence as elected civilian president in 1999. Osinowo and other Pentecostal leaders called on Christians everywhere to focus their prayer on the spiritual warfare that confronted Obasanjo and the Nigerian state. Prophet Samuel Kayode Abiara, leader of the Christ Apostolic Church, Igbala-Itura, declared the sharia crisis a plot from Satan, while Bishop Margaret Odeleke of the same church called on devoted Christians to "chase the sharia demon out of Nigeria."⁵² For Southern, Middle Belt, and Northern-minority Christians, Buhari and Shagari's public opposition of Obasanjo's moderate position was packaged into a populist Christian script. Christian critics contend that the Hausa-Fulani Muslim leaders' opposition to the administration's policy was a desperate attempt by the Northern Muslim oligarchy to dominate state affairs.

By April 2000, much of Obasanjo's Christian (especially Yoruba) support had arrived, and condemnation of his initial hesitance on the sharia crisis was effectively turned to praise for a leader they said was measured and far-sighted. Influential Pentecostal Yoruba minister Felix Oke argued that Obasanjo's caution was wise, praising him for exercising restraint given Nigeria's contentious ethno-religious politics.⁵³ In the midst of the sharia conflict, the powerful Pentecostal leader of the RCCG (the Redeemed Christian Church of God), Pastor Adeboye, predicted Obasanjo's triumph, while another prominent Pentecostal leader, Pastor Tunde Bakare, preferred Christian vigilance through prayer to challenge sharia. Indeed, several Pentecostal leaders called for prayers to prevent religious wars that could lead to the disintegration of Nigeria. Obasanjo's cautious response to the sharia crisis was intertwined with "God's master plan to take Nigeria to its prophetic destiny where justice, peace, love, unity, progress, power and prosperity would be induced by holiness reigning supreme."⁵⁴ In support of Obasanjo's rule, a prominent Pentecostal leader named Pastor Fidelis Omoni sent a scripted message to Governor Sani of Zamfara in the biblical tradition of Jeremiah's prophecy: "Your days as Governor are numbered." He called on Sani to repent of his sins.⁵⁵ The Nigerian Baptist Convention's fiftieth anniversary meeting was similarly highlighted with exhortations of support for Obasanjo.⁵⁶

This resurgence of Christian support for the president coincided with a sustained public discussion of the political machinations behind the sharia movement. Southern Christian suspicion of Northern Muslims was translated into the straightforward conclusion that the sharia crisis was precipitated by the Hausa-Fulani Muslim elite's master plan to contain Southern ascendancy, embodied in Obasanjo's presidency.⁵⁷ The Yoruba International Network, a diaspora organization with branches in New York and Washington, DC, argued that a corrupt Hausa-Fulani Muslim aristocracy, seeing its power erode, responded by imposing expanded sharia to strategically mobilize Northern Muslims against Southern Christians.⁵⁸ The governor of Ogun State in the Yoruba Southwest, Olusegun Osoba, argued that the conspiracy aimed not just to undermine Obasanjo, but to derail Nigeria's progress.⁵⁹ Many other prominent Yoruba politicians agreed.⁶⁰ This had been the official position of the president's party: at a leadership meeting to assess the cause of the Kaduna riots, PDP leaders concluded that some Northern power brokers masterminded the violent attacks to undermine Obasanjo, a Southern Christian president.⁶¹ The plethora of anti-sharia analysts from the Southern and Middle Belt states, as well as Northern-minority Christians, chimed in to register their condemnation of the Northern Muslim political class. In Debki's account, insistence on

expanded Islamic law is a reflection of the eroding power of oppressive Hausa-Fulani Muslim rulers.⁶² Nwobi contended that the violent rage of sharia activists against vulnerable Christian minorities in Northern states reflected the desperation of a fading Northern Muslim hegemony;⁶³ Shehu, another anti-sharia activist, noted that the frenzied call for expanded sharia is not an expression of religious piety, but a strategic political maneuver;⁶⁴ and Emekwue, an analyst from the Igbo southeastern region, disparaged the agenda of sharia advocates as a push-back on the slipping emirate control over their local masses.⁶⁵

Furthermore, many prominent national personalities were genuinely concerned about the prospects of national disintegration. Olu Falae (a Yoruba Christian), the national AD/APP leader who had won the Yoruba vote against Obasanjo in the 1999 presidential election, argued that the application of sharia to criminal law amounted to Northern secession from the federal republic.⁶⁶ Following the killing of Igbo Christians in Kaduna's sectarian crisis, Governor Orji Uzor Kalu "warned that his government could no longer guarantee the safety of any Northerner living in his state if the killings of Easterners [Igbo Christians] living in the North continued."⁶⁷ Adetunji Adeleke, former governor of Osun State in the Yoruba region, lamented that "some ex-leaders were using their enormous wealth to cause confusion and disaffection."⁶⁸

The sharia crisis also complicated religious and ethnic relations among Middle Belt Christians and Muslims.⁶⁹ Despite the intensification of the unifying force of Christianity in reaction to the encroaching influence of Hausa-Fulani Muslim power in the region,⁷⁰ Middle Belt local communities have continued to experience recurring ethnic factionalism under growing political, demographic, and economic stress, especially since the neoliberal reforms of the 1990s. Harnischfeger notes:

In order to withstand the superior strength of the Hausa and Fulani, who number about 40 million people in Nigeria, leaders of the Middle Belt Forum have called upon their people to develop a distinct Middle Belt identity. During clashes between Christians and Muslims, some solidarity appeared as members of different minorities fought shoulder to shoulder. But apart from such short-term alliances, neighboring villages or ethnic groups are caught in escalating conflicts over land resources. The so-called "ethnic nationalities" are so fragmented internally, that they are not able to act as political units in defence of a common "national" interest. Moreover, the Tangale, Dadiya, Tiv or Jukun have found no means of settling boundary disputes among themselves. So their demand to handle land affairs autonomously has little chance of realization.⁷¹

The push for Middle Belt Christian unity during the sharia crisis, however, carried more than symbolic weight. Emirate attempts to assert a unified Northern Muslim agenda pushed against the aspirations of a unifying Christian identity. Obasanjo's political fortunes significantly improved thanks to the unified support of Southern and Christian electorates. Conversely, Northern Muslims leaders were beginning to feel the political pressure that persistent religious riots were inflicting on Northern communities. Overall, however, as Obasanjo's Christian supporters grew throughout the country, his core Northern Muslim support eroded during the sharia crisis.⁷²

Expanded Sharia, Communalism, and the Resurgence of Ethno-religious Violence

Citizenship is not portable in Nigeria—and this runs against the letter and spirit of the Nigerian Constitution. Under the British colonial indirect rule system, people without deep roots in the “traditional” structure of ancestral hometowns and city-states were commonly considered “native settlers” with less access to land-rights claims and public offices. In Northern and Middle Belt states, indirect rule hardened these claims by formally establishing non-Hausa quarters in *sabon garuruwa* (singular: *sabon gari*), or “new towns,” for Southern Christians who had migrated to the region as traders, artisans, and lower-level civil servants. Consequently, most Northern Nigerian communities—and other regions in the country—ignore the full rights of residency for all citizens enshrined in the Nigerian Constitution. Instead, it is one's lineage, substantiated by ascribed claims to ancestors, that serves to establish full rights of residency. Such distinctions form a strong, if complex, primary identity, with ethnicity, class, and local origin intersecting to divide communities into “indigenes” and “nonindigenes.” Indeed, the growing migration of Southern Christians to Northern and Middle Belt communities in the postcolonial era continues to complicate this process; and demographic transformations between Northern Muslim states and predominantly Christian Middle Belt states in recent decades intensified tensions between native “indigenes” and settler “nonindigenes” across urban areas in these states.⁷³

However, as previously discussed, the most visible nonindigenes were usually economic migrants, often Igbo Christian traders from the Southeast, who were resented for their more prosperous economic conditions. This reference by Abubakar Gumi in his autobiography captures the feeling of resentment by Hausa-Fulani Muslim “indigenes” against Igbo Christian “settlers” or “non-indigenes”: “One could hardly buy a sack of corn in the market except from

an Igbo man, nor could one take one's bicycle to be mended other than to an Igbo mechanic. . . . The Northerner [Hausa-Fulani Muslim] was always something less than a citizen in his own country."⁷⁴ In Kano, such characterization of Igbo "nonindigenes" or "settlers" as objectified migrants was further complicated by the city's population explosion. Kano's population grew from 250,000 people in 1961 to 2.8 million inhabitants in 2006, and 95 percent of this population is Hausa-Fulani Muslims.⁷⁵ Against this backdrop, and in addition to sharia-induced violence, tensions would erupt between "indigenes" and "nonindigenes" over access to scarce resources in Northern and Middle Belt states.

Recurring religious violence in Bauchi State in 2001 seems to have been aggravated by the September 11, 2001, terrorist attacks in the United States. On September 12, 2001, internecine strife exploded in several communities in the state, reportedly leading to the killing of more than three thousand people.⁷⁶ Reflecting on the origins of the killing, one observer wrote: "Districts in which the Christians have driven out the Muslim inhabitants have been given new names such as Jesus Zone, New Jerusalem or Promised Land. Similarly, the Muslims have renamed their quarters, indicating to whom they belong: Jihad Zone, Saudi Arabia or Seat of [Osama bin] Laden."⁷⁷ In October 2001, about five hundred people were killed in Zaki-Biam in Benue State in retaliation for the murder of nineteen soldiers by Tiv militiamen who had apparently been mistaken for their Jukun rivals from Taraba State, with whom they had been fighting over access to farmland.⁷⁸ This crisis, in addition to its ethnic overtones, occurred against the backdrop of strained military-civilian relations in various troubled spots in the country, especially the Niger Delta region. As the sharia crisis ravaged the Northern and Middle Belt states, Nigeria's news media were fed with a continuous narrative of sectarian violence.

Tensions again erupted in 2002 when Nigerian federal forces began to crack down on sharia-related disturbances. Political violence again occurred in the Middle Belt cities of Jos and Yelwa in May, and religious conflict exploded in Jigawa State, where Muslim youths destroyed many churches.⁷⁹ This wave of riots was sparked by an article written in a Lagos-based national magazine, *ThisDay*, about the Miss World pageant that was scheduled to be held in Abuja, Nigeria's federal capital. Isiome Daniel, a Southern Christian, had reportedly blasphemed against the Prophet Muhammad in the newspaper article.⁸⁰ As riots raged in several Northern cities, Muslim youths attacked churches, killing more than two hundred people, displacing thousands, and destroying property worth millions of dollars.⁸¹ As Human Rights Watch later reported,

Many people believed that if the Miss World contest had never been planned to take place in Nigeria, and even if the article in *ThisDay* had not been written or published, some other incident would have been seized upon instead, and sooner or later, violence would have erupted due to the same caustic mix of Northern power politics, hometown loyalties, economic slowdown, and ethnic differences.⁸²

A BBC journalist noted the economic implications of Nigeria's sectarian violence: "[Many young men have] no jobs and no education, and frustrations over economic hardship leave them prey to political opportunists who want to foment violence."⁸³

In the midst of so much violence, efforts toward peace were ongoing in 2002 and 2003, especially in Kaduna, home to some of the worst violence in the country. These efforts were led by the Reverend James Wuye and Imam Muhammad Ashafa, who had brokered the peace from the Miss World fiasco. Together they founded interfaith organizations, held workshops, and wrote pamphlets to encourage reconciliation between Christians and Muslims. Though both had been "radicals," they had become leaders of a burgeoning peace movement as early as 1992, after the Zango Kataf riots. Referring to the communal violence as politically motivated, they pushed for reconciliation among the warring parties.⁸⁴ Despite such efforts, in February 2004, communal violence again erupted in Shendam, Yelwa Local Government area, in Plateau State, with 78 Christians killed and several churches destroyed. On May 2, Christians retaliated and roughly 660 Muslims were killed, and 60,000 people displaced.

The National Assembly passed emergency power regulations in June 1, 2004, giving an interim military governor of Plateau State, Major General Mohammed Chris Alli, sweeping powers to deal with emergency situations in Plateau State. After establishing security, he set up special courts for all violence that had been committed since 2001 in Plateau State, and 1,284 suspects eventually were prosecuted.⁸⁵ Alli also developed the Plateau Peace Program, encouraging dialogue between leaders of religious and ethnic groups, as well as a statewide peace conference. Alli encouraged warring militants to surrender their weapons by granting amnesty to those who did so. In 2005, state and federal authorities uncovered similar dynamics of political violence in Kebbi State, along with a high prevalence of sexual assault.⁸⁶ However, while religious violence continued, a Human Rights Watch study found that the initial enthusiasm for sharia had eroded: "Many Muslims who had initially supported sharia have become disillusioned with the manner in which it has been implemented. They told

Human Rights Watch that this was not ‘real sharia’ but ‘political sharia,’ but [were] fearful of being labeled ‘anti-Islamic’ if they said so publicly.”⁸⁷

Though the sharia crisis had largely subsided, unfortunate national and global events triggered a rash of religious explosions in the last years of the Obasanjo administration, revealing enduring tensions between Christians and Muslims in Northern and Middle Belt states. In February 2006, for example, riots broke out in Northern cities after the publication of a Danish cartoon mocking the Prophet Muhammad. In Maiduguri, the Bornu State capital, riots by irate Muslim youths led to the deaths of more than five hundred people. Then, in June of the same year, another polarizing incident occurred when a Christian woman in Niger State reportedly preached to Muslim youths. When Muslim clerics expressed strong objection, a mob of Muslim youth clubbed her to death while she was in police protection.⁸⁸

Elsewhere, in Ilorin, the southernmost post of the Sokoto Caliphate in the predominantly Northern Yoruba region, the sharia crisis opened up old claims between Hausa-Fulani Muslim rulers and descendants of the former Yoruba ruling lineages of the precaliphate era over the traditional “ownership” of the city.⁸⁹ This conflict over the legitimacy of “traditional” structures and symbols of local power are embedded in the distributive resources of the state. In a specific Northern context, Harnischfeger outlines the process of these fierce contestations for power as expressed through the prism of the ethno-religious identities of “indigenes” and “nonindigenes”:

When land disputes are brought to court, the ethnic and religious preferences of the judge are often decisive, and in cases of armed conflict, when police or army units intervene, it may be even more crucial to have one’s own people among the decision-makers. Consequently, the migrants have a vital interest in wresting positions of authority. . . . As soon as the migrants constitute a critical mass within the population, they direct their efforts to occupying key positions in the district administration. In this way they, or their leaders, gain access to the state revenues that flow from the capital into the coffers of the local government councils.⁹⁰

Furthermore, focusing on the Middle Belt region, Harnischfeger offers an insightful perspective on how shifting demographic conditions intensified these ethno-religious tensions during the sharia crisis. Largely dominated by the diverse ethnic groups in the region, such as Berom, Dadiya, Tangale, Tarok, Tiv, Tula, and Waja, most of whom had been converted to Christianity by the 1950s, religious and ethnic conflict complicated the sharia crisis in the

region. Concomitantly, as Hausa-Fulani Muslims had migrated southward to the Middle Belt region since the late colonial period, the demographic balance in the region had steadily tilted in their direction. These new settlers contested property rights with the “indigenous”—non-Hausa-Fulani communities. As Hausa-Fulani Muslim migrants and their descendants transformed the region’s demography, Muslims as “non-indigenes,” by their sheer numbers are well positioned to dominate some Middle Belt local authorities. This situation was further exacerbated by communal conflicts among the non-Muslim “indigene” communities over the distribution of state resources, especially over land claims and control of local government agencies. Consequently, Harnischfeger argues: “[Hausa-Fulani Muslims] can send for relatives from their homelands, enlarge their enclaves, and claim further stretches of land. In many places this has brought them right up to the fields tilled by the local population, leading to disputes over boundaries. Out of all the groups of settlers [one observer notes] it is the Muslims [Hausa-Fulani] that want to claim the ownership of Jos. . . . The Igbo and Yoruba have never claim[ed] Jos nor care[d] to take over political power.”⁹¹

As is apparent from the foregoing discussion, ethnicity, long associated with religious labels, was tied into these overlapping political and economic interests of communal groups as the sharia crisis intensified.⁹² Thus, enduring religious conflicts further polarized Christians and Muslims in Middle Belt states, hardening religious and ethnic identities across the region. Thus, many “indigenes” of the Middle Belt’s major city, Jos, maintained their independence from perceived Muslim hegemony by asserting their Christian identity. This trend is not new. As Last writes, as far back as the formal unification of the Northern and Southern Protectorates of Nigeria in the early colonial period, the “implicit boundary . . . between dar al-Islam and dar al-harb, remained; certainly the antagonism between the two worlds persists even to this day, some would say in a new, fiercer form than before as the creation of well-financed local governments has sharply raised the value of being ‘indigenous,’ as against the old value associated with ‘becoming Hausa.’”⁹³

Consequently, as discussed in the cases above, ethnicity was subsumed under religious identity to rationalize collective political action as the sharia crisis exposed communal fault lines and fissures. While Hausa-Fulani Muslims called for expanded sharia, indigenous ethnic groups—most of them Christians—mounted fierce opposition against an institution they considered anathema to the traditions of their local communities. This underlying sense of insecurity encouraged recurring violence as the fallout of the sharia crisis continued.⁹⁴

For example, when communal riots broke out in Jos in 2000, killing 165 and wounding 928, it was sparked by the appointment of a Hausa-Fulani Muslim to head a federal agency in a predominantly Christian area.⁹⁵

While ethnic nationalism served as a centrifugal force in Southern states, it is religion that has filled this role in Northern states, complicated by ethnic identity in the Middle Belt region. Since decolonization, Islam has provided a structural framework on which intra- and intercommunal conflict is contested and mediated. Sufi orders are strong social identities, and elite groups draw strongly on Islamic practices to sustain their political legitimacy in various communities.⁹⁶ Indeed, shifting demographic conditions have further driven “a wedge between the younger generation and the old guard of former rulers and emirate leaders, who refused to hand over northern power. Their frustration eroded the political and cultural legitimacy of emirate society from the bottom up.”⁹⁷

Despite deep communal divisions along religious and ethnic lines, some leaders, because of the delicate position they occupy in society, had to walk a tight line during this period of persistent crisis. For example, the police commissioner in Zamfara State, Ahmed Abdulkadir, a Muslim and Alhaji, refused to use the Nigerian police force to enforce the new sharia law in the state. He declared: “We will not enforce any law that goes contrary to and is in conflict with Nigerian law because we have sworn to defend the country and the citizens as a whole,” referring to the institutional mandate of the Nigerian Police Force as a federal agency.⁹⁸ Similarly, in Kaduna, Deputy Speaker of the House of Assembly Gideon Gwani, a Katsina Christian, had to walk a tightrope, demanding Christians’ inclusion on the state’s sharia exploratory committee while agreeing with expanded Islamic law for Muslims: with a relatively large Christian population, particularly in the south of Kaduna, Gwani was forced to make overtures to both sides.⁹⁹ This occurred despite persistent animosity between Hausa-Fulani Muslims and the largely Christianized Kajes and Katsinas, who had been subordinated to the Hausa-Fulani emirate structure through the indirect rule system.

This is, of course, not to argue that ethnicity was not an important factor in the sharia conflict. Clearly, ethnic divisions mattered in varying degrees to social and political actors. Yet even if ethnic identities motivated violence, this certainly did not amount to the all-consuming importance accorded it by some commentators.¹⁰⁰ With these enduring structures of society, the imposition of expanded sharia and the attendant struggle over its constitutionality were rooted in ideas of the past that continue to influence power relations through time and space.

Policing Sharia in Northern States

Despite the enthusiasm for expanded sharia, the complexities of Nigerian society curtailed the impact of the Northern states' sharia policies on emirate communities during the Obasanjo administration.¹⁰¹ Significantly, this limitation in the implementation of the new sharia policies was vividly expressed in the activities of the hisba, the local Muslim militia established to enforce the new sharia laws in the twelve Northern states.¹⁰² Ludwig notes that hisba law enforcement groups had been in existence in some Northern states before 1999; however, they were elevated in emirate society only after the spread of expanded sharia in 2000.¹⁰³ Under the caliphate, hisba was used to keep the peace in many emirate communities and uphold "proper" Muslim practices and moral standards stipulated by Islamic law.¹⁰⁴ With the introduction of expanded sharia, hisba, following in the tradition of state-sponsored "civic groups" in Northern Nigeria, was expanded to defend sharia policies.¹⁰⁵ Last suggests that hisba resulted from "widespread unease" among Muslims, brought on by a feeling of vulnerability to attack from "outsiders." Consequently, because it was recognized as the only viable legal instrument for the enforcement of sharia, hisba had the primary responsibility to secure *dar al-Islam* within the Nigerian state and society.¹⁰⁶

Kano State developed its hisba program most extensively among the twelve Northern states. From 2000 to 2002, hisba flourished in Kano as an unofficial militia force under Governor Rabiu Musa Kwankwaso before being institutionalized at the state, senatorial, district, and village levels in 2003. At the village level, there were three divisions: advisory, management, and hisba corps. Within smaller communities, operations were further divided based on the *zauran sultbu* unit, "such as streets/areas, markets, schools, and transport stations." To show the importance of women's issues in the new laws, state authorities stipulated that the women's division of this militia force should be at least 10 percent of the overall hisba force. The main duties for the nine thousand Kano State hisba corps members included ensuring sharia compliance in commerce, defending sharia court decisions, reporting on interference with Islamic justice, keeping records of prison inmates with pending criminal cases, preventing social vice, enforcing modesty standards, and educating the public about the new sharia policy. These extensive statutory duties clearly indicate the significance of the hisba force in Kano State's new sharia policy. To achieve these extensive legal responsibilities, the state government established a radio station, Muryar Hisba (The Voice of Hisba), to disseminate information to the public.¹⁰⁷

While Kano State's hisba was by far the most elaborate, it was not the only one at work in the Northern states. During the ethno-religious crisis in Jos, Nigeria's principal Middle Belt city (where sharia had not been enacted), hisba corps operating in the city distributed relief materials to victims of communal riots. Kaduna and Katsina States also established hisba boards to supervise the activities of a myriad of religious and social groups, and Zamfara State passed laws in 2003 that created official organizations, including hisba, to educate the public about the state's sharia policy. Across Northern states, members of hisba boards and commissions were drawn from government ministries, emirs' courts, and local Muslim clerics. These newly appointed state officials drew salaries and benefits as civil servants. In short, their official duties included encouraging "proper" Islamic behavior, discouraging corruption, mediating civil disputes, and assisting with traffic control and emergency relief, as well as coordinating their activities with the federal police forces and other state security agencies.¹⁰⁸

However, as the hisba forces took on more law-enforcement responsibilities, it became apparent that they generally lacked the professional expertise to discharge their duties.¹⁰⁹ This was complicated by growing tensions between hisba officers and the Nigerian federal police force, the main source of law enforcement in the country. With respect to this tension between the state government-sanctioned hisba and the federal police force, Last observes: "Given that the legality of the sharia *vis-a-vis* the Federal Constitution is itself a contested issue, the police are reluctant to get involved in any action the hisba may get up to. Similarly, prisons and [teaching] hospitals are federal institutions; prisons therefore are unwilling to house prisoners found guilty of crimes under sharia, just as doctors are unwilling to amputate limbs as the sharia requires."¹¹⁰

Despite such distinctions, hisba soon became the central component of many Northern governments' extraconstitutional police power.¹¹¹ Indeed, Kano State sought funds from abroad to support its hisba institutions, in breach of the Constitution.¹¹² After several years of disagreement, in 2006, the inspector general of the Nigerian Police Force accused the Kano State government of developing an illegal state police force. Federal authorities subsequently banned the Kano State hisba and other sharia-enforcement agencies and arrested some of their leaders,¹¹³ a move that the state governor deemed unconstitutional. More importantly, conflicts between hisba and federal law enforcement authorities only reinforced entrenched ethno-religious identities, solidifying divisions between Christians and Muslims in Northern and Middle Belt states. As power over security came under the control of federal authorities in later years, the federal police assumed greater regulatory control over sharia in Northern

states.¹¹⁴ Indeed, by the end of Obasanjo's second term in office in 2008, federal policing had been re-established in Kano State, not simply as a reassertion of federal power but, rather, as a practical response to pressing challenges of security in local communities.¹¹⁵

With growing frustration in the implementation of expanded sharia, a new militant Muslim reformist group, Boko Haram (which means "Western civilization forbidden"), emerged to insist on the establishment of an Islamic state in Nigeria by the end of Obasanjo's presidency. Like Mohammed Marwa, the charismatic leader of Maitatsine (see chapter 5), Boko Haram's founder, Mohammed Yusuf, preached a messianic neo-Salafi revivalism that denounced Hausa-Fulani Muslim rulers as an essential component of Nigeria's decadent political class.¹¹⁶ Accompanied by lethal violence unprecedented in Nigerian history, the militancy of Boko Haram in the years following the Obasanjo administration reflects the deepening crisis of the Nigerian nation-state, revealing unbridled political corruption by the holders of state power, flagrant abuse of power by the country's security system, massive erosion of essential social services, recurring religious violence in the Northern and Middle Belt states, and the abjection of talakawa commoners.¹¹⁷ Additionally, the threat of Boko Haram, like that of previous fringe militant Islamic movements in Northern Nigeria, is intimately connected to prevailing religious, social, political, and economic conditions in the region.¹¹⁸ In this context, Boko Haram's militancy did not cause Nigeria's political crisis in the years after Obasanjo's presidency; rather, it reflects the endemic crisis of governance, especially in Northern states. Indeed, this crisis was further aggravated by ineffectual federal and state governments' security policies in Boko Haram's strongholds in the northeastern states of Bornu, Yobe, and Adamawa. While it is inconceivable that the entrenched political structure that fuels Boko Haram's militancy can be overturned in the short term, well-focused social and security policies orientation by the federal authorities—in collaboration with Northern state governments—can erode the extensive social space captured by Boko Haram in northeastern Nigeria. All told, Boko Haram emerged out of the failure of the restorative vision of Islamic reformism promised by expanded sharia in the early years of the Fourth Republic.

The Limits of Sharia: An Overview

It was in this context of political strains that Nigeria began its first-ever transition from one democratically elected administration to another in 2007. During this period of transition, two important developments were particularly notable:

first, with limited constitutional intervention from the federal government, the impact of expanded sharia in Northern Muslim communities waned considerably, and second, sharia's application varied significantly throughout the twelve Northern states. To bring this long and tragic episode of Nigeria's sharia saga to an end, I briefly review some notable outcomes of the Northern states' sharia programs when Obasanjo completed the second term of his presidency in 2007.

By the end of Obasanjo's presidency, Zamfara continued to provide the vision for all those committed to implementing expanded sharia. Governor Sani was reelected in 2003, and his former deputy, Mahmud Shinkafi, succeeded him in 2007. With a tiny Christian minority, a major problem that confronted the state's sharia agenda was the restriction placed on women that kept them from taking *okada*—the motorcycle taxis that are relied on for their ubiquity, speed, and low cost and are thus the state's major means of public transportation. CAN worked with the state government to devise a system to circumvent the restriction: Zamfara state authorities issued *Okada taxi drivers* "Association of Christian Motorcycle Operators" cards that helped taxi operators drive non-Muslim women without harassment from hisba officers and other state authorities.¹¹⁹ Overall, despite its strict sharia laws, Zamfara State's reforms were the most politically effective and bureaucratically successful.¹²⁰

In Kano State, Governor Kwankwaso, a moderate, implemented sharia gradually because of Kano city's massive size and cosmopolitan character. However, the governor underestimated the forces behind sharia: as discussed above, Islamic clerics there established a robust hisba. In 2003 Kwankwaso had lost reelection to conservative Ibrahim Shekarau of the All Nigeria Peoples Party (ANPP), who won reelection in 2007. As of 2008, the governor and Abubakar Rabo Abdulkarim, head of the state hisba board, attempted to extend sharia's jurisdiction to *sabon garuruwa* and compelled all students in the state—including those in Christian schools—to comply with the Muslim dress code.¹²¹

In Katsina State, Umaru Musa Yar'Adua served two terms as governor before being elected president in 2007 (he died three years into his term). Another PDP stalwart, Ibrahim Shema, replaced him. Sharia implementation here did not rival that in Zamfara or Kano, but was nevertheless a major reform. Despite the limitations of Katsina's sharia policy, Christian opposition was poorly organized and splintered. Additionally, the governor was a member of Obasanjo's party, and voting for him kept a hardliner ANPP candidate—who would have pushed implementation further—out of office.

Compromise between a Muslim majority and Christian minority generally prevailed in Bauchi State. Governor Ahmadu Adamu Mu'azu was slow in

implementing sharia and took care to balance it with pro-Christian policies. He appointed Christians to senior positions in the Ministry of Justice and high courts, refused to expand sharia to Tafawa Balewa and Bogoro (Christian areas), and made it possible for residents in the state to access the courts of their choice. He also urged Islamic judges to be cautious on adultery cases, and expressed disapproval on punishments that violate contemporary norms of human rights. The reason for these countervailing measures lies in the strong opposition of Bauchi's substantial Christian minority to expanded sharia. Despite Governor Mu'azu's best efforts, Christian minorities consistently contested the state government's sharia policy. In one notable case in 2002, twenty-one Christian nurses were fired from their positions at the Federal Medical Center in Azare for refusing to comply with Muslim dress code; they won their positions back in a legal battle that lasted two years. Although Mu'azu won reelection in 2003, sharia remained a polarizing issue, and in 2007, the majority-Muslim state elected a conservative, Isa Yuguda, of the pro-sharia ANPP. After this election, Yuguda, the Sharia Commission, and other Islamic groups pressed for more comprehensive sharia.¹²²

The policy of moving toward sharia with safeguards for non-Muslims worked best in Kaduna State. Following the wave of ethno-religious violence, Governor Ahmed Mohammed Makarfi of the PDP won reelection in 2003 and was elected a senator in 2007. His successor, Namadi Sambo, also a Muslim PDP, was elevated to the vice presidency of the federation when Goodluck Jonathan, a Christian from the Niger Delta, became president following Yar'Adua's death. Patrick Ibrahim Yakowa, Sambo's deputy governor, was subsequently elevated to the office of governor, to which he was elected; he was the first Christian from Southern Kaduna State to hold the office. Unlike Zamfara State, where sharia was the new baseline and common law only reigned in military and police barracks, Kaduna State limited Islamic law to predominantly Muslim areas, with common law the baseline everywhere else.¹²³ Kaduna sharia court judges were screened more carefully than their common-law counterparts, and separate bureaus for Christian and Islamic matters were established. Each had a permanent secretary, and the two frequently met to discuss state policies. In Kaduna State, then, because of its evenly divided Christian and Muslim population and the religious violence that immediately followed the announcement of expanded sharia, the state government adopted a moderate sharia policy.

Among the twelve Northern states, Gombe State exemplifies the limitations of sharia during the Obasanjo years. ANPP governor Abubakar Habu Hashidu followed fellow Muslim governors in other Northern states by establishing a tripartite legal system organized around magistrate, customary, and sharia

courts from September 2000 and May 2001. The last to implement sharia, he tried to balance religious representation by creating a Sharia Committee and installing an Anglican bishop on the Customary Courts Committee. However, he lost reelection to PDP candidate Mohammed Danjuma Goje in 2003, who dropped sharia entirely and went on to win reelection in 2007. Among the Northern states to enact expanded sharia, Gombe has one of the largest Christian populations. It is no surprise that Gombe was one of the states where the implementation of sharia was least successful.¹²⁴