

THE QUESTS FOR A DIVIDED AND UNITED NATION: A SOCIO-RELIGIOUS SURVEY OF THE UNDERLINING CAUSE

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Abstract

Since independence, Nigeria has made effort to clearly articulate the relationship between her differing ethnic groups and religious biases. To find a working relationship seems difficult because of factors like internal contradictions propagated by the colonial authority, contradicting worldviews of ethnic groups, and conflicting religious beliefs. The concept of "one Nigeria" appears fictitious. This sparked calls for both a united and divided Nigeria. While the north clamour for one Nigeria administered according to Islamic law, the south is agitating for independence from the north's servitude. This work situates the paradoxical quest for a united and a divided Nigeria in a multi-ethnic and multi-religious environment, using a historical approach basically depending on secondary sources. The quests are contrary to general belief and are parallel socio-economic evils in relation to the nature of Nigeria. The work advocates for the "lesser evil" (a divided Nigeria) since it could not suggest a new option.

Keywords: Nigeria, Independence, Nation, Religion, Ethnicity

Introduction

Since independence, Nigeria has made effort to clearly articulate the relationship between her differing ethnic groups and religious biases. To find a working relationship seems somewhat difficult because of some factors; one of which is the European political and economic imperialism, which kept the nation divided permanently. Despite the fact that the British colonialists appeared to have left the new nation state with a secular administration upon independence, internal tensions emerged quickly, which colonial power paradoxically nurtured and amplified. Madiebo (1980: 3) averred, "Britain introduced Divide and Rule system of

government for the country. A system which lay emphasises on the differences among the peoples, while promoting social segregation". Mahammad, Kasim and Martins (2015) noted that residential segregation occurred from the divide and rule policy.

This fact was further elucidated by Asadu (2021: 51) that Sir Percy Grirouard's administration introduced dichotomy among Nigerian religions and peoples by ordering the separation of the Northern Muslims from the Southern Christians, resulting in the development of sabo-garis meaning strangers' domain. Only the sabon-garis were open to southerners who arrived in the north after 1911. Thenceforth, Southerners and indeed Christians were regarded as strangers in the North within the Emirate see. This single act of segregation laid the foundation of religious intolerance in Nigeria. It simply meant that two persons of different religious affinity cannot live together in a given environment. The application of a rigid identity and the consequent damage to the Nigeria unity is a very serious matter that prompted Northern Muslims to dislike the post independence secular state, which the south cherishes. This action is indeed, at the heart of Nigeria's ethnic and religious divisions, as well as the country's ongoing ethno-religious bloodshed. Nigeria's greatest barrier to integration has been this conundrum. The northern Muslims attempts to undermine the constitution while trying to build an Islamic state to replace the existing secular administration (Sampson 2014). Nigerians who were affected by this tendency insisted on dividing the country. Rather than escalating the carnage. This work situates the paradoxical search for a united and divided Nigeria utilizing a historical approach mostly reliant on secondary sources.

The Composition of Nigeria

Nigeria is a West African country with a population of approximately 180 million people as at 2016 (Deluca, 2017). Over 250 tribes are represented among those people, each with its own culture and traditions, as well as diverse languages. The immense cultural diversity of the country is enriched by these tribes. The Hausa-Fulani, Igbo, and Yoruba are Nigeria's three largest ethnic groups. Northern Nigeria is home to the Hausa-Fulani ethnic group. Hausa and Fulani **formed political allies** the moment the two adopted Islam as their religion and Hausa language as their lingual Franca. It is considered as the largest of Nigeria's ethnic groupings. The North has dominated political leadership in Nigeria since 1960, when Nigeria declared independence from the United Kingdom. Islam plays a major role in their influence on politics and society. The core northern states where the Hausa-

Fulani Muslims are majority adopted the Islamic Sharia law system. This system is founded on the Quran's precepts and contains both religious and secular responsibilities. It also imposes penalties for breaching the law (Deluca, 2017).

The Igbo ethnic group from Eastern Nigeria are mostly Christians. The Igbo people used to serve in a variety of government and military positions. They were also instrumental in the liberation of Nigeria from British domination. However, since the Biafran war Igbo become less a force in Nigerian politics today. Igbo people are known for their industry and hard work. Many of them are great business tycoons while some are subsistence farmers. The Igbo people still play a role in Nigeria oil trade but their political influence is reduced. The Yoruba tribe is found in the West. They play a prominent part in politics and military life, but their political influence has been whittled down in recent decades (Deluca, 2017). The city of Lagos, which is the second most popular city in Africa is located on the fringe of the Yoruba land and is fast-tracking business opportunities for Nigerians. Both Islam and Christianity have been embraced by the Yoruba, and both are practiced within the group.

The current ethnic configuration splits Nigeria into six major geopolitical zones, a development that was designed by General Sani Abacha, Nigeria's past military ruler. The zones include North East which has six states, North West seven states, South-South six and North central has six states and the Federal Capital territory - Abuja. These four zones mentioned above are made up of diverse ethnic groups. While the South East which has five states and South West six states, are predominantly Igbo and Yoruba people respectively. The idea that held sway for three primary ethnic groups in Nigeria is an ancient one that should have faded away with the split of the country into six geopolitical zones. But, surprisingly, it did not. Despite the differences, Nigerians have an agreed form of social order.

For clarity and better understanding of the agreed form of Nigeria's social order, the nature of Nigeria is discussed below. The supposed nature of Nigeria is reflected in the Nigerian 1999 constitution. The provision of section 10 of the 1999 Constitution as amended states clearly that no State shall adopt any religion (Section 3 (1). Shola (2014: 2) defines secularism this way:

Secularism is commonly regarded as 'an ideology that holds that religious issues should not be the basis of politics, or (in the extreme) that religion has no place in public life! Essentially, secularism seeks to preserve the religious neutrality of government and culture.

Secular, therefore connotes not spiritual; not ecclesiastical; relating to affairs of the present world. A secular state exemplifies the notion of secularism, in which a state or country declares itself to be religiously neutral, favouring neither religion nor irreligion. A secular state also promises to treat all of its inhabitants equally, regardless of religion, and to avoid treating citizens of one religion or non-religion differently than citizens of other religions or non-religions. Although the absence of a state religion or equivalent does not guarantee that a state is secular. Rather, it means that choice to believe in a religion or not is entirely an individual's prerogative, and it ensures that nobody is discriminated against on the basis of his religion or irreligion (see 1999 Constitution as amended). Unfortunately, Nigeria secular nature is only in the constitution and not at all in practice or at best a quasi-secular republic.

Between secularity and spirituality: Nigeria's confusion

The Nigerian constitution implicitly provides that Nigeria is a secular state but a keen observer will realize that Nigeria is between secularity and spirituality in practice. For instance, Ibrahim Datti Ahmed a politician and opinion leader of some stature denied the fact that Nigeria is a secular state. Suleiman (2000: 24) reported Datti's interview with The Newsmagazine where he queried, "You said Nigeria is a secular state. It has never been we have never written that in the constitution of Nigeria that it is a secular state. The only thing there is that there shall be not state religion" Contrary to Datti's assertion, the Christian leadership has always argued that the divine state has largely given way to the secular state, in which the temporal (secular) sovereign has complete authority as ruler with no religious or spiritual influences (Kukah, 1993: 22). The former president of CAN Retired Archbishop Okogie expresses the Christian's viewpoint on the state religion relationship, and cautioned that "When you are in a position of trust, forget about your religion because it is a private affair between you and your God If you want to bring religion, in, let it be after office hours (cited in Kukah, 1993:228)". But the northern Muslims, have always held a critical view of secularism, defining it as atheism or irreligion, a position they have always stated anytime Nigeria is mentioned

as a secular state. For example, Kukah (1993: 228) observed that the Jamma'atu Nasril Islam (JNI) (Society for the Victory of Islam) claims that secularism is antagonistic to Islam; it aims to destroy Islamic principles, displace Islamic rules with its own, and desecrate the sanctity of Muslim society. These statements show how two major religious communities in Nigeria have opposing views on secularism. There is no agreement on their views on the issue at stake. The divergent view of the two dominant religions groups portrays Nigeria's confusion - between secularity and spirituality.

To put Nigeria in secularity and spirituality spectrum, it is important to identify some of the characteristics of constitutional democracy as it is obtained in Nigeria. Firstly, section 38 (1) of the 1999 constitution provides for the citizens right of freedom of thought, conscience, and religion. The citizens are therefore, at liberty to choose whichever religions or beliefs they wish; under the same provision, citizens are also free to manifest and expand their religion or belief through worship, teaching, practice, and observance. He can do this individually or collectively. By this constitutional provision, Nigeria is unmistakably a multi-religious state with constitutionally guaranteed freedom of worship and conscience. The Nigeria educational system is supposed to be secular, but it is actually of doubtful authenticity, as both the law and practice concerning education are ambiguous on the issue of secularism in religious instruction. Section 38 (2) of the same constitution, buttressed this point further by stating that citizens shall have the right to attend any educational institution of their choice irrespective of the religious back ground of the institution or the proprietor without been compelled to convert to another religious order than his. Similarly, subsection 3 says "No religious community or denomination shall be prevented from providing religious instruction for pupils of that community or denomination in any place of education maintained wholly by that community or denomination" (1999 Constitution). The implications of these provisions are that, while religious communities have the constitutional right to establish schools and provide religious instruction to their students, students of other religions have the legal right to study in such institutions without being coerced to receive the religious instruction provided by the school, which the student does not adhere to. Obviously, both federal and state ministries of education have judiciously followed the constitution by providing similar non-faith-based guidelines for the establishment of educational institutions at all level.

Nonetheless, religious organizations do establish private schools, which are run in accordance with their respective religious dogmas. Religious training is routinely denied to students at such educational institutions who choose faiths other than those approved and taught by the school. For example, in contravention of the constitution, Christians who enrolled in Islamic schools are sometimes refused access to Christian religious education, while Muslim pupils in Christian schools are occasionally prohibited access to Islamic religious teaching. Besides, all females attending public schools in some northern states are forced to wear the hijab scarf as a result of the implementation of Islamic law in those regions. This was the cause of crisis that erupted in Niger State sometimes early this year, 2021 (Olufemi, 2021).

On the other hand, there are three sources of law in the Nigerian legal system. English common law, which upholds equity principles, universal application statutes in effect prior to January 1, 1960, as well as customary laws of the component ethnic nationalities and Islamic law, are among the sources (Obalde, 1979: 3). This system creates the Sharia Court of Appeal of the Federal Capital Territory, Abuja; Sharia Court of Appeal of a state, among others, as court vested with judicial powers (Keay and Anderson, 1966: 2). These courts have been established by several sections of the constitution and have been practically institutionalized.

There are also laws that create religious institutions that are entirely sponsored by the government. The National HAJI Commission of Nigeria (NAHCON) Establishment Act, 2006, established the Muslim national HAU commission of Nigeria, which is financed from the Federation Account. According to sections 3 and 9 of the Act, members of the commission are chosen by the president and paid from government coffer, and they have all the rights and advantages that public officials have. The commission presents its budget for pilgrimage to Saudi Arabia directly to the president for funding, as enshrined in section 12 of the NAHCON Act. The Nigerian Christian Pilgrims Commission follows in the same line. The Christian Pilgrim's Commission Establishing Act is comparable to its Muslim counterpart in terms of laws and functions except for the fact that it addresses Christian faith.

A number of Nigerian legislations has religious overtones. The penal code Act, which is based on the Sudan Criminal Code, is heavily influenced by Sharia law (The Penal Code regulates criminal proceedings in the Muslim dominated northern part of Nigeria); just as the Bible has binding influence

of the Christians. Thus, Religious arguments impacted the passage of laws such as the same sex marriage (Prohibition) Act 2006. Corroborating this fact Kimindu, an Anglican priest, said Christian and Muslim leaders are key to challenging public opinion since they use sacred scriptures to justify homosexuality as sin (Cited in Nzwili 2014). Thus, English law coexists with customary and Islamic law, and the Nigerian legal system is heavily influenced by religion in general. One could argue that Nigeria lacks the features of a secular state, which necessitate laws that are free of religious bias and discrimination.

Furthermore, at every official and state activity, there is an unofficial custom of making Christian and Muslim prayers. The presidential residence contains both a church and a mosque, while state government residences contain either churches or mosques. However, in all these, Islamic jurisprudence is given an upper hand in the running of Nigeria's society, thus rendering the constitution almost powerless.

Modern Islamic Jurisprudence and Nigerian Unity: Using the lens of Justice

Islamic Jurisprudence implies the Islamic law (sharia); its application and implementation. Literarily, the word "sharia" connotes "the clear path to be followed" but it is at times technically referred to as the cannon-law of Islam. Every aspect of Muslim life is regulated by Sharia (Okoro, 2017). The Muslims believe that Almighty God has revealed to the prophet Muhammad (PBUH) a divine law, and a permanent scheme of values. These are the ideal on which Muslim conduct must be based. It is therefore necessary to consider its nature, its conflict with secular law and to look at it with the lens of justice. Sharia is the path which leads man into submission. It is a detailed code of conduct that Muslims should adhere to in both their personal and public lives. It is the Divine law which binds all Muslims into a single Umma, even those living beyond the borders of the Muslim nation. It is mainly through this universal law that Islam has been able to evolve a civilization, a complete culture and a comprehensive world order (Kataregga and David, 1980: 67). Six punishable offences in Islamic law include illegal sexual intercourse, a false accusation of lack of chastity, theft, drinking of wine, highway robbery and apostasy (Cooper and Maxwell 1993: 131). According to Lawal (2011p.24), "Sharia is based on the Qur'an, Sunnah, Hadith, Ijima (consensus of opiniion) and qiyas (analogical deduction)". There has been much debate as to how extensively qiyas

ought to be used. The principle of Ra'y (personal judgement or opinion) and Istilisan (the general good of the community) plays significant roles on how qiyas ought to be used. The two principles open the doors wide for either a broad or a narrow interpretation of Qur'an, Sunna and Idjima (Boer, 2006:96). According to Warner (2010:3), Sharia law is designed in a way that under it:

- There is no freedom of religion
- There is no freedom of speech
- There is no freedom of thought
- There is no freedom of artistic expression
- There is no freedom of the press
- There is no equality of peoples
- a non-Muslim, a kafir, is never equal to a Muslim.
- There is no equal protection under Sharia for different classes of people. Justice is dualistic, with one set of laws for Muslim males and different for women and non-Muslims.
- There are no equal rights for women
- Women can be beaten.
- A non-Muslim cannot bear arms.
- There is no democracy, since democracy means that a non-Muslim is equal to a Muslim
- Our constitution is a man-made document of ignorance, Jahiliyah that must submit to Sharia.
- Non-Muslims are dhimmis, second class subjects.
- All governments must be ruled by Sharia law; unlike common law, Sharia is not interpretive, nor can it be changed.
- There is no golden Rule.

Conflict between Islamic Law and Secular Law in Nigeria

One of the most hotly debated and so far, unresolved issues in relation to Islamic law (Sharia) has been the conflict between the Islamic law and secular law in Nigeria. There is reference to their jurisdiction only in the area of “civil proceedings involving questions of Islamic personal law” and does not mention that they have power to try criminal cases. By the provision of this section of the constitution it is unconstitutional for Sharia courts to try criminal cases. Unfortunately, the Juxtaposition of section 10 of the constitution with section 38, which deal with freedom of religion, has been misconstrued by multiple parties due to varying interpretations of that provision of the constitution by different parties, some argue that the expression (Every person shall be entitled to freedom of thought, conscience and religion and freedom to manifest and propagate his religion or belief in worship, teaching, practice and observance) means that Nigeria is not a secular state. The argument is baseless because section 10 clearly prohibits both the Federal Government and State Governments from embracing any religion” (1999 Constitution). As a result, adopting Sharia violates non-Muslims' right to freedom of religion. Hence, many Nigerians have spoken out against the imposition of Sharia law in some of the northern states:

It would be no exaggeration to say that the adoption of Sharia in a segment of the country in 2000 was a dividing technique used by northern Muslims to break away from a country ruled by Obasanjo, a southern Christian (Okika, 2000). The action was motivated by a long-held belief that they were born to dominate. Interestingly, all Obasanjo could do was calm the enraged Nigerians who opposed the action and threatened to fight for their legal rights using any means at their disposal. Every time the issue comes up, Obasanjo will tell aggrieved Nigerians that Sharia will fizzle out, a defence mechanism he used to postpone the evil day. It has been over twenty years after the Sharia was adopted and it has not fizzled out. Rather, other stringent measures are meted out to the non-Muslims in the affected areas. Contrary to Obasanjo’s view, some learned Nigerians like Femi Falana, Gani Fawemimo, Emeka Odimejwu Ojikwu to mention a few, saw the act as an attempt to Islamize Nigeria. It was the opinion of the elite that Obasanjo should have gone to court to stop Sani Yerima and his cohort from using sharia code (Okika, 2000: 16). Unfortunately, Obasanjo lacked the political will.

Today, sharia states have re-established Islamic criminal law in their jurisdictions. They also passed sharia courts laws, which established new inferior Sharia Courts with constitutional authority to apply the complete

range of Islamic law to Muslims, both civil and criminal. Since then, a slew of new laws has been introduced to address certain "social vices" and "un-Islamic behaviour," such as the usage of alcohol, inappropriate mingling of unrelated genders, gambling, prostitution, and blasphemy in the media. Sets of 'ulama institutions' were formed, including Sharia Commissions and Councils of Ulama with advisory and executive duties, a committee for collection and distribution of Zakat was set up, hisbah an Islamic law enforcement agency was instituted to monitor and to enforce Sharia compliance, and so on. Soon after these establishments, non-Muslims in those areas lost their right to freedom of choice of food, drink, music, trade and the right to use some public facilities. Despite the claim that they are meant to be excluded from the Sharia, they are forbidden from trading on pork meat and alcoholic beverages, legitimate businesses not sanctioned the constitution (Okika, 2000: 16).

Premium Times (2020) reported that the Sabon Gari Local Government Council's prohibited the sale and consumption of alcoholic beverages in their area. On June 11, 2000, members of the Sabon Gari Local Government Area Hoteliers and Beer Parlour Proprietors Association, led by Ezenobi Godwin and Adeola Sunday, filed a lawsuit against the Council's prohibition on alcoholic beverages, claimed that the Federal Republic of Nigeria's 1999 Constitution (as amended) does not grant the Council the authority to ban the sale or consumption of alcoholic beverages. Unfortunately, Justice Kabir Dabo of Kaduna State High Court 1 in Dogarawa, Zaria, struck out the case for want of diligent prosecution. According to AFP, three lorries loaded with beer were set ablaze by a mob in Zamfara State on Friday, after an order by ex-Governor Ahmed Sani to destroy any shipment of booze entering the state. Sani, speaking at the inauguration of a new mosque, claimed his decision was directed at liquor distributors who refused to comply with the state's regulations. In Kano State, vigilantes raided many hotels and eateries on suspicion of stocking alcoholic beverages. Christian-related activities are likewise prohibited on the state-owned hotel's premises (New Humanitarian 2001). It is quite appalling how non-Muslims are treated with disdain in the Shari state in Nigeria. A Nigeria citizen irrespective of his origin, religion or political affiliation must not be discriminated against as section 42(1) of the constitution guarantees the right to freedom from discrimination:

A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religion or political opinion shall not by reason only that he is such a person (a) be subjected either expressly by or in the

practical application of any law in force in Nigeria or any executive or administrative action of the government to disabilities or restrictions to which citizen of Nigeria of other communities' ethnic groups, places of origin, sex, religion or political opinions are not made subject

Several provisions of Sharia also discriminate against women. Example is the absence of women in the judiciary. There are no female judges in the sharia courts as the maliki school of thought prohibits women from becoming judges. The inequality between men and women under Sharia violates the right to freedom from discrimination, provided for in section 42 of the Nigeria Constitution. Sharia condemns prostitutes and adulterers to death by beheading or stoning to death. It forbids women from playing soccer, from staying in the same bus with men. Motorcyclists are arrested and jailed for carrying female passengers. To avoid tempting men, females are required to seat in the front of classrooms while male students sit in the back rows. Since soccer, motorcycles and buses were not invented at the time the Koran was written, it would be no exaggeration to say that religious fanatics are selectively using Sharia law to oppress the poor and women. Besides, Okika (2000: 17) reported that some northern states ordered all unmarried ladies to find a husband or lose their employments with state governments but they allowed unmarried men to keep their jobs. The said states award government contracts only to men with beards forbid gambling and prohibit taxes. In such states, anybody caught drinking will be publicly flogged.

Ironically, sharia states are insisting on receiving their share of federal revenue derived from taxes some of which are from alcohol. **For instance**, the Kano State Ordinance No. 4 of 2004 outlawed the production and consumption of alcohol. But the paradox is that Kano and other sharia states receive money from alcohol-related value-added tax (VAT) as part of their monthly federal allocation from the Federation Accounts Allocation Committee (FAAC). The Kano State Hisbah Board destroyed 1,975,000 beer bottles valued more than N200 million in November 2020. While Kano State received around N525.74 billion in federal appropriations in 2015, a substantial percentage of that amount came from Value Added Tax (VAT) on alcoholic beverages (**Ihuoma, 2021**).

Some of the punishments provided for by the Sharia legislation, for example death by stoning or amputation are much harsh than those acts, such as adultery, which are capital offences under Sharia but are not

considered crimes under the criminal code applied in the rest of the country. Moreover, punishments provided for by Sharia, such as death by stoning, amputations and floggings are violating the right to dignity of the human person, enshrined on section 34 of the Nigeria Constitution, which explicitly prohibits torture and inhuman or degrading treatment. The consequences of all these differences in terms of sentencing could be severe. For instance, Fulani cattle rarer had his hand amputated and, subsequently, bled to death. If we were to amputate hands of corrupt Nigerian, former Head of State Sanni Abacha and former governors like Joshua Dari and Rev Jolly Nyom, and indeed, all the political office holders who have been convicted by the court will be amputees (Eke, 2011:4).

Likewise, the failure of Sharia court judges to observe due process during trials has violated the right to a fair hearing provided for in section 36 of the constitution. In majority of the death sentence, amputation, and flogging cases, defendants did not have legal representation before or during their trial in the court of first instance (lower or upper Shari courts). This is share betrayal of fundamental human right. Besides, even Muslims have no choice as to which jurisdiction will try them, whereas they supposed to, as the citizens of Nigeria. By implication some of the substantial discrepancies between the Sharia and common law systems are likely to have a negative impact on Muslims too. Interestingly, Muslims in the region hailed it as a viable alternative to the ordinary court and justice system, which they perceived as corrupt, expensive, biased, and ineffective, but two decades after Nigerians are yet to see the attitudinal transformation recorded by the Sharia law. Bourbeau, Umar and Bauman (2019) reported that his interviewees in the three Sharia States spoke of bribes and corruption in the Sharia courts as well. This suffices that adoption of Sharia was a mere display of Islamic fundamentalism.

There has never been a time in the history of Nigeria when any of its leaders boldly promoted Islam in the way that Ahmed Sani Yerima has done. Although the two Muslim military dictators of Northern extraction Gbadamosi Babangida and Sani Abacha cunningly tried dragging Nigeria into Organization of Islamic Conference OIC, and D8 respectively for possible Islamization, contrary to the Nigeria's Constitution, their efforts were not as impactful as the Yarima's. Ahmad Sani Yeriam at becoming the governor of Zamfara, imposed sharia law on the state. To demonstrate his resolve, he gave all working-class spinster's ultimatum to get married or be dismissed from service. In absolute violation of fundamental human right a

motor bike rider was arrested for caring a woman and another young man was flogged in public for drinking alcohol (Okika 2000: 17). It was so bad, particularly as the Sharia Penal and Criminal Procedure Codes was implementation in a hast thereby giving no room for many of its employees, including judges, with no essential training to execute the law correctly and effectively (Bourbeau, et Id 2019).

There has been conflict in the area of supremacy – the constitution or the Sharia? The first provision of the 1999 Constitution of the Federal Republic of Nigeria: as amended states clearly that the constitution has supremacy over other law – sharia (Islamic law) inclusive. Its provisions shall have binding force on all authorities and persons through the federal Republic of Nigeria. And section 1(3) states: “if another law is inconsistent with the provisions of this constitution, this constitution shall prevail and that other law shall to the extent of the consistency be void” Some state governments’ officials and judges in Sharia courts have disregarded these provisions. They have argued that Sharia has supremacy over the Nigerian constitution because it has its source in religion and have therefore claimed that they are not bound by the constitutional requirements. The implementation of Sharia in Nigeria, which is supposed to be a secular society, has been a divisive topic. This has raised fear of the Islamization of the nation and sparked a surge of inter-religious conflict that resulted in thousands of deaths and property destruction, thereby retarding economic growth (Tyus, 2004). Hence, Nanaghan (2010) has cautioned that for Nigeria to meet up with the rest of the civilised and changing world, the born-to-rule mentality of the North must be jettisoned.

From 27th November 1999, when Zamfara State was declared a Sharia State, many southerners left the state as Sani was vowed to continue with Sharai against all odds and North has never been the same again. If there is any problem that will divide Nigeria it is the issue religion. How can in united country one state rises up and declare a separate law for itself and it will not be repelled? Now the problem has escalated from introduction of Sharia to the emergence of Boko Hara in the same north. Those who implemented Shari cannot be distinguished from the Book Haram for they ask for Shari and not democracy. According to Nwobodo (2021: 107) The avowed purpose of Boko Haram is to "Impose implement strict Islamic Sharia rule throughout Nigeria and Islamize the country." meaning that Nigerians should convert to Islam and follow Sharia law. Also, that the northern Muslim political religious elite should retake political control in

order to ensure Islamic leadership in Nigeria". A report by the ISSAT (2021) quips "the Islamic State in West Africa Province (ISWAP) a splinter of Boko Haram, is growing in power and influence. From its territorial base on the banks of island of Lake Chad, this jihadist group is waging a guerrilla war across north-east Nigeria and elsewhere on the lake's periphery.

Islamic Jurisprudence and Nigerian Unity: Using the lens of Justice

Emeagwali (2006:6) posits that "The Nigerian constitution states that we are Nigerians first and Muslims (or Christians) second", but some fanatics argue that Islam comes first and Nigerians come second. As a result, they are adamant about adhering to Sharia. Sharia law is subordinate to the constitution; to impose it as the supreme law of a state is equivalent to violating and overthrowing the constitution. An argument often made is that they should allow most of the people in a given state to adopt Islam as their state religion. This will be impracticable. For example, if they allow most of the people in some northern states to designate Islam as their state religion, then should most of the people in south and Middle Belt, who are mainly Christians, opt to adopt canon law? It is unfair for a part of the country to use religion to endanger the security of the country. Nigeria should not continue to exist under a loose arrangement that allows some people to use government power and resources to pursue religious convictions and agenda that threaten the freedom and liberty of some of its citizens. The duty of the government is to protect its citizens irrespective of religion, ethnicity, or sexual orientation and not enable fundamentalist religious groups to have their way and continue the perpetration of evil in the name of God.

Unfortunately, the election of Muhammadu Buhari as President of Nigeria, on the other hand, has bolstered the jihadists' resolve to carry out their goal in an unexpected manner. This is evident in his style of leadership; his insensitivity towards the pains of other ethnic and religious groups who are being killed by the Boko Haram insurgents; his lopsided appointments; and his commitment to issuing visa on arrival to foreigners from the neighbouring states at the height of insurgency is remarkable, particularly as it increased the porosity of the border and many Jihadists simply walked into Nigeria. His leniency for the terrorists' suspects sets tongue wagging. For instance, Femi Falana SAN has accused Federal Government of treating bandits with kid glove (Owulabi, 2021). Obasanjo (2019) remarked, "The Herdsmen/farmers crises and menace started with the government treating the issue with cuddling glove instead of harmer. It has festered and spread.

Today, it has developed into banditry, kidnapping, armed robbery and killings over the country”.

In fact, both the President Buhari and some top officials of his administration have been accused of sponsoring insurgence in the country. Obadaia Maliefia was before his death invited by the DSS for mentioning that one of the incumbent governors in the North is the sponsors of Jihadists who are unleashing mayhem on the innocent citizens (Tobias Sylvester 2020). Obasanjo (2019) also accused Buhari of Fulinazation and Islamization of Nigeria. Theopilus Danjuma in 2018 accused Buhari’s government for ethnic cleansing and asked Nigerians to defend themselves. Aziken and Agbo (2018) reported that the speaker of the 8th Assembly Dogora, being worried about the incessant killings of innocent Nigeria, cautioned that even if this administration succeeds in other areas, history will judge it harshly if it does not put an end to the systematic slaughter of innocent Nigerians. According to a study from the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) published in August 2019, an estimated 35,000 people have died in Adamawa, Borno, and Yobe states as a result of insurgency actions by radical Islamic groups (Kunle Sanni 2021).

The major cause of the agitations for secession and unity of Nigeria is not its heterogeneity but the non-cohesiveness due to religious intolerance and ethnic bigotry which has not allowed social integration (Okoro, 2017). Moreover, Nigeria leadership’s inability to manage the multi-diversities of the country is the fact that even devolution of power, which many are recommending may not change Nigeria for better, is the reason for the following

Recommendations

Sharia is anti-democracy thus cannot be a state religion in Nigeria, which is a democratic nation. The Government of Nigeria should therefore separate sharia and all religious infiltrations from our constitution.

Sharia’s avid neglect or rather aspersion on universal declaration on human rights is an insult to the sensibility of the “Giant of Africa”, Nigeria. Nigeria should thus pick up the remains of her pride of sensibility by standing up against this virus that is strangling our social integration and inter-group relations.

Islamic jurisprudence (sharia and its application) is an abuse of religion, which encourages conflicts, crises and all sorts of social vices. Therefore, sharia should be considered an aberration in the context of the nature of Nigeria – a secular state.

For Nigeria to remain one nation under the current abysmal situation will amount to a socio-economic evil that is it will be detrimental to her social existence and economic advancement. Division is also a socio-economic evil to our robust nation. However, we are left without any other option than these two evils. Nigeria should therefore go for the lesser evil, which is separation to minimize bloodletting, loss of lives and properties.

Conclusion

From the entire discourse, the most discordant issue in any sharia discourse is the fundamental issue of religious freedom in a world that has become a global village with multiple religious and cultural beliefs. Insistence of the Hausa-Fulani ethnic group on sharia as a supreme law in northern Nigeria has bred ethno-religious conflicts and regular bloodshed, masterminded by Islamic religious fanatics. This has produced dysfunctional effects on social integration and inter-group relations in Nigeria nation building process. As much as the Researchers cherish the imaginary “one Nigeria”, it is compelling to face the reality, which is to advise that Nigeria separate peacefully. This will give the north freedom to be themselves rather than pretending. It will also liberate the south from intimidation, oppression and political annihilation. Whatever approach outside separation, may only calm the nerves for a very short time and worst crisis may arise Let Nigerians come to a round table and define its boundaries.

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