

# **Newspapers and the Sharia Debate in Nigeria: Contexts, Issues and Trends**

**Abimbola Adesoji**

*Department of History*  
*Obafemi Awolowo University, Ile-Ife*  
[aadesoji@oauife.edu.ng](mailto:aadesoji@oauife.edu.ng)

## **Abstract**

*That the adoption of strict Sharia is generating issues around the world is obvious. Given the various manifestations of the adoption or implementation of Sharia in different societies, the situation could not have been otherwise. Newspapers' coverage of the Sharia debate in Nigeria brings out the different dimensions of the issues and the contexts in which they arise. This paper examines the issues and trends in the debate as reflected in the Nigerian Newspapers and situates them in the context in which they are understood. Pertinent is the study of New York Times, London Times, and The Globe and Mail of Canada's coverage of the Sharia issue in Nigeria which provides a comparative basis for the study of the Nigerian newspapers' coverage. It concludes that the nature of religion and the disposition to religion in Nigeria as well as the nature of the Nigerian society contribute to the content, patterns, and dimensions of the debate.*

**Keywords:** *Sharia, Nigeria, Newspapers, Religion, Islamic Agenda, Differentiation, Society*

## **Introduction**

As an institution that commands relatively wide appeal, particularly in literate societies, the press remains one important agency of engagement on matters of interest and concern. However, the ability of the press in different climes to engage issues critically, report matters adequately, or even set agenda for critical discourse is dependent on several factors both within and outside the press establishment. Beyond these factors, other critical issues are the tradition that the different segments of the press had established or had been known for over a period of time and the seriousness or otherwise of the matter in which the press is engaged. This explains

why the press globally known and referred to as the Fourth Estate of the Realm<sup>1</sup> is seen as being part of the polarised and highly combustible multi-ethnic and multi-religious society like Nigeria. This is despite the vibrancy of the Nigerian press in its over 160 years of existence and its significant contribution to the process of nation-building.<sup>2</sup>

As a mirror of the society, the press has largely reflected the religious nature of the Nigerian society. Given its traditional role of informing and educating the populace, the situation could not have been otherwise. However, when it is considered that by virtue of its ownership and other factors, the press has become part of the problem, then the perceptions of the press and its coverage of religion becomes important. The problem becomes more obvious because attempts by the elite in government to emphasise and patronise one religion at the expense of, or to the detriment of another, and which have considerably aided religious volatility in the country have found expression in the press. Beside the politicisation or manipulation of religion,<sup>3</sup> the pervasive and permeating nature of religion in Nigeria explains this.<sup>4</sup> The coverage of Sharia in the Nigerian press could be understood and explained from this perspective.

The focus of Sharia in Nigeria was on its incorporation into the constitution and later its extension, first from personal law to an all embracing one, and later from civil to criminal matters in Nigeria.<sup>5</sup> Characterising Sharia as the legal framework that governs the life of a Muslim is that its application cannot be negotiated by human beings and refusal to submit to its operation amounts to not being a good Muslim.<sup>6</sup> Pertinent to the debate were the arguments put forward by protagonists and the antagonists bordering on its desirability, operation or manifestations, legality and implications. Underlying the debate was the centrality of the secular nature of the state.

Using five Nigerian newspapers and two newsmagazines, this study examines the nature of Sharia in Nigeria and assesses the nature and contents of the Sharia debate as reflected in the Nigerian Press. The five Nigerian Newspapers are *Daily Times (DT)* (1926), *Nigerian Tribune (NT)* (1949), *New Nigerian (NN)* (1966), *National Concord (NC)* (1980), and *The Guardian (TG)* (1983). Reasons for the choice of the newspapers range from their seeming neutral disposition, ambivalence or reactive position, pro-Islamic, pro-

regional disposition and dispassionate objective analysis of issues. The two newsmagazines are *Newswatch* (1985) and *Tell* (1991). What marked these two out are their largely independent nature, and perceptive appraisal and analysis of issues. Underlying the disposition of the newspapers and newsmagazines are such factors as ownership, region or location of publication, sensibility to the dominant religion in a particular region and the founding philosophy or purpose of the medium as well as its changing orientation. The newspapers chosen were closely read and the content analysis of their editorials, features and opinion pages, news reports and analysis appraised to bring out their positions.

### **Evolution of Sharia in Nigeria**

Sharia, believed by Muslims as the law ordained by God and to which they are enjoined to submit at all times is all-encompassing, covering every aspect of human existence.<sup>7</sup> The understanding that Islam which means total submission to the will of God is *din* (or *deen*) (a religion) *dunya* (a way of life) and *dawla* (a state) and which does not distinguish religion from other aspects of living could explain this all-encompassing nature.<sup>8</sup> It derives primarily from the *Qur'an* which provides a wide range of laws and rules, the *Sunnah* believed to contain reflections on the traditions, practices and entire conduct of the holy Prophet Muhammed and the *Ijma'a* which is the consensus of Muslim jurists on matters over which the *Qur'an* and *Sunnah* do not make provision. Other sources are the *Qiyas* and *Ijtihad*. Whereas *Qiyas* or analogical deduction involves applying to a matter a ruling or verdict available on a similar matter, *Ijtihad* refers to the disciplined verdict of jurists and is applicable on matters for which no explicit injunction is made and no precedent is set from *Ijma'a* or *Qiyas*.<sup>9</sup>

The origin of Sharia in Nigeria could be broadly traced to the introduction of Islam in northern Nigeria by traders plying trans-Saharan routes in the 11<sup>th</sup> century<sup>10</sup> but more specifically to the jihad of Usman dan Fodio which led to the emergence of the Sokoto Caliphate based on Sharia.<sup>11</sup> It was later embraced in such places as Iwo, Ede, and Ikirun with the spread of Islam to Southwestern Nigeria. The British inherited a centralised Islamic administration which the Sokoto Caliphate came to represent with Sokoto as its capital. Despite the promise of British non-interference, Kukah

maintains that the establishment of Anglo-Fulani rule meant that the ideals of Islamic law and practice had to be modified to facilitate the realisation of the political and economic ambitions of the emirate ruling classes and the British.<sup>12</sup> Its reservation about Sharia courts, notwithstanding, the British in its Native Courts Proclamation accepted them as being at par with the customary courts and empowered them to award any type of punishment recognised except mutilation, torture or any order considered repugnant to natural justice and humanity.<sup>13</sup> This was built on with the inauguration of the Native Courts Proclamation Act in 1906 and further aided by the Native Courts (Protectorate) Ordinance No. 44 of 1933, and with court warrants issued by the Resident.<sup>14</sup> However, in 1955, major changes were introduced through the Native Courts Ordinance which marked the beginning of the integration of the judicial system through appeals, with the Sharia shown to be subservient to British law.<sup>15</sup>

Although the British established a Muslim Court of Appeal in 1956 to pacify Muslims, the approach of political independence and the need to establish a modern judicial system in which foreign mercantile and other interests would have confidence prompted the sending in 1958 of two Panels of Jurists to visit countries that had faced similar problems regarding Islamic law, mainly Sudan, Libya and Pakistan. The product of this process was the Penal Code which amalgamated the principles of the Islamic criminal law with the English criminal law.<sup>16</sup> By 1960, Islamic criminal law was abrogated in the North and from then the application of Islamic civil law was increasingly limited to the law of personal status and family relations.<sup>17</sup> Whereas this allayed the fear of Christians in northern Nigeria, it did not satisfy Muslims who saw the Penal Code as a colonial imposition and felt that the Sharia which is a divine law had become subjugated to a mere human law. It was therefore not surprising that the ghost of Sharia was exhumed in an independent Nigeria with the opportunity provided by the drafting and debate leading to a new constitution in the late 1970s.

Arising from the struggle to give it a more powerful legal bite and extend its influence, the Sharia courts attained appellate status at the state level under the rule of Generals Murtala Mohammed and Olusegun Obasanjo. Whereas the Federal Sharia Courts of Appeal (FSCA) were not instituted as demanded by

Muslims in Nigeria, the status of these Islamic courts at the state level was incorporated into the 1979 Constitution.<sup>18</sup> Also, the jurisdiction of the state Sharia Courts of Appeal was limited to civil proceedings involving questions of Islamic personal law and would only be established by states that so desired.<sup>19</sup> However, under Decree No. 26 of 1986 and the reviewed constitution of 1988, the jurisdiction of the Sharia court was expanded to embrace all civil proceedings involving questions of Islamic law. The determined opposition of the non-Muslim members of the Constituent Assembly (CA) who sought to expunge all provisions for Islamic courts in the new constitution and the Federal Government's decision to remove the issue from the purview of the Assembly eventually produced a compromise on the Sharia issue.<sup>20</sup> But then, the 1989 Constitution not only retained the states' option of Sharia Courts of Appeal, it upheld the expansion of their jurisdiction to all non-personal civil proceedings involving questions of Islamic law.<sup>21</sup>

Although Christians' fears about the Sharia were considerably allayed by the fact that, under the 1989 Constitution, non-Muslims were no longer subject to Sharia particularly with the abrogation of section 242(2)(e) of the 1979 Constitution, the Sharia provisions in the 1989 Constitution went a step ahead of the provision in the 1979 Constitution.<sup>22</sup> Essentially, the Sharia debates of the 1970s and the 1980s particularly at the CA and in the media had continued in other forms since the return of civil rule in 1999 and the introduction of Sharia in twelve of the nineteen northern states with varying manifestations.<sup>23</sup>

The signing into law on 8 October 1999 of a bill establishing Sharia courts and Courts of Appeal in Zamfara ushered in another phase, a very decisive one in the history of Sharia implementation in Nigeria. With the bill which took effect from 27 January 2000, Zamfara adopted traditional or full Sharia with the exception of apostasy which was not criminalised.<sup>24</sup> Even when the Federal Government declared the adoption of Sharia illegal, other states in the North followed suit such that by 2006, Sharia had become operational in twelve northern states of Zamfara, Sokoto, Kebbi, Niger, Katsina, Kaduna, Kano, Jigawa, Bauchi, Yobe, Gombe and Borno.<sup>25</sup> This was despite the purported agreement at the level of the National Council of States (NCS) comprising former national leaders, serving state governors, president and vice-president that

states which adopted the full Sharia should return to the *status quo* as of May 29 1999, when the Fourth Republic commenced. The failure of this political solution and the unwillingness of the Federal government to seek legal solution to the problem made it to fester. What particularly made the practice of Sharia controversial and a subject of debate are the sentences of decapitation, amputation and stoning to death many of which were actually not carried out, the resistance from Christians to its implementation and the destructive riots that its rumoured and actual implementation generated.<sup>26</sup>

### **Sharia Debate in Nigeria**

The Sharia was debated at the Constituent Assembly in 1977/78 and 1988, and also with the introduction of full Sharia starting from 1999. Two major issues that generated debate in the CA in 1977/78 and 1988, and in the press were whether Sharia should be incorporated into the constitution at all and if the Federal Sharia Court of Appeal (FSCA) should be allowed and in what form? Almost all the issues raised for and against Sharia in 1977/78 were the same with those raised in 1988 except on the issue of the FSCA which did not feature during the 1988 debate.

Arguments in favour included that as a divine law to which Muslims must submit, Muslims would be denied their rightful judgement if Sharia was not allowed to function. This, apart from contradicting freedom of worship, would not make the practice of Islamic faith complete because it was Sharia which regulated every facet of their lives.<sup>27</sup> It was also argued that Islamic law had been in existence for years and that without it, there could not be any constitution or peace and that state secularity was not an excuse for denying Muslims access to the Sharia. There was the claim that Muslims were in the majority and as such Sharia should be given recognition.<sup>28</sup> Ignorance and inadequate knowledge were given as reasons for the opposition to Sharia and that the Sharia courts as proposed only dealt with personal law matters and not criminal cases and would therefore not promote integration of Muslims, on the one hand, and the exclusion of non-Muslims, on the other hand.<sup>29</sup> Neither would it lead to Islamic state nor preferential treatment for Muslims.<sup>30</sup> Rather, the existence of the dual legal system that Sharia represented to some people could indeed promote unity and stability of the country. In the extreme, it was stressed that given that Sharia

was supreme, the constitution was really inferior to it and that Muslims had only tolerated the Canon law all along.<sup>31</sup>

On the FSCA proposal, it was argued that the constitution would not be meaningful without it and that it amounted to mischief to equate its establishment with the promotion of Islam above other religions.<sup>32</sup> It was further contended that the FSCA did not constitute a threat and so could not be done away with as long as there were people who professed the Islamic faith and adhered to its teaching, and that even if it was removed there was still going to be Sharia in the constitution.<sup>33</sup> The acclaimed largest Muslim population was also used to justify it.<sup>34</sup>

Issues raised against Sharia included, among others, the following: it would not likely do justice in a suit between Muslims and non-Muslims on matters of Islamic law concerning inheritance and guardianship of infants particularly given the questionable justice handed down at the Alkali courts<sup>35</sup>; it would work against uniformity and create a class of citizens who would be above the law<sup>36</sup>; it would amount to having dual legal system which would work against the political unity of Nigeria, result in segregation or even culminate in catastrophe<sup>37</sup>; it could spur demand for separate ecclesiastical courts of superior jurisdiction<sup>38</sup>; it was alien, discriminatory and had political undertones; Nigeria could not afford to legislate exclusively for a religion<sup>39</sup>; it was based on the erroneous belief that there was a homogenous Muslim group<sup>40</sup>; it condoned slavery and concubinage<sup>41</sup>; and it was unsafe to have it in the constitution because it was a religious courts which should not be sponsored with state resources.<sup>42</sup>

On the FSCA provision, it was argued that common people would suffer if it was accepted because it would be used by the elite as a means of oppression.<sup>43</sup> There was also the reasoning that there should be one law if there was going to be one country. Hence Sharia should be left as provided for in the 1979 constitution which limited its jurisdiction to Muslims and stopped at the state level.<sup>44</sup>

With the adoption of full Sharia in the twelve core northern states beginning from Zamfara state in 1999, similar arguments raised in previous debates came up. Arguments in support included high population of Muslims in implementing states,<sup>45</sup> prospects of Sharia bringing diverse benefits that would radically transform the society<sup>46</sup> and the multi-religious nature of the country.<sup>47</sup> Importantly,

its implementation was likened to efforts at self-determination even as the Federal Government directed the police not to enforce Sharia.<sup>48</sup> But one immediate consequence was the banning of women from participating in sporting activities in Zamfara State.<sup>49</sup> Issues raised against Sharia as before included the likelihood of its being applied unilaterally and arbitrarily to all residents irrespective of religious affiliations,<sup>50</sup> the deceit associated with its likely benefits, its unconstitutionality,<sup>51</sup> its propensity to infringe on the rights of Nigerians,<sup>52</sup> its capacity to cause destabilisation given its political, diversionary and utterly divisive nature<sup>53</sup> and its damaging impact on the economy of the implementing states given the exodus of non-indigenes, non-Muslims from there.<sup>54</sup> Also recalled was that previous attempts at introducing Sharia or expanding its focus had generated controversy with proponents being defeated at different times.<sup>55</sup> Besides, it was seen as a deliberate provocation of the Federal Government by the Sharia states, with the Sharia crises generally blamed on saboteurs who were bent on truncating democracy.<sup>56</sup>

The foreign press largely echoed the sentiments expressed in different Nigerian newspapers and also complemented the arguments for and against it. With the debut of Sharia in Zamfara, the Sharia proponents had insisted that rather than causing havoc, its adoption would bring peace and unity. They saw it as fundamental human rights to which they were entitled more so that the Nigerian constitution which guarantees freedom of religion in a democracy allows any state to choose it. Besides, Sharia was seen as an antidote to the corrupt, crime-ridden country that Nigeria had become.<sup>57</sup> Specifically, the pro-Sharia agitators had argued that stoning Amina Lawal Kurami, who was sentenced to death in September 2002 for adultery, would save her from her punishment before God and serve as a deterrent.<sup>58</sup> In addition, Sharia was seen as a subtle and nuanced code that included an intricate system of checks and balances that must be met before any sentence is carried out. This, it was argued, explains why before his wrist was amputated for theft, Mallam Buba Bello Jangedi was reportedly pleaded with thrice by Governor Ahmed Sani of Zamfara to appeal the sentence which he refused and declared that the will of Allah be done.<sup>59</sup> Despite the dust raised by her case, Bariya Magazu saw her caning for adultery as a form of purification which she thanked Allah for, and asked for forgiveness.<sup>60</sup>



Implicitly, given this allowance, it was expected of a good Muslim to submit to its principles.<sup>61</sup>

But to the opponents, its adoption or implementation amounted to the stirring of militant Islam in the North which if not checked could lead to a north united against the south in addition to worsening the long-simmering tension between the Muslim north and the largely Christian south and thus capable of leading the country to disintegration.<sup>62</sup> Serious concerns were raised about the apprehension that its adoption had caused particularly among non-Muslims. For instance, the refusal of Christian women, whose heads were not covered, entry into the green and yellow taxis (specially procured to facilitate Sharia implementation in Zamfara) was seen as an infringement on their rights. This was in addition to the perpetual fear of being affected one way or the other by its implementation despite assurances to the contrary. Its adoption was thus seen as a serious challenge to the new democratic experiment and the country that has reeled under prolonged military rule and a civil war. Besides, its adoption was seen as being beyond religious or moral rejuvenation; rather it was considered as being more of an act of desperation and unwholesome divisive politics.<sup>63</sup> Specifically blamed were ambitious politicians backed by powerful northerners who had fallen out of favour in the government of Olusegun Obasanjo, Nigeria's civilian president from 1999 to 2007, and whose influence was seen as encouraging its spread. Also blamed were those who had initially dismissed it and later adopted it on one hand and Christians using it to inspire fear among their followers thereby stoking separatist sentiments.<sup>64</sup>

The adoption of Sharia in Kano was viewed with great concern because being the most populous state in the North and with a long history of bloody religious clashes which were often provoked by minor disputes leading to numerous deaths; it was felt that its multiplier and backlash effects would be enormous. Its perception as a solution after many failed alternatives like democracy and military rule explains why it was seen as rebellion against a non-functioning system but then also as a time bomb waiting to explode.<sup>65</sup>

Two major developments were used by Sharia opponents to justify their campaigns against it. One was the protests that were either responses to its introduction or meant to prevent its implementation. Protests by Christians in apparent response to the

demand for Sharia by a vocal section of the Muslim community had resulted in killings, looting and burning of churches and mosques in places like Kaduna, Sokoto and Gombe.<sup>66</sup> On a wider scale, the violence was situated in the context of larger ethnic and religious tensions that had run high since Olusegun Obasanjo, a southern Christian, took office as the country's elected leader in May 1999, ending fifteen years of dictatorship by soldiers from the largely Muslim north.<sup>67</sup> While imputing such motives as resistance of power shift by the north, disarmament of those who had benefitted economically from the prolonged military rule from the north and non-support for Olusegun Obasanjo by virtue of his religious and ethnic backgrounds, the foreign press obviously looked beyond the immediate development for explanation on the violence.

The second development was the fear of what the Sharia entails, particularly the severe punishment for crimes such as amputation, beheadings and stoning to death and the likelihood of its extension to Christians as was the case in Sudan,<sup>68</sup> as well as the cases actually tried under Sharia.<sup>69</sup> Of the cases tried by these courts, the cases of Bariya Ibrahim Magazu, Safiya Hussaini and Amina Lawal were the most celebrated.<sup>70</sup> Issues raised included that of injustice, barbarity, unequal and selective application of rules, and violation of international human rights laws.<sup>71</sup> Unlike the proponents who contended that stoning Lawal would save her from divine punishment and serve as a deterrent, the Sharia wave was seen as nothing more than a way for northern Muslim politicians to score cheap points and that the trial of Lawal would inflame religious passions in Nigeria and bring the country's guarantee of states' rights into conflict with its constitution.<sup>72</sup>

### **Challenge of Coverage of Sharia Debacle in Nigeria's Newspapers**

Apparent in the debate on Sharia in Nigerian newspapers was their use to provide information on the issues and trends in the adoption or implementation of Sharia in Nigeria with all its challenges. In doing this however, it brought out the inherent nature and features of the newspapers. For the Nigerian Newspapers, their coverage ranged from partisanship, advocacy, reactive, objective to neutral analysis. Underlying the disposition or position of the newspapers and newsmagazines are such factors as ownership, region or location of

publication, sensibility to the dominant religion in a particular region and the founding philosophy or purpose of each medium as well as its changing orientation. Both the *NC* and *NN*, despite their occasional pretences, showed support for Islamic-related issues and Islamic advocacy. While the *NT* had mostly countered the *NN* and *NC*, it had also interpreted even religious issues from a regional or ethnic (Yoruba) perspective. This was despite the fact that there are also Muslims in Yorubaland. But *TG*, like other privately owned newspapers, mostly treated religious issues irrespective of ethnic or religious colouration more dispassionately. As a government newspaper for most part of its existence and with its base in the South, the *DT*'s disposition often varied between neutrality, ambivalence and sometimes abdication.

The *NN*, for instance, in 1977, in a special column devoted to the debate at the CA and people's contribution to it, betrayed its interest and commitment to the Sharia cause.<sup>73</sup> While reviewing the debate, it identified the extreme positions held by different interests and also envisaged what would happen depending on the outcome of the debate including resorting to warfare or maintaining uneasy silence. Although it called for caution, understanding and objectivity, it nonetheless made subtle advocacy for Sharia by arguing for the establishment of a judicial system that governs the day-to-day existence of Muslims given their population in the country which supposedly ranged between 45 and 65% depending on who gave the data. It therefore saw the demand for Sharia by Muslims as their right in accordance with Paragraph 35, Section 1 of the Fundamental Human Rights of the draft constitution which guaranteed the freedom of religious worship.<sup>74</sup> The *NN* contended further that the question of Sharia could not be avoided, given that it had been in use not only for a number of years but for decades and centuries and that, in some parts of the country (apparently referring to the North), it was only Sharia that the people knew since they had never heard of the Magistrate court. So, it was only logical to have it not only at the state level but to also allow power of appeal to coordinate appeals from various states in the interest of harmonisation and unity.<sup>75</sup> Similarly, like it was in 1977/78, the *NN* in what looks like instigation while still claiming to present a balanced or dispassionate position on the issue, argued for the entrenchment of Sharia in the constitution, urging all Muslim faithfuls to fight to death what it

considered the right thing to do. The newspaper's basis for this was that those who believed in Sharia had as much right to taxpayer's money as those who did not.<sup>76</sup>

In its coverage of a publicised lecture in support of the pro-Sharia agitators in 1988, the *NC* on its part identified three reasons for the controversy around Sharia. These were ignorance about it, opposition from Christians and inadequate knowledge of Sharia by some lawyers and their consequent inability to stand as counsels for clients in Sharia Courts of Appeal. It argued that although Muslims expected that their lives should be governed by the Sharia, just as God also demanded of them to live in accordance with it, Muslims could only exercise such fundamental right and freedom of worship according to Sharia if they live in an Islamic state. These rights had been curtailed in a multi-religious state like Nigeria.<sup>77</sup> It therefore wondered why controversy was being generated over the very limited application of Sharia in operation then. The British, it argued, allowed the application of Sharia in the northern region and customary laws in the southern region, in addition to the common law established and administered in the country. It therefore criticised people who for personal, selfish and professional reasons called for the expunction of the Sharia courts from the Constitution and those who objected to the incorporation of Sharia Court of Appeal to handle all civil matters of Islamic law on appeal from courts of first instance.<sup>78</sup>

In its appraisal of the implementation of full sharia in the core northern states beginning from 1999, the *NT* wondered if Sharia was not introduced for destabilisation or as a disintegrating force.<sup>79</sup> It noted that killings and revenge killings showed mistrust among ethnic groups in the country and that the Kaduna crisis over the introduction of Sharia was not really about religion but a struggle for self-assertion within the polity. It saw the Sharia as being symptomatic of the decades-long rivalry among the major ethnic blocs on the control of state power particularly given the Siamese twins relationship between religion and politics. Noting that this was the first time Sharia had been made a state religion, its introduction in states with equal Christian and Muslim population shows it as a continuation of politics of hegemony by other means, more so following the disgrace of the military which has left religion as the only viable option.<sup>80</sup>

The *NT* also speculated that some powerful Northerners both in and out of government were the sponsors of the Sharia debacle<sup>81</sup> and blamed the government and security agencies for the escalating tension<sup>82</sup> particularly with some members of the security agencies allegedly taking sides on the issue.<sup>83</sup> More significantly, it saw Sharia as an attempt to impeach Chief Olusegun Obasanjo and isolate the Yoruba.<sup>84</sup> It also observed some inconsistencies in its adoption.<sup>85</sup> Of particular note was the insinuation that Sharia had foreign backers.<sup>86</sup> The paper sees the adoption of Sharia as being tied to economic benefits as \$800m gift amongst other incentives was allegedly given to any state that adopted it by the Arab states.<sup>87</sup>

In most cases, the *DT* merely reported the debate without any commitment. Instances included such headlines as “Sharia: Common Man will Suffer,”<sup>88</sup> “Yes ... Muslim group is the largest in Nigeria.”<sup>89</sup> But it was quick to caution different interests and to publicise the Federal Government’s directive stopping the debate at the CA in 1988 following its rancorous and divisive nature.<sup>90</sup> Given its liberal disposition and despite the proprietor’s affiliation with Christianity, *TG* was worried that the issue of constitutional provision for the Sharia Court of Appeal generated a very hot debate at the Assembly. More worrisome was the manner members allowed emotions to becloud their speeches as they resorted to ‘insultive language’ in pressing home their points. Noting that the Assembly was polarised along religious lines, it observed that it was section 256 of the draft providing for Sharia courts that generated the greatest heat. Notable among the suggestion made was the need for the Assembly members to think of themselves first as Nigerians before thinking of their religions and also to discourage such programmes as Islamisation and evangelisation. It strongly emphasised that if there was going to be one country then there should be one law and in view of this, the Sharia Court of Appeal provided for in the draft constitution should be scrapped. In its place, the Federal Court of Appeal (FCA) should be made to have judges who are learned in Islamic law. It further argued that the application of the Sharia should be left as provided for in the 1979 Constitution which limited the jurisdiction of the Sharia courts to Muslims and stopped at the state level. Without this, the fear of those Nigerians who felt that the Sharia court was being entrenched in the constitution with the intent of making Nigeria an Islamic state would be heightened.<sup>91</sup>

Meanwhile, following the introduction of full sharia in 1999, *TG* saw the Sharia riots as a consequence of religious intolerance aimed at infringing on Christians rights granted by the constitution and which Sharia denied. It saw Sharia as a dangerous political project since the constitution only recognised the personal law aspect and not the criminal aspect or the formation of theocracy. It also noted the violation of the assurance given that it was not going to affect non-Muslims. *TG* chided elected officials who violated the constitution with the adoption of full Sharia which ran contrary to the constitution. It berated the Federal Government diplomatic stance and called for a decisive action on the instrument of political challenge. It also asked respected opinion leaders in the North to condemn such attacks if they still believe in a united Nigeria. While observing that Muslims had the right to uphold the tenets of Islam, it berated the carnage. It however did not see the Christian quest to have a state carved out in Southern Kaduna as a solution rather it asked Kaduna state to recognise citizens' rights to religion, adding that the Federal Government should halt the descent into anarchy.<sup>92</sup> It stressed that with proper dialogue, Sharia would be introduced without rancour as was the case in Northern Nigeria when Sir Ahmadu Bello introduced the penal code.<sup>93</sup> Beyond viewing the Sharia debacle as a deliberate provocation of the Federal Government by the Sharia states,<sup>94</sup> it also sees political undertone in the issue<sup>95</sup> and blamed the crisis on saboteurs bent on truncating democracy, adding that the poor were mostly the victims of Sharia.<sup>96</sup>

There were however situations when the newspapers acted differently. This was the situation with the *NT* and *NC*. In what appears like a balanced appraisal of the Sharia debate, the *NT* condemned and rejected the two extreme views on the Sharia courts both in the Assembly and outside it. One of such views was that the provision for Sharia courts should be expunged altogether from the constitution because of the necessity or desirability to have only one legal system in the country to reflect the country's oneness. The other extreme was that since the constitution allowed freedom of religion, the Sharia court jurisdiction should be extended to include criminal law so that Muslims would not have to appear before Christian or other non-Muslim judges. It maintained that, as of the period of the debate, there was a Sharia Court of Appeal in each of the (old) six core Northern states established by the Sharia Court of Appeal law.

Both the Independence Constitution and the 1963 Republic Constitution provided for them and so to call for their abolition was to ask for the destruction of a legal system which recognised the realities of the Nigerian situation, and such a course of action would create more problems than it could ever solve.<sup>97</sup> The *NT* believed that the new constitution like all the previous constitutions should permit a Sharia Court of Appeal to exist or be established in any state which desired it since there was nothing in the provision which contradicted the oneness of the country. It stressed that it was certainly permissible to have several variations within a country's legal system.<sup>98</sup>

Similarly, the *NC* contrary to its views in 1988 had observed in an editorial in 1999 that the poor were mostly the victims. But it saw one good thing in the implementation of full Sharia in that it could provide an opportunity to address the national question because of its polarising effect. Given the Christian Association of Nigeria (CAN)'s opposition to its introduction and the Muslim clerics' counter-reaction, the paper called for a re-examination of the sections of the constitution that endorsed Sharia Courts in states that wanted them. It noted that the introduction of Sharia was in conflict with the sovereign status of the country given that it guaranteed the rights of religious worship but at the same time recognised the secularity of the Nigerian state. It observed that there was no widespread consultation on the matter, rather the governor of Zamfara state, the first state to introduce full Sharia, allowed political expediency to override reason. Beyond the observation that its introduction did not consider minority interests, the paper warned that nothing should be done to overstretch Nigerians' sensitivity to religion. It therefore urged interested parties to exercise restraint to avoid sectarian strife while also calling for dialogue and debate on the issue.<sup>99</sup> The *NC* emphasised the call for dialogue and restraint in order to prevent tension and bloodletting given its observation that the Sharia debate did not show any likelihood of compromise. It warned that the peace and unity of the country must not be compromised by its application even if it was constitutionally applied. It once again questioned the extent to which non-Muslims had been enlightened while also calling for the discontinuation of its criminal aspects.<sup>100</sup> Observably, unlike in the previous dispensation when the *NC* was overtly pro-Sharia, the situation was different with its nationalistic approach. Major factors

for this shift could be the death of its proprietor, Chief M.K.O. Abiola in 1998 in military jail and the travails the newspaper went through in the hands of the Military which eventually led to its demise.

In the spirit of its call for dialogue, the *NC* condemned the cancellation by the Lagos Police Command of the planned dialogue on Sharia despite the calibre of the people involved including Muslims and the level of preparation for it. It saw dialogue as a means of easing tension caused by the adoption of Sharia which it noted had become a threat to national existence. It berated the cancellation as unnecessary muscle-flexing but an unconstitutional breach of freedom of expression recognised by the constitution. The *NC* held that the dialogue should have been held in the interest of all and called for the observation of the rule of law by those in authority.<sup>101</sup> *Tell* built on the thesis of unconstitutionality of Sharia by explaining that despite being in operation in some parts of the country for over a century, the 1999 constitution recognised only its civil aspects.<sup>102</sup> It noted that Zamfara contradicted the constitution by its implementation as it encompasses criminal cases which the constitution does not give states power over.<sup>103</sup> While seeing its introduction as an attempt by Sani Ahmed to surpass Ahmadu Bello,<sup>104</sup> it observes that religion influences tensions as it was in 1978, 1986, 1988 and 1994.<sup>105</sup> Going further down the memory lane, *Tell* stated that previous attempts at introducing Sharia or expanding its scope had generated controversy with its proponents being defeated at different times.<sup>106</sup> It also read political undertone into its introduction which it considered diversionary and had the potential to cause non-indigenes to flee and damage the economy of the state.<sup>107</sup> Worrisome also was the decision of Zamfara to continue with the Sharia launch despite a Lagos High Court injunction<sup>108</sup> and the training of *Tandakas* to enforce Sharia law which the magazine berated.<sup>109</sup>

All, except one of the newspapers used for this study, *NN*, were based in Southwestern Nigeria. This in part is a legacy of the concentration of newspapers in the region since the colonial period and generally the early access of southern Nigerians to western education. It also explains the reference to the dominance of the Lagos-Ibadan press.<sup>110</sup> Also, out of the four newspapers based in southern Nigeria, only the *NC* was owned by a Muslim while the *DT*



was owned by the Federal Government. Unlike the *NC* which was used for Islamic proselytisation, the newspapers owned by Christians were not known for that. The opposite was the case for *NN* based in the North. The *NN* since its inception had been known for its pro-Islamic disposition in addition to its pro-Northern and anti-Southern sentiments. Not even its take-over by the Federal Government in 1975 and the simultaneous publication of its edition in both Lagos in the South and Kaduna in the North at a time changed its orientation. The ownership of *NN* reverted to the nineteen Northern states' Governments in 2006. Understandably, the dominance of Islam in Northern Nigeria was a factor in *NN*'s disposition. This is not the case in the South generally and South-west in particular where Islam, Christianity and Traditional Religions co-exist with minimal conflict.<sup>111</sup> Also binding the different Yoruba sub-groups together was the concept of *Ebi*,<sup>112</sup> particularly with the claim of historical link and common descent from the legendary *Oduduwa*, the acclaimed progenitor of the Yoruba. This had reduced religious antagonism among the Yoruba of different religious persuasions and prevented or minimised religious conflict. This disposition reflected in the position of the *NT* which emphasised and promoted ethnic interest irrespective of religious leanings above religious differences among the Yoruba.

The neutrality or seeming ambivalence of the *DT* could be explained by its profession to be a national newspaper, advance Nigeria's interest and maintain detached attitude to politics, religious politics inclusive.<sup>113</sup> The newspaper kept largely to this even when it was taken over by the Federal Government in 1975 except that it became a useful tool in the hands of the political elite and successive military governments in Nigeria at different times. The reactive nature of the *NT* could be traced to the circumstance of its birth as the mouthpiece of the dominant political group in the South-west region and its commitment to the promotion and protection of Yoruba nationalism as a basis for capturing power at the centre. This was despite its profession to be frank, bold and sincere, promote public interests, and to be constructive and balanced in reporting.<sup>114</sup> For the *NN* and *NC*, their partisanship and advocacy derived from their pro-Northern and pro-Islam dispositions respectively. The *NN* professed to be a Northern newspaper that sought to identify with the region and its peoples, their interests and aspirations.<sup>115</sup> Even when it

promised to promote national unity and oppose tribalism and discrimination, the driving force behind it, Sir Ahmadu Bello, the first and only Premier of Northern region, at the same time embarked on religious conversion drive in the Northern region in the 1960s. His pattern was subsequently built on one way or the other.<sup>116</sup> The *NC* promised to revitalise and amplify public opinion and promote national harmony<sup>117</sup> yet Islamic religious sentiment was pervasive in its coverage. The objective analysis of *TG* derives from its liberal disposition given its commitment to the balanced coverage of events and promotion of the best interest of Nigeria.<sup>118</sup>

This was also the case with the independent newsmagazines: *Newswatch* and *Tell* known for their perceptive appraisal and analysis of issues. Although concentrated in Lagos, Southwest Nigeria and owned mostly by Southerners, the newsmagazines have been distinct in their coverage of religion. *Newswatch*, started by Dele Giwa, Ray Ekpu, Dan Agbese and Yakubu Mohammed in 1985, had as its important feature, investigative and in-depth feature stories, the traits inherited by *Tell*. But its steam was taken out with the assassination of Dele Giwa, its editor-in chief via a parcel bomb in 1986 and a six-month proscription in 1987. But *Tell* like *The News* and *Tempo* which was published by *The News* organisation continued and sustained the tradition. *Tell* started in April 1991 as a general interest but largely political magazine. The need to establish a newsmagazine substantially different from what existed before it and which would articulate the diverse opinions, views and issues in the society in such a way as to set agenda for national discourse on matters of democracy, national development and unity informed its establishment. Otherwise known as the People's Parliament, its philosophy is founded on a commitment to fairness and truth, and the promotion of social justice, economic advancement, good governance and national development.<sup>119</sup> The declared mission of *Tell* was to be the ultimate reference point in public service journalism, ever setting agenda for national discourse thereby enhancing and promoting democratic culture and values for the social and economic well-being of the citizenry.<sup>120</sup> Guerilla journalism which *Tell* and *The News* took to in response to the military crackdown on the press and civil society involves a hit-and-run style, with journalists operating from hideouts and publishing opposition against all odds to sustain publication in defiance of the state.<sup>121</sup>

Essentially, the founding principles of these magazines, their travails and experience and their commitment to the best journalistic practice devoid of ethnic or religious bias were factors that influenced their perceptive appraisal and analysis of issues.

Given their long period of existence and rich experience, the *London Times* (begun in 1785 as *The Daily Universal Register* and became *The Times* on 1 January 1788) and *The Globe and Mail of Canada* (started as *The Globe* in 1844 before it merged with *The Mail and Empire* on 3 November 1936) provided fora for the articulation of the views of all the contending parties to the debate. The newspapers therefore reflected the nature of the discourse in their societies. It would appear however that their seeming or subtle antagonism of Islam also derived from the perception of their societies. These were societies that sought to balance conflicting and competing interests but underlying their position was the respect for the dignity and equality of, and justice for all people irrespective of their gender or status which they did not see the Sharia promoting.

Common to Britain and Canada was the much-touted separation of religion from the state with the government thoroughly vilified at different times for attempting to blunt the edge.<sup>122</sup> Both societies were also willing to promote inclusiveness or integration while also emphasising multiculturalism.<sup>123</sup> Reference was often made to the 1982 Charter of Rights and Freedom in Canada and the English Law. As such the promotion of Sharia under whatever guise was seen as a way of getting the state involved in religion either as an actor or a moderator and erosion of inclusiveness through the promotion of separation.

What perhaps could have informed the antagonism to Sharia was the fear of growing Islamic fundamentalism in the West particularly following the September 11 2001 attacks on the United States of America. For instance, there was the London suicide bombing of July 7 2005 carried out by four bombers born and raised in Britain but of Islamic countries parentage.<sup>124</sup> There was also the alleged plot by 18 suspected terrorists mostly of Pakistan and Egyptian origin to blow up Canadian Landmarks with fertiliser bombs in 2006.<sup>125</sup> These were allegedly encouraged by the tolerance of the West. Also common to the two countries were incidences of honour killings. Often characterised by threats and/or actual killings of the victims, the common justification was the unwillingness of

children of Muslim parents to live in accordance with the dictates of strict Islam as desired or practised by their parents such as the refusal to wear *hijab* or becoming too westernised. This explained the death of 17-years-old Amandeep Atwal in British Columbia in 2003 and 16-years-old Aqsa Parvez in 2007 in the hands of their fathers and/or their uncles.<sup>126</sup> There were also the ‘honour killing’ of 16-years-old Heshu Yones by her father, an Iraqi Kurd, in Acton, for bringing dishonour to her family<sup>127</sup> and Banaz Mahmood in 2006 in Surrey.<sup>128</sup> Thus the debate in the two newspapers was a reflection of the response of societies trying to manage what it was not used to but which was fast becoming a defining character. Such societies could not but have reservation. Pertinent here is the submission of Poole that non-Muslims in the West know Muslims mainly through the media, with the more educated liberals found to be racially tolerant of a Muslim presence but lacking knowledge of and sympathy with the religious aspects of Muslim identity.<sup>129</sup>

The same fervour with which the newspapers tackled religious issues at home was applied to their coverage of the Sharia issue in Nigeria. *The Globe and Mail* of Canada stood out in this regard. The activism of *The Globe and Mail* on Bariya Magazu’s case in particular could be understood against the backdrop of the involvement of Canada in an extra-ordinary international campaign involving human rights groups and ordinary Canadians. For Bariya Ibrahim Magazu, her sentence handed down in September 2000 was considered so strict with the interpretation of the code described as being closer to the spirit of witch-hunts and the inquisition.<sup>130</sup> The campaigners who had inundated the Nigerian High Commission in Ottawa with letters, faxes and electronic mails had largely echoed the arguments canvassed by the newspaper and had expressed surprise at the change in human rights situation in Nigeria with the introduction of Sharia which hitherto had improved. The Amnesty International (AI), Canada was convinced that the campaign for Magazu rested on the level of image, given the level of concern about international criticism.<sup>131</sup>

The response of the Canadian government was the issuance of a diplomatic rebuke to Nigeria in December 2000 for allowing Magazu to be sentenced to 180 lashes which she considered a violation of international human right conventions. In what she described as ‘cruel and unusual punishments involving mutilation

and excessive pain', the Canadian government stressed that the Nigerian government had obligation under international law to promote and protect the human rights of all her citizens and that Nigeria could not ignore public opinion which Canada thought carried more weight in Nigeria than in many other countries.<sup>132</sup> Curiously, in her involvement, Canada's sympathies allegedly rested with the south which had always painted itself as representing pluralist, progressive Nigeria against the North's 'backward' Islamic agenda. By raising the stakes in the Magazu's case, the North arguably exposed Nigeria to the prospect of further international ridicule and opprobrium.<sup>133</sup> Despite that Magazu's flogging was carried out on January 19 2001 confirming the fear that Sharia was not being fairly implemented in Nigeria,<sup>134</sup> the activism of the newspapers continued and was better seen in their coverage of the riots that accompanied the adoption of full Sharia.<sup>135</sup> Interestingly, as a keen watchdog of the Sharia implementation, the change in the orientation, implementation and perception of Sharia was noticed and reported. This had to do with the shift from emphasis on punishment and prohibition to the observance of other tenets of the law like charity; women's right and the duty of Muslims to keep the environment clean.<sup>136</sup>

### **Conclusion**

Arising from this study, it is clear that the press was not monolithic in its coverage of the Sharia debate. Its differentiation was aided, among other factors, by the highly polarised nature of the Nigerian society, as it were, along differing ethnic and religious lines. Whereas the Western media, just like the society in which it operated, was guided by such considerations as justice, equality, fairness and respect for the dignity of humans, it was influenced by such other considerations as the growing secularity of the society, the perception of religion as being in private domain, and more importantly, growing Islamic fundamentalism as manifested in suicide bombings and increased rates of honour killings. This had resulted in the stereotyping of Islam and the consequent growth of anti-Muslim sentiments particularly given the occurrence of some incidents in other parts of the world. In this context, given their reach and powerful social effects, Sealy agrees with the social constructionists' perspective highlight that newspapers cannot be considered impartial observers or reporters but

rather constitutive actors in a privileged position.<sup>137</sup> The seeming politicisation of religion in Nigeria and the press involvement influenced its position and disposition. It was apparent, however, that despite their location (they are still concentrated in Lagos) and their ownership (still dominated by Christians), the Nigerian Newsmagazines dared to be different obviously given their largely independent nature (given their freedom from ethnic, regional and overt political and religious encumbrances) and their close adherence to their mission statement. This was unlike most of the newspapers whose coverage oscillated between objective coverage or balanced appraisal and jaundiced or parochial perspectives informed by extraneous considerations

The coverage which Sharia in Nigeria enjoyed in the Nigerian and Western newspapers showed its currency on the one hand and the concern it had raised on the other. It was also an indication that whether religion was embraced, relegated or even politicised, it will continue to generate issues. What will perhaps make the difference in different societies would be the importance attached to the issues as well as the perception of and response of the different societies about the issues. This ultimately finds expression in the press because as the newspapers, so are the people. However, in its perception of and response to issues, it is expected that the press would allow itself to be guided by the principles of openness, wholesome examination, and robust and perceptive analysis of issues.

---

**Funding**

The writing of this article was made possible by a research fellowship sponsored by the Alexander von Humboldt Foundation, Bonn, Germany and hosted by the Institut für Ethnologie at Goethe University, Frankfurt, Germany. Special thanks to my host, Hans Peter Hahn, for his support and invaluable contributions.

**Endnotes**

<sup>1</sup> G. Boyce, "The Fourth Estate: The Reappraisal of a Concept," In *Newspaper History from the 17<sup>th</sup> Century to the Present*, edited by G. Boyce, J. Curran and P. Wingate (London: Da. Constable, 1978), 26.

<sup>2</sup> A.O. Adesoji and H.P. Hahn, "When (not) to be a Proprietor: Nigerian Newspaper Ownership in a Changing Polity" *African Study Monographs* 32(4) (2011), 177-203.

<sup>3</sup> Lai Olurode, "The Politicization of Religion in Nigeria," In *Nigerian Studies in Religious Tolerance Vol 1: Religions and their Doctrines*, edited by C.S. Momoh, M.S. Zahradeen and S.O. Abogunrin (Ibadan: CBAAC and NARETO, 1989), 352-377; Afe Adogame, "Politicization of Religion and Religionization of Politics in Nigeria," In *Religion, History and Politics in Nigeria: Essays in Honour of Ogbu U. Kalu*, edited by Chima J. Korie and G. Ugo Nwokeji (Lanham, U.S.A: University Press of America, 2005), 123-137.

<sup>4</sup> Matthew Hassan Kukah, *Religion, Politics and Power in Northern Nigeria* (Ibadan: Spectrum, 1993), ix; Johannes Harnischfeger, *Democratization and Islamic Law: The Sharia conflict in Nigeria* (New York: Campus Verlag, 2008), 221.

<sup>5</sup> Section 242(2)(e) of the 1979 *Constitution of the Federal Republic of Nigeria* (Lagos: Government Printer, 1979); Section 261 of the 1989 *Constitution of the Federal Republic of Nigeria (Promulgation) Decree No 12 1989*, Laws of the Federation of Nigeria.

<sup>6</sup> J.I. Elaigwu, "The Shadow of Sharia over Nigerian Federalism," *Publius: Journal of Federalism* 33(3) (2003), 123-144.

<sup>7</sup> *Ibid.*

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*

<sup>10</sup> J.S. Trimingham, *The Christian Church and Islam in West Africa* (London: SCM Press, 1956), 9; Peter Clarke, *West Africa and Islam: A Study of Religious Development from the 8<sup>th</sup> to the 20<sup>th</sup> Century* (London: Arnold, 1982); Pat Williams, and Toyin Falola, *Religious Impact on the Nation State: The Nigerian Predicament*. (Aldershot: Avebury, 1995), 15-16.

<sup>11</sup> Samuel Johnson, *The History of the Yoruba: From the Earliest Times to the Beginning of the British Protectorate* (London: Routledge, 1921), 203; Abdullahi Smith, "A Neglected Theme of West African History: The Islamic Revolution of the 19<sup>th</sup> Century," *Journal of the Historical Society of Nigeria*, 2 (1961), 169-185; Murray Last, *The Sokoto Caliphate* (London: Longman, 1967); R.A. Adeleye, *Power and Diplomacy in Northern Nigeria: The Sokoto Caliphate and its Enemies, 1804-1906* (London:

---

Longman, 1971); M.A. Alhaji, "The Meaning of the Sokoto Jihad," In *Studies in the History of the Sokoto Caliphate: The Sokoto Seminar Papers*, edited by Y.B. Usman (Zaria: Ahmadu Bello University, 1979), 7.

<sup>12</sup> Kukah, *Religion, Politics and Power*, 4.

<sup>13</sup> E. Key, and S. Richardson, *The Native Customary Courts of Nigeria* (London: Sweet and Maxwell, 1966), 22; Kukah, *Religion, Politics and Power*, 116.

<sup>14</sup> Key and Richardson, *The Native Customary Courts*, 21; Kukah, *Religion, Politics and Power*, 116; Elaigwu, "The Shadow of Sharia," 126.

<sup>15</sup> Kukah, *Religion, Politics and Power*, 117.

<sup>16</sup> Kukah, *Religion, Politics and Power*, 117; Toyin Falola, *Violence in Nigeria: The Crisis of Religious Politics and Secular Ideologies* (Rochester: University of Rochester Press, 1998), 27; Elaigwu, "The Shadow of Sharia," 127.

<sup>17</sup> Philip Ostien and S. Fwatshak, "Historical Background," In *Sharia Implementation in Northern Nigeria, 1996-2006: A Sourcebook Vol. I.*, edited by Philip Ostien (Ibadan: Spectrum Books Ltd., 2007), 3-10.

<sup>18</sup> Kukah, *Religion, Politics and Power*, 118-127; P.A.T. Williams, "Religion, Violence and Displacement in Nigeria," *Journal of Asian and African Studies*, 32(102) (1997), 33-49; Falola, *Violence in Nigeria*, 77-86.

<sup>19</sup> Federal Republic of Nigeria, *The Constitution of the Federal Republic of Nigeria* (Lagos: Government Printer, 1979).

<sup>20</sup> "Stop It: Government halts Sharia Debate," *Daily Times* (Lagos), 29 November, 1988, 1. Andrew Ubaka Iwobi, "Tiptoeing through a Constitutional Minefield: The Great Sharia Controversy in Nigeria" *Journal of African Law*, 48(2) (2004), 111-164.

<sup>21</sup> Kukah, *Religion, Politics and Power*, 133-134; Falola, *Violence in Nigeria*, 86-93.

<sup>22</sup> Federal Republic of Nigeria, *The Constitution of the Federal Republic of Nigeria (Promulgation) Decree No 12 1989*, Laws of the Federation of Nigeria. Whereas, Section 242(2)(e) of the 1979 Constitution had empowered the Sharia Court of Appeal of a state to decide questions of Islamic personal law where all the parties to the proceedings, whether or not they are Muslims, have requested to be tried under such law, section 261 of the 1989 constitution had empowered the Sharia Court of Appeal of a state to decide questions of Islamic law where all parties to the proceeding are Muslims.(emphasis mine) This meant that that the jurisdiction of the court was extended to the coverage of all non-personal civil proceedings involving questions of Islamic laws.

<sup>23</sup> Vincent O. Nmeielle, "Sharia Law in the Northern States of Nigeria: To Implement or Not to Implement, The Constitutionality is the Question" *Human Rights Quarterly*, 26 (2004), 730-759; Philip Ostien, "Nigeria's



---

Sharia Criminal Codes,” In *Sharia Implementation in Northern Nigeria, 1996-2006: A Sourcebook Vol. IV.*, edited by P. Ostien, (Ibadan: Spectrum Books Ltd., 2007), 171-203.

<sup>24</sup> Philip Ostien, “Preface to Volume I-V,” In *Sharia Implementation in Northern Nigeria, 1996-2006: A Sourcebook Vol. I.*, edited by Philip Ostien (Ibadan: Spectrum Books Ltd., 2007), i-xi.

<sup>25</sup> Elaigwu, “The Shadow of Sharia,” 137; L.S. Sanusi, “Politics and Sharia in Northern Nigeria,” In *Islam and Muslim Politics in Africa*, edited by B.F. Soares and R. Otayek (New York: Palgrave Macmillan, 2007), 177-188; Harnischfeger, *Democratization and Islamic Law*, 17-24.

<sup>26</sup> Harnischfeger, *Democratization and Islamic Law*, 24, 211.

<sup>27</sup> Ibrahim A. Abdullahi, “Sharia Must Stay,” *Nigerian Tribune* (Ibadan), 9 January, 1978, 8; “Politics of Sharia,” *Newswatch* (Lagos), 24 October, 1988.

<sup>28</sup> “Need for Sharia,” *Daily Times* (Lagos), 25 January, 1976, 3; “Yes ... Muslim Group is the Largest in Nigeria,” *Daily Times* (Lagos), 9 November, 1977, 1; Tunde Lawal, “The Sharia and Matters of Inheritance,” *Nigerian Tribune* (Ibadan), 12 January, 1978, 11-12.

<sup>29</sup> Mohammed Haruna, “Akinjide defends CDC and supports Sharia,” *New Nigerian* (Kaduna), 17 November, 1977, 1,7.

<sup>30</sup> Lawal, “The Sharia and Matters of Inheritance,”; M.B. Sambo, “Sharia in a Multi-Religious State (1),” *National Concord* (Lagos), 7 October, 1988, 6.

<sup>31</sup> M. Haruna, “English Common Law not suitable,” *New Nigerian* (Kaduna) 30 November, 1977, 12; “Politics of Sharia,” *Newswatch* (Lagos), 24 October, 1988.

<sup>32</sup> “Rotimi defends Sharia Court,” *Nigerian Tribune* (Ibadan), 2 November, 1977, 1, 8; Haruna, “Akinjide defends CDC,”

<sup>33</sup> “Grand Khadi defends Sharia,” *Daily Times* (Lagos), 25 January, 1976, 1; “Need for Sharia,”; I.H. Umar, “Request for Justice,” *New Nigerian* (Kaduna), 16 December, 1977, 4.

<sup>34</sup> “Yes ... Muslim Group is the Largest in Nigeria,”

<sup>35</sup> Lawal, “The Sharia and Matters of Inheritance,”

<sup>36</sup> B.A. Morohunfola, “That Sharia Court of Appeal (voice of dissent),” *Nigerian Tribune* (Ibadan), 8 December, 1977, 17-18.

<sup>37</sup> Olu J. Awopeju, “A Privileged, Religious Legal System in a Multi-Religious Secular State - An Invitation to Chaos,” *Nigerian Tribune* (Ibadan), 29 November, 1977, 10-12.

<sup>38</sup> *Ibid.*

<sup>39</sup> “Constituent Assembly resumes: Sharia debates continues,” *Nigerian Tribune* (Ibadan) 5 December, 1977, 1.

<sup>40</sup> Taiwo Okutubo, “Sharia: Common Man will suffer,” *Daily Times* (Lagos), 9 November, 1977, 1.

- 
- <sup>41</sup> Abubakar Jalingo (Alhaji), "What Sharia stands for," *New Nigeria* (Kaduna), 16 December, 1977, 15
- <sup>42</sup> J.F. Mali, "Sharia, Canon Law and the Constitution," *Nigerian Tribune* (Ibadan), 4 February, 1988, 8-9.
- <sup>43</sup> Okutubo, "Sharia: Common Man will suffer,"
- <sup>44</sup> Krees Imodibie, "Sharia Appeal Court stirs hot debate at Assembly," *The Guardian* (Lagos), 3 August 1988, 1-2
- <sup>45</sup> "Caution on Sharia (Editorial)," *National Concord* (Lagos), 26 October, 1999, 1-2.
- <sup>46</sup> "Speech by Alhaji Ahmed Sani Yerima at the launch of the Sharia Initiative in Gusau, Zamfara on 27th October, 1999," *National Concord* (Lagos), 2 November, 1999, 8-9.
- <sup>47</sup> "Speech by Alhaji Abdul Azeez Arisekola Alao, 'In the Name of Allah, The Beneficent, The Merciful' at the launch of the Sharia Initiative in Gusau, Zamfara on 27th October, 1999," *National Concord* (Lagos), 2 November, 1999, 7; Mohammed Bashir Sambo (Justice), "An Address on the official launch of Sharia in Zamfara State," *National Concord* (Lagos) 3 November, 1999, 22-23.
- <sup>48</sup> Kola Oyelere, Chris Agbembu and Wale Adebani, "Kano to adopt Sharia - It is way to self-determination - OPC, NADECO condemns it," *Nigerian Tribune* (Ibadan), 5 November, 1999, 4; J.S. Olatunji, "Don't enforce Sharia, FG orders Police," *Nigerian Tribune* (Ibadan), 3 July, 2000, 1.
- <sup>49</sup> John Shiklam, "Zamfara bans women from sports," *National Concord* (Lagos), 9 November, 1999.
- <sup>50</sup> Dayo Aiyetan, "Sharia: A Time Bomb," *National Concord* (Lagos), 23 October, 1999, 25.
- <sup>51</sup> Shola Oshunkeye, "Church Leaders hit Zamfara Gov. over Sharia, say: It is a decision from Hell," *National Concord* (Lagos), 30 October, 1999; Mikail Mumuni and Osa Director, "A Zealot's Dream Come True," *Tell* (Lagos), 8 November, 1999, 32.
- <sup>52</sup> Wale Sokunbi, "Why Christian Leaders are worried," *National Concord* (Lagos), 23 October, 1999, 3.
- <sup>53</sup> Olorunimbe Farukanmi, "Sharia, an agenda for destabilisation?" *Nigerian Tribune* (Ibadan), 9 December, 1999; "Sharia riots and state of the nation (Editorial)," *Nigerian Tribune* (Ibadan), 8 March, 2000, 1, 10.
- <sup>54</sup> Ayodele Akinkuotu, "War over Sharia," *Tell* (Lagos), 10 May, 1999, 41
- <sup>55</sup> *Ibid.*
- <sup>56</sup> Lai Olurode, "Sharia crisis is political," *The Guardian* (Lagos), 5 March, 2000, 7; Sunny Igboanugo, "Kaduna riot is political, says Odumegwu-Ojukwu," *The Guardian* (Lagos), 29 February, 2000, 3; Peter Uche Obiekea, "Victims of Sharia," *The Guardian* (Lagos), 9 April, 2000.

---

<sup>57</sup> Norimitsu Onishi, "A Nigerian state turns to the Koran for Law," *The New York Times*, 8 December, 1999

<sup>58</sup> Somini Sengupta, "As stoning case proceeds, Nigeria stands trial," *The New York Times*, 26 January, 2003; Somini Sengupta, "Piety and Politics sunder a riot-torn Nigerian city," *The New York Times*, 21 February, 2003.

<sup>59</sup> Ken Wiwa, "The West is flogging an agenda," *The Globe and Mail* (Canada), 17 January, 2001, A.13.

<sup>60</sup> Stephanie Nolen and Murray Campbell, "Canada outraged as Girl get 100 Lashes," *The Globe and Mail*, (Canada), 23 January, 2001.

<sup>61</sup> *Ibid.*

<sup>62</sup> Norimitsu Onishi, "Nigeria convulsed over state's plan for Islamic Law: Christians in the South fear the possibility of an unstable country's disintegration," *The Globe and Mail* (Canada), 15 December, 1999, A.19; Norimitsu Onishi, "Movement towards Islamic Law dividing Nigerian states," *The Globe and Mail*, (Canada), 25 August, 2000, A.11.

<sup>63</sup> *Ibid.*

<sup>64</sup> Onishi, "Movement towards Islamic Law dividing Nigerian states,"

<sup>65</sup> Chris McGreal, "Nigerian state imposes Islamic Law," *The Globe and Mail* (Canada), 1 December, 2000, A.14.

<sup>66</sup> "Nigerian Police open fire in Religious clash," *The New York Times*, 23 February, 2000; Terrence Neilan, "World Briefing: Nigeria," *The New York Times*, 8 March, 2000; "Church, Mosque burned in protest at Muslim Law," *The Globe and Mail* (Canada), 24 May, 2001, A.12.

<sup>67</sup> "Nigerian Police open fire in Religious clash,"

<sup>68</sup> Eric Reeves, "This Woman has been sentenced to death by stoning," *The New York Times*, 10 February, 2002.

<sup>69</sup> "180 Lashes in Nigeria (Editorial)," *The Globe and Mail* (Canada), 29 December, 2000, A.16.

<sup>70</sup> Stephanie Nolen, "Birth Over, Nigerian Teen awaits flogging," *The Globe and Mail* (Canada), 28 December, 2000, A.1; "180 Lashes in Nigeria (Editorial)," Norimitsu Onishi, "World Briefing: Africa: Nigeria; Pregnant Woman faces stoning," *The New York Times*, 13 October, 2001.

<sup>71</sup> Mark MacKinnon, "Flogging of Teenager to go ahead in Nigeria," *The Globe and Mail* (Canada), 4 January, 2001, A.3; "Barbarity in Nigeria (Editorial)," *The Globe and Mail* (Canada), 8 January, 2001, A.10; "This Woman has been sentenced to death by stoning," *The New York Times*, 10 February, 2002; Margaret Wente, "Stone her to death: Family Values," *The Globe and Mail* (Canada), 27 August, 2002, A.13; Janine di Giovanni, "God will get me through, says Mother," *The London Times*, 13 November, 2002.

<sup>72</sup> Sengupta, "As stoning case proceeds,"; Somini Sengupta, "Court overturns stoning sentence of Woman in Nigeria," *The New York Times*, 25 September, 2003.

---

<sup>73</sup> Constitutional Debates, "In Support of Sharia and Executive Presidency," *New Nigerian* (Kaduna), 11 November, 1977, 7.

<sup>74</sup> Constitutional Debates, "Federal Sharia Court-A Simple Problem," *New Nigerian* (Kaduna), 11 November, 1977, 11

<sup>75</sup> *Ibid.*

<sup>76</sup> Mohammed Haruna, "Sharia Controversy: Letter to Muslim Members of Constituent Assembly," *New Nigerian* (Kaduna), 19 October, 1988, 7.

<sup>77</sup> M.B. Sambo, "Shariah in a Multi-Religious state (1)," *National Concord* (Lagos), 7 October 1988, 7

<sup>78</sup> Mohammed Bashir Sambo, "Sharia in a Multi-Religious State (2)," *National Concord* (Lagos), 14 October 1988, 7.

<sup>79</sup> Olorunimbe Farukanmi, "Sharia, An Agenda for Destabilisation?" *Nigerian Tribune* (Ibadan), 9 December, 1999, 12.

<sup>80</sup> "Sharia Riots and State of The Nation (Editorial)," *Nigerian Tribune* (Ibadan), 8 March, 2000, 1,10.

<sup>81</sup> "Ex-Head of State, Bizman behind Kaduna Riot," *Nigerian Tribune* (Ibadan), 26 February, 2000, 1; "Kaduna: Minister Recruits 2000 Rioters," *Nigerian Tribune* (Ibadan), 28 February, 2000, 1-2; Philip Oluwole Ukanah, "Sharia: Police quiz Former Head of State?" *Nigerian Tribune* (Ibadan), 5 March, 2000, 6.

<sup>82</sup> "Go to Kaduna and Die!" *Nigerian Tribune* (Ibadan), 26 February, 2000, 6-7.

<sup>83</sup> "Kaduna Massacre: How Soldiers aided Rioters," *Nigerian Tribune* (Ibadan), 29 February, 2000, 1,4; "Security Agents swoop on Tribune (In Ibadan, Zamfara, Kano, Gombe)," *Nigerian Tribune* (Ibadan), 3 March, 2000, 1-2, 6.

<sup>84</sup> Tunji Thomas, 'Revealed! North's Plans to Sack Obasanjo' *Nigerian Tribune* (Ibadan), 28 February, 2000, 1-2, Edward Dickson, "The Fulani's Miscalculations," *Nigerian Tribune* (Ibadan), 28 March, 2000, 22-23; Bola Ige, "Thoughts on Jangedi," *Nigerian Tribune* (Ibadan), 16 April, 2000, 5; Philip Oluwole Ukanah, "The Collapse of Hausa-Fulani Power?" *Nigerian Tribune* (Ibadan), 26 March, 2000, 9-11; Philip Oluwole Ukanah, "Sharia: Obasanjo's Secret Letter to Saudi Arabia," *Nigerian Tribune* (Ibadan), 19 March, 2000, 6.

<sup>85</sup> "Sharia Riots and State of The Nation (Editorial)," *Nigerian Tribune* (Ibadan), 8 March, 2000, 1,10.

<sup>86</sup> Bisi Ademakinwa, "How Britain backs Sharia – OPC," *Nigerian Tribune* (Ibadan), 23 July, 2000, 6; Okey Muogbo, Kola Oyelere, "Iraq, Libya, Saudi Arabia in Kano for Sharia," *Nigerian Tribune* (Ibadan), 22 June, 2000, 1-2.

<sup>87</sup> Kola Oyelere, Yemi Giwa, "N80bn Arab Gift to Sharia States," *Nigerian Tribune* (Ibadan), 27 June, 2000, 1-2.

<sup>88</sup> Okutubo, "Sharia: Common Man will suffer,"

- 
- <sup>89</sup> “Yes ... Muslim group is the largest in Nigeria,”
- <sup>90</sup> “Stop It: Government halts Sharia Debate,” *Daily Times* (Lagos), 29 November, 1988, 1.
- <sup>91</sup> Imodibie, “Sharia Appeal Court stirs hot debate at Assembly,”
- <sup>92</sup> “Sharia and the Kaduna Riots (Editorial),” *The Guardian* (Lagos), 28 February, 2000, 20.
- <sup>93</sup> Akpo Esajere, “How Sardauna Jettisoned Sharia,” *The Guardian* (Lagos), 5 April, 2000, 8.
- <sup>94</sup> Abiodun Fagbemi, Isa Abdulsalami, Saxone Akhaine, Clifford Ndujile, “Nasarawa Gov, Others Allege Plot against Govt,” *The Guardian* (Lagos), 28 February, 2000, 4.
- <sup>95</sup> Lai Oluode, “Sharia Crisis is Political,” *The Guardian* (Lagos), 5 March, 2000, 7; Sunny Igboanugo, “Kaduna Riot is Political, says Odumegwu-Ojukwu,” *The Guardian* (Lagos), 29 February, 2000, 3.
- <sup>96</sup> Peter Uche Obiekea, “Victims of Sharia,” *The Guardian* (Lagos), 9 April, 2000, 8.
- <sup>97</sup> “Sharia Courts,” (Comment) *Nigerian Tribune* (Ibadan), 8 November, 1977, 3.
- <sup>98</sup> *Ibid.*
- <sup>99</sup> “Caution on Sharia (Editorial),” *National Concord* (Lagos), 26 October, 1999, 12.
- <sup>100</sup> “Restraint on Sharia (Editorial),” *National Concord* (Lagos), 27 April, 2000, 2.
- <sup>101</sup> “The Police and the Sharia Dialogue (Editorial),” *National Concord* (Lagos), 10 September, 2000, 8.
- <sup>102</sup> Mikail Mumuni and Osa Director, “A Zealot's Dream Come True,” *Tell* (Lagos), 8 November, 1999, 36.
- <sup>103</sup> *Ibid.*
- <sup>104</sup> Osa Director, “Sharia Akbar! Sharia Ak-bomb,” *Tell* (Lagos), 15 November, 1999, 34.
- <sup>105</sup> *Ibid.*
- <sup>106</sup> Ayodele, Akinkuotu, “War over Sharia,” *Tell* (Lagos) 10 May, 1999, 41.
- <sup>107</sup> *Ibid.*
- <sup>108</sup> Mikail Mumuni and Osa Director, “A Zealot's Dream Come True,” *Tell* (Lagos), November, 8 1999, 42.
- <sup>109</sup> Obiora Chukwumba, “Tension in the Land,” *Tell* (Lagos), 22 November 1999, 38.
- <sup>110</sup> Lagos and Ibadan are two prominent cities in South-western Nigeria known among others things for the concentration of Yoruba people and newspaper establishments at different times and even presently. But the phrase is sometimes derisively used. See Maringues, Michèle, *The Nigerian Press: Current State, Travails and Prospects* (Ibadan: Institut Français de

recherche en Afrique, 2001), 185-218. Online: <http://www.openedition.org/6540>.

<sup>111</sup> Falola, *Violence in Nigeria*, 37; Elaigwu, "The Shadow of Sharia," 128-129

<sup>112</sup> The concept of Ebi explains that all Yoruba irrespective of their religious affiliations are related by blood having descended from the same ancestor and should see themselves as one. See I.A. Akinjogbin, *Milestones and Concepts in Yoruba History and Culture: A Key to Understanding Yoruba History* (Ibadan: Olu-Akin Publishers, 2002), 8.

<sup>113</sup> L.N. Namme, *The Story of the Daily Times, 1926-1976* (Lagos: Daily Times of Nigeria Ltd., Lagos, 1976), 13-17.

<sup>114</sup> Obafemi Awolowo, "A Paradox of 'Freedom,'" *Nigerian Tribune* (Ibadan), 16 November, 1949, 4-5; Folu Olamiti, "Editorial Policy and Perspectives," In *Tribune at 50*, edited by Folu Olamiti, (Ibadan: African Newspaper of Nigeria, 1999), vi-vii, 8-9.

<sup>115</sup> "Editorial," *New Nigerian* (Kaduna), 1 January, 1966.

<sup>116</sup> Kukah, *Religion, Politics and Power*, 22-24.

<sup>117</sup> Dayo Duyile, *Makers of Nigerian Press* Second Edition. (Lagos: Gong Communication Ltd., 2004), 240.

<sup>118</sup> Uko Ndaeyo, "History and the Press: A Case Study of Australia and Nigeria," *Etropic: Electronic Journal of Multidisciplinary Studies in the Tropics* 1(2):8 Online: <http://www.jcu.edu.au> (Accessed September 4, 2013).

<sup>119</sup> "About Us," (Tell Communications Ltd, 2006) Online: <http://www.tellng.com/about.htm>. (Accessed September 29, 2006).

<sup>120</sup> *Ibid.*

<sup>121</sup> M. Ibelema, "The Nigerian Press and June 12: Pressure and Performance during a Political Crisis," *Journalism Communication Monograph* 4(4) (2003), 163-209; Ayo Olukotun, "Authoritarian State, Crisis of Democratization and the Underground Media in Nigeria," *African Affairs*, 101(404) (2002), 317-342.

<sup>122</sup> Rudy Mumm, "Politics and Religion," *The Globe and Mail* (Canada), 8 February, 1988, A.6; "Is the Government ignoring Christians (Opinion Article)," *The London Times*, 10 February, 2006.

<sup>123</sup> "When Canadian Inclusiveness began (Editorial)," *The Globe and Mail* (Canada), 12 September, 2009, A.22.; Sam Coates, "Extreme Youth: The Muslims who would swap British Law for Sharia," *The London Times*, 29 January, 2007.

<sup>124</sup> "How Can British Muslims stop Extremism (Opinion Polls)," *The London Times*, 13 July, 2005.

<sup>125</sup> "Terror in Canada: Perspective, Please (Editorial)," *The Globe and Mail* (Canada), 5 June, 2006, A.14. Margaret Wenthe, "Generation Jihad: Angry,

---

Young Born-Again Believer,” *The Globe and Mail* (Canada), 6 June, 2006, A.17.

<sup>126</sup> Patrick White, “Teen Death Highlights Cultural Tensions,” *The Globe and Mail* (Canada), 12 December, 2007, L.1.

<sup>127</sup> Amir Taheri, “Don’t blame Islam for the lowly status of Women,” *The London Times*, 1 October, 2003.

<sup>128</sup> White, “Teen Death Highlights Cultural Tensions,”

<sup>129</sup> E. Poole, *Reporting Islam: Media Representations of British Muslims*. (London: I.B. Tauris, 2002).

<sup>130</sup> Stephanie Nolen, “Spare Girl, Canadians ask Nigeria,” *The Globe and Mail* (Canada), 23 December, 2000, A.21; “180 Lashes in Nigeria (Editorial),”

<sup>131</sup> Nolen, “Birth Over, Nigerian Teen awaits flogging,”

<sup>132</sup> Mark Mackinnon, “Canada assails Nigeria on flogging,” *The Globe and Mail* (Canada), 29 December, 2000, A.1.

<sup>133</sup> Wiwa, “The West is flogging an Agenda,”

<sup>134</sup> Nolen and Campbell, “Canada outraged as Girl get 100 Lashes,”; Matt Steinglass, “The World: Why is Nigerian Islam so radical?” *The New York Times*, 1 December, 2002.

<sup>135</sup> Norimitsu Onishi, “Rising Muslim Power in Africa causes unrest in Nigeria and elsewhere,” *The New York Times*, 1 November, 2001; Libby Purves, “Third World reveals Miss World ugliness,” *The London Times*, 26 November, 2002; Ken Wiwa, “Jihad versus Miss World,” *The Globe and Mail* (Canada), 30 November, 2002, A.21; Marc Lacey, “Fiery Zealotry leaves Nigeria in ashes again,” *The New York Times*, 29 November, 2002; Sengupta, “Piety and Politics sunder a riot-torn Nigerian City,”; Oloche Samuel, “Nigerian Muslims attack Christians: At Least 30 Dead,” *The Globe and Mail* (Canada), 13 May, 2004.

<sup>136</sup> Lydia Polgreen, “Nigeria turns from harsher side of Islamic Law,” *The New York Times*, 1 December, 2007.

<sup>137</sup> T. Sealy, “Making the ‘Other’ from ‘Us’: The Representation of British Converts to Islam in Mainstream British Newspapers,” *Journal of Muslim Minority Affairs*, 37(2) (2017), 196-210.