



*February 2009*

**POPULAR PERCEPTIONS OF SHARI'A LAW IN NIGERIA**

**Introduction**

In 1999 Zamfara became the first state to institute Shari'a law and soon afterwards eleven other northern states followed suit. The literature on Shari'a has been mixed in the assessment of its impact (Last 2000; Miles 2000, 2003; Marshall 2002, 2005; Harnischfeger 2004; Paden 2005, 2008; Loimeier 2007). Characterizations of Shari'a have ranged from it being labeled a form of militant religious extremism to a toothless legal system that is at best ineffectual and frequently discriminatory towards the poor and women. Despite scholarly writings and widespread media coverage on the topic we still have limited knowledge of how Nigerians view Shari'a law.

On one end of the spectrum some analyses have painted the introduction of Shari'a as the "Talibinization" of Nigeria (Marshall 2002, 2005). This approach stresses the divisive potential of Shari'a law and characterizes its implementation as a step on the path to religious conflict on par with that existing in states such as Sudan and Chechnya. This lens shares similarities with Huntington's clash of civilizations thesis and is also a product of the West's increased sensitivity to Islamic extremism in the wake of terrorist attacks on 9/11 (1996). This approach ignores the perspectives of everyday citizens and prefers to regard the implementation of Shari'a as an initiative driven by transnational and foreign Islamic forces (Marshall 2005).

At the other end of the spectrum, in language far less alarmist, some observers have characterized Shari'a as a political vehicle created and supported by elites seeking short-term political benefits (Last 2000; Miles 2003; Paden 2005; Loimeier 2007). Harnischfeger (2004) finds that Shari'a has been used by Hausa-Fulani migrants to gain political power in middle belt states. These accounts are much more contextualized and concentrate on the national and local politics of Nigeria. This perspective emphasizes the role that political entrepreneurs play, but ignores the voices of other segments of the population. Moreover the discussion typically excludes the views of individuals in non-Shari'a states.

Public opinion data, however, allows us to gain greater insight into how Nigerians view Shari'a law and move beyond anecdotal evidence. The data, drawn from surveys conducted by the Afrobarometer, engages a nationally representative sample which allows us to see how different segments of the adult population view Shari'a law. Several questions in the survey examine how individuals view Shari'a which enables this briefing to depart from the aforementioned approaches to examine several key questions that have remained unanswered. First, how have individual views of Shari'a changed over the past seven years? Is support for Shari'a law still strong, or as some observers have argued, has support for Shari'a law diminished? Second, are individuals in Shari'a states and non-Shari'a states monolithic in their views of the effects of Shari'a? I posit that Shari'a states that border non-Shari'a states find Shari'a to be more conducive to violence due to their proximity to potential conflicts in ethnically and religiously heterogeneous states. The briefing also examines if individuals believe that Shari'a law has increased or

decreased levels of political violence and ethnic and religious conflict. Also, how do different socioeconomic groups in Shari'a states view the new legal system? Finally, the briefing examines whether or not Muslims are monolithic in their support of Shari'a or if adherents of different Islamic sects vary in their views of Shari'a law. In order to answer these questions, we use results from two Afrobarometer surveys in Nigeria, conducted in 2001 and 2007. The data provide a unique profile of changing Nigerian attitudes since the inauguration of Shari'a in Northern Nigeria in 1999.<sup>1</sup>

The briefing is organized as follows: The first section gives a brief review of the conditions that led to the introduction of Shari'a law. The second section reviews how the literature on Shari'a law has interpreted the phenomenon. The third section, through the use of survey data examines how Nigerians view Shari'a and its effects. The final section interprets the findings and considers how the debate over Shari'a may be shaped in the future.

### **The Shari'a Debate**

During the decades following independence, no part of Nigeria had ever successfully converted to *Shari'a* law, yet under democratic rule it was one of the first dramatic changes in the northern part of the country. Long before the democratic transition, however, there were efforts to install *Shari'a* law as a legal code. In the 1970s and 1980s there were several organized attempts to introduce *Shari'a* law in Northern Nigeria. New conservative forms of Islam, that are now widespread, first emerged during the formulation of the new Constitution for Nigeria in 1978. Some Muslim leaders argued that the constitution should give consideration to the judicial system of Islamic law. The debate over *Shari'a* revealed that the North was intent on exercising influence on the Nigerian constitution and thus on the power structure of the South in general (Laitin, 1982, 413).

Several groups emerged during this fractious period in Nigerian politics. The *Izala* (*Izalatul Bidia wa Ikamatul Sunna*) movement and the Muslim Students Society were two of the most prominent groups that disagreed with the final version of the secular constitution (Hickey 1984). Sheikh Abubakar Gumi, a key leader of *Izala*, called for *Shari'a* throughout Nigeria (Miles 2003). Ultimately, moderating forces at the federal level prevented *Shari'a* from being included in the 1979 Nigerian constitution. Newly formed political parties reached beyond regional alliances and endeavored to diminish the destabilizing effect that *Shari'a* could engender. Additionally, members of the Supreme Military Council were opposed to the politicization of the *Shari'a* issue and they voiced their resistance to the Islamist movement. Currently, the Nigerian Constitution invokes a provision for *Shari'a* law to cover personal law issues of inheritance, divorce, child custody, etc, rather than criminal law.

Within Islam in Nigeria there are competing camps and in some instances conflict emerged (Miles 2000). The *Izala* movement was known for its rejection of "un-Islamic" activities, such as tolerance of pre-Islamic traditions that were present in other Muslim brotherhoods. This message resonated with segments of the population that had been historically disenfranchised politically. Alhaji Muhammadu Maroua, otherwise known as *Maitatsine*, was able to tap into the resentment felt by marginalized Muslim youths who were going through a difficult period during the economic recession of the 1970s and 1980s. *Maitatsine* espoused a literal interpretation of the Qur'an yet his movement was highly personalistic and unorthodox in its nature (Kastfelt, 1989). *Maitatsine's* movement, which was loosely associated with *Izala*, was responsible for riots in Kano in December of 1980 that claimed 5,000 lives and was not quelled until the Nigerian Army and Air Force intervened (Hickey, 1984). *Maitatsine* perished in the Kano riots,

---

<sup>1</sup> The 2001 survey was carried out from September-December 2001 among a random, representative sample of 2,210 Nigerian citizens age 18 and above. The 2007 survey was conducted in January-February 2007 2,410 Nigerian citizens age 18 and above. In both surveys, all geographic regions and language groups were included. Interviews were conducted in Nigeria's major languages, plus English and Pidgin.

but at later dates other members of his faction based in the cities of Maiduguri (1982) and Yola (1985) fomented dissent, which culminated in violent conflict.

Although the Maitatsine movement did not bring fundamental change to the government of Nigeria, it did, however, clearly demonstrate the mobilizing capacity of Islam in Nigeria (Otayek, 1984). If anything, the Maitatsine movement had the effect of empowering authoritarian rule in Nigeria. The Nigerian government exercised greater state control over Muslims in light of the disastrously violent effects of the Maitatsine movement. The established Islamic leadership in Northern Nigeria had little choice in the matter and in the end they supported the policy of disempowering movements similar to that of Maitatsine (Kastfelt, 1989). Rather than suffer the same consequences as the *Izala* movement, other Islamic movements decided to move closer to the mainstream.

Jibrin Ibrahim (1991) argues that the turbulence and competitiveness of the religious scene invoked a battle for “theological space.” As a result Muslim leaders are compelled to pursue an agenda that sets them apart from the other sects and renders them attractive to potential followers. By moving to either the progressive or conservative side of the spectrum, Islamic movements are able to define themselves to followers. A religious platform that supports *Shari’a* is appealing to certain segments of the population.

The years under the rule of Ibrahim Babangida (1985-93) and Sani Abacha (1993-98) experienced periodic moments of religious conflict. Although members of the Hausa-speaking north occupied key positions of influence in the governments of Babangida and Abacha instances of religious conflict occurred. Religious riots occurred in Kaduna State in 1987 and 1992. In 1992, members of the Hausa and the Kataf ethnic groups engaged in a violent conflict that came to be referred to as the Zangon-Kataf crisis. This conflict pitted Muslim Hausas against predominately Christian Katafs and it led to reprisal killings by both sides. Religious differences also led to conflict in the state of Bauchi in 1991.

### **Democratization and the Emergence of Shari’a law**

In the 1990s, as part of the third wave of democratization, many African governments held democratic elections in an attempt to move away from authoritarian rule (Huntington 1991). Nigeria caught the tail end of the third wave and by 1999 the country was considered an emerging democracy. Political and social conditions no longer allowed the Hausa military structure to continue their domination of Nigerian politics. Foreign pressure from the international community also compelled Nigeria to move towards a more pluralistic structure of governance. Gross human rights violations, in particular the high profile deaths of indigenous rights activist Ken Saro-Wiwa and entrepreneur/politician Chief Moshod Abiola put the international spotlight on Nigeria. Additionally, massive corruption and widespread looting of the public coffers invigorated the push for democratic reform. After the death of Abacha, the interim military president, Abdulsalami Abubakar, guaranteed a democratic transition and in 1999 Olesugun Obasanjo, a Christian Yoruba from the south, was elected president of Nigeria. For the first time in twenty years, Nigeria experienced a democratically elected government.

For Nigeria, the transformation was especially tumultuous due to the fact that for the previous twenty years, military generals of northern origins had controlled the government. Five of eight military rulers were Muslim and all three of the previous elected heads of government were Muslim as well. During the decades in which the government of Nigeria was led by Hausa speaking generals from the north a severely entrenched patronage network emerged which allowed Northern elites to profit immensely. The accession to power of Obasanjo significantly altered the political power structure of Nigeria and as a result the Hausa were left with less political leverage.

The Hausa have historically defined themselves in opposition to the south and the election triggered a similar reaction. In moments when the Hausa are confronted with a clear threat of incorporation in

subordinate status to an Africanized Nigeria, they seek cultural mobilization around the symbols of Islam, traditional hierarchy, and speech community (Cohen, 1969). Moreover, Young (1976: 276) argues, "As a political identity, the Hausa-Fulani defined themselves by opposition to the cultural threat posed by Southern Nigeria." Since independence the north has formed a nearly monolithic political identity based on linguistic, religious and geographic commonalities. Exception to this unity was occasionally tested by the class/ideological based differences in northern politics. As early as the First Republic, northern politics divided between the conservative NPC and pro-talokawa NEPU. This carried through into the Second Republic (NPN vs. PRP) and beyond. With the election of Obasanjo, political elites in the north coalesced around the issue of religion and in this instance it was manifested in the promotion of Shari'a.

In the eyes of Hausa speaking elites, the reconfiguration of the Nigerian political power structure was unjust. When Olesegun Obasanjo won the election, the Hausa political elites began looking for other means to maintain some semblance of power. Although his election was thanks in part to an important amount of Northern elite support and Northern votes, some political elites in the north did not view his election in such a favorable light. Hausa politicians seized upon the idea of Shari'a as way to remain somewhat autonomous vis-à-vis the federal government. Although the Shari'a debate had surfaced in Nigeria in the past, it was the first time that it was actually implemented (Miles, 2003).

By insisting on the importance of Shari'a, northern political elites were simply manipulating religion for personal goals. In the case of Shari'a, religion is an instrument for acquiring "prebendalist concessions in the distribution of power and wealth (Abubakar, 2001: 18)." Religious fundamentalism typically emerges from sentiments of disenfranchisement and political marginalization. The case of Nigeria is similar and members of the Northern elite promoted the idea of *Shari'a* law as the response to a perceived threat arising from the loss of political power.

### **The Impact of Shari'a Law**

Proponents of *Shari'a* law presented their agenda as an attempt to reform a corrupt and decadent society through a legal system based on a strict literal interpretation of the Qur'an (Last, 2000). Despite the pious rhetoric, the movement has been widely interpreted as an effort by Northern Muslims elites to demonstrate autonomous power. For local politicians in Northern Nigeria, *Shari'a* was an excellent instrument for gaining support from a population that was economically disadvantaged and frustrated from years of living under brutal military rule (Maier, 2000). The population in Northern Nigeria is predominately rural and illiterate as well as politically marginalized. *Shari'a* law gives the rural poor a sense that they are part of the political process as the laws are shaped by their own religious identity.

In October of 1999, the state of Zamfara instituted the first *Shari'a* based system of governance. The governor of the state of Zamfara, Al Haji Ahmed Sani Yerima, led the movement. Yerima argued that the majority of Zamfara's population is Muslim; therefore it is only logical that they follow Islamic law. Shortly after *Shari'a* was implemented in Zamfara, several other northern states considered following the same route. In all, twelve of the nineteen northern states in Nigeria have now declared *Shari'a* as the legal code. It has also been reported that promises of financial support from Saudi Arabia in the form of hard currency persuaded northern governors to push for *Shari'a* law. Saudi Arabia was interested in witnessing the spread of a deeper form of Islam and financially destitute states in Northern Nigeria were more than willing to accept the offer of the external aid.

Although media coverage of *Shari'a* law has focused on high profile cases that deal with adultery and harsh punishments, the vast majority of the cases have to do with more mundane criminal acts such as cattle rustling and petty theft. Through *Shari'a* law, activities such as drinking, prostitution and gambling were outlawed in addition to tamer actions such as praise singing and integration of the sexes in public places (Miles, 2003).

The state governments of Northern Nigeria lacked any concrete plans in terms of integrating into society the prostitutes, musicians and bar owners who would potentially lose their employment under *Shari'a* law. In one instance the governor of the state of Sokoto, Attirhu Bafarawa, offered cash to prostitutes and musicians to inspire them to give up their respective forms of commerce (BBC, September 15, 2000). Rather than wait on inconsistent, politically motivated government handouts, many sex workers, bar owners and musicians, preferred to move across the border to continue their respective trades. Niger provided an exit option for those who wished to avoid the severity of life under *Shari'a* law in Northern Nigeria. The movement of these activities served as an economic windfall for small towns in Niger on the border of Nigeria (Kirwin, 2005).

Another major impact of *Shari'a*, at least in the short term was an increase in riots based on religion. The introduction of *Shari'a* in November of 1999 has had a destabilizing effect on Nigeria. It has exacerbated ethnic and religious divisions that were previously repressed by military dictators. Riots in Kaduna in 2000 and 2002 and in Jos in 2001 revealed the degree to which religious tensions have been heightened. Additionally, the high profile case of Amina Lawal brought international attention to *Shari'a* in Nigeria. Lawal was accused of engaging in sexual relations outside of marriage and was sentenced to death by stoning. Although Lawal was recently exonerated of the charges, the case, and others like it, resulted in raising the fractious ethno-religious debate to a higher level.

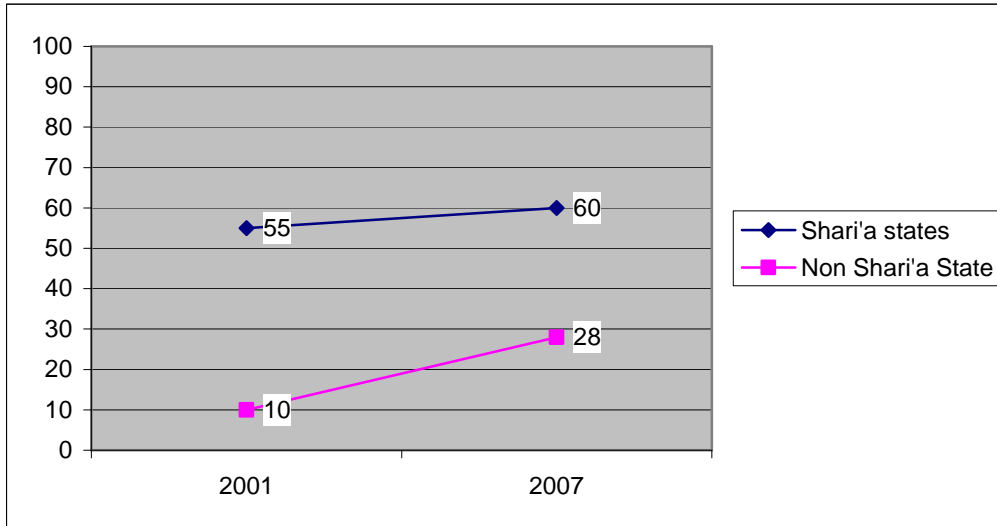
Another consequence of *Shari'a* is that in *Shari'a* states non-Muslims have started converting to Islam in increasing numbers (Harnischfeger, 2004). In other instances indigenous groups that are opposed to Hausa-Fulani hegemony resort to ethnic antagonisms rather than religious aspects. In this case *Shari'a* has mobilized another identity along a different axis. *Shari'a* has also increased the number of armed militias in other parts of Nigeria particularly the Christian south, which amounts to a similar violation of constitutional rights (Harnischfeger, 2004).

### **Popular Perceptions of Shari'a Law**

Loimeier (2007) contends that support for *Shari'a* has waned. According to Loimeier (2007, 67), a majority of Muslims now think that *Shari'a* may no longer be a viable option. They are “fed up” and “don't want *Shari'a*.” This contention intuitively makes sense since *Shari'a* has not brought many positive changes to life in states that observe such a legal system. Prosecution under *Shari'a* has been less than even-handed and marginalized groups bear the brunt. Faith in the system has most likely diminished, especially in light of scandals such as when a *Shari'a* judge was found guilty for drinking alcohol (BBC, January 21, 2002). In order to observe how individual support for *Shari'a* law has changed over time, I use an Afrobarometer survey question that asks to what degree people support a state's freedom to use a different legal system, including *Shari'a*.

Figure 1 demonstrates how support for *Shari'a* law has changed between 2001 and 2007. According to Figure 1 support for *Shari'a* in *Shari'a* states moved from 55% to 60%. In non-*Shari'a* states support moved 10% to 28%. As evidenced in Figure 1 the data finds that *Shari'a* still has relatively strong support within states where the legal system has been put into practice. Surprisingly, support increased among citizens in non *Shari'a* states. But this may be interpreted in other way: perhaps non-*Shari'a* states also wish to be able to enact a separate legal system and they believe *Shari'a* has set a precedent. Or, now that they see *Shari'a* in practice, those in non-*Shari'a* states conclude they have little to fear from it.

**Figure 1: Support for Shari'a in Shari'a and non-Shari'a states (%)**

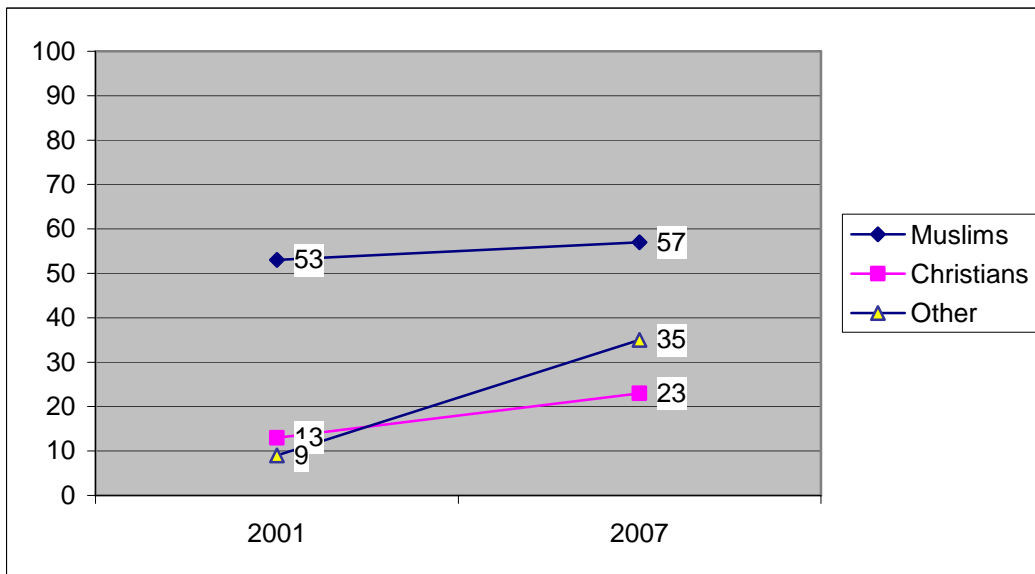


Number of respondents 2001: 2182

Number of respondents 2007: 2356

How have different religious groups views of Shari'a changed since 2001? According to Figure 2 from 2001 to 2007, Muslim support moved from 53% to 57%, Christian support moved from 13% to 23%, members of other religions shifted from 9% to 35%.

**Figure 2: Support for Shari'a among religious groups**



Number of respondents 2001: 2182

Number of respondents 2007: 2356

Support for different parts of the country to have different legal systems, including Shari'a law, remains strong among Muslims but did not increase markedly from 2001 to 2007. Remarkably support for different legal systems increased substantially among segments of the population that do not identify themselves as Christian or Muslim. Respondents who identified themselves as Christians expressed

greater support of different forms of state legal systems, such as Shari'a in 2007 than they did in 2001. Perhaps non-Muslims have found that Shari'a is not as encumbering for non-Muslims as they had first envisioned. This could be interpreted as recognition that Shari'a is not affecting the lives of Christians or other non-Muslims as deeply as was first predicted. It is also confirmation of Harnischfeger's contention that states are willing to play by their own rules as evidenced by the emergence of state militias.

As noted earlier within Islam in Nigeria there are sub groups, such as the *Izala*. I now turn to whether Muslims are monolithic in their support for Shari'a. In other words do all Muslims regard Shari'a in the same way or do the various branches of Islam regard Shari'a differently? The Izala sect has typically presented a more reformist form of Islam deeply entrenched in national, political and social issues in Niger (Loimeier, 2007). Loimeier argues that the Izala are closely linked with pro-Shari'a platforms.

**Table 1 Support for Shari'a Among Different Muslim Groups**

	Support	Neutral	Oppose
Sunni/Suffi (815)	59%	12%	29%
Izala (143)	84%	6%	10%

Number of respondents- 958

Table 1 presents some interesting results. 84% of respondents who identify themselves as Izala support Shari'a law while those identify themselves as Sunni have lower levels of support (59%) of Shari'a law. This finding is counterintuitive in light of Miles' (2003) contention that the Izala did not think that Shari'a law is politically possible and did not push for its implementation. Although Izala leaders were at one time skeptical about state-sanctioned Shari'a, it is not surprising that a) its supporters nevertheless supported it and b) after it was adopted, even the leaders accept it as a *fait accompli* (and not an entirely unwelcome one at that). One must keep in mind however that a segment of Sunni Muslims are most likely Yoruba and perhaps this lowers the level of support for Shari'a law.

One of the initial justifications of the installation of Shari'a was its ability to combat corruption in the Nigerian polity (Miles, 2003). Moreover, Last (2000; 152) argues that Shari'a has been described as a tool by which the poor and marginalized may limit the "excessive freedom of the powerful and rich." Despite the populist agenda of Shari'a results have been illusory. However, according to Paden (2008: 60), "corruption and embezzlement in office is not regarded as theft and hence has lighter punishments than ordinary stealing." This leads to the critique that Shari'a is only applicable to poor people and perhaps a tool to keep the poor in line (Paden 2005, 2008). According to Loimeier, the biased nature of verdicts "clearly disadvantage the weak and poor" (2007: 67). Miles (2003) also finds *talakawa* (ordinary people) are less satisfied than elites with Shari'a due to uneven treatment in the legal system. Intuitively this makes sense when we regard the circumstances of Buba Jangebe and Lawal Issa who, under Shari'a, had limbs amputated for petty theft. Jangebe was convicted for stealing a cow that at the time was worth N30000 (approximately \$250) while Issa was convicted for the theft of three bicycles (Bello-Barkindo, 2008). Do lower socio-economic groups take note of the apparent incongruity of amputation for petty theft by commoners versus impunity for theft of public goods by public officials?

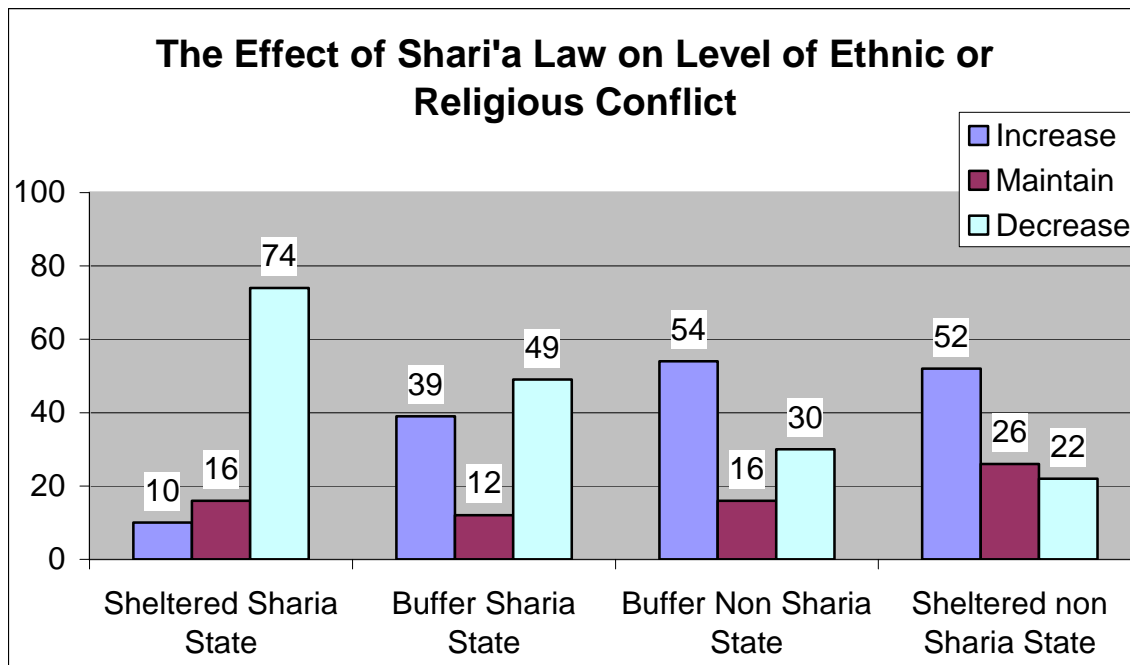
Public opinion in northern Nigeria demonstrates that lower socio-economic groups are still supportive of Shari'a law. As a proxy for economic standing we use self-identified classifications. The question used to determine economic standing asks respondents to rate their living conditions compared to those of other Nigerians. This indicator is ideal because the same question is asked in the 2001 and 2007 surveys.

**Table 2 Support for Shari'a Among Different Economic Groups in Shari'a states**

	2001	2007
Lowest Level	53%	64%
Middle level	43%	68%
Upper Level	57%	52%
	726 respondents	729 respondents

The results in Table 2 demonstrate that the lower and middle level economic segments of the population show increased support of Shari'a law while the highest-level economic groups show a slight decrease in support for Shari'a law. The middle level economic group reports an increase from 43% to 68% from 2001 to 2007. Due to reports of the way that Shari'a has discriminated against the poor it is surprising that the lowest economic group would show increased support for Shari'a.

I now ask whether it is useful to classify states as either Shari'a or non-Shari'a in their view of the effects of Shari'a. In other words can we use broad brush strokes to characterize the opinions of people who live in Shari'a states? Or, are there shades of gray whereby some Shari'a states find that Islamic law has increased communal conflict and political violence? With the exception of Paden's (2005) nuanced examination of the implementation of Shari'a in the twelve northern states, little attention has been paid to the variation in views towards Shari'a both in Shari'a and non-Shari'a states. I argue that views of Shari'a law in states where Shari'a has been instituted is not monolithic. I create four categories of states. Sheltered Shari'a states are those that are completely bordered by other Shari'a states or by an international border. Buffer Shari'a states share a border with states that have not implemented Shari'a law. Buffer non-Shari'a states share a border with Shari'a states and non Shari'a states. Finally Sheltered non Shari'a states only border with other non Shari'a states or another country (Cameroon or Benin). The rationale for these classifications is to examine whether views of Shari'a are dichotomous or if there is variation within the binary division of north and south. We can see that this classification shows greater variation than if we only look at the Shari'a states and non-Shari'a states as monolithic entities.

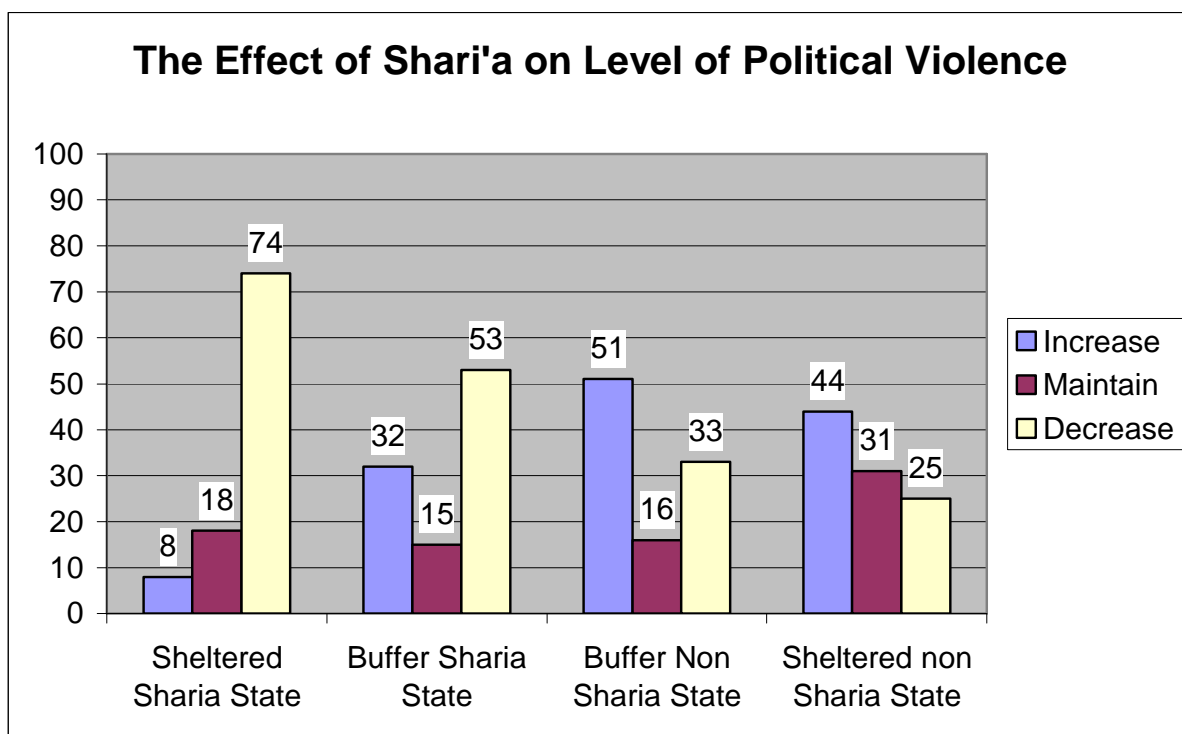


Source: 2007 Nigeria Round 3.5



According to Figure 3 only ten percent of respondents in Sheltered Shari'a states believe that Shari'a will raise ethnic or religious conflict while nearly forty percent of individuals in buffer Shari'a states believe that it will. In Buffer non Shari'a states fifty four percent of respondents believe that Shari'a will bring higher levels of ethnic or religious conflict while a slightly lower percentage (52%) of individuals in Sheltered non Shari'a states believe will bring greater conflict.

This result can be interpreted in several ways. First, the northernmost states are more ethnically and religiously homogenous than the buffer states. Second, the Buffer Shari'a states, such as Kaduna, have witnessed higher levels of conflict, some of which may be attributed to implementation of Shari'a law. This finding affirms Harnischfeger (2004) argument. It is also interesting to note that individuals in Buffer non-Shari'a states are slightly more concerned with conflict than are individuals in Sheltered non-Shari'a states. This may be due to the fact that Buffer non Shari'a states, such as Jos, have experienced violent conflict that was associated with religious divisions.



Source: 2007 Nigeria Round 3.5

Figure 4 demonstrates that not all Shari'a states view the effects of its implementation in the same manner. Thirty two percent of respondents in Buffer Shari'a states (32%) believe that Shari'a will increase political violence while only eight percent of those interviewed in Sheltered Shari'a states believe it will have this effect. Fifty one percent of respondents in Buffer non Shari'a states view that Shari'a will increase political violence while forty four percent of interviewees in Sheltered non Shari'a states think that Shari'a has engendered higher levels of political violence.

The results in Figure 4 echo the findings illustrated in Figure 3. Once again we find that there is great variation when the Shari'a and non Shari'a states are broken down by geographic location. There are dramatic differences in the way that individuals in states that are close to the Middle belt region (Buffer states) when compared to northernmost and southernmost states (Sheltered states). It is also worth noting that the manner in which Shari'a has been enforced varies by state and this probably affects the way that

people view Shari'a. In Zamfara Shari'a is implemented through a strict constructionist approach, while Kaduna follows a minimal approach (Paden, 2005).

### **Conclusion**

The briefing reports several findings that run in contrast to popularly held conceptions of Shari'a and its effects. The briefing finds that support of Shari'a has not waned as previously predicted. Although Shari'a has done little to better the lives of people in Northern Nigeria, it is still supported by the majority of people in the north. One must remember, however, that Muslims have a religious duty to support Shari'a law, even if it is not implemented in a way that is even handed. Perhaps disappointment with the current form of Shari'a is not portrayed in the results.

The study also finds that states that have implemented Shari'a law are not monolithic in their view of the effects of Shari'a. There is in fact great variation in views of Islamic law within the twelve states, especially when the Shari'a states are disaggregated by spatial designations. There is a clear distinction between how the northernmost states view Sharia's effect on religious and ethnic conflict and political violence in comparison to states that are closer to the Middle Belt. This may signify that inhabitants of more religiously and ethnically heterogeneous Shari'a states understand that the legal system may engender instability. This finding suggests that it is not useful to regard the Shari'a debate in binary terms. In other words, the debate over Shari'a should not be defined in simple north versus south terms. The dismissal of a monolithic body of Shari'a states demonstrates that the North South divide is not as severe as imagined or portrayed. It is important however to note that buffer states will probably continue to be zones of potential religious based conflict as evidenced by the deeply mixed views towards Shari'a law and its effects.

The results of the analysis also find other counterintuitive results. I found that despite expectations to the contrary, members of the Izala sect are more supportive of Shari'a than members of other branches of Islam. Second, despite unfair treatment under Shari'a, lower socio-economic groups continue to support Shari'a at higher levels than other socio-economic groups. These results also demonstrate that support for Shari'a may not be as ephemeral as first believed.

Still there are several questions that remained unanswered and demand further examination. For instance, why would Christians, particularly in Shari'a states, support Shari'a? Also if Shari'a is a bargaining chip for autonomy in non-Muslim states, how would that play out in homogeneous Muslim states for non-Muslim minorities? Finally how has Shari'a affected migration? It is possible that members of non Muslim groups have left Shari'a states and this has affected support for Shari'a in the north.

Perhaps Nigerians have learned to live with Shari'a. Southern states may now even use it as a bargaining chip in their attempt to gain more autonomy from the federal government. In other words if Northern states are allowed to have their own legal system, perhaps other states should have the same opportunity. This may already be the case as illustrated by Harnischfeger's contention that Southern states are now openly permitting the existence of ethnic vigilante groups. As states seek to have more autonomy that allows them to cater to the needs of specific religious or ethnic identities this may reinforce the differences between the different regions. Shari'a may be becoming a more accepted fact of political life, yet the door that it has opened in terms of state autonomy may have more important repercussions.

## References

- Abubakar, Dauda. 2001. Ethno-Religious Identities and the Challenges of Democratic Consolidation in Nigeria. *African Issues* Vol xxix/1&2: 31-36
- BBC January 21, 2002. "Sharia judge flogged for boozing" Retrieved 5 November 2007 from the World Wide Web:  
<http://news.bbc.co.uk/2/hi/africa/1773762.stm>
- BBC, September 15, 2000. "Prostitutes paid to quit" Retrieved 5 November 2007 from the World Wide Web: <http://news.bbc.co.uk/2/hi/africa/926942.stm>
- Bello-Barkindo, Abdulrazaque. 2008. Yarima, Where is Shari'a? This Day (Lagos). Retrieved 15 April 2008 from the World Wide Web: <http://www.thisdayonline.com/nview.php?id=101910>.
- Cohen, Abner. 1969. *Custom and Politics in Urban Africa*. Berkeley: University of California Press.
- Harnsichfeger, Johannes. 2004. Shari'a and Control Over Territory: Conflicts Between 'Settlers' and 'Indigenes' in Nigeria. *African Affairs* 103/412: 431-452.
- Hickey, Raymond. 1984. The 1982 Maitatsine Uprisings in Nigeria: A Note. *African Affairs* 83, 331 (April): 251-256.
- Huntington, Samuel. 1991. *The Third Wave: Democratization in the Late Twentieth Century*, Norman: University of Oklahoma Press.
- Huntington, Samuel. 1996. *The Clash of Civilizations and the Remaking of World Order*. New York: Simon & Schuster.
- Ibrahim, Jibrin, "Religion and Turbulence in Nigeria," *The Journal of Modern African Studies* 29, 1 (March): 115-136.
- Kastfelt, Niels. 1989. "Rumours of Maitatsine: A Note on Political Culture in Northern Nigeria," *African Affairs*, Vol. 88, No. 350 (January), 83-90.
- Kirwin, Matthew. 2005. "The Socio-Political Effects of Shari'a Law on Southern Niger." *Review of African Political Economy*. 104/105 (Summer 2005): 407-414.
- Last, Murray. 2000. "La Charia dans le Nord-Nigeria." *Politique Africaine*. 79:141-152.
- Loimeier, Roman. 2007. "Nigeria: The Quest for a Viable Religious Option." Appears in *Political Islam in West Africa: State-Society Relations Transformed*, editor William F.S. Miles (Boulder: Lynn Reinner)
- Maier, Karl. 2000. *This House Has Fallen: Midnight in Nigeria*, New York: PublicAffairs.
- Mamdani, Mahmood. 1996. *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism* Princeton, N.J: Princeton University Press.
- Marshall, Paul. 2002. "Radical Islam in Nigeria: The Talibanization of West Africa" *The Weekly Standard*. Volume 007, Issue 30.
- Marshall, Paul. 2005. *Radical Islam's Rules: The Worldwide Spread of Extreme Shari'a Law*. Lanham, MD: Rowman and Littlefield Publishers.
- Miles, William F.S. 2000. Religious Pluralisms in Northern Nigeria. In *The History of Islam in Africa*, edited by Nehemia Levtzion and Randall L. Pouwels. Athens, Ohio: Ohio University Press.

Miles, William 2000“Ethnopolitics and Presidential Elections in Nigeria,” *Journal of Muslim Minority Affairs*: (2000), vol. 20, no. 2: 229-241.

Miles, William F.S. 2003. Shari'a as Deafricanization: Evidence from Hausaland. *Africa Today*: 51-75.

Otayek, Rene. 1984 Islam et Politique Exterieur au Nigeria: Essai de Mise en Perspective Historique (1960-1983), *Canadian Journal of African Studies*, Volume 18, Issue 3 (1984), 523-545.

Paden, John. 2005. *Muslim Civic Cultures and Conflict Resolution. The Challenge of Democratic Federalism in Nigeria*. Washington, D.C. : Brookings Institution Press.

Paden, John. 2008. *Faith and Politics in Nigeria*. Washington, D.C.: United States Institute of Peace Press.

Young, Crawford. 1976. *The Politics of Cultural Pluralism*, Madison: University of Wisconsin Press.

**This Briefing Paper was prepared by Matthew Kirwin**

The Afrobarometer, a cross-national survey research project, is conducted collaboratively by social scientists from 20 African countries. Coordination is provided by the Center for Democratic Development (CDD-Ghana), the Institute for Democracy in South Africa (IDASA), and the Institute for Research in Empirical Political Economy (IREEP, Benin). Several donors support the Afrobarometer's research, capacity building and outreach activities, including the Swedish International Development Cooperation Agency, the Department for International Development (UK), the Royal Danish Ministry of Foreign Affairs, the Canadian International Development Agency (CIDA), and the U.S. Agency for International Development. For more information, see: [www.afrobarometer.org](http://www.afrobarometer.org)