

### Introduction

The paper makes some brief reflections on the role 'fundamentalist' groups have played in introducing far reaching changes to the Nigerian legal system, with the introduction of the fixed punishments (*hudud*) of Muslim criminal law into the statutes of several states in northern Nigeria. The implementation of the fixed punishment of amputation for theft, and the sentencing (not so far carried out) of several persons to death by stoning for adultery, have attracted protests from the international human rights community. This paper seeks to examine the link, if there is one, between fundamentalist groups and these developments.

### Fundamentalist groups and currents in northern Nigeria

The term 'fundamentalist' has rarely been clearly defined in discourse. It is often literally translated into Arabic as *usuli*, but this is traditionally a term of respect reserved for the great masters of theology or jurisprudence (*usul*). Muslims in general reject the use of the term, which, as is well known, was initially applied to Christian Protestant groups that believe in the literal truth of the Bible. Several scholars have tended to use the term 'Islamist' in reference to those groups usually referred to as 'fundamentalist'. The major quality that seems to distinguish the fundamentalist or Islamist from others is an overtly religious political agenda, which aims at replacing a secular, foreign system with an 'authentic Islamic' one.

The awakening of Islamist tendencies in northern Nigeria is closely linked to the successful revolution of the Iranian people against the Pahlavi dynasty about two decades ago. The emergence of an Islamic government under the leadership of Ayatollah Khomeini and the subsequent humiliation it meted out to the United States provided inspiration to Muslims the world over and, in particular, the youth, who now saw in Islam a viable alternative to the bi-polar system of capitalism or communism. Various groups in different parts of the world shouted the slogans of the Iranian Revolution, including 'Neither east nor west, Islam only'. In the heartlands of Sunni Islam, a new rhetoric soon emerged, aimed at counteracting the Shiite threat posed by Iran but which, incidentally, created a new corpus of Sunni fundamentalists determined to reproduce an Islamic revolution but one based on the Sunni tradition of keeping to the path of the pious forebears (the *salaf as-salih*). This usually took the form of disseminating the views of the medieval scholar Ibn Taimiyya, who was reputed for his uncompromising stance towards non-Muslims and all Muslim innovators, including philosophers, Sufis and heterodox sects like the Shia and the Kharijites.

The existence of Islamism as an ideology in the Middle East preceded the Iranian Revolution. The intellectual works of Khomeini, Mutahhari, Shari'ati and Bazargan in Iran, as well as those of the Egyptian Muslim Brothers like Al-Banna, Al-Hudhaibi, the Qutb brothers (Sayyid and Muhammad), and Zainab al-Ghazali were numerous. So also were the works of Indian members of the *Jamaat* like al-Maududi, and Sudanese Brothers like Hasan Al-Turabi. However, most of this literature did not find its way into Nigerian Muslim discourses until after the Iranian Revolution. There are many reasons for this, prime among which was the language barrier. Most Muslim youth involved in the Islamist tradition had limited knowledge of Arabic and practically none of Persian, so that their commitment to Islamism was driven more by faith and sentiment than by familiarity with its principal intellectual traditions.

With the Iranian Revolution came a radicalisation of Muslim politics in northern Nigeria. The first group that could be labeled 'fundamentalist' was the 'Muslim Brothers', led by Ibrahim El-Zakzaky, an economics student at Ahmadu Bello University and a former secretary-general of the Muslim Students' Society of that university. Fired by the success of the Iranian people, many undergraduates joined Zakzaky in his struggle for an Islamic State in Nigeria, to be constructed on the ashes of the existing state, which was built on 'ignorance' or *jahiliyya* (a term used in reference to pre-Islamic Arab society). The rhetoric of the Nigerian Muslim Brothers had the distinct quality of revolutionary idealism found in the works of the Egyptian Sayyid Qutb. Indeed his major political work, *Al-Ma'alim fi'l-Tariq* (by then widely available in English translation as *Milestones*) was almost compulsory reading for members. Sayyid Qutb's principal thesis, of irreconcilable dichotomy and struggle between Islam and *jahiliyya*, played a critical role in shaping the mind set of this group, as it did in the case of many Islamist groups in the Middle East that go under the generic name of *Al-Takfir wa'l-Hijra* (including the Egyptian group Al-Jihad, which produced the team, led by Istambouli, that carried out the spectacular assassination of President Anwar Sadat). As the Brotherhood's members improved their knowledge of Arabic, the writings of the Syrian Islamist, Sayyid Hawa, became central to indoctrination in their cells. Particular attention was paid to his series on *Jundullah* (the army of Allah), which included sub-titles like *Thaqafatan wa Akhlaqan* (cultural awareness and character) and *Takhtitan* (tactics).

Although the Muslim Brothers started as a Sunni group, the close association with Iran and the fact that several of their members were given 'scholarships' by the Iranian government to study at the city of Qom led inevitably to their infiltration by Shiite doctrines. The leader, El-Zakzaky, was himself soon to be seen as a Shiite, a fact that led to rebellion and fragmentation in the movement. A splinter group was formed, led by some of Zakzaky's most loyal supporters, including Abubakar Mujahid (in Zaria), Aminu Aliyu Gusau (in Zamfara) and Ahmad Shuaibu (in Kano). This group maintained that its disagreement with Zakzaky was purely doctrinal in that they rejected Shiite theology. They remained however committed to the revolutionary process of Islamisation while sticking to Sunni orthodoxy.

These two groups represent what may be called the fundamentalist current in northern Nigeria. There are other groups however which need to be mentioned. The *Jamaatu Izalat al-Bid'ah wa Iqamat al-Sunnah* (Group for the eradication of innovation and establishment of tradition) was inspired by the former Grand Qadi of northern Nigeria, the late Sheikh Abubakar Gumi. The group differed from the Muslim Brothers in a number of fundamental respects. The *Izala* movement did not, as a policy, challenge the state or political authority. Indeed Sheikh Gumi's lessons were well-attended by members of the political establishment, and he was effectively the officially sanctioned scholar, with unhindered access to the mass media for decades. The *Izala* movement primarily attacked Muslim Sufi groups for 'innovation' and 'apostasy', and fought against such 'innovations' as the Sufi *Tariqa* movements, genuflection in greeting elders, the keeping of concubines by traditional rulers, celebration of the Prophet's birthday (*Maulud*), visiting graves and tombs of dead scholars and denial of women's right to a proper education. The movement therefore was largely in

conflict with civil, as opposed to political, society, and Gumi himself was viewed as an *enfant terrible* by traditional rulers and traditional scholars. The age-old enmity between Muslim scholars of the 'Ash-ari/Sufi tradition and Ibn Taimiyya and the *Wahhabis* plays itself out in the Nigerian scene. By contrast, the Muslim Brothers tended to stress the essential unity of the Muslim *ummah* and to see their principal conflict as being one with political authority, whose overthrow was their very *raison d'être*. Where they had conflicts with leaders of civil society it was often where they perceived them, rightly or wrongly, to be in alliance with the forces of *jahiliyya* and against the 'revolution'.

### The Shari'a reforms: between fundamentalism and neo-fundamentalism

Olivier Roy it was who made a crucial distinction between fundamentalism and neo-fundamentalism. The first, exemplified by the works of scholars like Maududi, Al-Banna, Qutb, Khomeini, Mutahhari and Shari'ati, represented a comprehensive world view that aimed at replacing existing 'western' and 'secular' models with a totalised Islamic version covering the polity, economy and society. The neo-fundamentalist worldview, on the other hand, seeks the strict application of Islamic law and the transformation of Muslim society through the elimination of western cultural influences and innovations.

In this sense the reforms of the law in northern Nigeria represent a neo-fundamentalist current. The Muslim Brothers, led by Zakzaky, were quite vociferous in their condemnation of the introduction of fixed punishments in an 'unIslamic' society. The politicians who started the reforms do not have a record of Islamist activism, and seem to have merely exploited an issue that has for decades had emotional political appeal. The issue of *shari'a*, i.e. the scope of its application, has featured in every constitutional conference in Nigeria. In the late 1970s, Muslim politicians staged a walk out from the Constituent Assembly over the question of a supreme court for *shari'a* and a Grand Mufti for the north.

In 1999, with elections gone by, the Muslim north had lost political power, thus compounding the sense of vulnerability due to its weak economy and educational backwardness. Its politicians had become discredited as corrupt, power-hungry incompetents. Northern Muslims felt increasingly alienated and insecure. Religion remains for most of them the last anchor for stability. In addition to the internal situation, the international environment adds to a sense of siege. From Palestine and Iraq to Afghanistan and Chechnya, there was plenty of evidence that Islam was being persecuted and the real crime was to be Muslim. The same factors that make Osama Bin Laden and *Al-Qaeda* and *Hamas* heroes in the eyes of many Muslims also make anyone who adopts their rhetoric a hero. So any proclamation of *shari'a* was bound to bear fruit in terms of popular support, and the political class took full advantage of this. Many of the governors who announced implementation of *shari'a* actually did so reluctantly, when the demands for *shari'a* from the popular masses swept through the north, after its implementation in Zamfara State.

To this extent therefore, the law reforms were not initiated, strictly speaking, by fundamentalist groups. However, the strongest support and participation has come from preachers of the *Izala* and other neo-*Wahhabi* movements, who stress the role of *shari'a* in fighting

'innovation' and advocate strict application of penal laws. These groups tended to be led by students who were trained in Saudi Arabian Islamic universities, and generally had the image of contemporary Saudi society as the Islamic ideal. The irony is that many of those sincerely committed to Islamising northern society are against the reform of the law without first reforming the environment. In his commentary on the verse on amputation, Muhammad Asad makes clear the fact that amputation is only permissible in an environment of total social and economic security, and in no other circumstance. Similarly, in his commentary on the verse on slander, he posits that the strict proofs required for establishing adultery are such as to ensure that conviction is based only on faith-inspired and voluntary confession.<sup>2</sup>

In northern Nigeria, neo-fundamentalism turns this logic upside down. Amputation takes place in the midst of extreme poverty and deprivation, and women are convicted based on a controversial proof of pregnancy.

### Conclusion

I have tried in this short piece to put down some reflections on emergent fundamentalisms and neo-fundamentalisms in northern Nigerian politics. My principal thesis is that the reform of the law was started by politicians but found popular support in an environment of despondency, frustration and discontent. The reforms received immediate intellectual support from *Wahhabi* neo-fundamentalist movements, who did not initiate them, but who shared a vision of replacing the discourse on the state by the discourse on society, thus strengthening the state as an agent of personal morality while understating the critical role of political ethics and ideology.

### Endnotes

<sup>1</sup> The views expressed in this paper are personal and do not reflect the views of UBA plc.

<sup>2</sup> See *The Message of the Qur'an*, 149-150, 533-534.