

# Problems of Cultural, Social and Political Life and Thought, for Renewed Effort of Muslim-Christian Dialogue

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The dialogue that has ensued in pursuance of the *A Common Word* initiative resounds in a verse of the Qur'an, thus,

*Say, O People of the Scripture! Come to a common terms/an agreement between us and you: that we shall worship none but Allah, and that we shall ascribe no partner unto Him, and that none of us shall take others for lords beside God. And if they turn away, then say: Bear witness that we are they who have surrendered (unto Him).<sup>1</sup>*

The first part of the verse has been discussed extensively in the body of the Dossier so that requires no repetition, while the second part is worth emphasising because it conveys a significant principle applicable for human co-existence on this earth; that no-one should seek to dominate another on grounds of faith or absence of accord on the subject, because God alone is the ultimate judge. Submission to God is the only acceptable ethic, and finally, disagreements of faith should not be personal and freedom of choice in faith is guaranteed without reservation. It suffices merely to affirm loyalty and submission to God, where there is no assent to common terms.

## **Challenges in the Nigerian Context**

The Qur'an states clearly, "Let there be no compulsion in religion: Truth stands out clear from error."<sup>2</sup> Furthermore, "To you be your own way, and to me mine."<sup>3</sup>

Ironically, intolerance and disrespect for other religions is common among some Nigerians, both Muslims and Non-Muslims, notwithstanding that God has made it clear in the Qur'an that he created us as nations and tribes so that we may come to know one another.

Although Islamic personal law (covering such aspects as marriage, family relationships, guardianship, succession, etc) is entrenched in the 1979 Constitution of the Federal Republic of Nigeria as being applicable to Muslims, the contents have not been codified, thereby ensuring uniformity, certainty and publicity, accordingly. Indeed, it is only more recently that some States in northern Nigeria (after 1999) enacted the specific criminal aspects of the Shari'a (the *hudud*) to be enforced in their jurisdictions. Since then religion has assumed increasingly 'front burner dimensions' in our national discourse. Communal conflicts, arising too frequently from intolerance, ignorance and misinformation, have become quite common in our communities in Nigeria. Most regrettably, these incidents are all too familiar, especially in the northern part of Nigeria, although such incidents have sparked off retaliatory measures in communities that are not predominantly Muslim as a consequence.

The majority of our people are poor, ignorant and unemployed. Their emotions are easily whipped up by any allusion to matters relating to religion and they are quick to rouse to anger and rioting at the slightest rumour of 'provocation' or misunderstanding. Churches, mosques, lives and property are often the first targets of destruction upon the occurrence of a seemingly innocuous matter relating to some hearsay 'sacrilegious occurrence'. The challenge, in our own context, has always been how to curtail these incidents before they spiral into the tragic crises and how to manage the aftermath of resultant destruction and the displaced persons who have been rendered homeless.

Of necessity, the propagation of faith is through human agency, bearing in mind the endemic risk of subjectivity, rigidity and inflexibility that is part of human comprehension and human will. Human argument must be informed by human ability, capacity and sentiment. Thus a view expressed by an individual preaching at a community gathering, in a church/mosque or at religious lectures may indeed derive from the divine scriptures. This simple fact is presented as if it is the categorical position and solution on that particular question of faith. In truth however, this view should only be the beginning of the inquiry, because one must first comprehend the presenter and his method of presentation to appreciate fully the message that he seeks to convey. It should always be borne in mind that it is the speaker who makes and manages the argument and

who selects his own illustration and example from the text. Being human, this speaker may be ill-informed, simplistic, dogmatic or ill-intentioned, so it stands to reason that he may simply exclude from his analysis the vast spectrum of material or information that contradicts his own opinion. He will assume and strive to convince the audience that the validity he seeks to ascribe to his argument conveys a clear, precise and singular meaning, thereby excluding all evidence to the contrary.<sup>4</sup> The presentation of one view as simple and compelling truth is necessarily accompanied by the exclusion of contending analysis, which is always a source of unending controversy in our own context.

Most unfortunately, it is clear that some of our imams, priests, pastors or even scholars, lack comprehensive knowledge, humility, wisdom or the temperament for preaching; more so in a pluralist society. They speak with certainty on issues that are not so simple, and are therefore unable or incapable of conveying the wide spectrum of possibilities that are just as legitimate, having been derived from the direct sources of the faith they subscribe to. Claims of expertise and scholarship are hardly ever questioned or verified and there are no established mechanisms or qualifications for monitoring and evaluating the performance of those who claim expertise in the field. Basic minimum criteria for such vocations should at least include a comprehensive knowledge of their particular faith, intellect, humility, wisdom, compassion and a sense of justice before such a person ventures into the public sphere for the purposes of religious propagation.

Consequently there is an abundance of self-declared experts (across all the faiths) in our domain, who may be ignorant, selective or at best non-critical when dealing with religious precepts and traditions. This has only given license to bigotry and intolerance in many situations. Having hijacked the terrain of 'knowledge', these 'experts' dominate the discourse with claims of exclusive and superior understanding and jealously guard their assertions, their temporal positions and the status quo with tenacity. To question them would be to reduce their relevance in society and their self-esteem, as well as the means of their sustenance in the community. You become the enemy, as your innocent enquiry strikes at the core of their status, regard and relevance in the community.

## Universal Concepts

It is a widely-held belief, by Muslims and non-Muslims alike, that democracy and human rights are not in consonance with the Islamic faith, in spite of the predominant and prevailing consensus of Islamic jurists that life, dignity and substantive justice, even in respect of dealings with non-Muslims, are non-negotiable precepts within the faith.

There are, of course, many models for successful democratic governance, but the basic question remains whether or not, Muslims can commit to a system that acknowledges the sovereignty of human beings over their own affairs, or if, in the unquestionable belief in the sovereignty of God, Muslims are duty-bound to consider this sovereignty as precluding human beings from the freedom to conduct their own affairs. Does Islamic theology preclude Muslims from subscribing to and living within the confines of a democratic government? Other questions that arise include whether or not, people have the collective right to elect their government or determine the laws that govern them, and how/if God's law can be translated and transmuted into man-made law.

The basic principle that emerges from the categorical statement in the Qur'an that Muslims (and non-Muslims) are to worship God alone and should not take one another as lords (Q. 3:64), is that human beings should not dominate one another in matters of faith. Submission is to God and not to man, as that could amount to oppression. Accordingly a deep reflection of the meaning of this concept should encourage all, irrespective of faith, to subscribe to arrangements that ensure that none dominates the other. In striving to establish justice between human beings living together, the construction of a political system that enables and ensures the accountability of its leaders, the redressing of injustices and protection from oppression, especially of the more vulnerable, is crucial and eminently Islamic!

Experience has shown that constitutionally democratic systems provide the most conducive atmosphere for nurturing these critical elements, as in a non-democratic system it is virtually impossible to hold leaders accountable for injustices or even to address abuses or social disparities. Where such a system is founded upon individual

rights and duties, its capacity is enhanced towards the achievement of the desired goals of entrenching respect for the dignity and liberty of the human being. Indeed, the Qur'an describes oppressors as corrupters of the earth and oppression as an offence against God, so dignity and liberty are believed to be the basic rudiments of all human beings, endowed by God.

One must also consider the question of whether or not the concept of individual rights is alien to Islam. Is it feasible to reconcile articulated rights from the Western perspective with Islamic traditions? Such a possibility would require a conscious effort to resolve seeming inconsistencies between the standards of human rights as articulated internationally and interpretations of the texts and the Hadith in the area of family or personal law, that relate especially to problematic areas such as women's rights, testimony, inheritance, the rules of marriage and divorce, etc. Much of what we witness in the area of women's rights and personal law in northern Nigeria is based on cultural dogma. Genuine attempts to regulate the enforcement of rights, as derived from the direct sources of Islamic law, encounter a multitude of barriers in trying to access justice. Since there is no enacted civil family code establishing rights and offences (with penalties attached), many of the violations go unpunished and are even accepted by women who do not know any better, who have been socialised into accepting their circumstances, irrespective of the justice element, or whose attempts at enforcing their rights are met with stiff cultural and religious barriers. So they get married, may co-exist in polygamy, be divorced, get deprived of their entitlements to maintenance, inheritance and custodial rights, without the endemic observance of justice that must (by God's prescription) accompany every facet of their personal life. "God commands (the doing of) justice and fairness...and prohibits indecencies and injustices."<sup>5</sup> Furthermore, the Qur'an directs,

*O you who believe, be maintainers of justice, bearers of witness for God, even if it be against your own selves or (your) parents or near relatives whether he be rich or poor, God has a better right over them both. So follow not (your) low desires, lest you deviate. And if you distort or turn away from (truth), surely God is aware of what you do.*<sup>6</sup>

Since the doing of good and ensuring substantive justice to all manner of human beings is a basic and significant aspect of the faith, many subscribe in the affirmative that this wholesome reconciliation is not only possible but also mandatory, in the true spirit and character of the Qur'an. Undoubtedly, there may be particular rights that would not derive directly from a deliberate study of ethical or moral precepts with a view to encouraging good, ensuring justice and enhancing happiness and peaceful coexistence within societies. Ultimately however, an irreconcilable difference, if identified, cannot be so significant as to render the exercise useless or unnecessary. The Qur'an specifically states, "Allah desires ease for you and desires not hardship for you."<sup>7</sup> Furthermore, "See what God has sent down to you as a blessing. Yet you make some things forbidden and others lawful. God has permitted you (to do so) or do you invent things and attribute them to God?"<sup>8</sup> Consequently the harshness, strictness and rigidity that accompany the application of religious law have been said to be alien to God's command by a renowned Islamic jurist of the past.<sup>9</sup>

Consequently, it is generally opined in many quarters that the development of religious law should ideally be about setting boundaries, rather than precise directions. While piety may create and pursue certain rules, the rules in themselves, do not create piety. They may promote piety and justice where they are carried out with sincere intent and moral vision, but where these criteria are lacking, the rules can easily become meaningless and even punitive.<sup>10</sup> Unfortunately, the process of the development of religious law in our own context, and indeed in many jurisdictions, is mostly apologetic, dogmatic or legalistic; hardly appropriate for ensuring substantive justice for the weak.

Additionally, according to the theory of *haqq* (which notion may be said to relate, in a sense, to both truth and right/entitlement), both God and human beings have their sets of rights, which cannot be taken away, even by the state, unless waived by the individual. God's rights will be vindicated on the Last Day, while an individual's rights remain sacrosanct and inviolable, and must be guarded jealously by human beings on earth. The discourse on human rights in Islam can be predicated easily on this theory, as the implication of the conversation around it is that God will take care of his own rights in the hereafter, while human beings should take care of their rights

here on earth. Thus slander should be followed by remorse, an apology from the offender and forgiveness from the injured party; otherwise even God cannot intercede for the offender on the Last Day.

Justice remains a core value within Islam, to the extent that some scholars have argued that true submission to God is impossible where injustice is prevalent in a society. Injustice would lead to other negative traits that are inconsistent with Islam and render submission to God impossible, which characteristics would include oppression, fear, disharmony, conflict, insecurity, etc. The basis for justice would involve achieving a balance, moderation between duties and obligations, as against due rights. Muslims are obliged to encourage and nurture a system that balances rights with responsibilities, such that everyone has access to protection against abuse and to redress injustices against them. Human history and our common experience indicate that a democratic, constitutional system of governance would best provide the requisite atmosphere for accessing and sustaining justice and accountability, and affording the rights to dignity and liberty, irrespective of faith.

### **Human Rights in the Islamic Context**

Classical scholars have identified five objectives as protected rights, which political and legal interests (or rights) are duty-bound to protect and promote. According to this theory, the ideal political system must respect the right to life, the intellect of its people (ability to reflect), their lineage (right to marry, procreate and raise their children), their reputation and the right to own property (including not to be deprived of it without just compensation). As a corollary to the rights to lineage and reputation, some argue that the right to privacy is also implied. These were considered not to be exhaustive but constitute the basic entitlements of human beings. In an effort to develop this theory, a further three-part division into necessities, needs and luxuries was created. Necessities are deemed to be what are basic and essential for the sustenance of the rights (like a prohibition against the taking of life), needs are less critical although important for the protection of the rights (providing employment and education, for instance), while luxuries are neither necessary nor a need, but where supplied, perfect the enjoyment of the right (such as transportation or paid vacations, etc).<sup>11</sup>

In arriving at these broad but unspecified divisions, these scholars contended that these differentiations are required to identify what must, should and could be guaranteed by a legal system that values the dignity of the human being residing within its confines. They further stated that it was the responsibility of each generation of Muslims to define 'in accordance with the shifting demands of the circumstances and changing times' what ought to be defined as necessities, needs or luxuries. A leadership that considers necessities as sacrosanct, with needs being high on its list of priorities as well as the provision of luxuries, would be on the right path to ensuring an equitable, fair and just society.

Most regrettably, the Nigerian States that have enacted the criminal aspects of Islamic law as applicable in their jurisdictions seem to have neglected many of the necessities and needs for their citizens, and the more vulnerable continue to suffer injustices that remain completely antithetical to the precepts of the Islamic heritage. The focus appears to be on the punishments, rather than the welfare of the people within their jurisdictions. Although the Nigerian Constitution (which provides for the fundamental human and socio-economic rights of Nigerian citizens) applies in all the States of Nigeria, the false argument persists that these rights are 'alien to Islam', having been articulated in the form in which they appear 'from the West'. In fact, the values that emerge from this discourse on 'protected rights' from an Islamic perspective can legitimately form the framework for a coherent set of human, social and economic rights within these States, if the scholars in these jurisdictions would exert their intellect and apply the broad principles, derived from the Islamic faith, to changing times and contexts.

### **Constitutional Democracy and Sovereignty**

Another significant issue, to which reference needs to be made in this discussion, is the divine commandment in the Qur'an for Muslims to conduct their affairs through consultation (*shura*). In other words, decision-making in governance should not be conducted by one individual or a select few but in the type of consultation that is the outcome of democratic interaction with a broad spectrum or group in the society.



Furthermore it is on record that when the Prophet first migrated to the city of Madina (having left Mecca, the city of his birth, due to persecution), he drafted a memorandum (constitution) that established the obligations, duties and responsibilities of each tribal group that existed within the confines of its borders, including those of non-Muslims that were resident within Madina. After his selection as ruler of the city, he carefully negotiated with the various groups within that jurisdiction and prepared a document that was acceptable to all that participated in the exercise. Surely this historical precedent of what is now known as the 'Madina Pact' supports the idea for a legitimate democratic political system under a constitutional government.

Finally the concept of *ijma* (consensus) of a select group of people on an issue is well established and also lays a firm democratic foundation within Islam, although in the course of the exercise of arriving at a consensus in the past, jurisprudential issues varied and were debated quite vigorously. Apart from resolving the subject matter under dispute (including if the issue can ever be a matter for *ijma*), matters were discussed that related to whether or not, such a matter has to be theological or legal, and its effect on the community, if it should be final for all time, or for an interim period, etc. Today many hold the view that the consensus that is acceptable in our own context is one of simple majority, not necessarily that of unanimity; again, the will of the people, as in Western-like democracies.

It seems that much of the controversy in respect of the basis for the individual rights of human beings within Islam is predicated on the conversation around God's sovereignty. The basic understanding is that God is sovereign because final authority is his. Some opine, however, that he has delegated this authority to human beings possessed of the free will to conduct their affairs, so perhaps, people have been delegated this sovereignty (*khalifa*) as far as man-made law is concerned, while God remains sovereign as it relates to eternal law. For them, human beings can thus legislate on matters that relate to human existence so long as this law strives for the good, but where it fails to achieve this, it should be declared unconstitutional. Others argue that people are sovereign on earth and should be in a position to determine how best to conduct their affairs, because only matters relating to the worship of God are best left

to God, especially since human beings are not in a position to intercede or determine with certainty whether or not God has forgiven a violation of what is considered to be God's law.

Following this discourse, it can be assumed safely that Islam is supportive of most elements of constitutional democracy and respect for the basic rights that ensure the dignity of the human being. The challenge that arises is in the application and implementation of religious law, as has been adopted in Nigeria. Most particular are the *hudud* (punishments for theft and fornication provided in the Qur'an and the Hadith), whose existence is mitigated by strict evidentiary requirements for enforcement. For instance, apart from the necessity for four eyewitnesses in an allegation of fornication, there is a penalty of lashes for those who testify, if they fail to amount to the four who are mandated as the minimum number. This would act as a deterrent for making unsubstantiated accusations of sexual misconduct. We are however, witness to several unfortunate verdicts of stoning for the offence of fornication, which judgments have all been overturned on appeal, not having met the strict evidentiary standards required by Islamic law.

Some Muslims argue that the citizenry of a country should be the sole source of criminal legislation and so religious law, being a human attempt to render divine law inert, should ideally remain a moral and ethical guide in Islamic States. The Qur'an proclaims, "This is the Book; in it is guidance sure, without doubt, to those who fear Allah".<sup>12</sup> In their view, laws belong to the people, so legislatures should be free to enact laws that manage the conduct of people's affairs, although these laws should meet minimum moral/ethical standards and not impede the rights of the various peoples to practise their religions. Otherwise the apprehension is that once institutions purport to represent God, they stand the risk of offending him by dominating human beings, thereby ascribing to God a partnership that is completely abhorrent to Islam. Indeed, in Islamic history, after the early days of the Caliphates, Islamic jurists gradually grew conscious of the need to shy away from appearing political, never assuming power directly. Their power base was their popular appeal to hearts and minds, arising from their intellect, humility, wisdom and knowledge. To safeguard that perception, they remained non-partisan and aloof from politics, preferring the neutrality and sanctity of the spiritual realm for their activities.

In Nigeria, we are witnessing the troubling situation whereby 'scholars' (or their 'disciples') are assuming political status and authority in many northern States, in order to gain and wield power. They are gradually attaining authoritarian positions, dictating to the authorities of State what is for and against Islam, claiming exclusive knowledge of God's purpose for us in life with absolute certainty and finality, but without the humility to acknowledge and respect the possibility of other legitimate positions on the same subject matter. Some of them have taken centre-stage in the arena of religious authority, imposing on the public an exceptionally narrow and rigid interpretation of the Islamic faith.

Clearly strident efforts must be made to 'win over' these authoritarian people by engaging them intellectually with the diversity that exists within Islam on every subject matter, the encouraging and accommodating attitude of renowned Islamic jurists and scholars in history and the practical examples of Prophet Muhammad's humility, kindness and compassionate conduct on matters relating to human affairs and life. In this process, the point must always be made that questioning the dogma, which is a consequence of history, culture and subjectivity, is distinguishable and absolutely not the same as challenging Islam as a religion and a heritage. Rather, questioning set notions and beliefs held by human beings is in consonance with God's expectations of us that we should reflect continuously on his Word and its implications for us in our lives and our contexts as human beings.

Interestingly the Qur'an states, "And none can know the soldiers of God except God".<sup>13</sup> Although according to commentaries on the Qur'an, the verse refers to the fact that only God knows why precisely nineteen angels guard hell, the phrase is couched in a manner that is a manifest negation of the authoritarian people in our midst, for it implies that no-one can know who are truly God's soldiers, except the Almighty himself. And while we can all aspire and strive to be the soldiers of God, only God knows his soldiers. Ultimately, even though everyone has access to God's authority, no-one is assured of receiving it. God knows best.<sup>14</sup>

Extremists argue for a re-creation of the days of the Caliphate, which era has long been overtaken by progress in reflection, development, creativity and technology. Yet history tells us that the Caliphate did

not adopt a single form of government, but rather implemented different policies and adapted various strategies for good governance. It was a historical institution that managed to unite most Muslims without necessarily embodying a distinct form of government. A study of the ideal *shura* system would reveal an ardent belief in the selection of a just ruler, who meets the requirements of piety, religious knowledge and wisdom effectively to implement the religious dictates of consultation in governance. Little however, can be found in respect of the procedural checks to be enacted to ensure that such a ruler, where found and selected, being human, can remain consistent, just and accountable to his subjects, practically knowing how power can corrupt so absolutely.

The next issue relates to the constitutional democratic system of governance that necessity demands, arising from the imperative of the element of justice, righteousness and the fair and balanced treatment even for non-Muslims that reside within those jurisdictions. This is even more so because extremists, across most religions, continue to insist that salvation can only be found through worship as dictated by their chosen faith. Indeed the logical conclusion, at which one would arrive in respect of this issue, would be that perhaps in a pluralist society where many claim superiority over the others for salvation and intercession with God on account of the faith they profess (despite the widely acknowledged notion that mercy is at God's sole discretion), we should be wary of allowing religion to play an active role in the public sphere, especially where it is oppressive and dismissive towards other faiths. Permitting such claims of superiority could only breed intolerance and conflict. Rather, emphasis should be placed on the opportunity of choice in the unimpeded ability to practise one's faith without infringing on the rights of others, than on claims of exclusivity of God's favour (which access is beyond us, as every honest, God-fearing human being would readily accept). Choice and righteousness, imperatives that cuts across all faiths, should be the overriding concern in a pluralistic society. Of righteousness, it is stated in the Qur'an that,

*It is not righteousness That ye turn your faces Towards East or West; But it is righteousness To believe in God And the Last Day, And the Angels, And the Book, And the Messengers; To spend of your substance, Out of Love of Him, For your orphans, For the wayfarer, For those who ask, And for the ransom of slaves; To be*

*steadfast in prayer, And practice charity; To fulfil the contracts Which ye have made; And to be firm and patient, In pain (or suffering) And adversity, And through All periods of panic. Such are the people of truth, God-fearing.*<sup>15</sup>

### **Peoples of the Scriptures and Religious Pluralism**

Since a jurist's interpretation, no matter how well meaning, can only remain subjective, based on the personal experience, background, knowledge and understanding of the fallible human being striving to access the meaning of God's Word, it is entirely possible to find various categories of Muslims arguing from diametrically opposite ends, about the perceived relationship that should exist between the Muslim and non-Muslim, on the meaning, implications and consequences of God's Word and human rights and dignity, freedoms of belief and religion, secularity and democracy, all of them legitimately deriving their authority from verses of the Qur'an.

My own views can only remain the efforts of a humble Muslim student actively engaged in advocacy for the respect, promotion and protection of the rights of all citizens, absolutely unversed in the complexity of the Arabic language, nowhere near an expert or scholar, but nevertheless searching for the truth amidst a cacophony of voices. There are many that would disagree, even vehemently, with my personal views on this issue, but every individual is accountable for his or her own views and I am consoled by the saying of Prophet Muhammad that the pursuit of knowledge, by itself, is an act of worship and that persons that exert themselves in such efforts receive divine reward, even for trying!

With the support of one of the verses in the Qur'an, Muslims accept and even expect there to be diversity within human society. This verse states,

*O humankind, God has created you from male and female and made you into diverse nations and tribes so that you may come to know each other. Verily, the most honoured of you in the sight of God is he who is the most righteous.*<sup>16</sup>

Not only is the principle of diversity affirmed in this verse, but the divine will and purpose of creation is said to be also for us "to know

each other," which seems to place an obligation upon Muslims to cooperate with non-Muslims and Muslims alike. Furthermore in the Qur'an, God says to the Prophet,

*But why should they make you a judge (between them) when the Torah is in their midst and it contains the Law of God?*

*We sent down the Torah containing guidance and light, and in accordance with (the Torah) the prophets who were obedient (to God) gave instructions to the Jews, as did the rabbis and priests, for they were the custodians of God's writ. So, therefore, do not fear men, fear Me, and barter not My messages away for a paltry gain. Those who do not judge by God's revelations are indeed unbelievers.*

*After that We sent Jesus, son of Mary, confirming the Torah, which had been sent down before him, and We gave him the Gospel containing guidance and light, as an affirmation of what we revealed in the Torah, and as a guidance and warning for those who are pious. Let the people of the Gospel judge by what God has revealed in it. And those who do not judge in accordance with what God has revealed are transgressors.*

*And unto thee have We revealed the Scripture with the truth, confirming the earlier revelations, and preserving them. So judge between them (Muslims) by that which Allah hath revealed to you, and do not ignore the Truth that has been revealed to you by following people's whims. For each We have appointed a Divine law and a traced-out way. Had God willed, He could have made you one community? But that he may try you by that which he hath given you (He hath made you as ye are). So vie one with another in good works (virtues). Unto Allah ye will all return, and He will then inform you of that wherein you differ.<sup>17</sup>*

Consequently even where Islam is not accepted by the non-Muslim, the Qur'an admonishes us all to unite in striving for virtue, which certainly does not imply assimilation, domination or dilution of belief. It simply means cooperation in the objective of promoting good, despite the variations in laws, rules and beliefs. Moreover the Qur'an clearly embraces a multiplicity and pluralism of laws and nothing of its contents precludes cooperation with others in order to excel in virtues and goodness. From this paradigm therefore, it could be

argued that a universalism that seeks to impose a single unitary law could be seen to be in conflict with the text of the Qur'an. People may have varying views concerning their creed, but there should be collectivity in aspiring to improve the conditions of human beings. And while it is true that verses exist in the Qur'an that instruct Muslims not to ally with non-Muslims, some would disagree with the notion, that is indeed widely held in some quarters, that certain parts of God's Word may have been abrogated by latter verses.<sup>18</sup> Since it is also understood that behind every verse is a particular context and historical background, they would rather consider those verses in their contextual perspective, which should be comprehended together with the sense that they seek to convey. It would be found that those verses were generally revealed in times of hostilities, at a period when Muslims were at war with non-Muslims, and non-Muslims were considered the enemy. The Qur'an says,

*And argue not with the People of the Scriptures unless it be in (a way) that is better, save with such of them as do wrong (inflict injury); and say: We believe in that which has been revealed unto us and revealed unto you; our God and your God is One, and Unto Him we surrender.*<sup>19</sup>

Thus while Muslims are urged to call others to Islam, they should do so in kindness, in the knowledge that not all will believe in one faith. An additional fact worth noting is that the Qur'an appears to acknowledge plural religious convictions and laws. In this context, I refer to,

*Rest assured that Believers (in the Qur'an), Jews, Christians, Sabians – whoever believes in Allah and the Last Day and does righteous deeds – shall have their reward with their Sustainer; and no fear need they have, and neither shall they grieve.*<sup>20</sup>

Again,

*Among the People of the Book, there are those who believe in God. They believe in what has been revealed to you, and also in what has been revealed to them. They bow in humility before God, and they do not trade for paltry gain God's messages. Verily, those have their reward with God for God is swift in reckoning.*<sup>21</sup>

Undoubtedly Muslims who believe and do good deeds will receive the reward of heaven, but the Qur'an is also clear that it is impermissible for human beings to speculate about who may be the recipient of God's mercy. We are mere mortals. In dealing with non-Muslims therefore, Muslims cannot preclude the possibility of the latter becoming recipients of his mercy through doing good and abiding by their own rules. Since Muslims are not privy to God's ultimate decision and mercy is God's exclusive domain, it behoves us to strive to know one another, to treat all human beings with regard and to unite with everyone in striving for virtue, God's mercy and doing his will on earth.

### **Conclusion**

Amongst the basic requirements in Nigeria today are strident efforts at understanding and therefore respecting the beliefs of one faith community by the other. It is only in this manner that many of the crises that bedevil our communities could be curtailed. There appears to be a phobia of Islam and Muslims, accompanied with the general belief that our faith is full of violent people, quick to anger and riot. This perception can only be fuelled by what would appear, in several instances, to be acts of deliberate provocation, especially by non-Muslims living in some areas in the north, despite their knowledge of the terrain and the pervading poverty and ignorance that informs the minds of the people in those communities. Surely freedom of speech should also be accompanied with the responsibility of respecting the ardent and firm commitment to religion, irrespective of whether one subscribes to it personally. An effort at respecting the beliefs of others and not maligning or desecrating what they hold dear would be a good beginning.

A study of historical antecedents also (into which we cannot go in this paper), would demonstrate that the Middle-Belt region of Nigeria especially is like a tinderbox, ready to explode at the slightest hint of religious misinformation, and the side of the divide to which you belong or how you survive, would literally depend on the language spoken or the ethnic group to which you belong. Religion often appears as the 'cause' of resentment conveyed as a dispute or conflict, whereas in fact it may be a majority/minority, indigene/settler dispute in that instance. Community and religious leaders of both faiths should urge their faithful to be wary of inciting or



instigating them to take up arms, for God or in God's name. They should refrain from jumping to hasty conclusions or making provocative comments, especially in such sensitive situations. Ultimately we have all been created by him for a purpose, which purpose would include to live with one another peacefully, act justly towards one another, to be our neighbour's keepers and to strive to enhance the conditions in our society.

Advocacy is required in many areas but most of all perhaps in the field of the diversity that obtains all over the world, in various Muslim majority and minority jurisdictions of our country. We must learn to read, understand and listen, even as we attempt to convey our own appreciation of the issues. Advocacy must be accompanied with an appeal to the conscience and the sense of justice that pervades Islam, which is critical to enable the opening of minds to the variations in interpretation of texts (and thus the fallibility of human agency), the contextual nature of many verses and authentic examples of the Prophet Muhammad's life, which practically demonstrate his wisdom, fairness, compassion and justice in dealings with all manner of human beings.

The authorities in those States in Nigeria that have passed the criminal aspects of Shari'a into law need to reflect deeply on the implications of applying such penalties in an environment that remains riddled with disparities between social classes and the injustices that have resulted as a consequence. The *haqq* that is the entitlement of those who are at the receiving end of the misapplication of the criminal aspects of the Shari'a in our own environment would not be overlooked or waived by God. We will all remain accountable for our deeds on the Last Day. Moreover the inconsistencies and disparities that exist, arising from the poverty and ignorance that pervades (which realities make it impossible for justice and accountability to thrive), should be resolved in favour of a more wholesome approach that guarantees basic necessities and needs, good governance, security and the observance of the rights of the more vulnerable in the society, in consonance with Islam.

In addition, for Muslims, civil laws (family codes) could also be enacted in our environment that afford appropriate mechanisms for women and children to access their rights and entitlements, uniformly and easily, which (where derived from the direct sources) remain formidable within the faith but are not available due to the

fact that they have not been reduced into enforceable provisions within these jurisdictions. Consequently where rights are violated currently, the decisions as to whether or not to grant a remedy, and the extent of the right and feasibility of the penalty in the particular circumstance, are left to the discretion of whichever *qadi* is seized with adjudicating on the matter. Indeed even the *qadis* that adjudicate on matters pertaining to the rights of the more vulnerable need to be exposed to the rich, intellectual diversity that obtains within Islamic jurisprudence, if only to ensure a well-reasoned and balanced judgment in protection of the weak.

In addition, a system needs to be established that ensures basic qualifications for those who claim to speak in God's name because the conflicts that have arisen in many of our communities can be traced to spontaneous outbursts of mob action arising from misinformation, rumours, misunderstandings and the ignorance and arrogance of many self-declared experts in the field of religious law, across both faiths. Continuous education, training, exposure to decisions and other valid interpretations as well as monitoring in respect of such matters are critical to maintaining peace and harmony in our society.

Several initiatives have been devised for the purposes of containing the various conflicts that have arisen as a consequence of religious intolerance. These include the Nigeria Inter-Religious Council (NIREC), which came into being as a platform for high level dialogue between the leadership of Islam and Christianity in Nigeria towards promoting public good, peaceful co-existence and religious harmony especially in the light of ethnic and religious crises which have been recurring in Nigeria, especially since the early 1980s. The Council organises conferences and seminars on a regular basis, to promote understanding, the appreciation of one another's beliefs and the generation of mutual respect between adherents of the Muslim and Christian faiths. It has also promoted the establishment of NIREC clubs in secondary and tertiary institutions in the country, mainly to enable the youth to imbibe the values and spirit of religious understanding and harmony from an early stage.

It is made up of 50 members consisting of Muslims and Christians in equal numbers. It is co-chaired by the Sultan of Sokoto, Alhaji Sa'ad Abubakar and Dr John Onaiyekan, the Archbishop of Abuja and

the Chairman of the Christian Association of Nigeria. The National Secretariat of the Council is situated in Abuja and meetings are held quarterly in various jurisdictions, with most States having replicated the Council at their level. Although the Council was inaugurated in 1999, it became more active in the latter part of 2007 and 2008, due to the recurrence of ethnic and religious crises in places like Jos, Aba, Kano, Kaduna and Bauchi. The Council has to its success the bridging of the gap between the adherents and leadership of the two major religions in Nigeria and is increasingly becoming known for promoting peace and understanding within and between the faiths. Other organisations such as the Federation of Muslim Women (FOMWAN), Muslim Students Society of Nigeria (MSSN), National Council of Muslim Youth Organisation (NACOMYO), Movement for Islamic Culture & Awareness (MICA), Muslim Public Affairs Centre (MPAC), Jama'atu Nasril Islam (JNI), The Nigeria Supreme Council of Islamic Affairs (NSCIA) and the Nasrullahi-Fathi Society of Nigeria (NASFAT) have continued to initiate and promote dialogue in the sphere of religious tolerance and understanding. Worthy of mention specifically is the work in which the Da'wah Institute of Nigeria of the Islamic Education Trust (a non-governmental organisation based in Niger State of Nigeria) is actively engaged, training hundreds of youth in interfaith dialogue every year. Its "Train the Trainers Course", which has been conducted for a total of over 4,500 people in over 20 States of Nigeria, so far, utilises a manual of five modules with an encouraging and rich bibliography of highly recommended reading material for sharing with participants.

The Christian Association of Nigeria (CAN), as well as the various components of that umbrella organisation, including the Catholic, Methodist and Anglican Churches and the Pentecostal Associations of Nigeria, have also actively engaged in the process of interfaith dialogue, especially in recent times, following the spate of interreligious crises that have continued to spiral out of control, leading to huge losses of life and property across our country.

Ultimately, the focus of the authorities in our various jurisdictions, the faith-based organisations and indeed of all of us individually, should be on imbibing the humility to respect the sacred texts in conveying our understanding of religion, in respecting the rights of others, on inculcating the values therein and in exerting ourselves continuously in the effort to understand God, thereby appreciating

what he expects and desires from us. To do his will on earth. Not simply to obey what we are told is God's will, but actively to engage ourselves in acquiring knowledge, to ensure substantive justice in our communities, to strive continuously for virtue, to learn to listen, appreciate and empathise with contrary views and beliefs, to demand accountability from our leaders, and to engage continuously in sincere, respectful, unabated and open dialogue on all of these issues. All things considered, the guarantee of the freedoms of life, dignity and liberty can only entrench security, harmony and peace in our homes, our communities and the world generally.

### Bibliography

- The Holy Qur'an.
- Alim software.
- Khaled M Abou El Fadl, *The Great Theft: Wrestling Islam From the Extremists*, Harpers Collins Publishers, 2005.
- Fazlur Rahman, *Islam and Modernity* 1982.
- Khaled M Abou El Fadl, *Conference of the Books: The Search For Beauty In Islam*, University Press of America Inc, 2001.
- Mashood A Baderin, *International Human Rights and Islamic Law*, Oxford Universal Press, 2003.
- Abdelwahab Meddeb, *Islam and Its Discontents*, William Heinemann Publishers, 2003.
- Khaled M Abou El Fadl, *Speaking in God's Name: Islamic Law, Authority and Women*, Oneworld Publishers, 2001.

1| Q. 3:64.

2| Q. 2:256.

3| Q. 109:6.

4| Khaled Abou El Fadl, *Speaking in God's Name: Islamic Law, Authority and Women*, Oxford: Oneworld Publications, 2001.

5| Q. 16:90.

6| Q. 4:35.

7| Q. 2:185.

8| Q. 10:59.

9| *Ibn al-Qayyam: I'lam al-Mawaqqin*.

10| Khaled M Abou El Fadl, *Conference of the Books: The Search For Beauty In Islam* University Press of America Inc, 2001.

11| Khaled Abou El Fadl; *The Great Theft: Wrestling Islam From the Extremists*, HarperCollins Publishers, 2005, pp. 187-190.

- 12| Q. 2:2.
- 13| Q. 74:31.
- 14| *Khaled Abou El Fadl, And God Knows The Soldiers: The Authoritative and the Authoritarian in Islamic Discourses, University Press of America Inc, 2001, p. 23.*
- 15| Q. 2:77.
- 16| Q. 49:13.
- 17| Q. 5:43-48.
- 18| *Khaled Abou El Fadl, The Great Theft: Wrestling Islam From the Extremists, HarperCollins Publishers, 2005. pp 210-212.*
- 19| Q. 29:46.
- 20| Q. 2:62.
- 21| Q. 3:199.