

Sharia Implementation in Northern Nigeria 1999-2006:
A Sourcebook

Compiled and edited by Philip Ostien

Volume VI: Ulama Institutions

Chapter 8: Councils of Ulama and Related Bodies

Part II: Documentary Materials

Supplementary Materials to Chapter 8



MUSLIMS AND ISLAM IN AFRICA

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Contributions to this series may be submitted directly to the editors. Acceptance is decided upon by the editors and the academic advisory board.

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NIGER STATE SHARIA COMMISSION PLAN OF ACTIVITIES
ON IMPLEMENTATION AND MONITORING (2001)

Prepared by Musa Isah Lapai, Secretary of the Commission¹

Your Excellency,
Engr. A.A. Kure,
The Executive Governor,
Government House,
Minna.
Assalamu Alaikum,

NIGER STATE SHARIA COMMISSION

Bismillahir rahmanir rahim,

Islam is a religion and a way of life based on the commandments of Allah contained in the Holy Qur'an and the Sunnah of the Prophet of Islam, Muhammad (SAW). Every Muslim is under an obligation to fashion his entire life in accordance with the dictates of the Glorious Qur'an and Sunnah.

Sharia is the path to be followed, the way to a watering palace. It is the path not only leading to Allah, the most High, but the path believed by all Muslims to be the path shown by Allah, the Creator Himself through His Messenger, Prophet Muhammad (SAW) in Islam. It is only Sharia that liberates man from servitude to other than Allah. This is the only reason why Muslims are obliged to strive for the implementation of that path; and that of no other path.

Since the day I was given the letter of appointment as the Secretary of Niger State Sharia Commission, I found it to be a very challenging assignment following what has been happening in States that are operating Sharia legal system.

In view of series of problems those States are facing most especially with Muslims, I decided to visit such States and also my regular meetings and contact with the Supreme Council for Sharia in Nigeria made me come up with this small write-up which will guide our Commission in carrying out our assignment.

Sharia is very capital intensive in all the States that are operating Sharia legal system, God willing that of Niger State is going to be a model for other States to copy because of our methodology of step by step approach.

You may wish to go through this write-up and assist us with connections and further guidelines to enable us succeed *insha* Allah.

This Commission is established sequel to the law establishing the Commission by the House of Assembly of Niger State and by the authority of the same on the 10th July, 2001.

¹ Malam Lapai generously provided a copy of this plan of activities to researchers working on this sharia implementation documentation project who visited him in 2003.

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It is responsible for the sanitization and monitoring Sharia implementation, and to ensure that all gains so far recorded are consolidated. It is also responsible for mapping out strategies for future implementation. The Commission will work hand in hand with the other relevant Islamic institutions established by the State Government and some non-governmental organizations on Sharia to ensure the realization of the following objectives:

1. Carrying every Muslim along; in the process of establishing a sound Islamic environment.
2. Create a conducive environment for all Muslims to understand their religion (Islam).
3. Make Islamic scholars, leaders and their followers to understand where the issue of Sharia started vis-à-vis where we are as of today and where we hope to achieve the desired even beyond this administration.

Sharia has been with us for over 1422 years, but we have been concerned with just about 30% which is IBADAT leaving about 70% unattended to i.e. the MU'AMALAT. To achieve this, we need to do the following:

- a. Sacrifice of our time, money and other resources to achieve results;
- b. To unite all the Muslims and to bring together as a united [sic];
- c. Try to lay solid foundation that no matter what happens it will be difficult for any person or group of persons to destroy the level of achievement attained in Sharia implementation.
- d. There is need to man the machinery of Sharia implementation with people who are trained and are willing to participate. This is to enable the Commission carry everybody along.
- e. To get Muslims to understand the serious task ahead of us is very complex, therefore it requires proper enlightenment through public lectures, radio, television and one-to-one education.

Niger State Government is no doubt committed to systematic direction of Sharia implementation, it has demonstrated this by setting various agencies, but now it is left to the different Boards and Commission to join hands and come up with proper methods of implementation and monitoring. To achieve this, there is need to invite all Muslims to contribute their quota.

The Sharia Commission is to arrange meetings with the following:

1. Advisory Council of Ulama
2. Zakat Board
3. Liquor Board
4. Pilgrims Welfare Board
5. Leadership of Muslim Aid Groups, and
6. Muslim Students Society.

The essence of this meeting is to harmonize the assignments given to all concerned.

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SECOND GROUPS

1. Sharia Commission
2. Niger State House of Assembly members
3. Hon. commissioners in Niger State
4. Permanent secretaries and general managers
5. Directors in Niger State civil service
6. Heads of parastatals in Niger State
7. Civil servants on grade levels 10 – 15
8. Civil servants on grade levels 01 – 09
9. Imams in the State
10. Preachers in the State
11. Market men & women
12. Transport Workers Union
13. Taxi Drivers Union
14. Tipper Drivers Union
15. Tanker Drivers Union
16. Kabu-Kabu Riders Union
17. Private hospital proprietors
18. Private printers
19. Private film and video rentals
20. Hoteliers
21. Youths set by set.

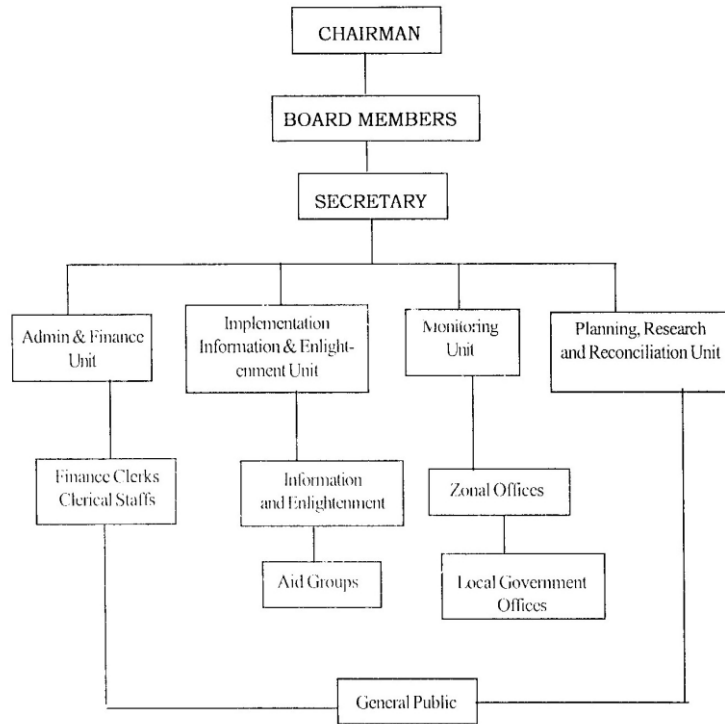
As the meetings with all the above organizations are going on stage by stage with full enlightenment and information, Sharia will be fully understood by the larger society *insha* Allah.

To achieve the desired goal the Commission should have some structure on the ground.

STRUCTURE

- i) Administration and Finance Unit
- ii) Sharia Implementation, Information & Enlightenment Unit
- iii) Sharia Monitoring Unit.
- iv) Planning, Research and Reconciliation of Muslim Communities Unit.

STRUCTURAL OUTLOOK OF THE COMMISSION



RESPONSIBILITIES OF EACH UNIT

i) Administration & Finance Unit:

This unit has traditional roles which are obtainable in all ministries and extra-ministerial departments. The roles are universal, so Sharia Commission will use the same scheme for their usual roles. Auditors will be invited to check accounts of the Commission periodically.

ii) Sharia Implementation, Information & Enlightenment Unit:

This unit is responsible for ensuring that Sharia is implemented in accordance with Islamic injunctions. It should liaise with the law enforcement agency, judiciary, Prison Services to ensure that all convictions made by Sharia courts are religiously executed. It should also see to the implementation of approved weights and measures used in our markets and shops to protect ordinary customers from any trading malpractices.

They will be responsible for public enlightenment and information to the general public to create awareness on Sharia most especially the Muslims for them to avoid all vices sanctioned by Sharia.

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iii) Sharia Monitoring Unit:

The unit will be responsible for ensuring that Sharia is strictly observed and work with other units of the Commission to ensure public compliance.

iv) Planning, Research and Reconciliation Unit:

The unit will be responsible for planning the activities of the Commission, carry out research on the work done so far, thus further activities. Reconciliation team will investigate family problems and other related problems within the State and those brought before it from outside the State. It addresses any grievances between couples. It monitors the community affairs in terms of marriage conflicts, religious, political, economic, legal and social problems. It will give advice to the generality of the *ummah*.

In order to achieve the desired goal of proper understanding of Sharia state-wide, the Commission has to start its work by series of courtesy visit and consultations. Some individuals to visit are:

1. The Executive Governor of Niger State – Engr. A.A. Kure;
2. The Hon. Speaker, Niger State House of Assembly and the Chairman Judicial Committee (NSHA);
3. Chief Judge, Niger State Judiciary;
4. The Commissioner of Police, Niger State Command;
5. The Director SSS, Niger State Command;
6. The Hon. Commissioner of Justice and Attorney-General, Niger State;
7. Kadis of Sharia Court of Appeal, Niger State;
8. All the eight Emirs in Niger State;
9. Islamic scholars and leaders.

During such courtesy calls the Commission will receive useful ideas, information, guidance that will give it a sound take-off which will lead to achieve the purpose of establishing it. All members of the Commission should put hands on deck, live up to expectation and meet frequently to see to day-to-day running of the Commission.

For the Commission to take off properly there is need for setting up of some committees in the Commission to take care of various areas. Since in Niger State we have Joint Muslim Aid Groups that comprises of the following:

- i. Jama'atu Nasril Islam (JNI)
- ii. Fitiyanul Islam (FI)
- iii. Izalatil Bid'a Wa Ikamatis Sunnah (Kaduna JIBWIS)
- iv. Izalatil Bid'a Wa Ikamatis Sunnah (Jos JIBWIS)
- v. Sheriff Guard of Islam (SGI)

For the purpose of day to day running of the Commission, there is also need to employ three categories of staffers:

1. Deployment of able persons from ministries to join the Commission;
2. Employment of some learned people from outside to work with the Commission;

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3. Employ some part-time workers as need arises to be paid on allowances only and get the services of resource persons during meetings, lectures and payment of allowances as and when due;
4. This can be realized by way of taking the following steps:
 - (a) The Commission should establish main Committee and subcommittees for easy running of the activities of the Commission:
 - i. Main Committee, consists of all Commission members;
 - ii. Subcommittee on Inter-boards for proper liaison on Sharia related matters;
 - iii. Subcommittee on Monitoring;
 - iv. Subcommittee on Finance;
 - v. Subcommittee on Market and Transport Affairs;
 - vi. Subcommittee on Mosques, Imams and Preachers;
 - vii. Subcommittee on Hotels, Beer Parlours, Brothel Houses, Prostitution and Gambling Centres;
 - viii. Subcommittee on Reconciliation of all Kinds of Disputes, Police Affairs and Courts.
 - (b) To liaise with relevant bodies that can assist Government/Commission in its administration
 - (c) To mobilize Muslim law enforcement agents to ensure compliance with Sharia.
 - (d) To make recommendation to the Government with a view to ensuring smooth application of Sharia in the State.

To get proper State coverage, the Commission has to start with Zonal Area Offices, which will later be Local Government Offices and Ward Offices. These offices will be responsible to Main Committee.

In order to reduce the occurrence of some sensitive problems, which if allowed would have adverse effect on the peaceful co-existence of the people in the State, and in order to achieve hitch-free and smooth implementation and application of Sharia in the State the Main Committee has to work tirelessly.

These committees formed at State, Zonal, Local Government and Ward levels, will go a long way to do the following:

- 1) Decentralize the activities of the State Main Committee;
- 2) To ensure effective communication flow between the State and Local Government Committees respectively;
- 3) To monitor the activities of the Local/Zonal Offices;
- 4) They are answerable to the Main Committee;
- 5) They will provide monthly report on the progress made and problems;
- 6) Main Committee analyze the reports and report to the Government;
- 7) The Commission will determine the number of persons that will serve in each committee, each committee will have chairman, secretary and other members.

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DUTIES AND RESPONSIBILITIES OF EACH COMMITTEE

Main Committee: This Committee comprises of all members of the Commission and they will be responsible for all activities of the Commission.

Subcommittee on Inter-Board Affairs: This subcommittee will be responsible for liaison with other Islamic-related boards e.g. Zakat Board, Liquor & Prostitution Board, and so on to make sure all Sharia laws are working properly in the State.

Subcommittee on Monitoring: This subcommittee will be responsible for monitoring of all laws passed on Sharia in Niger State most especially the Sharia Commission.

Subcommittee on Finance: The Subcommittee on Finance will always check the activities of finance unit to know if monies authorized by the Commission are being spent in accordance with rules and regulations of the Commission.

Subcommittee on Markets and Transport Affairs: This subcommittee will be responsible for day to day affairs of our markets and public transport in the State by way of enlightenment and passing useful information to those concerned to make the task of Sharia Commission very easy in the State. It should also mediate and resolve amicably any case between buyers and sellers, ensure the use of Government-approved measures/scales in our markets. Monitor any transaction in the market and refer any breach of Sharia law in buying and selling to the appropriate authority.

All transport matters e.g. the union leaders to make sure usage of their vehicles conform with the provisions of Sharia, i.e. making sure that women sit at the back while men sit in front of their vehicles.

Subcommittee on Mosques, Imams and Preachers: The committee should be responsible for monitoring change in prayer timing and ensure the observance of prayers by the public at stipulated times and help to curtail the excesses of preachers in *Jumu'at* mosques and open space preachings.

Subcommittee on Hotels, Beer Parlours, Brothel Houses, Gambling and Prostitution: The subcommittee is to ensure that all brothel houses, gambling centres/houses in major towns covered by the law ceased to exist, so also prostitution. It is to monitor all suspected areas where these social vices do take place and report directly to the appropriate authority. Visit and preach to those persons who insisted on perpetrating these activities in both hidden and open places. It should also ensure that all hotels/guest houses currently operating in major towns in Niger State covered by the law do not allow the sale of alcohol and its like in their premises and ensure that proprietors of these hotels do not allow illegal transactions between men and women in such places. This action will be ensured by frequent visit of such places. The subcommittee is to report any act of breach of Sharia law in such places to the appropriate authority.

Subcommittee on Reconciliation of all Kinds of Disputes, Police Affairs and Courts: This subcommittee is responsible for settling any family problem within the State and if need be outside the State. It addresses any grievances between the couples.

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It monitors the community affairs in terms of marriage conflicts, religious, political, economic, legal and social problems. It gives advice to the generality of the *ummah*.

All the subcommittees are to forward period/monthly reports to the Main Committee but all subcommittees are interrelated. While the Main Committee will forward their monthly reports to the Office of His Excellency, the Governor of Niger State for further necessary action.

COMMISSION'S REQUIREMENTS

1. Office accommodation for the administrative and *hisbab* staff
2. Furniture for all the offices
3. Office equipment
4. Stationery
5. Security
6. Appointment of support staff
7. Creating of zonal offices for the implementation and monitoring
8. Vehicles
9. Take-off grant.

Office furniture/materials required to enable the Commission to start work are as follows:

- a) Tables
- b) Chairs
- c) Steel cabinets
- d) Carpet
- e) Curtains
- f) Typewriter
- g) Computer (complete set)
- h) Video recorder/TV set and empty cassettes
- i) Radio recorder and empty cassettes
- j) Photocopying machine and copier papers.

Stationeries:

- a) Typing sheets (foolscap/A4 or quarto size)
- b) Stapling machine with pins
- c) Carbon papers (foolscap/quarto size)
- d) Office rulers
- e) Punch, etc.

There is need for security in the office 24 hours due to the nature of our operation. We need uniformed Muslim policemen and civilian security guards to protect the staff and properties.

For a start each unit should have a Head of Unit not below Grade Level 12 or any competent person on an acting capacity. Each unit should have supporting staff. There is need for an accountant to head the Finance Unit.

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To give the Commission proper take-off there is need for creation of at least three zonal offices in each of the Senatorial Districts of the State. The offices will just be *bisbab* offices for proper implementation of Sharia in the State. Each office to have ten officers on allowance of five thousand naira per month.

For the Commission to achieve the proper objective of establishing it, there is need for us to have vehicles:

- a) A car for the Secretary;
- b) Three station wagons;
- c) Eight buses;
- d) Fifteen motorcycles;
- e) One hundred plastic chairs for meeting with local market men and women, imams, preachers and Muslim organizations;
- f) Video camera for records.

A new establishment like ours requires a take-off grant to enable us take care of publicity, organize meetings with imams, malams, market men and women, other Islamic organizations and for our day-to-day activities in and outside office including travelling to other States that are operating Sharia in Nigeria.

MUSA ISAH LAPAI

2002 PROPOSED BUDGET
OVER-HEAD COST
NIGER STATE SHARIA COMMISSION
DETAIL STAFF LIST/SALARIES

1.	ONE	Administrative Secretary	GL.16/6	₦626,556.00
2.	ONE	Assistant Secretary	GL.12	₦319,980.00
3.	ONE	Da'awah/Monitoring Officer	GL.12	₦319,980.00
4.	ONE	Planning/Reconciliation Officer	GL.12	₦319,980.00
5.	ONE	Finance/Administration Officer	GL.12	₦319,980.00
6.	ONE	Accountant	GL.12	₦319,980.00
7.	ONE	Personal Assistant	GL.9	₦220,230.00
8.	ONE	Computer Operator	GL.7	₦144,935.00
9.	ONE	Typist	GL.5	₦71,848.00
10.	FOUR	Drivers on GL.7,6, and Two on	GL.5	₦398,631.00
11.	ONE	Messenger	GL.3	₦72,750.00
12.	THREE	Security Men	GL.2	₦20,382.00
13.	TWO	Cleaners	GL.2	₦145,500.00

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OTHER FINANCIAL COMMITMENTS

14.	ONE	Commission Chairman's allowances	₹180,000	per annum	
15.	13	Commission Members' allowances	₹120,000	per annum	
16.	140	<i>Hisbah</i> workers' allowances	₹5,000.00	per month:	
		140 x ₹5,000 x 12	-	-	-
					<u>₹8,400,000.00</u>
		SUB-TOTAL	=		<u>₹12,000,732.00</u>

SUB-HEAD DETAIL COST

ESTIMATE 2002

Travel & Transport	₹1,500,000.00
Utility Services	₹50,000.00
Telephone and Postal Services	₹100,000.00
Stationeries	₹300,000.00
Maintenance of Office Furniture and Equipments	₹200,000.00
Maintenance of Vehicles & Capital Assets	₹500,000.00
Training and Staff Development	₹3,000,000.00
Entertainment & Hospitality	₹100,000.00
Miscellaneous Expenses	<u>₹3,140,000.00</u>
TOTAL =	<u>₹8,890,000.00</u>