

**REPORT OF THE TECHNICAL COMMITTEE ON
CONSTITUTIONAL PROVISIONS FOR THE APPLICATION OF
SHARIA IN KATSINA STATE**

January 2000

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VOLUME I: MAIN REPORT

CHAPTER ONE

Preamble

The Committee was inaugurated on the 20th October, 1999 by His Excellency, the Governor of Katsina State, Alhaji Umaru Musa Yar'adua, at the Council Chambers, Government House. In his inaugural address, the Governor gave four point terms of reference to the Committee. He urged members of the Committee to work towards realising the objectives for which the Committee was set up. The initial duration of the assignment was a period of eight weeks.

The Terms of Reference

The terms of reference given to the Committee were as follows:

1. To examine the extent of State legislative powers as contained in the 1999 Constitution of the Federal Republic of Nigeria in relation to the application of Sharia.
2. To recommend for the full utilisation of such powers.
3. To submit report within eight weeks.

In addition to the above terms of reference, His Excellency the Governor, while inaugurating the Committee, added an additional term of reference, to wit:

4. To articulate the position of the Government and people of Katsina State on the proposed amendment to the 1999 Constitution of the Federal Republic of Nigeria.

The Governor charged the Committee to, first of all, draft a memorandum to be submitted to the Presidential Technical Committee on the Review of the 1999 Constitution before proceeding with its primary assignment.

Considering the importance and urgency of the Governor's directives, the Committee successfully completed the secondary assignment and submitted it to the Government on 13th December, 1999. While accepting the report of the secondary assignment, the Governor consented to the request of the Committee for extension of time in the conduct of its primary assignment.

Modus operandi

In view of the terms of reference, the public interest, and agitation generated by the subject of the assignment, the Committee considered and adopted the following as its mode of operation:

1. On the Primary Assignment:
 - (a) To extract all provisions relating to Sharia in the 1999 Constitution and examine State legislative powers and competence in relation thereto.
 - (b) To collate views, opinions and suggestions from a cross section of people on such provisions.

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- (c) To determine the extent to which the State legislature could invoke its powers to legislate on Sharia and make recommendations on the exercise of such legislative powers.

2. On the Secondary Assignment:

- (a) To extract all provisions in the 1999 Constitution of the Federal Republic of Nigeria and consider the desire, wish and agitation of people of Katsina State in relation thereto.
- (b) To determine and suggest alternative provisions that would meet the yearnings and aspirations of people of Katsina State.
- (c) To work within the terms of reference of the Presidential Technical Committee on the Review of 1999 Constitution and draft a memorandum to that Committee presenting the stand of the Government and people of Katsina State on amendments to the 1999 Constitution.

3. Documents and Materials considered by the Committee

- a) 1999 Constitution of the Federal Republic of Nigeria.
- b) Memoranda received from associations and individuals and from the public.
- c) Public Hearings conducted by the Committee across the State.
- d) Documents from States that have initiated the application of Sharia.
- e) Submissions from professionals and elder statesmen as well as seminars, conferences and workshops on the application of Sharia.

The Committee having decided to conduct public hearings in order to get as varied views, opinions and suggestions from the public as possible, drew up a timetable, which guided the Committee in the conduct of public hearings on the assignment. The public hearings proved very useful and rewarding in the realisation of the objective of the assignment.

In its conduct of public hearings and collation of views, opinions and suggestions, the Committee contacted all such groups, associations, institutions and individuals across varied interests and callings. The list of all the groups, associations, institutions, individuals contacted by the Committee is attached as [Appendix A](#) to this report. Similarly some of the submissions received by the Committee are also attached as Appendix B.¹

After the public hearings and after receiving all written memoranda, the Committee carefully sorted out and evaluated the views, opinions and suggestions so far collated. It was these as collated, the 1999 Constitution and the terms of reference of the Committee, that formed the basis of this report. The report is contained in two volumes, Volume 1 consisting of four chapters covering:

1. Preamble/Introduction
2. Findings and Observations

¹ Ed. note: no Appendix B was included in the materials we obtained.

3. Recommendations and Conclusion
4. Appendices,

and Volume II consisting of the verbatim proceedings of the public hearings.

CHAPTER TWO

The constitutional provisions that relate to Sharia application as per the first term of reference of the Committee are as follows:

A. SECTION 4(6): This sub-section says:

The legislative powers of a State of the Federation shall be vested in the House of Assembly of the State.

and sub-section (7) says:

The House of Assembly of a State shall have power to make laws for the peace, order and good governance of the State or any part thereof with respect to the following matters:

- (a) Any matter not included in the exclusive legislative list set out in part 1 of the second schedule to this Constitution;*
- (b) Any matter included in the concurrent legislative list set out in the first column of part II of the second schedule to this Constitution to the extent prescribed in the second column opposite thereto; and*
- (c) Any other matter with respect to which it is empowered to make laws in accordance with the provisions of this Constitution.*

FINDINGS:

Generality of the views, opinions and suggestions received by the Committee indicated the fact that the people of Katsina State have only one desire, that was to be governed by the laws and dictates of their religion ordained as Sharia. All the submissions received had shown the Committee in a convincing way, supported by authorities, that nothing short of the application of Sharia would bring peace, security, stability, social order and even economic prosperity. This is what good governance is all about and in line with democratic principles, if it is the desire of the citizens to be governed through the dictates of Islam, the State House of Assembly is under obligation to carry out the wishes of the electorates as per section 14 which provides:

It is hereby, accordingly, declared that:

- (a) Sovereignty belongs to the people of Nigeria from whom government through this Constitution derives all its powers and authority;*
- (b) The security and welfare of the people shall be the primary purpose of government;*
- (c) The participation by the people in their government shall be ensured in accordance with the provisions of this Constitution.*

OBSERVATIONS:

It is the observation of this Committee that the State legislature has the legislative power and competence under these sub-sections to review and reform all existing laws as well as enact new laws in line with spiritual, moral and social dictates of Islam in the form of Sharia.

B. SECTION 5(2): Provides that:

Subject to the provisions of this Constitution the executive powers of a State:

(a) Shall be vested in the Governor of that State and may, subject as aforesaid and to the provisions of any law enacted by a House of Assembly, be exercised by him either directly or through the Deputy Governor and Commissioners of the Government of that State or officers in the public service of the State; and

(b) Shall extend to the execution and maintenance of this Constitution, all laws made by the House of Assembly of the State and to all matters with respect to which the House of Assembly has for the time being power to make laws.

OBSERVATIONS:

This sub-section empowers the executive arm of the Government to execute all laws made by the House of Assembly for the betterment of the entire people of the State.

C. SECTION 6(2): Says that:

The judicial powers of a State shall be vested in the courts to which this section relates, being courts established subject as provided by this Constitution for a State.

Sub-section (4) says:

Nothing in the foregoing provisions of this section shall be construed as precluding:

(a) The National Assembly or any House of Assembly from establishing courts, other than those to which this section relates with subordinate jurisdiction to that of a High Court;

(b) The National Assembly or any House of Assembly, which does not require it, from abolishing any court which it has power to establish or which it has brought into being.

FINDINGS:

The general opinions, views and suggestions received and appraised by the Committee indicated two demands:

- a) An outright abolition of all courts systems and their replacement with purely Islamic courts;
- b) Establishment of Islamic courts to run side by side with the common law courts.

OBSERVATIONS:

The provisions of section 6(2) and (4) have given adequate and ample chance for the concurrent running of two separate legal systems i.e. Islamic law and Common law. This as contemplated by the provisions, is in line with other constitutional provisions e.g. Chapter IV Fundamental Human Rights. In addition, it would ensure the spirit of co-existence.

D. SECTION 10: This section provides that:

The Government of the Federation or of a State shall not adopt any religion as State Religion.

FINDINGS AND OBSERVATIONS:

As per Committee's findings and observations this section is not an impediment to the application of Sharia legal system, because applying Sharia does not mean adopting Islam

as a State religion. More so when the two legal systems i.e. Sharia and Common law would continue to operate side by side in the State.

E. SECTION 38 of the Constitution is one of the provisions that relate to the application of Sharia. Sub-section (1) provides:

Every person shall be entitled to freedom of thought, conscience and religion, including freedom to change his religion or belief, and freedom (either alone or in community with others, and in public or in private) to manifest and propagate his religion or belief in worship, teaching, practice and observance.

This provision happens to fall under Chapter 4 of the Constitution containing Fundamental Rights of the citizens, the infringement of which is enforceable under Section 46(1):

Any person who alleges that any of the provisions of this Chapter has been, is being or likely to be contravened in any State in relation to him may apply to a High Court in that State for redress.

FINDINGS:

In the course of its public hearings and from all the written memoranda received by the Committee, submissions were made on the provisions of section 38 of the Constitution. From the sum total of all submissions made before the Committee, the contention was that the provisions of this section had granted to the Muslims and indeed all adherents of other religions an unfettered right to be governed by and fully practise their religion. Some of the contributors argued that, since the Christians and traditional religionists had been granted the full application and right to be governed by the common law and customary law respectively, to deny Muslims the full application of Sharia was to deny them the Fundamental Right to freedom of religion as enshrined, recognised and even made enforceable under the Constitution. In justifying the argument that denial of Sharia was a denial of the right of Muslims to their freedom of religion, some of the contributors referred to religious texts and authorities. Some of these authorities are reproduced hereunder:

1. *"We have made for you a law. So follow it and not the fancies of those that have no knowledge."* Al-Jathiya 18.
2. *"Whoever do fail to judge by what Allah hath revealed, they are the unbelievers... Unfaithful... the evildoers."* Al-Ma'ida 44, 45 and 47.
3. *"O Believers (Muslims) enter fully into the fold of (Sharia) and do not follow the footpath of Satan, for he is your avowed enemy"* Al-Baqara 208.

Tracing the historical antecedents on the application of Sharia in the Muslim-dominated Northern Nigeria, some of the contributors claimed that it was the colonialists that carefully removed its application around 1958 to 1959. The partial application of the Sharia continued over the long military dictatorship that had no constitutional basis and therefore did not allow the Muslims to agitate for the restoration of its full application. It was argued further that with democracy now in place and in the realisation of people's right to self-determination under democratic setting, it is the wish and desire of the Muslims to have the full application of Sharia.

The argument of those who claimed that the denial of total application of Sharia is a denial of the right of Muslims to freedom of religion contended that Islam is a wholesome religion and a Muslim must be in the entire fold of Islam without any reservation. Thus, they argued that the thought, manners, dealings, conduct and behaviour of a Muslim must be subordinated to the dictates of Islam and anything short of that was unacceptable. A Muslim cannot divide his life into different compartments so as to follow Islam in one and discard it in the other.

OBSERVATIONS:

The Committee observed that contrary to the general misconception that section 10 of the Constitution makes Nigeria a secular state, section 38 which falls under Chapter 4 recognises religion and freedom to practise religion as fundamental right at par with such other fundamental rights as right to life, right to privacy, right to freedom of movement, right to freedom of expression etc. It was further observed that various religious callings have different approach, conviction and attitude to their religions. While some religious callings are only concerned with salvation and spiritual rejuvenation, Islam has as much to do with mundane life as it has with spiritual life. For instance, to the Muslims, Sharia and Islam are one and the same thing, because Sharia is the path that guides the Muslims. It is the Sharia that regulates the spiritual rules as well as the social contract. It regulates the rules of prayers as well as social, political and economic rules that govern the entire life of the adherents. From these observations it was clear that Muslims of Katsina State had no objection for other States in the Federation with predominance of Muslims, Christians or traditionalists to establish, re-establish or create such courts to apply laws respecting the wishes, values and aspirations of the people as well as determine all matters and questions affecting them.

It was the view of this Committee that Muslims of the State are justifiable in their demand for the full implementation of the Sharia. The constitutional provisions are very clear and unambiguous that the full application of the Sharia, to the Muslims, is the realisation of their fundamental rights to the practice of their religion. A close look at section 38(1) of the Constitution in relation to the application of Sharia will reveal the following:

- (a) That every Muslim is entitled to live and practise his religion and the religion of Islam is a complete code the practice of which cannot be in part.
- (b) That in the exercise of his fundamental right to freedom of religion, a Muslim can pursue his religious practice *“either alone or in association with others and both in private or in public.”*
- (c) That to *“manifest and propagate”* as used in section 38(1) means to *“practise and implement”*.

Finally, it was observed that *“freedom of worship”* as provided under section 38(1) of the Constitution is clear and unambiguous and does not restrict religious practices to the mosques, churches, temples or shrines. Freedom of worship implies the right to practise, observe, teach and propagate. The full implementation of the Sharia therefore is not in conflict with the provisions of section 38(1) of the Constitution.

F. SECTION 275(1): This section provides that:

There shall be for any State that requires it a Sharia Court of Appeal for that State.

FINDINGS:

Submissions made before the Committee on this provision were mostly from professional lawyers. Such submissions revealed, among other things, that this subsection empowered any State in the Federation that so desires, to establish a Sharia Court of Appeal. This provision is in pari passu with section 280(1) which equally empowered any State that so requires establishing a Customary Court of Appeal for that State. Though constitutional, the establishment of the Sharia Court of Appeal and the Customary Court of Appeal is not mandatory like that of a High Court of a State. It was rather made discretionary depending on the circumstances and peculiarities of any State that so desires either or all of the two Courts.

OBSERVATIONS:

The Committee observed that there is no contention as to the provisions of this section. There is already in existence a Sharia Court of Appeal in the State. The Sharia Court of Appeal shares the judicial powers of the State as specified under section 6 sub-section (2) of the Constitution:

The judicial powers of a State shall be vested in the courts to which this section relates, being courts established, subject as provided by this Constitution, for a State.

The courts to which section 6 relates at the State level are the High Court of a State [section 6(5)(e)], the Sharia Court of Appeal of a State [section 6(5)(g)] and the Customary Court of Appeal of a State [section 6(5)(i)]. These courts at the State level “...shall be the only superior courts of record...and save as otherwise prescribed by...the House of Assembly of a State, each court shall have all the powers of a superior court of record.” [section 6 sub-section (3)].

G. SECTION 277: Section 277 of the Constitution spelt out the jurisdiction of the Sharia Court of Appeal. The section provides as follows:

(1) The Sharia Court of Appeal of a State shall, in addition to such other jurisdiction as may be conferred upon it by the law of the State, exercise such appellate and supervisory jurisdiction in civil proceedings involving questions of Islamic personal law, which the court is competent to decide in accordance with the provisions of sub-section (2) of this section.

(2) For the purposes of sub-section (1) of this section, the Sharia Court of Appeal shall be competent to decide:

(a) any question of Islamic personal law regarding a marriage concluded in accordance with that law, including a question relating to the validity or dissolution of such a marriage or a question that depends on such a marriage and relating to family relationship or the guardianship of an infant;

(b) where all the parties to the proceedings are Muslims, any question of Islamic personal law regarding a marriage, including the validity or dissolution of that marriage, or regarding family relationship, a foundling or the guardianship of an infant;

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(c) any question of Islamic personal law regarding a *wakef*, *gift*, *will* or *succession* where the *endower*, *donor*, *testator* or *deceased person* is a *Muslim*;

(d) any question of Islamic personal law regarding an *infant*, *prodigal* or *person of unsound mind* who is a *Muslim* or the *maintenance* or the *guardianship* of a *Muslim* who is *physically* or *mentally infirm*; or

(e) where all the parties to the proceedings, being *Muslims*, have requested the court that bears the case in the first instance to determine that case in accordance with *Islamic personal law*, any other question.

FINDINGS:

All submissions before the Committee made contributions on the provisions of section 277. It was generally argued that a State House of Assembly had been empowered by the provision of sub-section (1) of section 277 to confer “*such other jurisdiction, by law*”, on the Sharia Court of Appeal. It was also argued in the submissions that the restricted and limited jurisdiction conferred by sub-section (2) is only applicable where no law had been made by the State House of Assembly. In which case, it was maintained, the Sharia Court of Appeal shall be limited to and competent only to decide on those questions and views stipulated under paragraphs (a) to (e) of sub-section (2) of section 277.

It was contended that, once a State House of Assembly makes a law and in that law confers general or special jurisdiction on the Sharia Court of Appeal, then the Sharia Court of Appeal becomes competent to determine issues, matters and questions arising from that law.

Similarly, by virtue of the provision that “*...in addition to all other jurisdiction as may be conferred upon it by the law of the State...*” the Constitution had given power to the State House of Assembly to confer any such jurisdictions original, appellate or special on the Sharia Court of Appeal within the legislative competence of the State Assembly.

OBSERVATIONS:

The Committee observed from the submissions made before it that there is the general misconception that section 277(2) has limited the jurisdiction of the Sharia Court of Appeal to only question of Muslim personal law. This, the Committee noted, was not intended to restrict and limit the Sharia Court of Appeal to Muslim personal law only. The same section 277 under sub-section (1) enables such other jurisdiction to be conferred on the Sharia Court of Appeal by law of a State. What was clear from the provision is the condition precedent that unless and until a law is passed by the State legislature, the Sharia Court of Appeal was limited and restricted to exercising the jurisdictions specified in paragraphs (a) – (e) of sub-section 2 of section 277. But the State Assembly might confer any such other jurisdiction in addition to that specified in the Constitution.

CHAPTER THREE

OBSERVATIONS AND RECOMMENDATIONS

1. GENERAL OBSERVATIONS

The Committee had the opportunity of meeting with, hearing from and listening to a cross section of interests from all over the State. It was the observation of the Committee that there is strong democratic urge amongst the citizens to have the full

application of Sharia. This was deduced from the crowds that gathered in all the centres where public hearings were conducted. There was the general feeling that what the Committee went out for was a referendum as has been confirmed by over 284,000 signatures and thumb prints collated and forwarded to the Committee. While some people had a clear understanding of the terms of reference of the Committee, others had a different notion about the Committee. As to be expected with the subject of the assignment, being religious in nature, a lot of sentiments and emotions were vented. This, the Committee observed, had both advantage and disadvantage. The apparent advantage was that people were given their democratic rights to put across their views, opinions and suggestions on certain aspects of their governance. The disadvantage was that some people held the view that the Government was not interested in the issue and it therefore set up a “Kangaroo Committee” to endorse its agenda. This perception might be understood from two angles. One was that of political opposition under which some politicians opposed to the Government might take cover in order to disrepute the Government. The other perception which was more obvious was the effect of the implementation and launching of Sharia in Zamfara State. The perception of an average citizen as understood by the Committee was that, if Zamfara State could do it, why not Katsina?

The Committee had the privilege of receiving contributions from some professionals who had reached the peak of legal and judicial profession, from those who had been and those who are still in the judicial dispensation. Similarly, the Committee was opportuned to have contributions from highly respected elder statesmen. The views and suggestions of these latter groups had particularly helped the Committee in no small measure.

Highlights of the Committee’s general observations, may be categorised into two:

- (i) The views of those calling and agitating for the total and immediate adoption of Sharia;
- (ii) The views of those calling for the gradual and systematic reform of the legal and social set-up.

Being a Technical Committee with specific terms of reference, and considering the views, opinions and suggestions collated by the Committee, it is deemed most appropriate by the Committee, to give its recommendations in two forms: the specific recommendations on the terms of reference and general recommendations based on the Committee’s findings in the course of the assignment.

2. SPECIFIC RECOMMENDATIONS

A. Term of Reference 1:

Having examined the provisions of the 1999 Constitution of the Federal Republic of Nigeria, the Committee identified the relevant provisions conferring certain legislative powers on the State legislature in relation to the application of Sharia as follows:

SECTION 4: Which provides under sub-sections:

(6) The Legislative powers of a State of the Federation shall be vested in the House of Assembly of the State;

and

(7) *The House of Assembly of a State shall have power to make laws for the peace, order and good governance of the State or any part thereof with respect to the following matters: that is to say:*

- (a) *Any matter not included in the exclusive legislative list set out in part 1 of the second schedule to this Constitution;*
- (b) *Any matter included in the concurrent legislative list set out in the first column of part II of the second schedule to this Constitution to the extent prescribed in the second column opposite thereto; and*
- (c) *Any other matter with respect to which it is empowered to make laws in accordance with the provisions of this Constitution.*

From these provisions, the State House of Assembly is empowered to:

- i. Make laws on any matter that is not in the exclusive legislative list which only the National Assembly is empowered to make laws on.
- ii. Make laws on all and any matter on the concurrent legislative list, which power the State House of Assembly shares with the National Assembly.
- iii. Make laws on any specific matter the Constitution specifically empowered the State House of Assembly to make laws on.

As far as making laws outside the exclusive legislative list and within the concurrent legislative list is concerned, the State legislature is competent to make such laws that are in line with the wishes and aspirations of citizens of the State where such laws shall be applicable, particularly having regard to the provision of section 4(7) which states that:

The House of Assembly of a State shall have power to make laws for the peace, order and good governance of the State or any part thereof...

As the only organ vested with legislative powers of the State and considering laws as instrument of governance, peace, order and social equilibrium, the State legislature is fully empowered to enact laws that are relevant to the social needs and peculiarities of the citizens. Therefore, by virtue of the enabling constitutional provisions, the State legislature is competent to, among other things, make laws:

- 1. Declaring any act of omission or commission as an offence and providing punishment for such an offence and these include amending or re-enacting an already existing law and repealing any such law as per section 36(12) which provides:

Subject as otherwise provided by this Constitution, a person shall not be convicted of a criminal offence unless that offence is defined and penalty therefore is prescribed in a written law; and in this sub-section, a written law refers to an Act of the National Assembly or a Law of a State, any legislation or instrument under the provisions of a law.

By virtue of the above provision there is the need to codify the Sharia to be known as Sharia Code which would serve as a guide to the proposed Sharia Courts.

- 2. Enacting laws as to ensure social justice, for instance the means of collecting and administering obligatory alms (*zakaat*) from wealthy citizens and its utilisation.

3. Making laws to instil and encourage morality by, for instance, enforcing fair commercial transactions, discouraging exploitation and ensuring prudence and transparency.

The subject matters are as inexhaustible as the problems of the society are dynamic. The powers of State House of Assembly to make laws extend to such specific matters which the Constitution specifically empowers the Assembly to make laws on. On this the Committee identified provisions of the Constitution that empowers the State Assembly to make laws on the application of Sharia as follows:

1. Section 6 of the Constitution on the judicial powers of the State, after specifying superior courts of record under sub-section (2) has specifically empowered the House of Assembly when it provides under sub-section (4) that:

Nothing in the foregoing provisions of this section shall be construed as precluding:

(a) The National Assembly or any House of Assembly from establishing courts, other than those to which this section relates, with subordinate jurisdiction to that of a High Court;

(b) The National Assembly or any House of Assembly, which does not requires it, from abolishing any court which it has power to establish or which it has brought into being.”

By the import of this provision, the State House of Assembly is competent to either establish such courts with subordinate jurisdiction to that of a High Court or abolish such other courts other than the High Court. Thus the State Assembly is competent to establish such courts to apply Sharia legal system to run side by side with courts applying the common law (English) legal system.

2. Section 277 sub-section (1) which provides:

The Sharia Court of Appeal of a State shall, in addition to such other jurisdiction as may be conferred upon it by the law of the State, exercise such appellate and supervisory jurisdiction in civil proceedings involving questions of Islamic personal law, which the court is competent to decide in accordance with the provisions of subsection (2) of this section.

This sub-section, in essence, empowers the State House of Assembly to confer any such jurisdiction, original, appellate or special on the Sharia Court of Appeal within its legislative competence. The only condition precedent is that unless and until a law is passed by the State Legislature, the Sharia Court of Appeal is limited and restricted to exercising the jurisdiction specified under paragraphs (a) to (e) of sub-section (2) of section 277.

B. Term of Reference 2:

Having examined the extent of State legislative powers in relation to the application of Sharia under the 1999 Constitution of the Federal Republic of Nigeria and having identified the competence of the State legislature in relation to the application of Sharia, the Committee was of the view that the full utilisation of the powers of and exercise of competence by the State House of Assembly covers both the immediate and continuous and will involve the day to day working of the Assembly. Consequent upon the above, the Committee recommended as follows:

Matters for immediate utilisation of the powers of the State Assembly:

- a) Employ section 6 sub-section (4) to establish lower courts with exclusive Islamic law jurisdiction to run side by side with the existing courts. Such courts when established shall apply the existing Islamic law between **Muslims only**. However, due to the paucity of qualified personnel, it is recommended that at least one Sharia Court be established in each Local Government Area and one Upper Sharia Court be established in each Senatorial District of the State.
- b) Employ section 277 sub-section (1) to confer exclusive jurisdiction to the Sharia Court of Appeal to determine all appeals from such courts. Similarly, the Sharia Court of Appeal should be conferred original jurisdiction to determine such serious disputes beyond the powers of the lower courts as per section 6(5)(k) which provides:

Such other courts as may be authorised by law to exercise jurisdiction at first instance or on appeal on matters with respect to which a House of Assembly may make laws.
- c) A committee be constituted to work out such details as the structure, jurisdiction, composition etc of the proposed courts as well as the re-structuring of the Sharia Court of Appeal to assume its new functions.

Matters of continuous nature in the application of the powers of the Assembly:

These are matters of general nature that will involve the day to day working of the Assembly. The Committee is of the view that these come in form of general recommendations:

3. GENERAL RECOMMENDATIONS

For the effective achievements of the specific recommendations, the Committee was of the view that certain social and institutional reforms were not only desirable but also necessary. The reforms become necessary because taking Sharia as a set of legal norms alone will not make it possible to achieve any change or improvement in both the life style of the people and in governance. Sharia is a coalition of spiritual, moral, social and legal norms that are interwoven and interdependent. The general aim of Sharia is to inculcate personal consciousness and discipline in a social setting. The Sharia has provision on all social contracts (*mu'amalat*) from the most basic to the highly sophisticated with one underlying principle, that of guiding members of the society, individually and collectively, to work on their conscience and submit to voluntary compliance. Sanctions on deviance (crime and punishment) are exceptions to the general principles of Sharia. This, therefore, made the Committee obliged to make these general recommendations.

- (a) Law Reforms: As an instrument of social stability, laws must be relevant to the needs of the people for whom they are made. The laws of Katsina State as they stand for now cannot be said to be so relevant in addressing the needs of the citizens. Most of these laws are either those made by and inherited from the colonial administration or those enacted by the military regimes. For the laws of Katsina State to be relevant in addressing the needs of the society, their review in line with needs and aspirations of the citizenry becomes inevitable. The Constitution has given backing to such

reforms under section 4(6) and (7), section 5(2) and section 6(2). Review of the laws of Katsina State is achievable in the following manner:

- 1) Immediate composition of the State's Law Reform Commission. There is in existence the Katsina State Law Reform Commission Edict (law) that made provisions for the establishment, composition, functions etc. of the Commission. This Commission should be composed soonest for it to commence the review of all laws as aforementioned;
 - 2) Establishment of Consultative (Shura) Council. The Consultative Council would essentially advise the legislature and the executive on the relevance of all laws to be made. The Council is to be composed by learned *ulama* and jurists and its main function would be to ensure that all laws to be made conform with the spirit of Sharia while meeting the desires and aspirations of the citizens.
- (b) **Institutional Reforms:** It is not in dispute that most public institutions are in a state of total collapse. The degeneration of some institutions had been as a result of insensitive leadership and unpatriotic attitude on the part of the Government and the governed. The long exposure of systems that were superficially imposed without regard to relevance and needs of the society could be the only explanation to the decay of public institutions. Now that the citizens have the chance, granted by democracy, to voice out their feelings and agitation, the Government should rise up and be responsive to the yearnings and aspirations of the citizens. Institutional decay has affected almost all sectors and will need gradual reformation. However, sectors that touch on the life of the citizens most need urgent and serious reforms beyond the rhetoric of successive administrations. Of particular significance are the following sectors:

Education: There is the serious need to review and reform both the approach and infrastructures in our educational institutions. Similarly the attitude of the generality of the people has to change and it is the duty of the Government to mobilise and sensitise the people appropriately. Functional education is one of the pre-requisites for the application of Sharia because it cannot apply effectively to a largely ignorant society.

Health Care Delivery: Sharia system contemplates a responsive leadership that takes the welfare of its citizens seriously. An effective and functional health care delivery system is another pre-requisite for the Sharia system to take its full course.

Other areas where the Government should consider review of approach include provision of potable water, environmental protection, food security, employment generation and poverty alleviation. All these need to be addressed for the Sharia to apply in shaping and guiding the society.

- (c) **Judicial Reforms:** One institution that is very significant in any society is the court which is said to be the last hope of everyone. It is an institution without which peace, progress and development cannot be achieved. Though the decay of the judicial system cannot be taken in isolation with other social institutions, its case

presents grave consequence to the entire society. There had been so much cry of corruption, influence, abuse of power and general miscarriage of justice against the judicial institution. However, while all the complaints against the court system might be correct, the long neglect by Government of this institution had largely contributed to its present state. For social justice, equity, the rule of law and the protection of all members of the society to reign supreme, the judicial institution must be reformed and strengthened so as to attain independence in the discharge of its function and to gain people's confidence. Reform in the judiciary should address personnel, infrastructure and logistics. On personnel, only qualified, honest and upright people should be appointed as judges. One thing peculiar with the court system is the importance of its hierarchy. The lower courts at the grass root play an important role as the superior courts. As a fact, majority of the citizens are more in contact with the lower courts for settlement of disputes. What you find as court houses in the localities are dilapidated structures lacking even in basic conveniences. Stationery and other working materials are not there most of the times. It is the litigants that are made to provide or pay for these which certainly encourages corrupt practices. As for the proposed Islamic court system, one Sharia Court has been recommended for each Local Government Area and one Upper Sharia Court for each Senatorial District so that the Government may not be over-stretched in the provision of infrastructure, logistics and personnel. In whole, the Committee recommended that the Government should set in motion a machinery for judicial reforms by constituting a task force committee to undertake the reforms.

- (d) Ombudsman (Consultative and Complaint Agency): There is so much communication gap between the Government and the governed. Though people have elected representatives at all tiers of the government, the ideals of democracy are yet to be fully appreciated by the people. In the same vein, the communication channel between Government and the governed seemed not to be clear. In order to close this gap and for the Government to involve people in their governance, there is the need for Government to establish a consultative and complaint agency (Ombudsman) that would address these problems. In this way the government would be more of people oriented and certainly more responsive to people's needs. The agency when established is to be decentralised to cover all Local Government Areas and should also serve in settlement of minor communal disputes (*sulhu*). Such an agency is encouraged by Sharia system.
- (e) Zakat Council: *Zakat* is the obligatory Muslim alms imposed on every well-to-do Muslim. Under Islamic political system, *zakat* is a major source of revenue for running the Government through the public treasury (*beit ul-mal*). *Zakat*, therefore, is a necessary institution with Sharia. The Committee is of the firm conviction that establishment of a *zakat* institution would in addition to ensuring social justice and equitable distribution of wealth, serve as a catalyst for poverty alleviation. The Government should take bold initiatives to institutionalise *zakat* so that its moral and social objectives could be achieved. In this regard, it is strongly recommended that an agency, Zakat Council, be established by law. The Council shall be made responsible for the collection, management, distribution and general administration of the *zakat* funds. It is further recommended that a committee of experts be

constituted to work out such details as the organisational structure, functions, powers, composition etc. of the proposed Zakat Council.

- (f) Ethical Re-orientation: The imposition of values that are not relevant to the needs of our society, the long exposure to an alien system of governance and lack of moral orientation have resulted into the state of degeneration the society is in at present. There is pervasive corruption, nonchalant attitude and irresponsiveness amongst government functionaries on the one hand, and on the other hand there is general apathy and loss of confidence in the leadership leading to degeneration of authority. Some people's perceptions and attitudes towards government are generally that of mistrust and that some group of people have the mentality that Government properties belong to no one. With this kind of attitude between those in authority and the governed, there is very little hope for the progress of the society.

Since Sharia stands for raising the best community, it has become imperative that government should pay particular attention to serious ethical re-orientation that would imbibe in the populace the attitude of participatory governance. Islam has already prepared the ground for this. What remains is for the government to take steps towards actualising societal orientation. It is to be noted that the task of societal re-orientation has to cut across the entire societal set-up. It should begin from family formations, community level, attitude to work, trade and business and public facilities.

Leadership at different levels of the society should participate fully in getting education, enlightenment and mobilisation. For the ethical re-orientation to be achieved, the government should make good use of the religious leadership who through the process of *da'awab* will easily mobilise the populace. It is the Sharia teachings that would be employed in the ethical re-orientation. For the purpose of understanding, the Committee wishes to give some areas to be covered by the proposed ethical re-orientation programme:

- In commercial and business transactions Sharia enjoins just, fair and equitable dealings devoid of exploitation. The use of weights and measures should be institutionalised – the Committee appointed by His Excellency on this issue is in the right direction. In public places like schools, hospitals, public transport etc. the free mingling and mixture of male and female should be minimised.
- In the appointment of leadership at various levels of the society, regard should be given to merit. In particular in the appointment of traditional rulers consideration should be given to those who have some basic educational qualification in Sharia.
- On people's attitude towards public properties and facilities, there is a need to mobilise the people to appreciate that the care, maintenance and supervision of public facilities are a collective responsibility.
- Generally, it must be appreciated that ethical re-orientation involves the revival of all our socio-cultural values and it would appear that it is the only option left against further degeneration of the society.

CONCLUSION

The Committee having undertaken this noble assignment found it both challenging and rewarding. The Committee wishes to commend the initiative of His Excellency, the Governor, in being responsive to the yearnings and aspirations of the people that elected his government. The assignment had given the Committee the privilege of collating views, opinions and suggestions from across various interests throughout the State. The Committee evaluated views, opinions and suggestions and relied on provisions of the 1999 Constitution of the Federal Republic of Nigeria to come up with this report.

The Committee wishes to place on record its appreciation to the Governor for placing on its members such confidence as to warrant our choice for the assignment and for the rare privilege to serve the State in this important and historic assignment. In the same vein the Committee would like to appreciate the support and understanding it received from the Secretary to the State Government on all its logistic requirements. The Committee also wishes to appreciate the support and cooperation it received from Government functionaries, religious and traditional institutions, associations and organisations and the entire good people of Katsina State. We hope the government would study and accept our recommendations and would take necessary action.

Finally, we thank Allah the Almighty for His Mercy and guidance in the conduct of this assignment.

Members of the Committee:

- | | | |
|----|--|----------|
| 1. | Hon. Alhaji Ahmad M. Batagarawa,
(Grand Kadi) | Chairman |
| 2. | Alhaji Ibrahim S. Shema,
(Hon. Attorney-General/Commissioner for Justice) | Member |
| 3. | Hon. Justice Musa D. Abubakar,
(High Court of Justice) | Member |
| 4. | Alhaji Ahmad M. Bawa Faskari
(Permanent Commissioner, C.S.C.) | Member |
| 5. | Alh. Ishaq Nuhu Batagarawa
(Executive Director, Pilgrims Welfare Board) | Member |
| 6. | Malam Dalhatu S. Abubakar,
(Chief Registrar, Sharia Court of Appeal) | Member |

DATED THIS 20TH DAY OF JANUARY, 2000

APPENDIX 'A'

LIST OF ALL THE GROUPS, ASSOCIATIONS, INSTITUTIONS AND INDIVIDUALS CONTACTED BY THE COMMITTEE

1. INDIVIDUALS

i) EMINENT PERSONALITIES:

Gen. Muhammadu Buhari (Rtd)
Alh. M.D. Yusuf (Rtd. IG)
Alh. Ibrahim Coomassie (Rtd IG)
Amb. Moh'd Lawal R/dadi
Alh. Wada Nas
Alh. Mamman A. Danmusa
Alh. Bala Abdullahi Funtua

.ii) EMINENT JURISTS:

Justice Mohammadu Bello
Justice Mamman Nasir
Justice Umar Abdullahi

iii) RTD. GRAND KADIS:

Mohammadu Dodo
Usman Mohammed Daura
Abdul Mumini AbdulBaki

iv) ACADEMICIANS:

Prof. Auwalu Yadudu
Dr. Umar Malumfashi

2. ORGANISATIONS

- i) 2 Chairmen of Political Parties - PDP/APP
- ii) 2 Emirate Councils Katsina/Daura
- iii) 1 Convenor of Sharia Forum
- iv) 1 Sharia Court of Appeal, Katsina
- v) 1 High Court of Justice, Katsina
- vi) 1 Nigerian Bar Association Chairman
- vii) 1 Christian Association of Nigeria Chairman
- viii) 1 FOMWAN Chairman.
- ix) 1 Muslim Corpers Association of Nigeria President
- x) 1 Centre for Islamic Legal Studies, Zaria
- xi) 1 Council of Ulama, Katsina
- xii) 1 Local Government Inspectorate Department
- xiii) 1 Local Government Service Commission
- xiv) 1 Local Government Chairmen's Forum – Chairman

3. 34 LOCAL GOVERNMENT COUNCILS

VOLUME II: VERBATIM PROCEEDINGS

(QUOTATIONS IN THIS PROCEEDINGS ARE MOSTLY SKIPPED
DUE TO THEIR PECULIAR NATURE) [sic]

**PROCEEDINGS OF THE CONDUCT OF PUBLIC HEARINGS
AND CALL FOR MEMORANDA ON CONSTITUTIONAL PROVISIONS
FOR THE APPLICATION OF SHARIA IN KATSINA STATE**

1. ZONE 1: FUNTUA: FUNTUA, BAKORI, DANJA, FASKARI, DANDUME
AND SABUWA.

8TH NOVEMBER, 1999

(PRAYERS)

MC/PRO: *Bismillahir Rahmanir Rahim*. The Hon. Chairman Funtua Local Government; Hon. Councillors; the Sarkin Maska District Head of Funtua; Distinguished Committee Members; other Guests, Assalamu Alaikum. It is my honour and privilege to introduce to you this important event. Similarly, it became necessary for me to seize this opportunity and welcome you all to this Local Government (the venue of Funtua Zone). I therefore hope and pray for Allah's guidance, and successful deliberations.

The programme for the event will be as follows:

- i) Welcome Address by the Chairman Funtua Local Government Council;
- ii) Introduction of Committee Members and the Objective of the exercise by the Committee Chairman;
- iii) Presentation/submission of memoranda from representatives of the respective Local Government Area and two other groups from each Local Government. Individuals wishing to give contributions to this effort are also welcome. All this should be in brief considering the time limit;
- iv) Vote of Thanks by the District Head of Funtua.

We hope people will co-operate towards the successful conduct of this exercise. Now the welcome address by the Chairman.

ALH. YUSUF IBRAHIM NABATURE: Hon. Grand Kadi (The Committee Chairman); Distinguished Committee Members; the Hon. Councillors; the Sarkin Maska – District Head of Funtua; Distinguished Guests; Gentlemen of the Press.

Assalamu alaikum. All praise be to Allah for giving us the opportunity to witness this important event. I will first of all like to welcome the Committee members and all other guests to Funtua – the venue of Funtua Zone. Sharia, as we know is the Islamic legal system as ordained by Allah in the Qur'an and as practised through the Hadith and Sunnah of the Holy Prophet Muhammad (SAW). It also covers and regulates the whole aspects of life of a Muslim. I therefore wish to personally and on behalf of the entire people of Funtua Local Government express our humble support for the application of Sharia in Katsina State. This is the right time for us to make appropriate choice for our goodness and the future generation yet to come. Certainly, Allah has enjoined man to practise goodness, but this will only be appropriately applicable if we are bound by Sharia. I therefore call on all people to express your views with good faith and we should

REPORT OF THE TECHNICAL COMMITTEE ON APPLICATION OF SHARIA IN KATSINA STATE

always fear Allah in all our undertakings. Finally, I wish the Committee a successful conduct of this exercise throughout the State. I wish everybody safe journey back to their respective destination. This is in addition to the continuous prayers for peace and progress of our beloved nation. Thank you. *Wassalamu alaikum.*

MC/PRO: It has been a welcome address by the Hon. Chairman of Funtua Local Government. I now have the honour to invite the Committee Chairman to apprise the forum on the exercise.

COMMITTEE CHAIRMAN: *Bismillahir Rahmanir Rahim.* All protocols observed. *Assalamu alaikum.* You are aware of the inauguration of this Committee and the conduct of this exercise. The essence of this forum is to seek your advises and contributions on the application of Sharia in Katsina State. Similarly, there is presently a committee set up by the Federal Government to review the 1999 Constitution, and memoranda were invited from organisations, groups and individuals to that effect. It is also part of our assignment to collate your opinions on the Constitution review so as to add input to the State Government's submission to the Constitution Review Committee. I therefore urge you to give your contributions objectively for the attainment of this noble goal. Now the members of this Committee with me here are: the Attorney General and Commissioner of Justice – Alh. Ibrahim Shehu Shema; Alh. Ahmed Moh. Bawa – a Permanent Commissioner in the State Civil Service; Justice Musa Danladi Abubakar – High Court Judge; and Mal. Dalhat Abubakar – Chief Registrar Sharia Court of Appeal who is also the Secretary of the Committee; and our press crew. One of the members who is not here now has been away on another assignment. I wish you successful deliberations. Thank you and God bless. *Wassalamu alaikum.*

MC/PRO: At this juncture, I will now call on the representative from Bakori Local Government to present his message.

MAL. ABDURRAZAK: *A'uzubillahi minassbaidanir rajim. Bismillahir Rahmanir Rahim. Wassalatu wassalamu ala Sayyidina Muhammad wa'ala alihi wa Sabbibi wassalam. Assalamu alaikum.* I am on behalf of the entire people of Bakori Local Government expressing our 100% support for the application of Sharia in Katsina State. We make this choice because Sharia is a complete way of life of every Muslim. We have prepared a memorandum in this regard, which is not readily available now but will soon be submitted to the Committee on our contribution. *Wassalam alaikum.*

MC/PRO: We shall now call on Faskari Local Government

ADAMU HARUNA IDRIS FASKARI: In the name of Allah the Beneficent the Merciful. Praise be to Allah the Lord of the world. May the peace and blessings of Allah be upon Muhammad (SAW). *Assalamu alaikum* fellow Muslim brothers, on behalf of the people of Faskari Local Government, I hereby give our submission wholeheartedly for the application of Sharia in Katsina State. We know Allah does not leave his servant without guidance and anytime He sent a Messenger, he will be sent with laws that would regulate the conducts and behaviours of his people. As such people are not allowed to choose what they want except that which Allah commanded. Therefore, we have no choice than this Sharia which is obligatory on all Muslims. But we have some advises to offer in order of importance to the Government and the people, as follows:

REPORT OF THE TECHNICAL COMMITTEE ON APPLICATION OF SHARIA IN KATSINA STATE

1. Public enlightenment campaign on the application of Sharia through media houses;
2. Poverty alleviation – we are all aware of the present situation. Government should therefore take adequate measures to address this situation by providing job opportunities and other factors will be fully maintained;
3. Establishing more Islamic schools in the schools and maintaining the existing ones by providing facilities and incentives to the teachers;
4. Taking care of Christians and non-Muslims;
5. Appearance of women – there should be mode of dress expected from all categories of women in the State, i.e. whether married, divorcee or girl. This will protect their image and status;
6. Girls should no more use transparent dresses;
7. Adulterations – Government should take steps to check this activity all over the State;
8. Measurement – Government should provide measures to be used in our markets;
9. Welfare of civil servants is also one of the factors that would facilitate the application and maintenance of Sharia in Katsina State;
10. Alms-giving – this if properly practised will prevent most people from begging;
11. Establishing Ministry for Islamic Affairs;
12. Street selling of things by girls should no more exist.

This is the message from Faskari Local Government which I am delegated to convey. *Ma'assalam.*

LIMAN SA'ID FUNTUA: *Assalamu alaikum warahmatullah Ta'ala wabarakatuhu.* Even though I have come with my personal memo for submission, but as I am assigned to represent the people, I wish to express our profound gratitude and appreciation for the efforts of the State Governor towards the application of Sharia in the State. I would like to state here that the entire people of Funtua are in support of this Sharia issue in Katsina State. There were instances to prove this statement e.g. during the launching of Sharia in Zamfara State, the entire people of this area (except those who were not able to go) were at the State capital which was the venue for the event. And this is purposely due to our warm support and appreciation. Sharia is an obligatory factor in the life of Muslims because it is a complete way of life economically, morally and socially. In fact it is the only answer to the present problems. Sharia is a complete revelation sent to the Holy Prophet Muhammad (SAW) and we obey and follow this path. There are relevant verses enjoining man and guiding him of his way of life. Due to time factor, I will now submit my memo to the Committee and with this I hope the Committee and the Executive Governor will expedite action towards this end. Finally, I pray for Allah's guidance and protection and for the successful conduct of this exercise. *Wassalam alaikum.*

LIMAN SA'ID HASSAN FUNTUA: *Bismillahir rahamanir rahim. Wasallallahu alan Nabiyyul Karim. Assalamu alaikum.* The issue of Sharia is basically what we require now. I will now and always pray for the Committee members and Government of Katsina State for this effort. In short, I submit our full support on the issue of Sharia on behalf of my

people. But I have two advises to give to the authority – one, there should be justice in all actions and two; there should be no selfish interest among the leaders, everybody should be given what is due on him, no fear no favour – that is justice. I will stop at this juncture saying *assalamu alaikum*.

MC/PRO: We now call on Sabuwa Local Government

MAS'UD YUSUF SULEIMAN SABUWA: *Assalamu alaikum*. On behalf of the people in Sabuwa Local Government, I wish to express our support for the application of Sharia in Katsina State. Sharia is applicable to every Muslim right from his birth. *Wassalam*.

MC/PRO: Danja Local Government representative should come forward, please.

MOH. AUWAL JIBRIN DABAI: *Assalamu alaikum warahamatullahi Ta'ala wabarakatuhu*. I welcome all protocols observed [sic]. I hail from Danja Local Government and so decided to represent the people of that area. I warmly express our full support for the application of Sharia in Katsina State. If we could remember during the civil war late Sheikh Abubakar Mahmud Gumi (may his soul rest in peace) called on Muslims for Sharia application, but that was not done till today. I hope the Danja Local Government will be grateful with this representation because it is not authorised, I personally came with my own memo. *Wassalam alaikum*.

MC/PRO: I now call on Dandume Local Government

LAWAL SALIHU DANDUME: *Assalamu alaikum*. I stand here to express the view of the entire people of Dandume Local Government. In a nutshell, we submit and support the Sharia application in Katsina State and we have prepared some advises which will be submitted to the Committee. Thank you and God bless.

SHITTU ABDULLAHI MAHUTA: *Assalamu alaikum*. I am here on behalf of Jama'atul Izalatul Bidi'a wa'ikamatus Sunnah, Dandume Local Government branch. On behalf of this association, the entire people support the Sharia application in Katsina State one hundred percent. We are all Muslims and it will not be possible to separate Muslims and Sharia because Sharia itself is life. Besides evidences from the Holy Qur'an, I will now call the attention of both Muslims and non-Muslims to the fact that even the Constitution in question (1999) made provisions for the Sharia issue (section 38 and section 6(5)). Therefore, Sharia is the only answer now. Finally, we pray for the up-rise of Islam and Muslims and we hope and pray for the success conduct of this exercise. We also wish the Committee members and all other guests safe journey back home. *Assalamu alaikum*.

MUSA USMAN FASKARI: *Assalamu alaikum*. All protocols observed. I stand before this forum to say a little in addition to what has been said earlier. Certainly the application of Sharia is the only way that will make the life of Muslims and all others a modest one. But I would like to give a piece of advice to this Committee. This advice if accepted and adopted will help immensely towards sustenance of the Sharia and especially with regard to association with non-Muslims and Christians. When it comes to practice, courts should be separated, those for Muslims and whoever agrees to its judgment, then for Christians and non-Muslims. *Assalamu alaikum*.

NAFI'U BIN ABUBAKAR FASKARI: *Bismillahir Rahmanir Rahim. Assalamu alaikum.* I welcome the Committee members and other guests to this important event. What I want to contribute here is a call on all people to unite and work together for the development of our society, because they say 'Unity is power'. This is true, I therefore hope people will unite and love each other so that we achieve this noble objective. Thank you.

MC/PRO: Now we have got nominations from the Sarkin Maska District Head of Funtua, who would speak on behalf of the two groups from Funtua Local Government. They are Mal. Aminu Liman Mustapha and Alh. Muh. Anda Funtua.

MAL. AMINU LIMAN MUSTAPHA: *A'uzubillahi minasshaidanir rajim. Bismillahir Rahmanir Rahim. Wassalatu wassalamu ala Sayyidina Muhammad wa ala alibi wassabbibi wassalam. Assalamu alaikum.* Let me seize this singular opportunity to welcome members of this Committee and other guests to this great forum. We were doubting the intention of Katsina State Governor on the inauguration of this Committee before, but I am convinced beyond any reasonable doubt, considering the membership of this Committee that it is a reality and serious about the issue of Sharia application. First on the Constitution review, I mean the 1999 Constitution. The issue of its review does not even arise because it is not circulated for people to peruse and agree with the provisions as contained. Then on the issue of Sharia, this is worth of requesting for people's views because it is a complete way of our life originally and naturally. (There are several verses of the Holy Qur'an that explain this). So hope they will study it carefully. We should continuously pray for the attainment of this aim. *Bissalam.*

ALH. MUH. ANDA FUNTUA: *Assalamu alaikum.* The past speakers have said a lot on the issue of Sharia. What I want to add here is that Sharia has been on course it is only its application that is missing and this is due to our selfish interest. For example, we are encouraging corruption ourselves and which is forbidden, we know this, just imagine a person giving bribery to a policeman simply because he wants to escape from a judgment, how do you think that people will contribute towards this end? Therefore on behalf of Fityanul Islam (Young Muslim Association) I call on all people that we should be serious in this matter. Unless we face the reality and give appropriate views to the Government it may not be possible. Certain measures should also be taken to check the conditions of service of judges. They should be provided with all necessary requirements for the successful conduct of their assigned duties. I wish the Committee a successful conduct of this exercise. *Wassalamu alaikum.*

MC/PRO: We shall now listen to Barrister Usman Moh. Shu'aibu to present his memo.

USMAN MOH. SHU'AIBU ESQ.: *Assalamu alaikum.* Brothers in Islam, Mr. Chairman, I have prepared my memo in writing, but I hope I will be given the little time available to present it (the memo was submitted to the Committee as time was seriously against the forum).

MUH. LAWAL GIDE: *Assalamu alaikum.* I have prepared my memo, but due to time factor I will like to give its summary in a nutshell, On behalf of myself and family, I welcome members of this Committee and other Muslim brothers. We are talking on Sharia and democracy. It is a great issue with leaders, so I hope our leaders will look carefully on this issue for the maintenance of Sharia because we elected you to be the leaders and unless you do the right thing to the people then you will have to look for

them again. Finally, I hope the Sharia application will be a reality for the development of a genuine democracy. *Wassalam alaikum.*

COMMITTEE CHAIRMAN: Fellow Muslims, we will now give one chance after which the Attorney General/Commissioner of Justice will make a remark.

SALISU ABDULLAHI BAKORI: *Assalamu alaikum.* I just want to seize this opportunity to put more emphasis on this struggle. Whosoever contributes towards this, shall be rewarded by Allah. There are relevant cases in the history Islam but due to time limit, I hope people will keep this in mind. *Wassalamu alaikum.*

REMARKS BY ALH. IBRAHIM SHEHU SHEMA (Commissioner of Justice). All protocols observed. *Assalamu alaikum.* I want to shed more light on the assignment of this Committee. The Committee is given the assignment to go round and make consultations with people in order to seek out ways possible for the application of Sharia in the State and to find solutions to the possible effects. So people should erase the notion that Government is trying to weigh between its subjects. Thank you.

MC/PRO: Thank you Hon. Commissioner for this light. Now it is vote of thanks by the Sarkin Maska District Head of Funtua.

ALH. SAMBO IDRIS SAMBO: *Bismillahir Rahmanir Rahim. Assalamu alaikum.* All protocols observed. It is my honour and privilege to express my profound gratitude and appreciation to the Executive Governor of Katsina State. Similarly, it became necessary for me to seize this opportunity to appreciate the efforts of the Committee members and to thank the entire people in this forum for their support, understanding and co-operation. Sharia, as envisaged previously is a complete way of life of Muslims. I therefore declare our total submission towards this objective together with the entire people of Funtua Local Government. I pray and will continuously do for the attainment of this goal. Finally, I wish the Committee members and all other guests safe journey back home. *Wassalamu alaikum.*

(PRAYERS OFFERED): END OF SESSION: 1.20PM.

2. ZONE II: MALUMFASHI: MALUMFASHI, KAFUR, KANKARA AND MUSAWA

9TH NOVEMBER, 1999

(PRAYERS)

After a formal introduction by the Information Officer Malumfashi Local Government, the Local Government Chairman delivered his welcome address.

ALH. USMAN UMAR YABA (CHAIRMAN): *A'uzu billahi minasshaidanir rajim. Bismillahir Rahmanir Rahim. Wasallallahu ala Sayyidina Muhammad wa ala alibi wa sabbibi wa sallam. Assalamu alaikum.* All protocols observed. Praise be to Allah Master of the worlds. It is my honour and privilege to welcome this Committee and other guests to this important event and indeed a remarkable one. I will first of all express my gratitude and appreciation for the efforts of the Executive Governor of Katsina State – Alh. Umaru Musa Yar'adua on the inauguration of this important committee to carry out the exercise of Sharia application in the State. Certainly, Sharia is the supreme guidance and instruction of man's life. It is therefore more important than the life itself because it is a

complete way of life. In this regard therefore, I will like to submit our full support on behalf of the entire people of Malumfashi Local Government Area, for the application of Sharia in Katsina State. I hope people will co-operate and give their advices and contributions for the sake of Allah so as to record a successful conduct of the exercise and to consequently achieve our aim. Let us revert to the Holy Qur'an – Allah (SWT) says “*Izajaa'a nasrullahi...*” So this is the time, let us utilise it and be part of those who will succeed in life. Finally, I pray for Allah's guidance in the right path and a successful deliberation. *Wassalamu alaikum.*

THEREAFTER: (As usual) the Chairman of the Committee introduced members of the Committee and highlighted to the gathering the essence of the exercise and solicited for their co-operation and understanding.

JUSTICE MUSA D. ABUBAKAR: *Assalamu alaikum.* I would like to shed more light on the conduct of this exercise. Each Local Government will be represented by one person and two people representing two religious groups, then private individuals. Now we are starting with Kafur Local Government.

DISTRICT HEAD KAFUR: All protocols observed. Actually the Chairman will be coming here himself, but I am also representing the entire people of Kafur Local Government Area as Dangaladiman Katsina District Head of Kafur. I wish therefore to express our support for the application of Sharia in Katsina State. On the issue of the Constitution review, I would like to advise that a provision should be made in the Constitution with regard to Emirate Councils. If you could remember there was no such provision in the Constitution. So this is all I have to say. *Wassalamu alaikum.*

JUSTICE MUSA D. ABUBAKAR: It has been Dangaladiman Katsina the District Head of Kafur. Now if there are groups who want to contribute on this issue from Kafur Local Government, they can please come forward. Nevertheless therefore, those who prepared a written memo could easily submit to the Committee. Meanwhile, we will now move to Kankara Local Government. (He then handed over to the Information Officer).

ABDULLAHI YUSUF KANKARA: All protocols observed. *Assalamu alaikum.* On behalf of the Chairman Kankara Local Government Council, Sarkin Pauwan Katsina and the entire people of the Local Government, I stand to express our full support on the issue of Sharia application in Katsina State. Also a list of people from various groups in the Local Government is attached to our memo. Finally, we pray for the attainment of this noble goal. We also wish the Committee members good luck and safe journey back home. *Wassalamu alaikum.*

I.O.: *Alhamdu lillab.* Now if there are any representatives from the people they should please come forward.

MAL. ABDULLAHI KANKARA (MASALLACIN S/PAUWA): *Assalamu alaikum.* I stand to express our profound gratitude, appreciation and support on the issue of Sharia in Katsina State. *Bissalam.*

KASIMU LIMAN: *Assalamu alaikum.* I am here on behalf of Izalatil Bidi'a wa'ikamatus Sunnah, Kankara Local Government to voice out our happiness for this development. Just of recent, a District Head has been corrected as having referred their title to traditional rulers, as they were supposed to be. So we are grateful with this achievement and we are fully in support of the Sharia issue. *Assalamu alaikum.*

I.O.: I would like to recognise the arrival of Danejin Katsina to this important forum. You are welcome sir. I will now invite him for his contribution.

ALH. BATURE ABDULKADIR (DANEJIN KATSINA): In the name of Allah, the Beneficent, the Merciful. Praise be to Allah the Lord of the worlds. May the peace and blessings of Allah be upon our Prophet Muhammad (SAW). *Assalamu alaikum*. I would first of all like to apologise for coming late to this event. This is largely due to a working tour I am undertaking in my area. People have said a lot, but still I will add a little contribution on the issue of Sharia application in Katsina State. Certainly Islam exists in Nigeria, but its practice is not forthcoming into reality. This is largely due to non-application of Sharia in the society. I could remember when I was in Saudi Arabia during the month of Ramadan, there was a Nigerian who was delegated to conduct the *tarawih* prayer. So there are many instances that indicate a very good prestige of Nigerian Muslims. We should therefore be consistent in our words. Aisha (R.A) referred to the Holy Qur'an as a whole life. I will advise that this Sharia should be supreme i.e. the final judgment. I mean it should be binding on all Muslims and whether they like it or not. We should not subside any issue or affair in Islam, we should submit to it in totality. Finally, I will stop here by saying *assalamu alaikum warahmatullahi wabarakatuhu*.

I.O.: It has been Danejin Katsina, one of the Islamic leaders. There is somebody to represent the Chairman Kafur Local Government. He should please come forward.

USMAN ADAMU KURINGAFA: *Assalamu alaikum*. I stand on behalf of a committee formed on Sharia issue in Kafur Local Government. This committee comprises all religious groups in Kafur local Government and we are progressing towards this end. I will now express our support on behalf of all the people. I think the chairman might be coming so I will stop here. *Wassalam*.

I.O.: We shall now go back to Kankara Local Government where we have heard a lot but still two more people are left behind. You are welcome, please.

HARUNA SULEIMAN KETARE: *Assalamu alaikum*. An Islamic preacher in Ketare, I will like to express full support of the entire people of Kankara Local Government on the issue of Sharia application in Katsina State. There is need for enlightenment campaign on the Sharia itself, the offences and the judgment so as to have good maintenance of its law and order. I once again express our support for Sharia in Katsina State. *Wassalam alaikum*.

MOH'D RASHEED: *Assalamu alaikum*. I will still emphasise on the firmness on the issue of maintaining this Sharia. The application of Sharia is not the most important, but maintaining it. I therefore advised that this Committee should also recommend to the Government on measures to maintain the Sharia. *Wassalamu alaikum*.

I.O.: We shall now move to Malumfashi Local Government. The representative of Galadiman Katsina – Alhaji Aminu (AIG Rtd) will now deliver his message.

ALH. AMINU (AIG RTD): All praise be to Allah. May the peace and blessings of Allah be upon Prophet Muhammad (SAW). *Assalamu alaikum*. On behalf of Galadiman Katsina, Justice Mamman Nasir, Village Heads and the entire people of Malumfashi Local Government, I stand to express our full support for the application of Sharia in Katsina State. It is the view of most Nigerian Muslims that Sharia should be adopted for the Muslims. I will now give chance to our Islamic teachers to give their contributions

towards this. But the general view of almost 98% of the people of Malumfashi Local Government is on the application of Sharia in Katsina State. *Wassalam alaikum.*

I.O.: This is the views of our leaders. We shall now call on two *ulamas* from Malumfashi. Alhaji Abubakar Abule.

ALH. ABUBAKAR ABULE: All protocols observed. *Assalamu alaikum.* As people talk, the issue of Sharia is a very good plan of man's life. The judgment is also strategically planned so as to prevent the prestige of man. Due to time limit, I will not go deep in this topic, but I will like to say that we are lucky, the composition of this Committee is of people of high sense of understanding and belonging. For those who fear that application of Sharia will bring problems in the society, they should try to understand that this Sharia is a complete way of life of man and its main objective is justice. With this I will now submit my memo to the Committee saying *wassalamu alaikum warahamatullahi ta'ala wabarakatuhu.*

ALH. LADAN AME: *Assalamu alaikum.* We have heard a lot on the issue of Sharia. But my advice here is that since Zamfara State did not wait for the Constitution review before adopting Sharia, Katsina State should also do it immediately, let the latter exercise follow. And as people said they supported this issue 100% I will now say we support it 1000%. *Wassalam.*

MAL. ABDULHADI: *Assalamu alaikum.* There is no need for this Committee to seek any view from people on the issue of Sharia application in Katsina State. And if they are still sorting out this whoever prays in Katsina State is in support of this issue. And on the provisions of the 1999 Constitution, section 38, that provision is not even a right to Muslims to practise the Sharia but a responsibility or an obligation just as it is obligatory for every Muslim to pray. We should forget about those who say Sharia will bring sorrow and grievances. This is our stand and we support this whole-heartedly. *A'uzu kabli haḡa wa astagfirillah li wa lakum. Wassalam alaikum.*

ALH. IBRAHIM SHEHU SHEMA (ATTORNEY GENERAL): *Assalamu alaikum.* I want to shed more light on the objective of this forum as earlier highlighted by the Committee Chairman. We are not here to hear your views on whether you want Sharia or not, but we are here to make consultations and seek out possible ways for this Sharia and get possible solutions to problems that might emanate from it. We are all Muslims and we cannot run away from this Sharia because it is our life. So please take note. *Wassalamu alaikum.*

I.O.: Now there is one more person from Malumfashi. Rev. Dauda Korau.

REV. DAUDA KORAU: All protocols observed. I stand before you as a Christian, an indigene of Katsina State and in the midst of Muslims. I was invited, so I came. Sharia, we think, is a supreme revelation by Allah (SWT) and we agree to its definition as "a complete way of life." We appreciated the kind of approach the Government gave to us on this issue as it has written to the Chairman (CAN) Katsina State sourcing the views and contributions of the Association on the Sharia issue. This we did and replied the Government. I therefore wish to express my support on this issue. But we have one fear that there may be injustice. We, the Christians in this State, may to some extent be isolated from developmental programmes. I was invited late, I would have come with a written memo. Thank you.

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ALH. USMAN UMAR YABA (CHAIRMAN): Assalamu alaikum. Our fathers, brothers and friends have almost said all what is supposed to be said. But I have two things to say. One is on the Sharia application, we have submitted totally to the issue. Secondly, the issue of bias or injustice between our Christian counterparts. This is not so, see for example Zamfara State, all the people there regardless of your religion are living in perfect peace with each other. This is because the Sharia is only applicable to Muslims who go by the religion of Islam and Islam means peace. So I assure our Christian counterparts that we shall live in peace and harmony. On the fear expressed that the Christians may be isolated from developmental programmes, this will not happen as it has never happened. For instance, the ECWA Church Association presented a request for the supply of potable drinking water to the Church which we did and even the State Governor is going by this principle. I finally reaffirm the full support of the entire people of Malumfashi Local Government for Sharia application. *Wassalam alaikum.*

I.O.: We shall now move to Musawa Local Government. Their representative will now take chance to deliver his message. He is the Vice Chairman Musawa Local Government.

ALH. HASSAN BADARU JIKAMSHI: All protocols observed. *Assalamu alaikum.* I am here on behalf of the Chairman and people of Musawa Local Government to express our full support on the issue of Sharia application in Katsina State. I wish the Committee members and all other guests safe journey back home. *Wassalamu alaikum.*

MAL. JABIRU AHMED MARARRABAR MUSAWA: *Bismillahir Rahmanir Rabim. Wasallallahu alan Nabiyul Karim. Assalamu alaikum.* With regard to what Mr. Rev. said, there is a point of correction. Islamically, Sharia is a complete way of life of man because it guides man on his living, activities, etc. (quoted relevant verses of the Holy Qur'an). However, some contributing factors to the present problems are among others adultery, hoarding, cheating, prostitution, etc. All these are anti-Sharia factors and unless they are checked and improved there would not be peace at all. But I want to express confidence that this goal will be achieved considering the composition of the Committee. I could recall one of the members was a Chairman of Kankia Local Government and during his time, sale of alcohol, prostitution and all other social vices activities were banned in the Local Government. This is a clear indication of seriousness in the issue. Another member (Justice Musa Danladi) has ever prayed and made strong call for this Sharia during a national Qur'anic recitation competition held at Katsina. So with this, I pray and hope that Allah will guide this Committee and the Executive Governor to the right direction. *Wassalamu alaikum.*

YAHUZA MUSAWA: *Assalamu alaikum.* The Rev. who has just spoken here seems to be a pessimist because he tends to look on the dark side of things. Sharia has never been what he thinks, it is a complete way of life. If you look far back to the history of Islam, it has never taught people bad acts. I could recall an event that occurred between one boy who resided in late Abubakar Gumi's residence in Kano for over 12 years but Malam always gave him freedom to do what he wanted. He even exempted him from working on Sundays because he was a Christian. Up to the time he left for Kaduna that boy was a Christian, but later he went and meet Malam at Kaduna and embraced Islam. His reasons were just the manner and kindness of Malam to people. So it is by logic that we

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achieve things and not by violence. I therefore wish the Committee members and all other guests safe journey back home. *Wassalamu alaikum.*

I.O.: We will now listen to the Vice Chairman Kafur Local Government, for his comments.

VICE CHAIRMAN KAFUR: All protocols observed. *Assalamu alaikum.* I will like to first of all apologise for our late arrival due to some inevitable problems. I stand to present our memo that we prepared in consultation with various groups in our Local Government for the support of Sharia application in Katsina State. I will not spend much time, since it is already late. So by this I hope I have fulfilled the promise and responsibility by submitting this memo. I hope and pray for successful conduct of the exercise and attainment of the goal. *Wassalamu alaikum.*

I.O.: Distinguished guests, due to time factor, for those who did not have chance to say something here can submit a written memo to the Committee. I will now call on the Chairman Malumfashi Local Government to give his vote of thanks before we finally close.

ALH. USMAN UMAR YABA: *Assalamu alaikum.* It is my honour and privilege to express my profound gratitude and appreciation for the co-operation and understanding of the people, and to similarly thanked the Executive Governor of Katsina State and the Committee members for the tremendous efforts towards this end. I therefore wish them success and may Allah reward them and all of us that contributed, with Paradise. I wish everybody safe journey back home. Thank you. *Wassalam alaikum.*

(PRAYERS): 1:00PM: END OF SESSION

3. ZONE III: DUTSIN-MA: DUTSIN-MA, DANMUSA, BATSARI, KURFI AND SAFANA

10TH NOVEMBER, 1999-11-25

(PRAYERS)

After an introduction by the Information Officer (I.O.) Dutsin-ma Local Government, the Chairman Dutsin-ma Local Government Council was invited for his welcome address.

ALH. MUSTAPHA NUHU KUKI (CHAIRMAN): All protocols observed. *Assalamu alaikum.* We are aware of the recent inauguration of a Technical Committee on Constitutional Provisions for the Application of Sharia in Katsina State. Sequel to this development, the Committee is now conducting a public hearing and call for memoranda exercise throughout the State. No doubt this is a welcome development and is also a clear indication of a real democracy whereby people are given chance to give advices and contributions on ways and means to address certain issues affecting them. I would therefore like to welcome the Committee members and all other guests to this great event on behalf of the people in this Local Government. I also hope people will cooperate towards a successful conduct of this exercise. Finally, I wish the Committee members good luck and prosperity. I wish everybody safe journey back home. *Wassalamu alaikum.*

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At this juncture, the Chairman of the Committee was invited to apprise the forum on the essence of the exercise. After that appraisal, he introduced other members of the Committee as usual. He then urged people to co-operate and give their contributions so as to record a good conduct of the exercise.

I.O.: Now we are starting with Batsari Local Government.

MUSA MOHAMMED KARARE: *Assalamu alaikum*. I welcome the Committee members and other guests to this great event. On behalf of the entire people of Batsari Local Government I stand to express our full support for the application of Sharia in Katsina State. There is no doubt this will be the solution to all our problems. Most problems are existing and persistently indeed due to our negligence to the Sharia. There are so many instances very clear indeed to prove this assertion. I therefore hope people will give appropriate advices and contributions towards this end. I wish the Committee members a successful conduct of their assignment. *Wassalamu alaikum*.

ALIYU HARUNA: All protocols observed. *Assalamu alaikum*. On behalf of the people of Batsari Local Government, I welcome all of you to this forum. We are in full support of the issue of Sharia in Katsina State. This is in accordance with the continuous prayers we do after every now and then for the better condition of our life. This is the result of our prayers. We therefore advise the Government to immediately implement this Sharia for the betterment of life. Thank you. *Wassalamu alaikum*.

FARUK MOH. SALE: *Assalamu alaikum*. I stand on behalf of the people of Batsari Local Government to express our support for the application of Sharia in Katsina State. Certainly, it is the responsibility of our leaders to guide their subjects accordingly otherwise they will lose respect from people and the worse of it all is that they will not have anything with Allah (SWT) because they did not follow the instructions of Allah. I therefore urge our leaders to fear Allah in all their activities and Allah will surely guide and protect them. I wish the Committee members and all other guests safe journey back home. *Assalamu alaikum*.

MOHAMMED KABIR: *Assalamu alaikum*. I stand to reaffirm our support for the Sharia application in Katsina State. Secondly, I want to say something with regard to the 1999 Constitution. Currently, we have no any constitution in the country, this is because whenever a constitution is drafted, it will be circulated all over the country for people to see and make amendments where necessary before its final adoption. This is not done with this Constitution and even the previous ones. We were living in a very good condition even during the era of Europeans, Sharia was in practice, even though courts like Sharia Court, Federal High Court, etc. were in existence. But when the Europeans were leaving, still Sharia was existing until when they finally left then we leave the Sharia for this useless Constitution. I therefore call on the Committee members and the Hon. Members of the State House of Assembly to do justice in their conducts. They should learn from Umar (R.A) and other Caliphs on their conducts. I wish you good luck. *Assalamu alaikum*.

I.O.: Thank you for the contribution. Now it is Danmusa Local Government.

MAL. ADAMU SALIHU: *Assalamu alaikum*. I stand on behalf of the people of Danmusa Local Government to express our support for the application of Sharia in Katsina State. Surely this is an opportunity for us which our grandfathers could not get.

So we hope this will succeed. Many people tend to ignore the meaning of Sharia thinking that it is only going to kill or victimise people. It is not so, Sharia is a way of life for Muslims because the life of a Muslim itself is Sharia as it is being guided within a circle. So it is the wish of every Muslim to go by Sharia. There is a clear indication of a good start. See Zamfara State as a case in point, the whole system of life has been changed. Unless we abide by the rules and regulations of Islam, we will be in loss. How do we know these rules and regulations, it is by Sharia. I therefore urge our leaders to do justice in their conducts. See for example the kind of treatment made to a woman in distress with her children by Umar (R.A.). He was carrying foodstuffs for the woman and when his people tried to help him, he asked them “could you carry their burden on my behalf in the next world?” Our dear leaders, please be kind and just to your subjects. *Wassalamu alaikum.*

IBRAHIM HUSSEIN MAIDABINO: *Assalamu alaikum.* On behalf of the people of Danmusa Local Government, I would like to advise the Committee to recommend to the Government for immediate implementation of Sharia before looking into the issue of Constitution review. This Sharia is our right and we deserve to have it. See for example the issue of Niger-Delta, they were arguing on the crude oil being extracted in their area and it was consequently resolved that 13% of the generated revenue on crude oil will be due to them. Look at Abuja (the Federal Capital) only 1% of the said revenue is being used for its construction, what more of 13% given to Niger-Delta alone. See again what the leaders of democracy all over the world maintained that everybody should be given freedom to practise his religion freely and apply the type of law he deems fit. How then could Obasanjo oppose our request for Sharia? So please our leaders should be firm in the struggle for Sharia just as those people struggle for their 13% out of our nation’s economy. I pray for Allah’s guidance and assistance, and I wish everybody safe journey back home. *Ma’assalam.*

IBRAHIM BALA: All protocols observed. *Assalamu alaikum.* I welcome the Committee members and all other guests to this important event. I have already submitted my memo to the Committee but will like to present it in brief in order of importance. First of all I support the issue of Sharia application in Katsina State on the following reasons: the Sharia is obligatory on all Muslims; the 1999 Constitution provides for all citizens to practise their religion (if you are following a programme sponsored by Aminu Maigari Esq., he used to quote the relevant sections of the Constitution in this respect) and justice. On this basis therefore, the Muslims are entitled to Sharia not only Katsina State, but anywhere they are in the world. There is explanation in the memo and I hope the Committee will peruse it thoroughly for their necessary action. *Wassalamu alaikum.*

NASIRU USMAN DANMUSA: *Assalamu alaikum.* A lot has been said on the issue of Sharia. I also stand to show our full support to the issue. But I have an advice to the Committee. This advice is to the leaders, they should bear in mind that Allah has given them this leadership to test them and not that they are better than all. See for example, the Prophet Muhammad (SAW) there is none among the creatures like him but imagine the obstacles, problems he faced in life, yet he is the only one with the highest position with Allah (SWT). So in short, this is my advice and I hope it will reach to the ears of those concerned. Sharia is what we want because [it] is our life. *Wassalamu alaikum.*

I.O.: We shall now move to Dutsin-ma Local Government

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LIMAN ZAKARIA: All protocols observed. *Assalamu alaikum warahamatullahi ta'ala wa barakatuhu*. Certainly this is a great forum, in fact it is more or less a seminar. I called it a seminar because we are learning a lot from people. All what I have to say has been said by so many people. But I will like to express the full support of the entire people of Dutsin-ma Local Government for the application of Sharia in Katsina State. Katsina has a great history in terms of Islamic religion and even the Western education. It got its status through two eminent leaders who are still being succeeded by their children who are now our leaders. I hope they also try to leave a great legacy behind and this will be their greatest achievement in life if they try and struggle for this Sharia in our dear State. Allah will definite help those who struggle for the sake of Allah. I therefore pray that Allah with His infinite mercy help us in this noble course. *Wassalamu alaikum*.

MAL. MUKTAR SALISU: *Assalamu alaikum*. All praise be to Allah. People have already said a lot, so I will only seize this opportunity to welcome members of this Committee and other guests and then express my support on the issue of Sharia. I wish you good luck in this struggle. *Wassalamu alaikum*.

SANI BELLO: All protocols observed. *Assalamu alaikum*. I stand to appeal to our Muslim brothers to unite for the sake of our religion. I am referring this impact to an NTA network programme of yesterday (Tuesday) "TUESDAY NIGHT LIVE". Whosoever was able to watch that programme would be convinced beyond any reasonable doubt that unity is power. In the first place people were challenging the issue of Sharia and Islam in general, until later when some eminent Muslim brothers responded to the challenge and the guest and even the programmer were eventually pushed to the wall and could no longer say a single word on that issue. They completely missed direction due to their baseless argument. So brothers this is what we are supposed to do at all times, we always stand firm for our religion. This is going to be a great achievement if we are able to record it. Thank you. *Wassalamu alaikum*.

ALH. GARBA HAYINGADA: All protocols observed. *Assalamu alaikum*. I welcome all the people to this important forum. It is good that we have now got the opportunity to express freely our feelings and advice as contributions to the Government. We have been praying for this kind of leadership and we have now got the type of leaders we wanted. Now we are in an era where our views or rather contributions are sought on the issue of our life. This is an opportunity as I said and we should try to utilise it otherwise they say "opportunity once lost can never be regained." Now on this issue of Sharia application in Katsina State, we support it and I have an advice as part of my contribution. The Government should keep Islamic teachers well equipped for frequent propagation on the Sharia issue; also our traditional rulers should be involved in this course. (Point of correction). I am sorry to have called them traditional rulers, I suppose they are Islamic leaders. This is my contribution on this issue. *Wassalamu alaikum*.

END OF MORNING SESION (PRAYER TIME)

AFTERNOON SESSION 2:45PM.

I.O.: Welcome back, but please we are sorry for the little extension of time. We shall now have an opening prayer before we call on Kurfi Local Government.

(PRAYERS OFFERED)

COMMITTEE CHAIRMAN: *Assalamu alaikum*. I would like to add that those who are yet to give their contributions should do so within the shortest possible time. We should also go straight to the point so as to avoid verbosity. We cannot exhaust our ideas here even if we are to go by spending several days on this forum, people can still say something. So I urge you to please bear with us. *Wassalamu alaikum*.

I.O.: Now representatives from Kurfi Local Government should please come forward.

MUH. SIRAJO LAWAL KURFI: *Assalamu alaikum*. On behalf of Kurfi Local Government and the entire people, I stand to express our full support for the application of Sharia in Katsina State. Sharia as many people said is not even a right to the Muslims but a responsibility or an obligation on them. So we deserve this and we support it. I wish the Committee members and all other guests safe journey back home. *Wassalamu alaikum*.

AHMED MOHAMMED: *Assalamu alaikum*. We have actually supported this issue of Sharia and there is no going back. What I want to advise is that we should make sure we stick to the conditions of the Sharia and our conduct should be justly carried out especially in interaction with our Christian counterparts. We should also adjust our way of life subject to the rules and regulations of Allah (SWT). *Wassalamu alaikum*.

ISA MOHAMMED: All protocols observed. *Assalamu alaikum*. This issue of Sharia is a straightforward issue that need no further comment than applying it because it is an instruction from our Creator. The past speakers on a good standard living condition of people when they live by Sharia regulations cited so many examples. It will just be a repetition but in short we want this Sharia in Katsina State. *Wassalamu alaikum*.

ILYASU BAWA: *Assalamu alaikum*. I stand to express appreciation to the government and in particular the Committee members for their tremendous efforts towards this most important issue. May Allah reward them with His infinitive mercy. Amin. *Wassalamu alaikum*.

I.O.: Thank you. That is all from Kurfi Local Government. Now the last but not the least in Safana Local Government.

HAMZA SULEIMAN SAFANA: *Bismillahir Rabmanir Rabim. Assalamu alaikum*. On behalf of the entire people of Safana Local Government, I have come with our written memo. We are not expressing our views or giving advices but have solely submitted and agreed that Katsina State Government should adopt Sharia throughout the State. This is a great event and indeed a remarkable one in the history of Muslims and Islam in Katsina State. Certainly this government is going according to the teaching of our Prophet (SAW) that whoever makes consultations on any matter shall not fail, but his conduct will be open (this does not matter anyway). It is a clear indication of good governance by the formation of this Committee. Open-door-policy, they say is a good democratic practice. We are grateful with this gesture. I have three advices to offer to this Committee: they should do justice in their conducts; they should also fear Allah and they should tolerate whatever might come in their way. With the maintenance of these three factors, success will surely be with them. *Wassalamu alaikum*.

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MAL. SALE SAFANA: *Assalamu alaikum*. I just want to re-affirm what my partner has just said that we are not here to express our views or give advices, but to show our full support on the issue of Sharia in Katsina State. This is an achievement. I wish the Committee members good luck and safe journey back home. *Wassalamu alaikum*.

AHMED KADO: *Assalamu alaikum*. I share the same view with the past speakers. And as Mal. Hamza highlighted Allah will guide that whoever consults on any issue will never fail and him [sic]. Therefore, we are lucky to have this type of leaders in our State, but we were just about to go astray if not because of this development. We should therefore utilise this golden opportunity so that we succeed in our life. The general advice here is that we should fear Allah in all we do that is significantly the Sharia. *Wassalamu alaikum*.

LIMAN MOHAMMED: *Assalamu alaikum*. Certainly this is a welcome development. On the conduct of this exercise of public hearing, I will advise that the Executive Governor of Katsina State should approve the adoption of Sharia in the State. And with regard to public hearing, the Executive Governor of Zamfara State is sufficient enough at this capacity. My reason is that we are enjoined to accept Islam wholly and Sharia is our life. So I hope we will consider life these days – how we got sudden death without any slight notice. Let us do it now before we are late. And we should copy from the conducts of the four well-guided Caliphs (he explained the translation of Suratul Asr, referring to the Caliphs), then Sharia and its status will be maintained. But I still advise that our Governor is now a partner to Zamfara State Governor, he should therefore consult him frequently in this respect. *Wassalamu alaikum*.

Thereafter, the Committee Chairman made an observation and promised to shed light on the mistake after the contributions from two other persons he gave few minutes to express.

MAL. ABDULKARIM (ISA KAITA COLLEGE OF EDUCATION): All protocols observed. *Assalamu alaikum*. I am here representing the staff of Isa Kaita College of Education Dutsin-ma for our support, advice and contributions on the issue of Sharia application in Katsina State. We first of all appreciated the effort of the Executive Governor of Katsina State. In the first instance, there was Sharia before and even when the Europeans arrived in this country, but later on the Constitution was introduced and that resulted to all these social vices we now experience in our daily life. The Constitution, unlike Sharia, is subject to review and amendments. Thus, in consequence, during the 1999 constitutional drafting, sections 38, 6, etc. were either mistakenly or deliberately provided in the Constitution. May Allah reward those who deliberately inserted these provisions in the Constitution, because it would have not been the situation now. There are so many observations as contained in our memo but due to time limit I will submit this memo to the Committee for necessary action..

MAL. TIJJANI: *Assalamu alaikum*. I am grateful for the little time given to me to express my view in this important forum. What I want to emphasise here is unity. We should try to be one and love each other. They say “Unity is power.” This is time because unless we unite, we cannot achieve what we want easily. This is my appeal. *Wassalamu alaikum*.

At this juncture, the Committee Chairman made the following corrections:

“Wa sallallahu alan Nabiyyul Karim”

Not “Wa sallallahu ala Nabiyyul Karim”.

VOTE OF THANKS BY THE YANDAKAN KATSINA DISTRICT HEAD OF DUTSIN-MA.

ALH. BALAN GOGGO: All praise be to Allah. *Wa sallallahu alan Nabiyyul Karim. Assalamu alaikum.* It is my humble honour and privilege to thank the Committee members and all other guests for the co-operation and understanding. On behalf of all the other District Heads and people from this zone, I wish to express my profound gratitude and appreciation for this development. We fully support the issue of Sharia in Katsina State and I want us to be given the chance to perform our role in this capacity. Finally, I wish the Committee members and all other guests safe journey back home. *Wassalamu alaikum.*

One of the members (Attorney General) requested people to submit their memoranda there or later at Katsina.

END OF SESSION 4.00PM (PRAYERS)

4. ZONE IV: KANKIA: KANKIA, INGAWA, KUSADA AND MATAZU

11TH NOVEMBER, 1999

(PRAYERS)

As usual, the Information Officer (I.O.) of Kankia Local Government after a formal introduction, invited the Chairman Kankia Local Government Council for his welcome address.

ALH. IBRAHIM ABDULLAHI TAFASHIYA (CHAIRMAN): All protocols observed. *Assalamu alaikum.* Certainly this day being 11th day of November 1999 is a remarkable day in the history of Islam most especially the people of this area comprising Kankia, Ingawa, Kusada and Matazu Local Government Areas. I will first of all like to express gratitude and appreciation for the tremendous efforts made by the Executive Governor of Katsina State on the inauguration of a Technical Committee on Constitutional Provisions for the Application of Sharia in Katsina State. This is an achievement. Katsina State should have been the first to adopt Sharia, but Zamfara unexpectedly took over. Nevertheless, it is now our turn. No doubt, the 1999 Constitution provides for every person or group to perform his or her religion freely and on whatever conditions (section 38). Therefore, I welcome this development. On behalf of the entire people of this Local Government, I will now submit our memo for the support of the Sharia, and I pray for the Committee members and the Executive Governor, Allah's guidance and assistance towards attainment of this noble objective. I also hope that people will contribute immensely with necessary advices towards this end. Finally, I pray for a successful deliberations in this forum. Thank you. *Wassalamu alaikum.*

After this, the Chairman of the Committee, as usual, spoke on the objective of this exercise with a formal introduction of other members of the Committee. He reported two of the members as being away on other assignments. They are: the Attorney-General/Commissioner of Justice, Alh. Ibrahim Shehu Shema, and Alh. Ishaq Nuhu Batagarawa who are away to Jos and Potiskum respectively. He finally drew certain criteria for the conduct of the exercise as follows:

- Four (4) people from each Local Government (one representing the Local Government, two from groups and the other one as individual);

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- Every person is given 5 minutes within which to present his contribution;
- Any written memo should be submitted to the Committee immediately or later.

He finally pledged to give a point of correction for the benefit of people at the end of the session.

I.O.: Now I have the honour to call on Ingawa Local Government representative to come forward and take chance on behalf of the Local Government (interruption by the Committee Chairman). Ok now those of you who prepared a written memo and might not be willing to say something here could simply submit their memo to the Committee. It is not necessary that you must express your contribution here, you can also give it in writing that will serve. Thank you. I now call on Liman Sanda for his contribution.

LIMAN SANDA: *Assalamu alaikum*. Praise be to Allah. There is no doubt that this development is a great history in our life because most of us are just experiencing it now. I therefore urge this Hon. Committee, the Executive Governor and all people in Katsina State to be firm on this noble course because whoever died in the cause of Allah has already attained the highest achievement. This is my contribution. I wish all of you good luck and prosperity. *Wassalamu alaikum*.

LIMAN YANDOMA: *Assalamu alaikum*. I stand here on behalf of the entire people of Ingawa Local Government to express our 100% support for the application of Sharia in Katsina State. The reason is that we are all created to worship – that is the purpose of our being. There is nothing we could do to be either benefit or loss to Allah. All we do will be for our own good. There are two supreme factors which if we stand by them, then we have no problem at all. These factors are the Holy Qur’an and the teachings of the Holy Prophet Muhammad (SAW). If we leave these strong weapons, we are nowhere to be found but in loss. Just imagine the present situation we are now in, several attempts were made to address a single problem but instead it went to the extent of total collapsing. So it is obligatory for every Muslim to hold this Holy Book, it is the only answer to our problems. This is our view and advice on this issue. *Wassalamu alaikum*.

MAL. SANUSI INGAWA: *Bismillahir Rahmanir Rahim. Asslamu alaikum*. I only stand to reaffirm our support on this issue of Sharia in Katsina State. I wish this Committee good luck and successful conduct throughout the exercise. *Wassalamu alikum*.

MAL. RABPU ADO INGAWA: *Assalamu alaikum*. I support what my colleagues expressed. *Wassalamu alaikum*.

I.O.: It now Kankia Local Government. The Chairman has already submitted a memo to the Committee as the representative of the people of the Local Government. Next is Liman Mal. Mansur.

LIMAN MAL. MANSUR: In the name of Allah, the Beneficent the Merciful. Praise be to Allah. May the peace and blessings of Allah be upon Muhammad (SAW). *Assalamu alaikum*. On behalf of the entire people of Kankia Local Government, I stand to submit our total support for the application of Sharia in Katsina State. People emphasising the need for this Sharia have said a lot. It will be a repetition only but there may be variation of understanding. Considering the history of Islam and trend of events therein, Sharia is the only answer now because it contains the whole life of mankind. *Wassalamu alaikum*.

MAL. SURAJO: *Assalamu alaikum*. As the past speaker has said, this Sharia is supreme and is the only alternative now because of its justly acts. See for example during the time of Umar (R.A.) there was a judgment he passed between a Muslim and non-Muslim where he gave the non-Muslim his due. He was impressed with the judgment and praised him for being just in his conduct. So Sharia is still existing only its implementation lost. If the implementation or application will be carried out, then all crimes – alcoholism, prostitution, hoarding, etc. will reduce or to some extent vanished. I therefore call on the Government to consider adopting Sharia in this State for the goodness of the people. Thank you.

I.O.: We will now listen to Mal. Ibrahim Sabi’u Jibia (a Magistrate Judge) for his contribution.

MAL. IBRAHIM SABI’U JIBIA: All protocols observed. *Assalamu alaikum*. My message is to the Executive Governor and Hon. Members of the State House of Assembly that Sharia should be enacted in Katsina State. Certainly it is not the subjects that should be blamed for not applying Sharia in their life because it is the responsibility of the authority to give this law. On the Constitution provisions, section 38 provides for this. Therefore I urge the Hon. Members to note that the Oath they had taken to do justice to the people, and this is the desire of the people now, we demand it. They should either do it or will be held responsible in the hereafter. This is my message. I wish the Committee a successful tenure. *Wassalamu alaikum*.

I.O.: It has been a contribution from Mal. Ibrahim Sabi’u Jibia. Now we are proceeding to Kusada Local Government.

ALH. NUHU YASHE (BEBEJIN KATSINA DISTRICT HEAD OF KUSADA): *Assalamu alaikum Warabamatullahi ta’ala wa barakatuhu*. I welcome the members of this Committee and all other guests to this important event. On behalf of the entire people of Kusada Local Government area, I wish to express our warm support and appreciation on the issue of Sharia in our State. Sharia, as a complete way of life of Muslims, is the only solution to the present situation. I therefore pray for the success of this movement. On the issue of Constitution review, I would like to point out that the Constitution did not make any provision for the Emirate Council. In this regard, I wish to give my advice that the Emirate Council should be given a provision in the Constitution for the betterment of the entire people. This is because of our role in the development of the nation in general. I wish the Committee members and other guests safe journey back to their respective homes. Thank you and God bless.

LIMAN MAL. YUSUF ALI: In the name of Allah the Beneficent the Merciful. May the peace and blessings of Allah be upon our Prophet Muhammad (SAW). *Assalamu alaikum*. We have prepared our memo to this Committee. Still I would like to say a little to apprise the Committee on our stand. We are extremely grateful for this development and therefore support the idea of Sharia in Katsina State. There are so many injunctions by Islam for the unity and cooperation among Muslim brothers and it is only by adoption of Sharia that we can unanimously be under one umbrella in terms of love and unity. With this I say *assalamu alaikum*. Thank you.

MAL. ISHAQ A. SANI: All protocols observed. *Assalamu alaikum*. On behalf of the entire people of Kusada Local Government, we re-affirm our support for the application

of Sharia in Katsina State. If we consider the population of Katsina State, you will see that 90% are Muslims and they say “majority always carry the vote.” You as a leader supposed to be a good guide to your subjects because the leadership is vested on you not for your own interest, but for the interest of all people at large. This is my prayer. *Wassalamu alaikum.*

I.O.: We shall now move to Matazu Local Government which is the last but not the least. The Local Government Council Chairman will now take the row.

ALH. HUSSEIN ADAMU KATADUWA (CHAIRMAN): All protocols observed. *Assalamu alaikum warahmatullahi ta'ala wa barakatuhu.* I stand on behalf of the people of Matazu Local Government Area to express our position with regard to Sharia in Katsina State. I want people to realise that when we talk of Sharia, first we should consider the situation and condition of people now. People are really facing a great problem and their lives are always in danger. This is because of our attitudes, take for example now a judge taking bribe and he claims that he is bound by the Holy Qur'an with which he judges. An accused person will also give money for his release, the police (custodian of the criminals) will also take money – all these people are Muslims. How then could our sufferings be alleviated? Again in the civil service, it is the same case, you cannot get your entitlements like leave grant until you do something to the schedule officer. This is our fault because unless we change, the situation will not improve. There are verses in the Holy Qur'an to this effect. So whatever we do and whatever we want, we cannot achieve it well till we resort to the Holy Book of Allah. We have three advices as part of our contributions towards this objective. First, we must resolved to this Sharia and this is not a question of begging, calling or lobbying for its adoption because it is something obligatory for leaders to their subjects (it is in the Holy Qur'an). Nobody would want to be in loss. So by this we felt it is necessary for those who will sit and formulate this law to do it immediately. Would it be that any Local Government could adopt the law it desired, I assure you that Matazu would have been the first to adopt Sharia. Secondly, the judges should be taken care of in terms of welfare. These judges should also be Islamically educated. Then mass education for all, that is a great weapon in the society. Finally, we call on the Government to make sure that justice is maintained when the Sharia is on course. This will reduce the burden on the leaders. I pray for the attainment of this objective. *Wassalamu alaikum.*

MAL. YUSHA'U MOHAMMED: All protocols observed. *Assalamu alaikum.* The Chairman has already voiced out all what we wanted to say on our behalf. But I will like to add that this Committee's members should be grateful to Allah for making them serve in this capacity. But I want those people criticising the issue of Sharia to note that this Sharia application is in order according to the Constitution. They should also remember the several attempts made to address series of crises but the (man-made) law could not solve the problem. So Sharia is the only way out now. *Assalamu alaikum.*

MAL. AHMED FARUK: *Assalamu alaikum.* I am grateful to Allah. I also appreciated the efforts of the State Governor for this kind development. All what I have to say has been said by my Chairman. I therefore wish the Committee members good luck and safe journey back home. Thank you.

REP. OF DISTRICT HEAD OF MATAZU: *Bismillahir Rahmanir Rabim. Assalamu alaikum.* I stand as representative of the District Head of Matazu to express our

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profound gratitude and appreciation for this development. Certainly Sharia is the only way. We therefore support it whole-heartedly. I will stop here with *assalamu alaikum warahamatullahir wabarakatuhu*.

I.O.: Now I will call on the Kankiyan Katsina the District Head of Kankia for vote of thanks on behalf of other District Heads and the entire people of this zone.

ALH. HASSAN SADA (KANKIYAN KATSINA): All protocols observed. *Assalamu alaikum*. Certainly, this day 11th November, 1999 is a remarkable day to the people of this area especially myself as I was born on 11th November, 1925. So on behalf of the entire people of this zone, I wish to express our gratitude and appreciation to the Executive Governor of Katsina State and the Committee members for these efforts on the application of Sharia in Katsina State. But I want to emphasise that they should be firmly and fully ready to absorb any kind of challenge from critics on this issue because there will certainly be those who will always go against it. Finally, I pray for them of the success on this process. I also wish them safe journey back home. *Assalamu alaikum*.

END OF SESSION: (PRAYERS) 12:50PM.

NB: Prior to the vote of thanks, the Committee Chairman made some corrections thus:

‘Alhamdu’ not ‘Alhandu’

‘Wa Sallallahu alan Nabiiyyul Karim’ not ‘Wa Sallallahu ala Nabiiyyul Karim’

‘Subhana Rabbika Rabbil Izzati’ not ‘Subhana Rabbuka Rabbul Izzati’.

5. ZONE V: DAURA:DAURA, BAURE, ZANGO, MAI’ADUA AND SANDAMU DANJA LOCAL GOVERNMENT WAS IN ATTENDANCE HAVING MISSED THEIR TURN AT FUNTUA ZONE

15TH NOVEMBER, 1999

(PRAYERS)

The Information Officer invited the Chairman Daura Local Government Council for a welcome address after an introduction.

ALH. AMINU UMAR DANGIMBA (CHAIRMAN): *A’uzu billabi minasshaidanir rajim. Bismillahir Rahmanir Rabim. Wasallallahu alan Nabiiyyul Karim*. All protocols observed. *Assalamu alaikum*. On behalf of the entire people of this Emirate, all other Chairmen, representatives of His Royal Highness and District Heads, I welcome the Committee members and all other guests to this important event. I also wish to express gratitude and appreciation to His Excellency, the Executive Governor of Katsina State, for the tremendous efforts made towards Sharia adoption in Katsina State. Sharia is significantly a basic guiding principle in the life of Muslims. We therefore unanimously support the application of Sharia in Katsina State. By this, there must be structural adjustment of our activities and conducts in the general spheres of life. Charity, they say, begins at home. We should therefore try to give example for others to copy. If we consider Sharia and its relevance to Muslims, we will see that it is a complete way of life. I therefore hope that people would be cautious of this development and make necessary adjustments appropriately. Finally, I pray for a successful conduct of this exercise. I wish the Committee members and all other protocols safe journey back home. Thank you and God bless. *Waslamu alaikum*.

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The Committee Chairman was invited for a formal introduction of members and an appraisal on the objective of the exercise. He made his address as usual, adding that two of the members were away on other assignments. He further highlighted the people on the usual arrangement of four (4) persons from each Local Government Area will be allowed to express their contributions and each person should spend five minutes within which to express himself.

MC: It is now my honour to invite Alh. Usman Mohammed the (Rtd) Grand Kadi for his remarks on the Sharia issue.

ALH. USMAN MOHAMMED: All protocols observed. *Assalamu alaikum*. This is indeed an important time for Muslims. It should therefore be utilised accordingly. We should also remember that whatever we do in this life will be accounted for in the hereafter. Even our coming and the purpose will be accounted for. I therefore urge people to do good in their conducts and always remember Allah and fear Him. I wish to extend my sincere greeting and thanks to this Committee and the State Government for this attempt. I hope this will be a stressful [sic] situation by its nature. By this I mean it should not be a temporary event that will cover just a certain period of time, but for life. We should bear in mind that this is supposed to be our way of life. With this small remark, I will stop here for others to give their contributions. *Wassalamu alaikum*.

MC: We shall now proceed with the normal business. We are starting with Daura Local Government.

MAL. SA'IDU USMAN: All protocols observed. *Assalamu alaikum*. As people say, "we need Sharia in Katsina State." This is not the most important now. It should be followed step by step because if we look back to history of Islam, it does not come overnight, it started growing gradually. With this, what is more important here is Islamic education. We should know the concept of Sharia itself before it is adopted for its effectiveness and maintenance. I hope people will realise this with sense of maturity. I wish the Committee members good luck in their undertaken. *Wassalamu alaikum*.

SALE ABUBAKAR IDRIS: Protocols observed. *Assalamu alaikum*. I stand on behalf of the entire people of Daura Local Government to express our full support for the application of Sharia in Katsina State. The question of taking things easy does not arise because Sharia we know is a complete way of our life (as Muslims), therefore, we should not expect that until a certain time reached before we conduct our life according to the rules and regulations. We should consider this to be the right time. We want this Sharia now. Pertaining to the constitutional provisions, there are so many sections which are relevant and in conformity with the Sharia adoption. I hope this Committee would deliver our message to the Executive Governor of Katsina State. Thank you. *Assalamu alaikum*.

MOH. DAHURU ESQ. DAURA: All protocols observed. *Assalamu alaikum*. I want to highlight some of our reasons for the support of Sharia in Katsina State. We are aware of the social vices happening in this country, dictatorship in governance, etc. with the Sharia all these would be gone. And on the application of the Sharia, we should not hesitate because even a child starts his education from the lower level (primary school). We should therefore try to learn the Sharia in practice up to its higher degree. On the constitutional provisions, I want to point out some sections relevant to this issue.

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Section 5, 278, 286, 13, 14,15, 4 and 5, are all sections that relate to the issue of Sharia. I therefore hope this Committee with the vast experience of its members in this discipline, will advise the Governor appropriately. *Wassalamu alaikum.*

LAWAL ABDULLAHI: All protocol observed. *Assalamu alaikum.* This is a welcome development and we really welcome it. You see, some people were thinking that Sharia will only be possible if we shed blood. That proves negative because it is coming in a peaceful manner. We only need to fight our heart. I will at this juncture like to give an advice that government should organise a workshop for the judges just as it is the usual practice with political officeholders like Local Government Chairmen, Councillors, etc. These kind of people do undertake an induction course before swearing in to office. Similarly, judges should also undertake such course before the commencement of the Sharia. I wish you good luck in all your undertaking. *Wassalamu alaikum.*

M.C.: I will now call on the Chairman Baure Local Government to present his memo on behalf of the people of Baure Local Government.

CHAIRMAN BAURE LOCAL GOVERNMENT COUNCIL: All protocols observed. *Assalamu alaikum.* I will like to seize this opportunity and welcome all the members of this Committee and other guests. On behalf of the entire people of Baure Local Government, I hereby express our full support for the application of Sharia. We have made consultations and held series of meetings with various people in order to seek out a unanimous decision on Sharia issue. Some people think of the way of living or interaction with our counterparts. Let me give you an example here. Saudi Arabia is a wealthy nation and it is governed by Sharia, but the Europeans are now their best friends, why? That is politics. Therefore, the system of our living will not be a problem at all. I therefore pray for Allah's guidance and protection in this attempt. *Wassalamu alaikum.*

ALH. MALAM HAMZA: All protocols observed. *Assalamu alaikum.* The issue of Sharia to the Muslims in this country was long overdue. We are not supposed to live the way we live now, there is therefore the need for adjustment. With this, I re-affirm our support for the application of Sharia in Katsina State. *Wassalamu alaikum.*

UMAR DAIYABU: *Assalamu alaikum.* As our Chairman explained, we give a hundred percent support for the application of Sharia in Katsina State. It is only this Sharia that could adjust the current situation of instability. *Assalamu alaikum.*

LIMAN YANDUNA: All protocols observed. *Asslamu alaikum.* After expressing our full support on this issue, I will like to call on our Islamic leaders and teachers to give good guidance and counselling for people to copy. This is the important role they should play towards this end. Thank you.

AHMED TIJJANI BABBAN MUTUM: Protocols observed. *Assalamu alaikum.* Certainly this is a very good move and development. We were being neglected or denied our right of religion before, but this is our fault because we ought to have followed a straightforward direction which will make us unite, but we did not, instead we made divisions that rendered us loss. I therefore hope we will now take corrective measures to address this problem. *Wassalamu alaikum.*

M.C.: We shall now call on the Chairman Mai'adua Local Government for his memo.

ALH. YA'U UMAR GWAJOGWAJO (CHAIRMAN): All protocols observed. *Assalamu alaikum*. I hereby welcome the Committee members and all other guests to this important forum. On behalf of the entire people of Mai'adua Local Government I wish to express our full support for the application of Sharia in Katsina State. At this point in question, I will like to appeal to all people to adjust our way of life to conform with the Sharia as it was supposed to be. If we do this even the judges, leaders and other authorities will have to adjust accordingly. It is we that give room for whatever we see in and around us. We have prepared our memo and there is a delegation who will add something to our submission in this regard. I wish the Committee members and all other guests safe journey back to their respective homes. *Assalamu alaikum*.

MUSTAPHA SHU'AIBU: *Assalamu alaikum*. I stand on behalf of the people of Mai'adua Local Government to express our support for the application of Sharia in Katsina State. There is no doubt that this is the time for the Sharia because we were living in darkness before, do we then want to remain in this condition for unpredicted time? It is our wish to be successful in both life i.e. in this world and the next. We should therefore resort to Sharia. It is the only way. Even the Constitution provides for this in so many sections. And considering the democratic process that "majority carry the vote." We are the majority and we want Sharia. *Wassalamu alaikum*.

ASHIRU IBRAHIM: *Assalamu alaikum*. I want to call on those people who claimed that Sharia is not possible. This is not true because there is no basis on what they said. You cannot separate man (a Muslim) with Sharia because it is his life, without which man will be in darkness and he will be spending his life up-head thereby losing the cause of his being. See for example, if a machine is manufactured, there will be a manual for its operation and unless it is operated according to that manual, it is bound to damage. Likewise our life, Allah has created us and He puts Sharia to be our way of life. Unless we follow it, our life has no meaning at all. I therefore hope that these people will desist from such aspirations. *Wassalamu alaikum*.

AUWAL SHU'AIBU: Protocols observed. *Assalamu alaikum*. The issue of Sharia has long been overdue. It is therefore now or never. I congratulate the members of this Committee on their appointment to serve at this capacity. Certainly, if they do well, Allah will reward them. I also pray for the success of the exercise and the attainment of the desired goal. *Wassalamu alaikum*.

MAL. YUSUF MANZO: Protocols observed. *Assalamu alaikum*. I will also emphasise on what people before me said. In addition, I will like to make a call on people especially those who are doubting the Sharia issue to desist from that. Certainly, Sharia will be the only solution to our problems. We have some advices which are written in our memo and due to time limit that will be submitted to the Committee for necessary action. I wish everybody good luck and safe journey back home. *Wassalamu alaikum*.

M.C.: I will now call on the Chairman Sandamu Local Government to present his memo.

CHAIRMAN SANDAMU LOCAL GOVERNMENT: All protocols observed. *Assalamu alaikum*. On behalf of the entire people of Sandamu Local Government, I wish to express our gratitude, appreciation and support for the application of Sharia in Katsina State. We have got our independence. The Sharia is for Muslims only and not for non-Muslims. Those who care for the development of our dear State will also like it.

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There is the need to change our judgments from penal courts to Sharia courts. We have a written memo which is submitted to the Committee for perusal and further action. And all our advices (about 14) are as contained in the memo. I wish the Committee members good luck in their future undertaking. Thank you. *Wassalamu alaikum.*

MAL. BELLO RIJIYAR TSAMIYA: *Assalamu alaikum.* We, the people of Rijiyar Tsamiya, do hereby unanimously agree and support the issue of Sharia in Katsina State. Good luck. *Wassalamu alaikum.*

MAL. LAWAL SALE SANDAMU: *Assalamu alaikum.* I am also here to re-affirm our full support on this issue. I wish everybody safe journey back home. *Wassalamu alaikum.*

AUWAL IBRAHIM FAGO: *Assalamu alaikum.* I concur with the past speakers' expressions.

MOH. ALIYU: *Assalamu alaikum.* My contribution on this issue is that I want people (Muslims) to note that we are never friends with the non-Muslims especially Europeans. Whenever you find yourself in good term with those type of people, then no doubt you are like them. We should therefore try to be firm on our life because Sharia is life. I will stop here due to time limit. *Wassalamu alaikum.*

CHAIRMAN ZANGO LOCAL GOVERNMENT: All protocols observed. *Assalamu alaikum.* A lot has been said of the issue of Sharia. It is time now. So on behalf of the entire people of Zango Local Government we give our full support on the issue. We have also prepared a written memo for submission to the Committee in addition to a delegation that will voice out our contributions towards this end. I wish the Committee members and all other guests safe journey back home. *Wasslamu alaikum.*

M. HABIBU HUSSEIN ZANGO: All protocols observed. *Assalamu alaikum.* Our Chairman has said something in a nutshell. The issue of Sharia is unanimous in Zango Local Government. Most of our problems persist due to our negligence of the Sharia. There are so many examples and instances, very clear indeed to prove this. I hope people will give more advices towards this end. *Assalamu alaikum.*

MANNIR USMAN ZANGO: *Assalamu alaikum.* I will like to express support for the application of Sharia in Katsina State. Certainly, Sharia is a way of our life. We should therefore apply it if we want to maintain a very good standard of living. I wish the Committee members good luck and safe journey back home. *Wassalamu alaikum.*

LIMAN M. AMADU: *Assalamu alaikum.* We are happy to witness this historic time in our life. I wish to grace the struggle and with continuous prayers for success. *Wassalamu alaikum.*

SADE MUSA 'YARDAJE: In the name of Allah, the Beneficent the Merciful. Praise be to Allah the Lord of the worlds. *Assalamu alaikum.* I stand here to offer prayers for the success in this process and I also wish the Committee members a successful conduct of this exercise. Finally, I pray for the wellbeing of the Muslim Ummah as whole. *Wassalamu alaikum.*

M.C.: We shall now give chance to the delegates from Danja Local Government.

BELLO HASSAN: All protocols observed. *Assalamu alaikum.* We are delegated to express the unanimous support of the entire people of Danja Local Government. By the

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time this Committee visited Funtua Zone, we were busy contacting people from various areas of the Local Government with regard to the Sharia issue. It was in consequence, therefore, that we feel it very important to present our contributions to this Committee at all cost and by all means. Thus, we came to Daura for this purpose. If we look back to the Islamic history, we will find that this is the duty being undertaken by Sheikh Usman Bin Fodio till his death. We are now lucky to be the *mujahiddins*. So we welcome this development and we should be firm in the matter. This is the message from the Chairman and people of Danja Local Government. *Assalamu alaikum*.

SA'ID IDRIS: *Assalamu alaikum*. The issue of Sharia is not something that we should neglect. This is because Sharia is our way of life. Unfortunately, however, we let loose of it for another useless act. I therefore hope we will stay awake for this great struggle. I wish the Committee members good luck and prosperity. I also wish everybody safe journey back home. *Wassalamu alaikum*.

M.C.: Now before we finally close, I will like to call on the Chairman Daura Local Government to formally present his memo on behalf of his people.

ALH. AMINU UMAR DANGIMBA (CHAIRMAN): *Assalamu alaikum*. On behalf of the entire people of Daura Local Government I hereby express our profound appreciation and support for the application of Sharia in Katsina State. A written memo to this regard has already been submitted to the Committee. *Wassalamu alaikum*.

M.C.: Now we shall finally invite the Galadiman Daura – District Head of Mai'adua for vote of thanks on behalf of His Royal Highness the Emir of Daura.

GALADIMAN DAURA: All protocols observed. *Assalamu alaikum*. I am here on behalf of His Royal Highness the Emir of Daura who has been away for England. The Emir was aware of this exercise before he left, he therefore extends greetings to all of you that are here now. On the issue of Sharia, the Emirate Council has prepared a memo and already sent it to the Committee. In short, the Emir himself and all other staff in the Emirate Council are in support of the Sharia issue in Katsina State. In fact it is your support that the Emir solicits for the application of Sharia in the State because according to him, it is their responsibility. I therefore wish to express my gratitude and appreciation for your support, co-operation and understanding. I wish the Committee members and all other guests safe journey back home. *Wassalamu alaikum*.

M.C.: With this we come to the end of this exercise. We will call for a closing prayer. Thank you and God bless.

END OF SESSION: (PRAYERS): 2.00PM.

6. ZONE VI: MANI: MANI, MASHI, DUTSI AND BINDAWA

16TH NOVEMBER, 1999

(PRAYERS)

As usual, after brief introduction by the Information Officer, Mani Local Government, the Chairperson Mani Local Government Council was invited for a welcome address.

HAJIYA YAHA MANI (CHAIRPERSON): All protocols observed. *Assalamu alaikum*. All praise be to Allah for given us the ability to witness this great event. You are aware that only Islam enjoin man to practise goodness. I seize this opportunity on behalf of all

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people in this zone, to welcome members of the Committee for the application of Sharia in Katsina State, and all other guests to this old Local Government for the purpose of Islamic Sharia. Certainly, things will be more easier and better than the present situation if Sharia is adopted in this State. This is because Sharia provides freedom to people and prevents them from the social vices, sharing of resources in the country will be a history in terms of misunderstanding. I therefore wish to express the support of the entire people of Mani Local Government for the application of Sharia in Katsina State. Finally, I will like to seize this opportunity to call representatives to come and express our humble support and possible advices to the Committee. I wish this forum a successful deliberation. I also pray for the attainment of this noble goal. Thank you. *Wassalamu alaikum.*

The Chairman of the Committee at this juncture delivered his address similar to that of Daura zone with stipulated time limit of 5 minutes for each of representatives. He added that Local Government Chairmen could express their views as it was learnt that they are having another function at Katsina.

I will now seize this opportunity to call on the Chairman Bindawa Local Government Council.

ALH. ISA LAWAL DORO (CHAIRMAN): All protocols observed. *Assalamu alaikum.* It is my honour and privilege to welcome the Committee to this zone. In my Local Government we made several consultations and meetings and we were able to come out with a unanimous decision by the whole Local Government. I will now like to express our support for the application of Sharia in Katsina State, on behalf of my people in Bindawa Local Government. Without taking much of time, I will stop here as our representatives will present our submission here insha Allah. *Wassalamu alaikum.*

ALH. SALISU MAJIGIRI (CHAIRMAN): All protocols observed. *Assalamu alaikum.* On behalf of the entire people of Mashi Local Government, I wish to express our support for the application of Sharia in Katsina State. We have made our submission through several hands and ideas within the Local Government Area. We have also given advices as contained in the memo. But one most important among them is the need for Government to organise an orientation or rather induction course for the judges of Sharia Courts. We hope this Committee will look into this with a view to passing same to the Government for necessary action. I will stop at this juncture, I wish the Committee members good luck, *assalamu alaikum.*

ALH. ABBA SANI (CHAIRMAN): All protocols observed. *Assalamu alaikum.* On behalf of all staff and the entire people of Dutsi Local Government, I hereby express our support on the issue of Sharia in Katsina State. The Sharia's relevance to the life of all Muslims cannot be over-emphasised. This is due to the fact that it is a complete way of life. Now considering the current situation, Sharia is the only answer. I will leave this to our delegates who will present our contributions on the issue. *Wassalamu alaikum.*

I.O.: We shall now proceed to the day's business. I now call on the people of Mashi Local Government.

MAL. IDRIS MURNAI KARAU: Protocols observed. *Assalamu alaikum.* I stand here to express our humble support for the application of Sharia in Katsina State. It is high time for Muslims to regain a moral status of religion freedom. We are not saying that Muslims

are not allowed to perform their religion but the right to live under the Sharia has been denied, even though that may be due to our negligence and heedless of the religion. But yet, let us have this right of religion now, it is then left to us to decide our way out. If we look at section 14 of the 1999 Constitution, it states “people are power” and again there is freedom of religion in section 17 of the same Constitution. If Zamfara State could exercise this right, why not Katsina State, is there any difference between the two? We therefore want this Sharia to be adopted in Katsina State and with immediate effect. *Wassalamu alaikum.*

MAL. SHU'AIBU RABU: *Assalamu alaikum.* Even if I did not say anything, our able Chairman has already said everything on our behalf. Those who criticised Sharia did so because they did not want it to be adopted in our State. Let them realise that this Sharia will only be applied to Muslims and their faith will even be protected. Look at the saying of a Nestorian Bishop in Christian document (p. XCVI). “These Tayits (i.e. Arabs) to whom God has accorded domination in our days, have also become our masters: Yet they do not combat at all the Christian religion. On contrary, they even protect our faith, respect our priests and our saints, and make donations to our churches and our convents.” This is a clear example and lesson for us to learn. I therefore call on the Committee members to fear Allah and deliver our message to the Executive Governor of Katsina State appropriately. *Wassalamu alaikum.*

MAL. TIJJANI LAWAL: *Assalamu alaikum.* We have unanimously given our advices and contributions on the issue, through our Chairman. I wish all of us good luck. *Wassalamu alaikum.*

I.O.: It is now Dutsi Local Government.

ALH. LIMAN BELLO: *Assalamu alaikum.* On behalf of the entire people of Dutsi Local Government, I hereby express our support for the application of Sharia in Katsina State. In the past, the non-Muslims were being protected and even with presence of Europeans. Still this will be maintained. The non-Muslim should therefore entertain no fear in this course. They will not be denied their human right. The Government should please take note on this. *Wassalamu alaikum.*

MAL. MOH. BASHAR SIRIKA: *Assalamu alaikum.* All I have to say is written in my memo which I now submit to the Committee. Thank you. *Wassalamu alaikum.*

I.O.: Bindawa Local Government is the next followed by Mani. Malam Jabiru Kallah.

MAL. JABIRU KALLAH: All protocols observed. *Assalamu alaikum.* The Chairman of Bindawa Local Government has made a good plans in this respect. He was able to have a unanimous decision from his people. In consequence, therefore, we have prepared our memo just like booklet and the Vice Chairman is currently at Katsina for its binding, but we hope sooner or later (before closing) he will be able to come with them for submission to the Committee. Meanwhile, I would like to present the memo categorically. The memo is divided into two parts 1 and 2, Part 1 contains the basic facts and reasons, part 2 contain advices. In this presentation, I will try as much as possible to avoid verbosity due to time limit. Outrightly, this is clear indication of a real democracy. Democracy is defined as a system of leadership where all the adult citizens share the supreme power of running the affairs of the state either directly or through their representatives. It seems here that we are running the affairs of this State directly and to

some extent through our representatives. This is a welcome development. The provisions of the Constitution do not prevent State from adopting Sharia. (sections 259 & 261 of 1979, 275 & 277 of 1999 – “There shall be for any State that requires it a Sharia Court of Appeal for the State”. 261 of 1999, 277(2) i & ii, 37 of 1979 and 38 of 1999). Leadership also qualifies good governance. Example, I quote “Leaders must fulfil three functions.” Leader must provide well being of the led; the leader or would-be leader must provide a social organisation in which people feel relatively secure; that this leader must provide his people with one set of beliefs. “Perhaps, the greatest leader of all times was Muhammad (SAW) who combined all the three functions (and) to a lesser degree Moses did the same”. Chicago University Jules Masserman. Again “Muhammad is the most successful of all religious personalities.” Encyclopaedia. With this little, I will stop here due to time limit, but we have also given some advices which are contained in our memo. Some of these advices are: orientation courses for the judges, wide publicity through media, formation of a Committee of Shura to be under State House of Assembly, creation of Ministry for Islamic Affairs in the State, etc. Finally, we, the people of Bindawa do express appreciation to the Executive Governor of Katsina State, his Deputy and other companions for this gesture. *Wassalamu alaikum.*

I.O.: Now it remains Mani Local Government.

ALH. SANI MAIGORO: *Assalamu alaikum.* A lot has been said, but I only have a little to say. Sections 6 and 38(i) are provisions for Muslims’ freedom of religion, but the controversial section (section 10) that some people misunderstood, is not in conflict with the Sharia application. We have also given our advices which are contained in our memo. We therefore hope this Sharia will be adopted with immediate effect. *Wassalamu alaikum.*

MAL. RABPU SABITU: All protocols observed. *Assalamu alaikum.* I have come with a lot of things, but Mal. Jabiru has exhausted all in his presentation. Nevertheless, I will like to express the support of the entire people of Mani Local Government for the application of Sharia in Katsina State. Sharia is the Islamic legal system as ordained by Allah (SWT) and it covers and regulates the whole aspects of life of a Muslim. We are therefore appealing to the State Government to adopt Sharia in our State. *Wassalamu alaikum.*

MALAM NA-MANI: *Assalamu alaikum.* We, the entire people of Mani Local Government support the issue of Sharia in Katsina State. Our Christian counterparts are not to blame, but our Muslim brothers who are heedless of the religion. My advice therefore goes to the Committee, Hon. Members of the State House of Assembly and the Executive Governor that competent judges should be appointed to manage our courts and Sharia for effective conducts. People will account for whatever they do in the hereafter. We wish the Committee and all other guests good luck and safe journey back home. *Wassalamu alaikum.*

At this juncture, the Committee Chairman made some corrections as follows:

‘Alhamdu’ not ‘Alhandu’

‘Wa sallallahu alan Nabiiyyul Karim’ not ‘Wa sallallahu ala Nabiiyyul Karim’

‘Wakina’ not “Wakinna’

‘Agfirlahu’ not ‘Agfirhu’

‘Warahamhu’ not ‘Warahamlahu’

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Thereafter, somebody from Bindawa was given a little time for his contribution.

BINDAWA: *Assalamu alaikum*. I have a written memo which I hope will be among the submissions of Bindawa. My advice on this issue is that let this Sharia be adopted carefully with plan, there is no need for hurry. I am happy to learn that all the judges are presently called at the A.B.U. Zaria for an induction course. This is a welcome development. There are some instances whereby a person will not be convicted for stealing, that is if you leave your property carelessly and somebody took it, that will be termed as a negligence by the owner. I hope this will be looked into and studied carefully. Thank you. *Wassalamu alaikum*.

I.O.: Now, finally, the Durbin Katsina District Head of Mani will give his vote of thank on behalf of other District Heads in this zone.

ALH. SANUSI ISA MANI (DISTRICT HEAD): All protocols observed. *Assalamu alaikum*. Certainly, as the Chairman of the Committee said, we have come to school, this is true but I will rather call it a seminar forum. I wonder what somebody from Bindawa has said, he has gone beyond our capacity up to the extent of quoting a statement in the Encyclopaedia about our Holy Prophet Muhammad (SAW). Well, is also an achievement because the moment we missed such people in the community, that community will not be effective and beneficial in any aspect of life. "Knowledge is light" and unless you see, you may not know where to go while in darkness. At this juncture, let me, on behalf of myself, other District Heads, Village Heads and the entire people of this zone, express our full support for the application of Sharia in Katsina State. The 1999 Constitution has guaranteed freedom of religion as provided for under section 38(i) thus "Every person shall be entitled to freedom of thought, conscience and religion including freedom to change his religion and belief and freedom (either alone or in community with others, and in public or private) to manifest or propagate his religion or belief in worship, teaching, practice or observance." This is a clear case for our Sharia to be adopted in this State. So I hope we shall succeed in this. Finally, I am grateful for the cooperation and understanding of the people in this conduct. I wish the Committee members and all other guests safe journey back to their respective homes. Thank you. *Wassalamu alaikum*.

END OF SESSION: (PRAYERS): 12:50PM.

7. ZONE VII: KATSINA: KATSINA, KAITA, RIMI, JIBIA, CHARANCHI AND BATAGARAWA

17TH NOVEMBER, 1999

(PRAYERS)

As usual, a formal introduction was made by the Information Officer, after which the Chairman Katsina Local Government Council was invited for a welcome address.

ALH. BASHIR GAMBO SAULAWA (CHAIRMAN): All protocols observed. In the name of Allah, most beneficent most merciful. May the peace and blessings of Allah be upon our Prophet Muhammad (SAW). *Assalamu alaikum*. I would like to first and foremost welcome the Committee members and all other guests to this important gathering. Even though we have a representative who will express on our behalf our contributions towards this noble course. But still I would like to seize this opportunity to express the gratitude, appreciation and support of the entire people of Katsina Local

Government. What people do not seem to realise is that Islam is to be practised in full and not partially. You cannot practise only a part of it. You are committing sin if you do that, and this sin we were forced to commit by not allowing us to practise Islam in full. Sharia is Islam because it is a complete way of life of every Muslim. We are therefore supporting its establishment. Allah is certainly sufficient to those who depend on Him. A specific reference is myself. For those who are doubting and/or criticising the adoption of Sharia, they are hereby informed that it is constitutional and lawful. It does not in any way conflict with 1999 Constitution of Nigeria. In fact it conforms with the provisions of the Constitution. Moreover, the non-Muslims in the State will continue to enjoy their religious freedom as usual. Finally, I will at this juncture stop here to give others chance for their contributions. *Wassalamu alaikum.*

The Committee Chairman, at this juncture, was invited for an appraisal on the conduct of the exercise. He made his address as usual, even though there was no formal introduction of other members of the Committee, but urged people to adhere to the stipulated time limit.

M.C.: We shall now proceed to the business of the day. Batagarawa Local Government should come forward. We have Ibrahim Abubakar, Ilu Kayauki and Mal. Usman.

ILU KAYAUKI: *Assalamu alaikum.* I welcome all protocols. We have prepared our memo in conjunction with the Local Government and in consultation with various groups in the Local Government. It is therefore our unanimous decision on the support of Sharia application in Katsina State. But Mal. Usman is the representative of our Local Government who will present the memo on behalf of the Chairman and the entire people of the Local Government. I wish the Committee good luck and success. *Wassalamu alaikum.*

MAL. USMAN: In the name of Allah, the Beneficent the Merciful. *Assalamu alaikum.* The Batagarawa Local Government with reference to the request for memo in respect of Sharia issue, invited people from all corners of the Local Government and sought their contributions through a committee formed by the Chairman in that regard. It was realised that we Muslims have been suppressed for too long by deliberately being denied our birthright which is religious freedom. Despite the fact that all the previous constitutions claimed that there is religious freedom in Nigeria, but this freedom has never been given to Muslims in full. Now that we have liberal leaders and a forward-looking Constitution which guarantees religious freedom, we are hereby asking for the Sharia. There are so many verses of the Holy Qur'an where Allah (SWT) enjoins man (Muslims) to do this. We have considerably advised as follows:

- a) Appoint kadis to the High Courts.
- b) The Government and members of the State House of Assembly should immediately pass a bill in this respect.
- c) Adopt Islamic penal law in its entirety as a separate part of our Penal Code applicable to only Muslims.
- d) Organise workshops for the kadis.
- e) Establish more Islamiyya schools, etc.

These and many others are contained in our memo which will be submitted to the Committee. *Wassalamu alaikum.*

M.C.: We are now moving to Charanchi Local Government. The Chairman will first represent his people and then three other people will come for their contributions.

CHAIRMAN CHARANCHI LOCAL GOVERNMENT: All protocols observed. *Assalamu alaikum*. Though I have a written memo, still I will like to present it here, please. In the name of Allah the Beneficent the Merciful. Praise be to Allah the Lord of the worlds. May the peace and blessings of Allah be upon Muhammad (SAW). I am happy to write this memo as part of our contribution towards the issue of Sharia. Sharia means the way. The way which leads you to success. From this message the word Sharia means a whole message from Allah (SWT) through Prophet Muhammad (SAW) to guide the life of mankind. Sharia is the set of rules and regulations from Allah (SWT) to mankind on how to conduct himself in a good way of life so that he attain the highest achievement in the hereafter. (He was asked to cut short his presentation due to time factor). In a nutshell, we the entire people of Charanchi Local Government are Muslims, we therefore unanimously support the application of Sharia in Katsina State. We wish the Committee success.

IMAM ALIYU MOHAMMED CHARANCHI: *Assalamu alaikum*. The entire people of Charanchi Local Government are in support of the application of Sharia in Katsina State. We want this Sharia for peace and progress, we want it for economic development and social stability in our dear State and the nation at large. Sharia will also solve the problem of social vices in the country. I therefore wish the Committee success and safe journey back home. *Wassalamu alaikum*.

MAL. MOH. ASHIRU KURAYE: *Assalamu alaikum*. Let us praise the Lord. Praise be to Allah. On behalf of my colleagues the *ulama* at Karaye and the entire people of that community, I wish to express our full support on the issue of Sharia in Katsina State. Who ever obeys Allah and His Apostle has already attained the highest achievement. There are so many related verses of the Holy Qur'an and Sunnah, but due to time limit, I will stop here for others to say something. *Wassalamu alaikum*.

ALH. LAWAL ABUBAKAR CHARANCHI: *Assalamu alaikum*. On behalf of myself, family and the entire people of Charanchi Local Government, I wish to express our support for the application of Sharia in Katsina State. Certainly, Sharia is obligatory on all Muslims because it is a complete way of life. There are so many injunctions in the Holy Qur'an that warn man not to disobey the rules and regulations of Islam. We are all Muslims and therefore our only answer is Sharia. I wish us success in this endeavour. I also pray for the day we shall gather to launch this Sharia in our State. *Wassalamu alaikum*.

M.C.: I will now call on Mal. Idris Abubakar who will represent the people of Jibia Local Government to come and give his contributions. I learnt that Mal. Ibrahim Sabi'u Jibia will represent the Local Government.

MAL. IBRHAIM SABI'U JIBIA: *Assalamu alaikum*. This paper is a brief summary of our contributions on the issue of Sharia in Katsina State. The Chairman intended to come himself but due to some inevitable commitments, he delegated us to represent him. We first of all express our gratitude and appreciation to this important and well-deserved Committee for this tremendous effort. Our first message is that the State Governor and members of the State House of Assembly are aware that the entire people of Jibia Local Government are Muslims, we therefore support their efforts for the application of Sharia

in Katsina State. Secondly, on section 10 of the 1999 Constitution. Many people feel that the adoption of Sharia by any State will mean the violation of that section. The section reads: “The Government of the Federation or of a State shall not adopt any religion as State Religion”. In adoption of Sharia by Katsina State will not mean that the State has adopted Islam as a State religion or it has become an Islamic State. This is because there will be Christians and their churches as well as followers of other religions living side-by-side with the Muslim in the State. In fact we should not be selfish in our conduct. If we do this, it is not only unwise but dangerous for us to foresake it for any worldly gain, be it economic, social or political. Quote: “You prefer the life of this world but hereafter is ever and more lasting” is a well known Qur’anic verse to all Muslims. Again “And whosoever does not judge by what Allah has revealed such are the *kaafirun* (unbelievers) of a lesser degree as they do not act on Allah’s laws.” So we should not trust them (the Europeans) for they are the enemies of Islam and Muslims. Otherwise we will go about doing useless things in our life. May Allah protect us. I wish this Committee good luck and I also hoped this message from Jibia Local Government will reach the Executive Governor and members of the State House of Assembly. Thank you. *Wassalamu alaikum*.

ALH. MUSA DANSORO JIBIA: *Bismillahir Rahmanir Rahim. Wa sallallahu alan Nabiiyyul Karim. Allahu Akbar!* (repeatedly). *Assalamu alaikum*. I have nothing much to say as Mal. Ibrahim has already said all. I will only wish us success. *Wassalamu alaikum*.

M.C.: I will now invite the Chairman Kaita Local Government Council for his presentation.

ALH. YUNUSA ABDULLAHI DANKAMA: All protocols observed. *Assalamu alaikum*. We have prepared our memo and a delegation of people who will represent the Local Government, but I have a little to say. I wish to congratulate the members of this Technical Committee. This is a singular honour bestowed upon you by the Government and people of Katsina State. It is my firm belief that you will not let us down in this heavy assignment and will prove equal to the task. May Allah guide and protect you all in the task ahead. One thing I want you to note is that the Government will only work on your report. You should therefore report people correctly. This is my word of advice. *Wassalamu alaikum*.

ALH. IBRAHIM ABUBAKAR: *Assalamu alaikum Allahu Akbar!* (repeatedly). This is indeed a great and historic event to all Muslims. On behalf of the entire people of Kaita Local Government, I wish to express our support for the application of Sharia in Katsina State. This is in conformity with the relevant sections of the 1999 Constitution. I therefore call on the Committee members to kindly deliver our message to the Government for necessary action. I wish the Committee members and all other guests safe journey back to their homes. *Wassalamu alaikum*.

MAIKUDI A. TAMA: *Assalamu alaikum*. All has been said, but I will like to add that whoever struggles for the sake of Allah, He will surely help him. I hope therefore, we will be firm on this process. *Wassalamu alaikum*.

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ALH. IBRAHIM DANKAMA: *Assalamu alaikum*. I will like to express our support on the issue of Sharia in Katsina State. This is our unanimous decision. It is an achievement. I wish everybody good luck and safe journey back home. *Wassalamu alaikum*.

M.C.: This is all from Kaita Local Government. Now we have Mal. Badamasi Abbas who will represent Katsina Local Government.

MAL. BADAMASI ABBAS: In the name of Allah, the Beneficent the Merciful. All praise be to Allah the Lord of the worlds. May the peace and blessings of Allah be upon Muhammad (SAW). *Assalamu alaikum warahamatullahi ta'ala wa barakatuhu*. On behalf of the entire people of Katsina Local Government, I would like to express our gratitude and appreciation for this effort. It is a long awaited time and it has now come. Certainly this Committee comprises learned people. We therefore wish them good luck in this endeavour. Some people were criticising this Sharia issue, maybe due to their selfish interest or ignorance. Quote: "Do they then seek the judgment of (the day of) ignorance?" Q5:50 (*wal iyaẓū billah*). But Allah (SWT) in His Book (Holy Qur'an) says: "And whosoever does not judge by what Allah has revealed such are the unbelievers." Sharia is a divine command by Allah (SWT) and it covers the whole life of a Muslim from the spiritual to the intellectual. And finally, since the population of Muslims of Katsina State weigh up to 99%, the Governor of Katsina State is hereby called upon to launch Sharia law in the State immediately. *Wassalamu alaikum*.

ALH. USMAN ALIYU K/BAI: (He has submitted a written memo on: Part 'A' Sharia; and Part 'B' Observations and suggestions on the Constitution review). He also presented same.

ALH. HAMZA YANKYAURE: *Assalamu alaikum*. I hereby stand to express support on the issue of application of Sharia in Katsina State. Certainly, the current effort being made will help Muslims in this State to live their full life by practising their religion without hindrance. Since there is a constitutional provision in support of Sharia under a certain section of the 1999 Constitution, there is no need for the Government to hesitate the adoption of Sharia in this State. It is our desire and right too. We therefore hope this Committee will pass our request to the Government. We are not requesting for anything but Sharia. I wish the Committee members good luck. *Wassalamu alikum*.

ALH. AMINU MAIGARI: In the name of Allah, the Beneficent the Merciful. Praise be to Allah the Lord of the worlds. *Allahu Akbar!* (repeatedly). Certainly, this is a great day in the history of Muslim in Katsina State. I would like to see all other members of our Committee here, please. (They all appeared). We initiated this struggle for Sharia in a long period of time with these people. We were hidden before we eventually came various groups and communities within Katsina State. This Sharia we are talking is actually guaranteed in the Constitution. See section 14 for example, provides for democracy in governance; governance according to the will of the majority. To Muslims democracy or freedom can only be attained through the realisation of the *Kalimatushshahada*, the creed of confession in Islam, the effect of which is to establish freedom and equality of human beings and neglect servitude to any deity in form of human dictator (like Paroa) making laws for the governance of humanity. Allah said: "We made for you a law, so follow it and not the fancies of those who have no knowledge." Q.65:18. Section 15(2) and 277 are also relevant to the Sharia issue. It is also manifest from the provisions of section 4(6) and (7) a, b, c, that the only limits to

the legislative power of the State House of Assembly is in matters listed in the exclusive legislative list for the legislature of the Federation. Therefore, the State House of Assembly can make laws on commercial transactions between individuals. Penal law on all those the State House of Assembly can enact law the provisions of Sharia to give effect to the provision of section 38 granting right to religion on Muslims. Take another example: basically Fundamental Rights are rights given to or for the protection or in the interest of the individual, usually a natural person. There are few rights which may be for corporate bodies etc. e.g. right to fair hearing, right to own properties. For our purpose the right which is relevant is that of freedom of thought, conscience and religion. It seems here that the right guaranteed here is for “every person”. It is clear that Sharia Courts distinct and independent from the existing ones may be established with criminal and civil jurisdiction on matters not listed in its exclusive legislative list to which the State House of Assembly is competent to make law. We have so many things to point out to the Government pertaining to the right of the Muslims to go by Sharia, but most important thing is that this Sharia application is quite in order anyway and I can prepare a bill in this respect within the shortest possible time. In fact it is not something that needs much time. We therefore hope the Committee will immediately pass this contribution to the Government for necessary action. (He introduced members of their Committee to the forum). *Wassalamu alaikum.*

M.C.: It is now Rimi Local Government. We have Suleiman B. Abubakar who will represent the Local Government.

SULEIMAN B. ABUBAKAR: *Assalamu alaikum.* On behalf of the entire people of Rimi Local Government, I stand to express our firm support on the issue of Sharia in Katsina State. I think it will just be a repetition because people said a lot pertaining to the reasons for this Sharia, so with this I will now stop here for other to come in. *Wassalamu alaikum.*

M.C.: Now please it is considered that time is getting late. I am now asked to invite our royal father, His Royal Highness the Emir of Katsina, for his remarks, after which (may be) we shall continue.

ALH. (DR) MUHAMMADU KABIR USMAN: *Bismillahir Rahmanir Rabim. Wa sallallahu alan Nabiyyul Karim. Assalamu alaikum.* All protocols observed. I am indeed delighted to be here with you on this great event. I hear somebody calling or addressing us as “traditional rulers”, this is an insult and I am not among them, I am not a traditional ruler but Islamic leader. Again there was a call on myself and the Emir of Daura that we should cooperate for the application of Sharia in Katsina State. (*Wal iyazu billah*). What kind of cooperation? It is we that need your cooperation because it is our responsibility. Let me inform you that I hold the flag of Sheikh Usman Danfodio in my room right now. How then will you people solicit for our cooperation? We were in a missing direction up till this time with the development. This is an answer to the call of Allah. I therefore like to express my profound gratitude and thanks to Almighty Allah my Creator for this achievement. Allah (SWT) in the Holy Qur’an says: “*Izaja’a Nasrullahi walfath, wara’aitannass yadkebuluna fidinillabi afwajaa.*” So this is an achievement. Sharia is the Islamic legal system as ordained by Allah in the Qur’an and as practised through the Sunnah of the Holy Prophet Muhammad (SAW). On a wider perspective Sharia covers and regulates the whole aspects of life of a Muslim. Allah has clearly stated in the Holy Qur’an: “And whosoever does not judge by what Allah has revealed, then such people

are unbelievers.” Nobody will like to fall in this category of people, but how do we escape? If we give judgment, people will appeal to the High Courts thereby denying our status and position. I am now happy that this status is regained and I will be proud to die on this process since I have undertaken the responsibilities He vested on me, well and rightly. However, I will like to call on people to unite, cooperate and love each other and to abide by the rules and regulations governing our life. That is Sharia specifically. We were at fault, because we let things to mix with our Islamic culture thereby denying our legal way of living. Unless we adjust, the problems we are now in will not improve. I will at this juncture like to inform the Committee members and the Executive Governor of Katsina State that Sharia is the only answer to our problems and we are all out for it. It is therefore necessary for its adoption. I wish us all good luck and prosperity in this endeavour. As time for prayer approaches, I will stop here saying *wassalamu alaikum* and God bless. (He departs).

M.C.: We shall now continue with the business. We still have few people behind, please bear with us. Now Mannir Lawal from Rimi will say something.

MANNIR LAWAL: *Assalamu alaikum*. I will like to express our firm support for the application of Sharia in Katsina State. We have heard a lot of our leaders and teachers in Islam. *Wassalamu alaikum*.

M.C.: Aminu Danbaba will talk on this issue on behalf of their organisation (Council of Ulama) specifically Ambassador Moh. Lawal R/dadi.

AMINU DANBABA: In the name of Allah the Beneficent the Merciful. Praise be to Allah the Lord of the worlds. May the peace and blessings of Allah be upon Prophet Muhammad (SAW). *Assalamu alaikum*. On behalf of the entire people of Katsina State most especially members of our organisation, we express our full support for the application of Sharia in Katsina State. I did not have much to say as the previous speakers had already said it. But we have some advices on this issue. The Committee should inform the Executive Governor of Katsina State of the views of people; there should be Sharia courses for the judges to facilitate its effectiveness; and many others. We have submitted this in form of memo to the Committee. *Wassalamu alaikum*.

M.C.: I will now call on Sheikh Yakubu Musa Hassan for his contribution.

SHEIKH YAKUBU MUSA HASSAN: In the name of Allah the Beneficent the Merciful. Praise be to Allah the Lord of the worlds. May the peace and blessings of Allah be upon Prophet Muhammad (SAW). All protocols observed. *Assalamu alaikum wa rahamatullahi wabarakatuhu*. I stand here to make very lengthy remarks but due to time limit this will not be possible. But I will try as much as possible to say a little out of it, even though there is no much problem because this paper will be submitted to the Committee. In a nutshell, we do call and hope the Executive Governor and members of the State House of Assembly will as a matter of urgency adopt Sharia in the State. We shall meet another time. *Assalamu alaikum*.

M.C.: Now please bear with us, we are considering the time but there is somebody who wishes to say something and it may be important to all of us. Therefore let us hear from him. He is Abdullahi Aliyu Yar’adua (Judicial correspondent - State Radio).

ABDULLAHI ALIYU YAR’ADUA: *Bismillahir Rahmanir Rabim. Wa sallallahu alan Nabiyyul Karim. Assalamu alaikum*. Certainly, almost all what is supposed to be said has

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been said. But I have an emphasis on the issue of Sharia. Sharia, as we know is a complete way of life of every Muslim. But unfortunately, we neglect this system and prefer the man-made law which is subject to changes and amendments. Judgments were being passed on people without them (the people) knowing what actually resulted to such judgments. In most cases they interpreted the judgment and there was no room for any remarks rather than accepting what was passed on them. With this development therefore, I have some advices to offer to the Government through the Committee. Various sub-committees should be formed to investigate into numerous aspects of Muslims way of life; a committee on how a harmonised existence could be achieved between the Muslims and non-Muslims in the State; to avoid misinterpretation of the Constitution, learned Malams should work tirelessly to achieve Islamic system and living; a campaign committee should be formed; Islamic Law enforcement agency; moral discipline should be inculcated in the mind of citizens; honesty and sincerity should be the guiding principles of running the State affairs; female education should be given special attention with regard to Islamic law – as the Government is currently recruiting science teachers from India who will teach our children in Secondary Schools, similar personnel, should also be recruited from Saudia and other Arab nations to undertake their training so that even in our hospitals there will be separation of duties – men for men and women for women. With this little advice, I hope the Committee will look into this and pass to the Government as appropriate. *Wassalamu alaikum.*

END OF SESSION: (PRAYERS): 1:15PM

This brings the end of the whole exercise and it was indeed successful.

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