

Islamic Law, the 1999 Constitution and the Challenges of Interfaith Relations in Nigeria

Dr. Azizat Omotoyosi AMOLOYE-ADEBAYO

Department of Islamic Law

Faculty of Law, University of Ilorin, Ilorin, Nigeria

azizatamoloye.adebayo@gmail.com

+2348098140858, +2348085255250

Abstract

In demographic terms, Nigeria is arguably one of the most intrinsically diverse societies in the world today. A main element of that diversity is religious faith, which is the focus of this paper. For the fact that religion has been identified to be a major root cause of civil strife and violence, the management of interfaith relations necessitates agreement on common norms that all persons can aspire to in as unified a manner as possible. That norm in Nigeria is the 1999 Constitution which stipulates how all Nigerians should interrelate across various religious faiths. On the other hand, a historical legal source that predates Nigerian constitutional history and enjoys a significantly high incidence of adherence amongst citizens is Islamic law. Islamic law also accommodates notions of religious pluralism and tolerance. However, its regime for interfaith relations differs in certain core areas from the constitutionally established areas such as the institution of marriage. This paper analyses both regimes for interfaith relations under the 1999 Constitution and Islamic law with a view to appropriately articulating the negative effects of these differences if not appropriately managed and proffers some suggestions.

Introduction

In demographic terms, Nigeria is arguably one of the most intrinsically diverse societies on the African continent.¹ An important element of that diversity is religious faith, which is the focus of this paper. “The management of interfaith relations makes it imperative for an agreement on a norm in order to achieve a uniform order”. This not unconnected to the fact that religion has been identified as a major root cause of civil strife and violence”. That norm in Nigeria is the 1999 Constitution which stipulates how all Nigerians should interrelate across various religious faiths. On the other hand, a historical legal source that predates Nigerian constitutional history and enjoys a significantly high incidence of adherence amongst citizens

¹ Perkins, W.A. and Stembridge, J.H. *Nigeria, a Descriptive Geography*. (1966, Ibadan: Oxford University Press, Third edition, pp.2-8.

is Islamic law. Islamic law also accommodates notions of religious pluralism and tolerance. However, its regime for interfaith relations differs in certain core areas from the constitutionally established areas such as the institution of marriage. This paper analyses both regimes for interfaith relations under the 1999 Constitution and Islamic law with a view to appropriately articulating the negative effects of these differences if not appropriately managed and proffers some suggestions for achieving sustainable peaceful interfaith relations in Nigeria.

Outline of the Nigerian Constitutional History and Status of Islamic Law

Some accounts of the origin of such Nigerian tribes as the Hausas and Yorubas demonstrate a link to Arab descent. According to some other historical sources, Northern Nigeria (NN) came in contact with the religion of Islam through the trans-Saharan trade as far back as the 9th century of the C.E. By the time of colonialism around the 17th century, there was a full-fledged Islamic legal system in NN and Islam was recognized as the state religion. In addition, some townships in Western Nigeria (WN) such as Iwo under the ruler-ship of *Oba Momodu Lamuye* who died in 1906 were reported as administering Islamic law. In the same vein, *Oba Aliyu Oyewole*, the 7th *Akirun* of Ikirun town in Osun State reportedly ensured that a court operating Islamic law court was opened in Ikirun in 1910. On a general level, however, individuality was attached to religion in Yoruba land and accounted for the lack of uniformity of legal system.

On the contrary, in the NN, Islamic law was entrenched in the system of public administration and adjudication and the practice of Islam was not merely a private affair. This was due majorly to the successful Jihad of Uthman Dan Fodiyo which had resulted in the establishment of the Sokoto Sultanate which for both political and religious purposes may be described as a super power at the time. During colonialism, the NN protectorate was administered with the indirect rule regime and a complicated system of appeal was created to act as a watchdog on the workings of the Islamic legal system. Also, the jurisdiction of the existing Islamic law courts were curtailed in such areas as criminal law, commercial law, tort, etc. (which some writers have described as the 'systematic abrogation of the Islamic law') and restricted to Muslim personal law. This process was made easy through the machinery of the repugnancy and incompatibility tests. For example, the *Native Courts Proclamation of 1906* declared Islamic law as part of native law and custom. Therefore, any aspect of native law and

custom that was in the view of the colonialist to be repugnant to natural justice, equity and good conscience or that was incompatible with colonial laws were deemed to be void to the extent of such repugnancy or incompatibility. This state of affairs continued until 1960 when Nigeria became independent.

Under the 1960 Constitution, certain provisions were made concerning Islamic Law. That is to say the 1960 constitution recognizes Islamic Law. Section 112 (1) of that constitution states that an appeal shall lie from the decision of the Shariah Court of Appeal to the Federal Supreme Court (as it then was) as of right on:

- a. questions as to the interpretation of this constitution or of a region.
- b. whether the human rights constitutional provisions have been contravened
- c. or on any other matter as may be prescribed by law in NN.

The third schedule houses the Constitution of the then NN. By section 4 of that constitution, a Legislature was established for the region to consist of Her Majesty, a House of Chiefs and a House of Assembly. Section 5 (1) (c) provides that the House of Chiefs shall consist of an adviser of Muslim law who can be removed by the Governor on the advice of the Premier. Section 52 (2) provides for such system of Muslim law as may be prescribed in any regional law and as applied subject to the provisions of any such law. It goes further to define questions relating to Muslim matters as those comprising questions of marriage in accordance with that law and its dissolution, family relations, guardianship, gift, succession, etc., where the parties are Muslims.

Section 119 of the 1963 Constitution replicates the above stated provisions of section 112 of the 1960 constitution. It is important to note that no mention was made of Islamic law in the constitution of WN. In the 1979 Constitution the term 'Muslim law' in the earlier constitutions was changed to 'Islamic Personal Law'. The relevant sections of the 1979 Constitution on Islamic law are *in pari materia* with those of 1999 Constitution of the Federal Republic of Nigeria (1999 CFRN) (as amended). The 1999 CFRN recognises Islamic law as a source of law in Nigeria. The constitutional reference to Islamic law are mainly contained in Chapter VII, Parts I and II, which chapter is titled 'The Judicature' and provides for the establishment of Federal and State courts. Specifically, sections 260-264 provide for the establishment, composition and jurisdiction of Sharia Court of Appeal for the Federal Capital Territory,

Abuja. Similar provisions are also contained in sections 275-279 in respect of the establishment, composition and jurisdiction of a Sharia Court of Appeal for any of the remaining federating units 'that requires it'. Of particular importance is the extent of jurisdiction conferred in Islamic matters on the Sharia Court of Appeal either of the federal capital territory or of a state. Thus, according to the provisions of section 277 of the 1999 CFRN, which is *in pari materia* with those of section 262 of the same Constitution regarding the Sharia Court of Appeal of the Federal Capital Territory.

“277 (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 subsection (2) of this section.

(2) For the purposes of subsection (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 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 marriage, including the validity or dissolution of that marriage, or regarding family relationship, a foundling or the guardianship of an infant;
- (c) any question of Islamic law regarding a *wakf*, 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 hears the case in the first instance to determine that case in accordance with Islamic personal law, any other question”.

In accordance with the above cited constitutional provisions, a number of Nigerian States have established, within their territorial jurisdiction, a Sharia Court of Appeal. Kwara State is one of such states. It is important to state here that by section 13 of the Sharia Court of Appeal Law of Kwara state², the scheme of interpretation of Islamic law is stated as being according to the Maliki school of thought. This same section further provides in its paragraph (d) that in the process of adjudication, the court will also have regard to ‘natural justice, equity and good conscience according to Islamic law. Perhaps, this section may be interpreted as empowering the courts to give consideration to the views of other schools of thought of the Hanbalī, Shāfi‘ī, Hanafī and Shi’ī schools where relevant.

Prior to the year 2000, the application of Islamic Law in Nigeria was limited to Islamic personal laws aspect of civil matters only. However, some federating units in the Northern region of Nigeria, pioneered by Zamfara State in 1999, extended the scope of the application of Islamic law within their states to matters of public law, covering such areas as Islamic criminal law. Suffice is to state that this extension generated a lot of controversy which polarised experts on the subject.

The legality or otherwise of extending the scope of Islamic Law by these states may be regarded as a constitutional question requiring an authoritative interpretation of the constitutional provisions on Islamic law in one way or the other. The Supreme Court of Nigeria is the only court vested with original jurisdiction by section 232 (1) 1999 CFRN in matters involving a dispute between the Federation and any state or between states involving ‘the existence or extent of a legal right’. Whether or not the states concerned have the legal right to extend the application of Islamic law by claiming coverage under the provisions of sections 277 and 278 as noted earlier is clearly an issue for the Federation to invite the original jurisdiction of the Supreme Court.

The Regime for Interfaith Relations Under Islamic Law

Various textual bases abound in the basic texts of Islamic law, the Qur’ān and the Hadīth, on how Muslims should co-exist with persons of other religious faiths. However, the discussion here will start with an examination of the perspectives of some non-Muslim experts on interfaith relations between Islam and other religions. It is the observation of this paper that

² Cap. S4, Laws of Kwara State, 2006.

the accounts to be presented were based on the study of activities and actions of Muslims either contemporarily³ or historically⁴ to arrive at the various conclusions. Lovat and Crotty⁵ attempted a holistic study of the basic texts and common traditions of the three Abrahamic faiths, even though differently expressed across the three religions, and came to the conclusion that Islam has more inner propensity than Judaism and Christianity to foster a regime of peaceful interfaith coexistence.⁶ In furtherance of this notion, Brodeur contends that:

Various religious traditions have truth claims which both include and exclude religious orders, depending on their degree of closeness to key religious truths. For example, most evangelical Christians hold a notion of truth which separates dichotomously between saved Christians and everyone else. In contrast, most Muslims include Jews and Christians as People of the Book worthy of their tolerance and even respect, while still excluding most other religious or non-religious worldviews.⁷

The above observations have deliberately been ordered in the sequence because in the view of this paper, the latter statement gives a clearer illustration. What is even more instructive about Brodeur's perspective is another important observation made later on in the same work⁸ about the co-existence of Muslims with Jews and Christians in Al-Andalus, which is the Arabic name for the ancient Iberian region of Medieval Spain. The observation is that the tolerance for religious diversity at that time (and at any time in Islamic political history for that matter⁹) did not arise out of an 'internal Islamic struggle' but 'was already extant in the Qur'an'.¹⁰ Put another way, the issue of peaceful interfaith relations, religious diversity and religious tolerance are important fabrics of Muslim spiritual obligations towards non-muslims. Hence, the fundamental factor that most non-Muslims appear not to appreciate is that peaceful

³ See for example, Brodeur, P. C. 'Religious Pluralism in the Light of American Muslim Identities' In Zulfikr, H., ed *Diversity and Pluralism in Islam, Historical and Contemporary Discourses amongst Muslims* (2010, London: I.B. Tauris Publishers, p.61)

⁴ Lovat, T. and Crotty, R. *Reconciling Islam, Christianity and Judaism, Islam's Special Role in Restoring Convivencia* (2015, New York, etc: Springer).

⁵ Ibid

⁶ Ibid, particularly the introductory and concluding chapters.

⁷ Brodeur, P. C. (2010), note 2 above, p.66

⁸ Ibid, p.72

⁹ See for example the historical accounts contained in the following works: Ali, S. A. *The Spirit of Islam*. (1965, Methuen: London, pp.218 – 221); Rahman, A. *Muhammad as a Military Leader*. (1980, London: The Muslim Schools Trust, pp.248-269); Watt, W.M. *Muhammad at Mecca*. (1953, Oxford: Clarendon Press, p.153); As-Suyūti, J. *History of the Caliphs*. (Translated by Jarret, H.S., 1977, Calcutta: Asiatic Society). Also, Hitti, P.K. *History of the Arabs* (1970, Tenth Edition, London and Basingtoke: Macmillan) at p.4 comments thus- 'No people in the Middle Ages contributed to human progress so much as did the Arabians and the Arabic-speaking peoples. A faithful Moslem could with but few scruples subscribe to most of the tenets of Christian belief.'

¹⁰ Brodeur, P. C. (2010), note 2 above, p.72.

interfaith relations in Islam is not a matter of personal choice, it is a divinely ordained act of worship. Thus, Jews and Christians have religious identities granted by the basic and the most revered operational manual of the Islamic faith- the Qur'ān- whose authority in Islam and Islamic law is next to none. There are various references to the adherents of the two stated religions in various provisions of the Qur'an regarding their practices, sacred texts and prophets as well as historical accounts of divine punishments for their disobedience.

Furthermore, Brodeur's assertion that 'most other religious and non-religious worldviews' are excluded from the Islamic regime on interfaith relations is contrary to the Islamic law position in the textual authorities. According to Q2:256, 'there shall be no compulsion in religion...' and this position is again reinforced by Q109:1-6.¹¹ Added to these provisions, amongst many more others, is the categorical assertion that '...If Allah had so willed, He would have made you a single people . .' A reflection of the mercy of Allah in Islam is the recognition of the right to retaliation in matters of faith by non-Muslims. In this connection, it is provided in Q6:108 that:

'Revile not ye those whom they call upon besides Allah, lest they out of spite revile Allah in their ignorance. Thus have We made alluring to each people its own doings. In the end will they return to their Lord, and We shall then tell them the truth of all that they did.'

Finally, the methodology of dialogue with persons of other religious and non-religious faiths and ideologies is expressed in Q16:125 thus- 'Invite to the way of thy Lord with wisdom and beautiful preaching; and argue with them in ways that are best and most gracious: for thy Lord knows best, who have strayed from His path, and who receive guidance.'

As can be seen from all the cited Qur'ānic provisions above, there is no mention of any religious ideology, it is just that every person is entitled to their own belief and there is freedom of religion. The only areas in interfaith relations where Islamic Law demonstrated a clear bias for the Jewish and Christian faith far and above all 'other religious and non-religious worldviews', in the current author's opinion, are as concern lawful marriage partners

¹¹Say: O ye that reject faith! I worship not that which ye worship. Nor will ye worship that which I worship. And I will not worship that which ye have been wont to worship. Nor will ye worship that which I worship. To you be your way, and to me, mine.'

and permissible food prepared by non-Muslims for Muslim consumption.¹² The Qur'ānic provision contained in 2:221¹³ prohibits marriages between Muslims and non-Muslims generally. An exception is made for Christian and Jewish women as being of the 'people of the book' whose marital union to Muslim men is permissible in the light of Q5:5.¹⁴ It is interesting to note that three of the Sūnnī Imams, Hanafī, Mālikī and Shāfi'ī have expressed the view that the permissibility for Muslim men to marry women of the 'people of the book' is for societies where Islamic dictates are predominant.¹⁵ Therefore, Nigeria not being an Islamic state is not a suitable context for the operation of the permission to marry of the women of the people of the book.¹⁶

The Regulation of Interfaith Relations Under the 1999 Constitution

The 1999 Constitution (the constitution) adopts a neutral approach to all religions and entrenches the doctrine of freedom of religion. According to Section 10 of the constitution, no religion shall be adopted as 'State Religion' by the government at the federal and state levels. As a matter of fact, out of all the 320 sections in the constitution, the word 'religion' occurs in five sections only, that is, Section 10 as stated above; Section 15 on the encouragement of national integration; Section 38 on freedom of religion; section 42 on the prohibition of discrimination on the basis of religion; and finally, Section 222 on prohibition of political parties from adopting a party religion.

Out of all the cited constitutional provisions, only Section 15 is about interpersonal relationships amongst citizens with reference to religion amongst other considerations such as ethnic and tribal affiliations. The other sections appear to be more concerned with the role of religion and its regulation in the public sphere. For this reason, Section 15 appears to be the only relevant constitutional provision for the focus of this paper and is thus the main focus of analysis. The provision of the section is as follows-

¹² Q5:5 provides that- 'This day are (all) things good and pure made lawful unto you. The food of the people of the book is lawful unto you and ours is lawful unto them. (Lawful unto you in marriage) are (not only) chaste women who are believers, but chaste women among the people of the book, revealed before your time, - when ye give them their due dowers, and desire chastity, not lewdness, nor secret intrigues, if anyone rejects faith, fruitless is his work, and in the Hereafter he will be in the ranks of those who have lost.'

¹³ 'Do not marry unbelieving woman until they believe . . . nor marry (your girls) to unbelievers until they believe . . . unbelievers do (but) beckon you to the fire . . .' Translations of the meaning of provisions of the Qur'ān in this paper is according to *The Holy Qur-an English Translation of the Meanings and Commentary*, Revised and edited by The Presidency of Islamic Researches, IFTA.

¹⁴. . . (Lawful unto you in marriage) are (not only) chaste women who are believers, but chaste women among the People of the Book, revealed before your time when you give them their due dowers, and desire chastity, not lewdness and taking them as lovers . . .'

¹⁵ Personal discussion with Professor Abdulqadir Zubair, Professor of Islamic Law at the Department of Islamic Law, University of Ilorin, Ilorin and the first professor of Islamic Law in West Africa. See also for the same position, Ali, S. A. *The Spirit of Islam*. (1965, Methuen: London, p.220).

¹⁶ Ibid.

15. (1) The motto of the Federal Republic of Nigeria shall be Unity and Faith, Peace and Progress.

(3) For the purpose of promoting national integration, it shall be the duty of the State to: . . .

(c) encourage inter-marriage among persons from different places of origin, or of *different religion*, ethnic or linguistic association or ties; {Emphasis added}.

This constitutional position on promoting national integration through marriage is clearly at variance with the Islamic law position on the matter as discussed in the preceding section. The implication of this conflict for interfaith relations in Nigeria is examined in the section below.

Impact of the Differences: A Marriage of Inconvenience

The purpose of the analysis of the regime for the interfaith relations under the 1999 Constitution and Islamic law in this paper is not to suggest that interfaith relations in Nigeria should be 'Islam-centric'. Indeed, the purpose is to underscore the importance of seeking a connection between or giving considerations to the existing religious traditions in Nigeria, one of which is Islam, in the construction of a persuasive regime of interfaith relations. Where there appears to be discord between a central/core value of a religion and the aspirations and values underpinning constitutional provisions on interfaith relations, there are likely to be sustained tensions and conflicts. Part of the charge against the current interfaith regime in the 1999 constitution is that 'the followers of traditional African religions are often erased from official view, even when they are a significant, but dwindling, proportion of the population.'¹⁷ A consideration of the constitutional provisions discussed above does not, however, disclose any basis for this observation.

What is correct is that despite constitutional provisions that seek to entrench religious tolerance, accommodation and peaceful co-existence, the issue of religion (or more particularly Islamic law according to one view¹⁸) arguably continues to be the most divisive

¹⁷ See Policy Paper entitled 'Islamic Actors and Interfaith Relations in Northern Nigeria' Policy Paper No.1, march 2013. IRP-Abuja research project of the Nigeria Research Network based at the University of Oxford and the development Research and Project Centre in Kano state. p.v.

¹⁸ Ibid, p.iv.

issue in social and political relations.¹⁹ This paper concurs with the contention that notwithstanding the constitutional provisions, ‘mutual fear of religious persecution and political domination’ is a central factor in interfaith relations in Nigeria, which is ‘tainted by competition and collective violence’.²⁰

In an intrinsically diverse context such as Nigeria, the utility of an overarching set of values and norms defined as the constitution cannot be over-emphasized for mutual peaceful co-existence of the citizenry across various boundaries defined by religion, language, ethnic and tribal affiliations. However, since the time of the revolt in Europe against the power of the Church and the rise of Protestantism, religion continues to receive global recognition as a powerful factor in civil revolt and resistance to constituted authority. Thus, in situations where it is manifestly impossible to respect a constitutional value and religious dictates on the same point, what happens is the creation of multiple identities that serve different purposes for the adherents. Either way, it is either the person is regarded as an unpatriotic citizen or a religious hypocrite. This shift between these two identities will no doubt detract from the level of commitment to patriotic values for national integration and also lead to lack of inner spiritual peace contentment.

There are also broader ripple effects from the perspective of other citizens who are non-adherents of the religious faith concerned. Where the identity presented is one of reification of the religious value at the expense of the constitutional dictates, such individual is viewed by the non-adherents as unreasonable component in the process of nation-building and nationhood, thus shrinking their spirit of accommodation. The resolution of the internal conflict by the adherents is then tagged as ‘fundamentalism’, ‘extremism’ or a downright commitment to destroy what is perceived as a common objective or value. The person is viewed as being non-tolerant and non-patriotic. A powerful illustration of this position in relation to Islam is presented in the speech of Bishop Matthew Hassan Kukah at the opening ceremony of the 2015 COIN conference.²¹ The very part of the speech that this is connected with the current line of discussion is as follows:

¹⁹ Ibid.

²⁰ Ibid.

²¹ Entitled “Nigeria Development and Politics of Religion; Way Forward (on file with the current author).

...We still continue to see ourselves only as Christians and Muslims. Rather than focusing on our common citizenship, we behave as if our Islam and Christian identities dropped from heaven... These identities have now become markers that seem to determine where we shall be and how far we can grow in our society... Some parts of the country as in other parts of the world, families comprising Christian and Muslims live together, marry and intermarry and so on. In the North, this is anathema. Every time such issues come up; people say that this is what Islam teaches, that the religion allows Muslim men to marry Christian girls (and hopefully make them Muslims) while Christian men cannot marry Muslim women. How do we progress with this given that marriage is such a key institution for national integration? We must sift the chaff from the grain.²²

Fundamentally, the above remarks disclose insufficient appreciation of the centrality of the institution of marriage and the specific Islamic law prescriptions on it to the continued existence of Islam as a religion. Indeed, one of the objectives/goals of legislation in Islamic law (in Arabic, *Maqāsid al-Sharī'ah*) is the protection of the family as the basic component of an Islamic society. Under Islamic family law, there are basic assumptions regarding roles and responsibilities that are matters of religious observance. One of such is that the burden of all material and economic provisions for the family rests squarely on the husband²³ and the wife should never be constrained by the needs of survival to seek any vocation or profession outside of the home. This is not to say that a woman may not work outside of the home, but that the decision must have been made for the purpose of her self-fulfilment and intellectual development. Thus non-maintenance and ill treatment is a ground for the dissolution of marriage in Islam.²⁴ Bishop Kuka is right that a Muslim man may marry (with necessary conditions as already discussed above) a Jewish or Christian woman but not vice versa.

However, the non-permission for Muslim women in the same connection is by no means discriminatory if the wisdom in the prohibition is appreciated. As noted, the responsibility for the alimentary provisions for the wife is a matter of religious obligation on the husband which

²² Ibid.

²³ Q4:34 states in categorical terms that 'Men are the protectors and maintainers of women, because Allah has given the one more (strength) than the other, and because they support them from their means. . . .'

²⁴ Q4:128 provides that 'If a wife fears cruelty or desertion on her husband's part, there is no blame on them if they arrange an amicable settlement between themselves . . .'

is enforceable in Islamic law courts and it is a religious sin in the event of failure. Thus, where a Muslim man marries a Jewish or Christian woman, she is entitled to the same rights of dower²⁵ and maintenance as well as the protection of the Islamic court. But how will Islamic law compel a non-Muslim man married to a Muslim woman in the same circumstance? As a religious law, Islamic law is understandably only enforceable on adherents and non-adherents who willingly submit to its jurisdiction. The Muslim woman in that circumstance is thus outside the ambit of protection of Islamic law and this appears to be the wisdom behind the prohibition. Similar explanations could also be proffered to other seemingly discriminatory situations against Muslim women such as in matters of inheritance shares, polygamy and so on.²⁶

Managing the Differences

This paper calls for the re-articulation of national ideals and values to underpin fresh constitutional positions on interfaith relations in Nigeria. As earlier said, the examination of the Islamic law position on interfaith relations and the conflict between it and the constitutional provisions is not to argue that the process of re-articulation of national ideals should be based entirely on Islamic ideals. However, the constitutional status of Islamic law as a legal source in Nigeria is not for the fulfillment of the religious rights of Muslims as the uninformed may erroneously believe. It is a historical fact as the analysis in section 2 of this paper has sought to demonstrate. In addition, a number of anecdotal evidence available to the current author suggest non-Muslims in Nigeria are of the view that most Nigerian Muslims display what this paper describes as ‘Superiority complex’ when it comes to debates about national values and national integration. According to this view, the Muslims offer Islamic alternatives and prescriptions as spiritually superior to any other set of values and ideals, religious or otherwise.

From a dispassionate and academic point of view, there may be a basis for the ‘superiority complex’ syndrome even if one does not agree with the terminology or its manifestations. The basis is that as a matter of legal provisions discussed earlier, persons of other religious faiths as well as non-religious ideologies are recognized and protected within the Islamic legal

²⁵ See again the provisions of Q5:5 cited above.

²⁶ Full discussion of these will take the paper further afield its focus of concern, having been examined elsewhere by the current author. See Amoloye-Adebayo, A.O. (2012) *The Right to Inheritance under Shari’ah and International Human Rights Law*. PhD Thesis, University of Nottingham.

ideology as being entitled to their dogmas and idiosyncrasies. What is more, Muslims must obey ALL divine instructions as refusal to follow any ordainment by Allah is disgrace in the material world as well as eternal damnation. The provision of Q2:85²⁷ is quite unequivocal on this point. Hence, regardless of whether or not in practical terms Muslims behave as they ought to in the Nigerian context, it does not change the content of the law to which they can always be held accountable. However, as far as historical and empirical evidence show, no other religious ideology accommodates this level of religious diversity to the point of direct mention of adherents of other religious persons in the basic or constitutive texts. Despite this factual position, the current author is of the opinion that displaying ‘superiority complex’ is contrary to the textual contemplation of Q16:125 on the methodology for dialogues and debate in Islam.

To move to the main subject of this section which is the re-articulation of the methodologies for integration and peaceful interfaith relations, the position of this paper is that the current constitutional position requires substantial revision. This is because, as some experts have correctly noted, the process of constructing overarching values especially in contexts with a multiplicity of religious faiths is one that should not be taken lightly if the end result is to be persuasive enough. As Brodeur has argued, there are no perfect models of religious pluralism and each model must seek local foundations within the historical trajectory of the context in question²⁸ to promote healthy integration and interfaith relations. The search for those local foundations would be through continued dialogues, debates, symposia and conferences such as that of the Islamic Welfare Foundation (IWF) where persons of all religious faiths come together to engage with one another. The purpose of such engagement, it is important to note, is not and should never be as Eck observes:

*[The displacement or elimination of] deep religious commitments or secular commitments for that matter. It is rather the encounter of commitments... Such dialogue is aimed not at achieving agreement, but at achieving relationships... [which process] is never complete but is the ongoing work of each generation.*²⁹

²⁷ ‘...Then is it only a part of the Book that ye believe in and do ye reject the rest? But what is the reward for those among you who behave like this but disgrace in this life?-and on the Day of Judgment they shall be consigned to the most grievous penalty.’

²⁸ Brodeur, P. C. (2010), note 2 above, pp.71-72.

²⁹ Eck, D. *A New Religious America* (2001, San Francisco, pp.70-72).

Eck's observation provides an intellectually sound basis for the re-articulation of the Nigerian ideals for interfaith relations. However, it is important to note that in the process of achieving relationships, due consideration must be given to power dynamics that may determine or influence the typology and quality of persons that are able to participate in the process. If the desired result is to be achieved, the engagement process to 'achieve relationships' must be carried out in ways as representative as possible of all religious faiths and ideologies with persons authoritative enough to correctly articulate 'inviolable' commitments. Any process short of the stated components will, in the current author's opinion, lead to a cycle of results that perpetrates fear of religious domination and persecution as is currently obtainable. This paper's position accords with Lovat and Crotty's contention that:

Only when there was an overarching umbrella composed of values that had percolated from the individual constituent groups, was there the possibility of resulting multiculturalism. In this sense, multiculturalism connotes a working strategy oriented to togetherness and co-existence.'

Conclusion

This paper has examined the provisions in Islamic law and under the 1999 Constitution as regards interfaith relations in Nigeria. It argued that the constitutional position and the Islamic law provisions are in conflict which is problematic for peaceful interfaith relations since Islamic law is an example of a major religious ideology to which a significant proportion of the Nigerian citizenry is committed. In view of this, there is a need for the revision and the re-articulation of national ideals and values for integration to ensure peaceful interfaith relations. If the process of revision and re-articulation is to yield the desired result in a sustainable manner, it must sufficiently engage and give voice to the core values of all religious faiths and ideologies represented in the Nigerian population