

Islamic Criminal Law In Northern Nigeria Politics

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This book explores how the unique historical development of Islamic Shari'a criminal law alongside English common law in northern Nigeria has created a hybridised criminal legal system through a pluralist dynamic of mutual accommodation. It studies how this system may potentially be accommodated by the International Criminal Court. The work examines how this could be accommodated through the current understanding and operation of complementarity, and that it could ultimately prove to be preferable in encouraging the Shari'a courts to exercise criminal justice over the radical insurgents in northern Nigeria. These courts would have the unprecedented ability to combine binding adjudicative judgments together with religious interpretation and guidance, which can directly combat the predominantly unchallenged domain of ideology by extremist actors. It is submitted that these pluralist perspectives are timely and welcome, given the undeniably Western European foundations of modern International Criminal Law. In exploring such potential avenues, our shared understanding of modern international criminal justice is widened to necessarily include other stakeholders beyond its Western founders. It is the aim and hope that such interactions and engagements with non-Western traditions and cultures will lead to a greater shared ownership of the international criminal justice project, which will only strengthen the global fight against impunity. The book will be essential reading for academics, researchers and policy-makers working in the areas of International Criminal Law, Legal Pluralism, Islamic Shari'a Law, Nigeria, and religiously-inspired violence.

Shari'a, Justice and Legal Order: Egyptian and Islamic Law: Selected Essays by Rudolph Peters is about legal practice, both Shari'a and state law. Its principal themes are legal order and the actual application of law in the Ottoman and more recent periods

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This book examines the life of women in the Indonesian province of Aceh, where Islamic law was introduced in 1999. It outlines how women have had to face the formalisation of conservative understandings of sharia law in regulations and new state institutions over the last decade or so, how they have responded to this, forming non-governmental organisations (NGOs) that have shaped local discourse on women's rights, equality and status in Islam, and how these NGOs have strategised, demanded reform, and enabled Acehnese women to take active roles in influencing the processes of democratisation and Islamisation that are shaping the province. The book shows that although the formal introduction of Islamic law in Aceh has placed restrictions on women's freedom, paradoxically it has not prevented them from engaging in public life. It argues that the democratisation of Indonesia, which allowed Islamisation to occur, continues to act as an important factor shaping Islamisation's current trajectory; that the introduction of Islamic law has motivated women's NGOs and other elements of civil society to become more involved in wider discussions about the future of sharia in Aceh; and that Indonesia's recent decentralisation policy and growing local Islamism have enabled the emergence of different religious and local adat practices, which do not necessarily correspond to overall national trends.

Annotation. In 2000 and 2001, twelve northern states of the Federal Republic of Nigeria introduced Islamic criminal law as one of a number of measures aiming at "reintroducing the shari'a." Immediately after its adoption, defendants were sentenced to death by stoning or to amputation of the hand. Apart from a few well publicised trials, however, the number and nature of cases tried under Islamic criminal law are little known. Based on a sample of trials, the present thesis discusses the introduction of Islamic criminal law and the evolution of judicial practice within the regions historical, cultural, political and religious context. The introduction of Islamic criminal law was initiated by politicians and supported by Muslim reform groups, but its potential effects were soon mitigated on higher judicial levels and aspects of the law were contained by local administrators. This title can be previewed in Google Books - <http://books.google.com/books?vid=ISBN9789056296551>.

Using contemporary illustrations, *Legal Maxims in Islamic Criminal Law* delves into the theoretical and practical studies of al-Qawaid al-Fiqhiyyah in Islamic legal theory. It elucidates the importance of this concept in the application of Islamic law and demonstrates how the concept relates to the objectives of Islamic law (maq??id al-Shar?'ah), generally.

Dispensing Justice is designed to serve as a sourcebook of Islamic judicial practice and qadi judgments from the rise of Islam to modern times, drawing upon court records and qadi court records, in addition to literary sources. The volume fills a large gap in Islamic legal history. "Dispensing Justice" is designed to serve as a source book of Islamic judicial practice from the rise of Islam to modern times, drawing upon legal documents, qadi court records, archival materials and literary sources. The volume fills a large gap in our understanding of Islamic legal history. (modified by Powers).

This book focuses on Boko Haram and terrorism in Nigeria, framing the conflict in an international law context. It analyses the nature of political violence and the dominant roles of a violent nation-state (in both colonial and post-colonial

experiences) and the rise of terrorism in Nigeria. The book unearths embedded evidence of religious nepotism on the part of state officials using such state institutions as Islamic Preaching Boards to promote one Islamic sect over another in mainly Muslim Northern Nigeria. The book offers insights into this subtle sectarian divide and how this and other 'subterranean' elements have contributed to the rise of Boko Haram in Northern Nigeria beyond the dominant poverty-terrorism nexus narrative. Furthermore, the book analyses the various components of Boko Haram's radical ideology, situates them in Islamic Jurisprudence, and examines the philosophy of the group (both in doctrine and practice) – their interpretation of the Koran and the waging of Jihad, and the extent to which they conform to the Islamic Sect Boko Haram claims to follow. The book then examines the basic doctrinal features and characteristics of Boko Haram – waging Jihad, prohibiting revealing dresses for women and mixing of genders, rejecting western values and institutions, denouncing scientific inquiry and democracy, hostage taking, sexual exploitation of captives and other aspects of jus ad bellum and jus in bello in Islamic jurisprudence and international law. Finally, the book analyses the plight of vulnerable groups such as internally displaced persons, the atrocities committed against women and girls in the Boko Haram insurgency and the (in)ability of international law to enforce the protections offered to the victims. From the perspective of critical intellectual inquiry, the book also challenges a number of fundamental assumptions and encourages us to revisit our legal characterisation of certain concepts such as "gender-based crimes". It then goes further to analyse some legal grey areas in the Boko Haram insurgency such as the legal status of the Civilian Joint Task Force (CJTF) and the legal framework for holding members accountable for violations of international human rights and humanitarian law. Overall, the book represents a valuable contribution to scholarship, deepens our understanding and delineates how international law could respond to the Boko Haram insurgency in Nigeria in particular and terrorism in Africa in general.

"Much nuance and variability have been lost in the process of the reductivist analysis of Islam post 9/11 and, as this study amply demonstrates, we are all the poorer as a result. This exhaustive examination of the rise and spread of the Tablighi Jama'at, arguably the world's largest Islamic missionary movement, locates it in the larger perspective of global Islam and developments in the Muslim societies. Combining an overview of the history and current socio-political perception of the Tablighi Jama'at with a more analytical and philosophical approach to fundamental questions of identity, subject-positioning and representation, the author creates a comprehensive resource of interest to all scholars and students of Islam. Drawing on exhaustive research and records of conversion narratives of the new members of Tablighi Jama'at, cited here at length, the author creates a unique perspective on this complex phenomenon from both an internal and external viewpoints. Ahmad-Noor locates the spiritual framework of the movement in the context of its perception in the eyes of the political and religious authorities of the countries where it has a following, as well as the Western

'securocrat' approach."--Publisher's website.

In the past two decades, Muslim countries across the globe have been faced with a crisis in governance. Starting with a summary of Islamic Law (Sharia) and its implications for law enforcement, this book will highlight the unique needs and challenges of law enforcement, and particularly policing, in these communities. It will provide a scholarly exposition of Sharia law and how it is compatible (or not) with policing in a modern context. The role and contribution of Sharia Law towards conceptualizing law enforcement in a modern context is certainly worth looking forward to, especially understanding its co-existence with civil law in countries with minority Muslim communities. Featuring case studies from throughout the Muslim world, this volume will highlight key qualities of Sharia law and Muslim culture that play a role in law enforcement, including: case processing, community policing, police administration, human rights, and the influence of globalization. Taking a comprehensive approach, this work provides a historical context for colonization events in Muslim countries and their influence on current law enforcement systems, as well as providing key insights into the particular norms that make up the bases for Muslim societies, and their unique needs. Looking into the future, it provides guidelines for how community policing can play a proactive role in law enforcement and crime prevention.

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This work analyzes the history of the application of Islamic law (Shari`ah) in Nigeria. It analyzes how Islamic law emerged in Nigeria toward the beginning of the 19th century and remained applicable until the arrival of the British Colonial regime in Northern Nigeria in 1903. It sheds light on how the law survived colonial rule and continues until today. Dr. Yushau Sodiq analyzes progressive elements in Islamic law over the past two centuries. He goes on to discuss many objections raised by the Nigerian Christians against the application of Islamic law, as well as how Muslims respond to such criticism. In a world that is often saturated with Islamophobia and ignorant misconceptions about Islam, this book aims to clarify and respond to many important concepts and ideas within Islamic religious tradition.

This book considers the rarely studied but pervasive concepts of doubt that medieval Muslim jurists used to resolve problematic

criminal cases.

This book explores a broad range of issues on Islam and international criminal law and justice. Ten authors shed detailed light on the relationship between Islam, Islamic law and Islamic thought and international criminal law.

In recent decades, traditional methods of philology and intellectual history, applied to the study of Islam and Muslim societies, have been met with considerable criticism from rising generations of scholars who have turned to the social sciences, most notably anthropology and social history, for guidance. This change has been accompanied by the rise of new fields, studying, for example, Islam in Europe and Africa, and new topics, such as the role of gender. This collection surveys these transformations and others, taking stock of the field and showing new paths forward.

In November of 1999, Nigerians took to the streets demanding the re-implementation of shari'ah law in their country. Two years later, many Nigerians supported the death sentence by stoning of a peasant woman for alleged sexual misconduct. Public outcry in the West was met with assurances to the Western public: stoning is not a part of Islam; stoning happens "only in Africa"; reports of stoning are exaggerated by Western sensationalism. However, none of these statements are true. Shari'ah on Trial goes beyond journalistic headlines and liberal pieties to give a powerful account of how Northern Nigerians reached a point of such desperation that they demanded the return of the strictest possible shari'ah law. Sarah Eltantawi analyzes changing conceptions of Islamic theology and practice as well as Muslim and British interactions dating back to the colonial period to explain the resurgence of shari'ah, with implications for Muslim-majority countries around the world.

In 2000 and the first half of 2001 eleven Northern states re-Islamised their legal system. Seven of them (Bauchi, Kebbi, Jigawa, Kano, Zamfara, Yobe, Sokoto) introduced Shari'a Penal Codes. One (Niger) amended the existing 1960 Penal Code with provisions of Shari'a criminal law, and three others (Gombe, Kaduna, Katsina) are expected to enact Shari'a Penal Codes in the near future. This book discusses these recently enacted codes.

This book, first published in 2006, is an account of the theory and practice of Islamic criminal law.

Islamic Criminal Law in Northern Nigeria Politics, Religion, Judicial Practice Amsterdam University Press

No legal system in the world has aroused as much public interest as Sharia. However, the discourse around Sharia law is largely focussed on its development and the theories, principles and rules that inform it. Less attention has been given to studying the consequences of its operation, particularly in the area of Islamic criminal law. Even fewer studies explore the actual practice of Islamic criminal law in contemporary societies. This book aims to fill these gaps in our understanding of Sharia law in practice. It deals specifically with the consequences of enforcing Islamic criminal law in Pakistan, providing an in-depth and critical analysis of the application of the Islamic law of Qisas and Diyat (retribution and blood money) in the Muslim world today. The empirical evidence adduced more broadly demonstrates the complications of applying traditional Sharia in a modern state.

Arinze, growing up poverty, the slums of Lagos - Southern Nigeria, surrounded by ignorance and superstition, is friends with the fascinating Ireneh. Soon, he discovers that Ireneh has a disturbing side quite hidden from the public especially when the boy

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admits to auditory hallucinations. Ireneh s family spot his unhealthy behaviour and, convinced he was possessed by evil spirits, put him in an exorcism programme run by their church pastor. But the dysfunctional abusive environment Ireneh encounters at home and school triggers an explosive relapse that culminates in violence and tragedy. Years later, with the onset of democracy, Islamic northern Nigeria erupts in violence over the introduction of the Islamic penal code Shari ah into criminal law. Riots break out between southerners in Kaduna who are predominantly Christian and the northern Muslim indigenes. At this time, Arinze, trying to make a living up north selling stolen cars, has decided to become non-Christian, a decision that would cut him off fellow southerners while his ethnicity makes him unaccepted by the northerners. Keenly aware of the dangers they faced because of the Islamic law, Arinze and his companion Tolu rely on the protection offered by the Mallam in charge of the garage. Things turn sour when the law catches up with them and is manipulated to political ends. Arinze and Tolu find themselves in no man s land and in the reach of severe corporal justice. About the Author Taiye Tenpin was born and raised in Lagos, Western Nigeria. He studied philosophy in South Africa where he became interested in writing about the social significance of religion and ethnicity. On his return to Nigeria, he taught English to students preparing for university for a few months before travelling to the UK for a Masters programme in Business. He currently lives in the north of England.

Comparative, International and Global Justice: Perspectives from Criminology and Criminal Justice presents and critically assesses a wide range of topics relevant to criminology, criminal justice and global justice. The text is divided into three parts: comparative criminal justice, international criminology, and transnational and global criminology. Within each field are located specific topics which the authors regard as contemporary and highly relevant and that will assist students in gaining a fuller appreciation of global justice issues. Authors Cyndi Banks and James Baker address these complex global issues using a scholarly but accessible approach, often using detailed case studies. The discussion of each topic is a comprehensive contextualized account that explains the social context in which law and crime exist and engages with questions of explanation or interpretation. The authors challenge students to gain knowledge of international and comparative criminal justice issues and think about them in a critical manner. It has become difficult to ignore the global and international dimensions of criminal justice and criminology and this text aims to enhance criminal justice education by focusing on some of the issues engaging criminology worldwide, and to prepare students for a future where fields of study like transnational crime are unexceptional.

When democracy was introduced to Nigeria in 1999, one-third of its federal states declared that they would be governed by sharia, or Islamic law. This work argues that such a break with secular constitutional traditions in a multireligious country can have disastrous consequences

In many parts of Africa three different systems of laws are concurrently applied – the imported "Colonial" law, the indigenous customary law and Islamic law. In some countries the customary and the Islamic law are kept separate and distinct, while in others they are fused into a single system. This volume represents a unique survey of the extent to which Islamic law is in fact applied in those parts of East and West Africa which were at one time under British administration. It examines the relevant legislation and

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case law, much of which has never appeared in any Law Reports; the judges and courts which apply it and the problems to which its application give rise.

A survey of Sharia criminal law, commissioned by the European Commission, and to provide analysis of the re-islamification of the Northern Nigerian states, based on classical Islamic texts. The study clarifies and explains the circumstances and background to these new codes, paying special attention to the Koranic offences of fornication, theft, robbery and alcohol consumption. It further identifies conflicts between these codes and the human rights principles guaranteed in the Nigerian federal constitution, and in the United Nations conventions on human rights to which Nigeria is a signatory; and surmises the views of the local people about the laws. The author is Professor of Islamic Law at the University of Amsterdam.

Islamic law influences the lives of Muslims today as aspects of the law are applied as part of State law in different forms in many areas of the world. This volume provides a much needed collection of articles that explore the complexities involved in the application of Islamic law within the contemporary legal systems of different countries today, with particular reference to Saudi Arabia, Morocco, Indonesia, Nigeria, Turkey, Malaysia and Pakistan. The articles identify the relevant areas of difficulties and also propose possible ways of realising a more effective and equitable application of Islamic law in the contemporary world. The volume features an introductory overview of the subject as well as a comprehensive bibliography to aid further research.

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