



Sulhu Sai Da Adalci (Reconciliation Requires Justice)



GREEN ADVOCACY FOR
CONFLICT PREVENTION
AND RESILIENCE
BUILDING

Preface

Sulhu Sai Da Adalci (Reconciliation Requires Justice) is the first manual published by GARCB and was designed to prepare communities on resettlement and reintegration of both the repentant Boko Haram members and IDPs under the Borno Model initiative of Professor Babagana Umara Zulum-led administration. The overarching objective of the manual is to foster dialogue and reconciliation and rebuild broken trust and social cohesion resulting from decade-long Boko Haram insurgency. The recent changing context and dynamics of the insurgency, in particular, the mass exit and voluntary surrender of former Boko Haram associates in their thousands that are undergoing deradicalization, rehabilitation and reintegration (DRR) program and the widespread community resentment against their reintegration, necessitated the need for facilitating local level dialogue and reconciliation leveraging on Sulhu as traditional justice mechanism to change community misconception and negative narratives as pathway of ending the conflict cycle and sustainable peace.

The manual would be utilized to build the capacity of over 2000 of our peace and transitional justice stakeholders in the Northeast of Nigeria with the first cohort workshop coming up at the end of October 2024 and the second cohort would be enrolled into a certification course program in partnership with the Centre for Peace, Diplomatic and Development Studies (CPDDS) University of Maiduguri up to the first quarter of 2026. The manual was purposely developed to provide a practical guide to our community interlocutors that would serve as Sulhu Dialogue Committee to support the legacy phase project of Africa Transitional Justice Legacy Fund (ATJLF)s transitional justice project in Northeast of Nigeria. In the next two years of this project implementation, we aimed to facilitate a sustainable transition justice engagement across Borno, Adamawa and Yobe that would outlive ATJLFs funding.

We want to express our profound gratitude to ATJLF for the generous funding that led to the development of this manual, as well as the implementation of the other important components of our transitional justice engagements in the Northeast including partnership with National Human Rights Commission to mitigate cases of gender-based violence, promoting access to reparation through our strategic communication activity in collaboration with the Borno Social Investment Agency. GARCB acknowledges the valuable contribution of staff members and our Co-ATJLF sub-grantee the Fati Abubakar Foundation for the unflinching support in the process of developing this manual.

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Introduction

The main objectives of this manual are to work in line with the mandate of your donor, the Africa Transitional Justice Legacy Fund (ATJLF), and to support the implementation of the Borno Model. Therefore, GARCB aims to build the knowledge capacity of our local stakeholders on indigenous approaches to transitional justice mechanisms by establishing sustainable peace and reconciliation platforms in communities that were affected by Boko Haram violence.

This manual is articulated in two sections, and ten modules. Section one focuses on the importance of justice for reconciliation and sustainable peace. Section one has four modules (1-4). Section two provides alternative narratives to counteract Boko Haram extremist narratives. Section two has six modules (5-10).

Section One begins with Module One, which explains the background and context that inform the Green Advocacy for Conflict Prevention and Resilience Building (GARCB) program for transitional justice to complement the efforts of the governments of Borno, Adamawa, and Yobe (BAY) states to rebuild communities devastated by the Boko Haram insurgency. Module Two explains the key concepts of sulh and its strong connection with adalci. Other Arabic words and technical terms in Islamic law in Module Two are also briefly explained. Module Three presents a section of the relevant Quranic verses relating to peaceful resolution of conflict, and reconciliation. The principles of Islamic criminal justice are explained, along with the Islamic guidelines for out-of-court settlement through sulhu. Module Four addresses the likely challenges to confront communities as they begin the difficult but necessary process of using transitional justice as an indispensable requirement for reconciliation and reintegration of surrendered former Boko Haram associates as pathways for sustainable peace. This is achievable by also adopting and incorporating some relevant aspects in the Borno Model.

Section Two consists of 6 modules (5-10). Each module begins with explaining the thematic focus of the Module, followed by the presentation of (i) the mainstream views, (ii) the Boko Haram extremist views, and (iii) the alternative narratives to counteract the extremist narrative of Boko Haram. Module Five explains takfir, (Declaring one a disbeliever), by which Boko Haram declares any Muslim who disagrees with their extremist views as a kafir (non-Muslim). Module Six focuses on Jihad and the establishment of Islamic State. Module Seven examines hijra (migration) and its role in Boko Haram extremism, as well as the alternative narratives on hijra. Module Eight is on relations with non-Muslims, while Module Nine is on secular/western education (Ilmin Boko), from which Boko Haram receives its popular name. Finally, Module Ten examines Boko Harams views on working for a non-Islamic government, and provides the alternative narratives.

The Conclusion summarizes the key issues and their implications.





MODULE ONE

Background and Context

Beginning in 2009, the Boko Haram insurgency has been ravaging communities, families, and individuals in Borno, Adamawa, and Yobe (BAY) States. Boko Haram has killed thousands of individuals, injured even more, leaving families and communities with losses and grief, as well as enormous costs of treating the injured. Losses of properties, livelihoods, and community infrastructures have been equally high. While the violence Boko Haram has been perpetrating is not yet over, the backbone of the insurgency has been broken. Beginning with the violent deaths of key leaders like Abubakar Shekau following the splinter of the group into two factions in 2021, hundreds of thousands of Boko Haram members have surrendered. Even more people who were held as captives, or displaced by the Boko Haram violence, have regained their freedom, but are left destitute in need of urgent care and assistance. As these people joined the already overcrowded camps for the internally displaced persons, the situation has become unsustainable; hence, there is an urgent need to decongest the camps by resettling the victims and the surrendered thousands of Boko Haram members by returning them to their communities.

The State Governments of Borno, Adamawa, and Yobe (BAY) States have been addressing the enormous challenges created by the Boko Haram insurgency. The Government of the (BAY) States have recognized the imperative need to redress the legitimate grievances of the communities and individuals who have lost their family members and have endured various forms of bodily injuries, together with the attendant costs of treatment of their injuries. Equally important, individuals and communities have lost their livelihoods and properties worth hundreds of millions. Mass displacement of people has compounded the predicament confronting millions of innocent victims of the Boko Haram insurgency.

The governments of the BAY States have been working hard to rebuild the communities affected by the violence, especially by rebuilding infrastructure destroyed by Boko Haram insurgents, and providing various kinds of support and palliative measures to mitigate the enormous suffering and losses inflicted on individuals and families. Similarly, the Federal Government and its development partners have been working, especially through the Government of the BAY States and, to some extent, with the North-East Development Commission, to provide relief materials and services, while at the same time rebuilding the affected communities, all these efforts are necessary and welcomed.

However, there is also the need to address the imperative need for justice to redress the legitimate grievances of the communities and individuals who have lost their family members and have endured various forms of bodily injuries, together with the attendant costs of treatment of their injuries. Rebuilding communities and restoring livelihoods are necessary building blocks in peacebuilding. But equally important is the justice imperative of redressing the grievances of the victims and accountability of the perpetrators. Peace and reconciliation cannot endure without justice, because aggrieved victims can resort to retaliation, which can ignite the vicious circle of revenge and counter revenge.

Prosecution through the formal criminal justice system cannot provide the needed



justice to reconcile communities and sustain peace. The formalities, procedures, and requirements in criminal prosecution are simply too cumbersome. In addition, the volume of cases are too numerous to be prosecuted individually. Some of the perpetrators are no longer alive. The evidence needed to prosecute are hard or impossible to assemble because of the destruction during the Boko Haram insurgency. As in the cases of many violent conflicts, transitional justice is the appropriate alternative means of redressing mass atrocities committed during violent conflicts, such as the Boko Haram insurgency.

GARCB supports the initiatives of the BAY States Governments to rebuild communities, restore peace, and provide reconciliation. GARCB is building on the successful Sulhu Alheri Ne initiative, implemented by the Center for Democracy and Development (CDD). The Sulhu Alheri Ne initiative had prepared communities to use sulhu to redress grievances of victims of the Boko Haram insurgency. The new initiative of Sulhu Sai Da Aldaci (Justice is Imperative for Reconciliation) highlights the very important point that justice is an indispensable need for reconciliation.

The Imperative of Using Islamic Perspective in Secular Society

Sulhu Sai Da Adalci is articulated within an Islamic conceptual framework because the challenges to be addressed arising from the Boko Haram insurgency were also framed in Islamic terms. Effective responses to those challenges should also be in the same Islamic framework. In addition, the affected communities and individuals are mostly mainstream Muslims. Furthermore, the Islamic framework can be easily converted into a secular framework because both frameworks can easily be converted into a broader humanitarian framework (i.e. recognizing the broader sense of all of humanity). The basic premise that justice (adalci) is imperative for peace and reconciliation (sulhu) is not religiously biased. To detoxify the mindset of young people at risk of future recruitment by extremist groups, it is also imperative to adopt the mainstream Islamic narratives (which are presented in section two of this manual) to counter the violent extremist narratives.

As a form of transitional justice, adalci (justice) provides the necessary ingredient for sulhu (reconciliation). Sulhu is the appropriate justice for healing the victims by redressing their grievances and holding perpetrators accountable for their unjustified violence against innocent individuals by demonstrating their remorse, seeking forgiveness, offering an apology, and providing symbolic reparation. Thus, sulhu provides the way forward towards reconciliation and restoration of peace in the affected communities.

As a mechanism of peaceful resolution of conflict, sulhu is comparable to, if not identical with, transitional justice. Furthermore, sulhu is the term used for out of court mediation/arbitration, and Alternative Dispute Resolution by courts in northern states of Nigeria, where Hausa is commonly spoken.



Supporting the Borno Model

The Borno State Government through its Borno Model for Peace program has reported that over 95,000 individuals consisting of fighters, their families and others linked to them have surrendered to authorities in Borno State. This is then followed by a series of screenings and profiling to ascertain their identity, roles in the conflict and collection of other information that could facilitate their continued appropriate management by relevant authorities with rehabilitation and reintegration process.

Managing The Mass Exit of Insurgent Groups: An Opportunity for Peace

The mass exits are unprecedented in the history of the northeast conflict and has changed the context and the dynamics that transitioned from high intensity violence to post-conflict recovery. Under the Borno model the exiting of the insurgents involves the following process:

Setting up camps as platforms for managing and running of an effective system for identification, profiling and the treatment of those that surrendered the insurgent groups would encourage more exits;

Opening avenues for potential exits of many more individuals including women and children whose combatant and non-combatant husbands and fathers have died as a result of the conflict.

Release of thousands of low risks individuals abducted and other victims who do not require additional support or rehabilitation.

Release of many women who were abducted and forced into marriages;

Identify individuals who were part of the JAS or ISWAP, who may be responsible for serious crimes, from individuals who were forced to perform various roles, including farming and associated tasks (farmers) or those who have been victimized as a result, due to living in the affected areas;

Laying the foundation for deployment of series of accountability systems and processes;

More territories captured by government security forces following dislodging and exit of the insurgent group members;

Availing more land to more community members, those reintegrating and those resettling for agriculture-based livelihoods and facilitating community expansions in view of changing security and safety situations;

Depletion in size of active combatants (and their family members), associated with both the JAS and ISWAP factions;

More weapons and ammunitions previously used by the insurgent groups being collected by the security institutions and preventing localised, interstate and regional movement and mis-use.

Through the Model, individuals receive rehabilitation services in parallel to the screening and verification process. The Model contributes to and is supported by a variety of state policies and programs and complements a variety of federal level programs operating in this area. The model operates on the premise of 5 key processes below: Out of the bush process, Transportation process, Identification and evaluation process, Centre based management process, process to be released from Government Authority and Synchronised.

The implementation of the Borno Model is aligned with the Borno Governments vision and policies, shaping its sustained efforts to address the crisis, stabilise the region and build peace in the mid and long-term. For that purpose, the Borno State Government is implementing the first, 10-year Strategic Transformation Plan of its long-term Development Agenda. Under the pillar 9 of the Plan envisions to facilitate and sustain security and peace in the State. It also seeks to do so through an integrated approach that complements a variety of components of the Borno model, including:

- Strengthen community security services through traditional surveillance mechanisms and the Civilian Joint Taskforce (CJTF);
- Develop a comprehensive, community-driven, workable and self-sustaining Early Warning Response mechanism;
- Facilitate reconciliation for peaceful and cohesive communities and promote reintegration programs;

Leverage existing local and international peace infrastructures in the zone by consolidating on the gains recorded by these peace initiatives for conflict mitigation and peace enhancement.

Against these backdrops, GARCB is making efforts to facilitate and prepare communities that will receive the reintegration of former Boko Haram associates undergoing DRR under the Borno Model, using the Sulhu approach to peace and reconciliation. More specifically, GARCB is committed to supporting the Borno Model in community-based approaches involving continuous engagements with traditional rulers and communities, restoring the social contract between the Government and the community, and building confidence in service delivery institutions and Government.

Furthermore, GARCB is supporting some of the initiatives within Borno Model aimed at responding to the critical challenges. Tens of thousands of the ex-Boko Haram combatants are currently undergoing DRR in preparation for returning them to their communities, but there is widespread community resentment against the reintegration. The same community resentment is also directed against resettling of IDPs back to their ancestral homes. The key challenge is that after the reintegration of the ex-Boko Haram combatants and the IDPs resettlement, victims and perpetrators must coexist in the same communities but without any

form of accountability and redress of legitimate grievances. By offering transitional justice, Sulhu Sai Da Adalci program offers a framework to provide the justice that is indispensable to peace and reconciliation. Clearly, GARCB supports the Borno Model by facilitating community-level peace and reconciliation dialogue using Sulhu approach to change community narratives against reintegration of former perpetrators as pathways to end the conflict cycle and rebuild sustainable peace.

To achieve these objectives of implementing the mandate of our donor and also supporting the implementation of the Borno State Governments Borno Model, GARCB will collaborate with Borno State Ministry of Information and Internal Security, Ministry of Women Affairs and Centre for Peace, Diplomatic and Development Studies, (CPDDS) in University of Maiduguri to implement following activities: (a) GARCB in collaboration with Borno State Ministry of Information and Internal Security will Organise a 2-day capacity building workshop for 100 community and faith-based leaders on Sulhu using the ATJLF Manual focusing on reconciliation and Reintegration of Surrendered Boko Haram members. The aim of the activity is to produce crop of community level peacemakers and interlocutors that will constitute ATJLF Sulhu Committee at the community level. The ATJLF Manual will be used for the training of the community stakeholders. (B) GARCB will select 30 Sulhu Committee members (10 per state) from the 100 trained in activity (a) above across the 3 focal states who will also be engaged for a step-down training for the ex-Boko Haram members in the camp and 9 communities (3) from each of the 3 focal states. (C) The CPDDS University of Maiduguri will train the 30 Sulhu Committee members (10) each of the 3 focal states of Borno, Adamawa and Yobe on 6 months certificate course program Sulhu transitional justice approach using the ATJLF Sulhu Sai Da Adalci Manual.





MODULE TWO

Defining Key Concepts and Technical Terms

Sulhu is a Hausa word for reconciliation, and peaceful resolution of dispute through mediation. It is derived from the Arabic word sulh, which signifies righteous deeds, reform, and improvement, as well as the basic meanings the word has in Hausa. Sulh is used in several Quranic verses with these various meanings, depending on the context of usage.

Adalci is also a Hausa word derived from the Arabic adl, which signifies justice, equity, equilibrium. Qist is another Quranic word with identical meaning with adl. In some verses, adl and qist are used as synonyms. Al-maaru, meaning customary practice, is also used in the Quran as another word for justice. The Quran often links justice with several virtues such as ihsan/hasana (good deed), sabar, (patience), and taqwa (piety/fear of God), while injustice is conjoined with other wrong deeds such as depravity (al-fahisha), reprehensible conduct.

Hijra: Migration is the literal meaning of this term; but technically, the term refers to the Prophet Muhammads (SAW) migration from Mecca to Madinah, where the Prophet established the first Islamic state. The term could also mean Muslims relocation from places where Islam is not the official religion, or where Muslims are not allowed to practice Islam. Boko Haram uses hijra in the sense of migrating from areas where their extremism views are not accepted to the areas where they proclaimed to have established Islamic State.

Jihad; Literally, this term means exacting the utmost efforts to achieve some goal. But in Islamic history, the term has different meanings depending on the contexts in which the term is used. Jihad could mean spiritual or moral endeavor to uphold and practice Islamic tenets. It could also mean warfare to defend Muslim territories, or to install Islamic government.

Zalumji is the Hausa rendition of the Arabic zulm: which means injustice. The Quran also uses Baghyi as a synonym of zulm, while udwan and munkar, meaning transgression and reprehensible deed are Quranic terms for injustice.

Other technical terms relating to Islamic conceptions of peaceful resolution of conflict as well as formal litigation to redress grievances include the following:

Afwu: forgiveness by the victim for the perpetrator

Daman/Iwad: Payment of compensation for damage to property

Diyya: Payment of compensation for bodily injury and murder

Jinaya: Bodily injury

Jarima: Crime

Nadm: remorse

Qisas: The principle of an eye for an eye

Sulhu: reconciliation of parties to a dispute

Tahkim: Resolving disputes through arbitration instead of litigation

Takfir: Declaring a Muslim as an infidel, or as someone who is not a true Muslim

Tawba: repentance





MODULE THREE

Quranic Verses on Islamic Principles of Reconciliation and Justice

This module comprises three sections. Section (A) begins with a sample of the Quranic verses that established the obligation on Muslims to observe justice and fairness in their conduct and relations with others. Section (B) presents some of the Quranic verses that prohibit injustice and transgression. Final Section (C) provides the fundamental principles and procedures in the Islamic conception of justice and peaceful resolution of conflict.

Section (A): Qur'anic Verses Commanding Muslims to Uphold Justice

Chapter and Verse			Chapter and Verse
16:90	God commands justice, and goodness, and generosity towards relatives. And He forbids immorality, and injustice, and oppression. He admonishes you, so that you may take heed.	إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ وَإِيتَاءِ ذِي الْقُرْبَىٰ وَيَنْهَىٰ عَنِ الْفَحْشَاءِ وَالْمُنْكَرِ وَالْبَغْيِ يَعِظُكُمْ لَعَلَّكُمْ تَذَكَّرُونَ	(٩٠ النحل)
5:8	O you who believe! Be upright to God, witnessing with justice; let not the hatred of a certain people prevent you from acting justly. Adhere to justice, for that is nearer to piety; and fear God. God is informed of what you do.	يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ لِلَّهِ بِالْقِسْطِ وَلَا يَجْرِمَنَّكُمْ شَنَايُهَا عَنْكُمْ أَنْ تَصِفُوا أُمَّةً مِنْهُمْ أَوْ تَكُونُوا مِنْهَا قَوَّامِينَ لِلَّهِ بِالْقِسْطِ وَأَنَّ اللَّهَ يَخْبِرُ بِمَا تَعْمَلُونَ	(٨ المائدة)
4:135	O you who believe! Stand firmly for justice, as witnesses to God, even if against yourselves, or your parents, or your relatives. Whether one is rich or poor, God takes care of both. So do not follow your desires, lest you swerve from justice. If you deviate, or turn away then God is Aware of what you do.	يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ لِلَّهِ بِالْقِسْطِ شُهَدَاءَ لِلَّهِ وَلَوْ عَلَىٰ أَنْفُسِكُمْ أَوِ الْوَالِدِينَ وَالْأَقْرَبِينَ إِنْ يَكُنْ غَنِيًّا أَوْ فَقِيرًا فَاللَّهُ أَوْلَىٰ بِهِمَا فَلَا تَتَّبِعُوا الْهَوَىٰ أَنْ تَعْدِلُوا وَإِنْ تَلَوُّوا أَوْ نَعَضُوا فَإِنَّ اللَّهَ كَانَ بِمَا تَعْمَلُونَ خَبِيرًا	(١٣٥ النساء)

Section (B) Qur'anic Verses Prohibiting Injustice and Transgression

Chapter and Verse			Chapter and Verse
2:165	Yet among the people are those who take others than God as equals to Him. They love them as the love of God. But those who believe have greater love for God. If only the unjust would realize, when they see the torment; that all power is Gods, and that God is severe in punishment.	وَمِنَ النَّاسِ مَن يَتَّخِذُ مِن دُونِ اللَّهِ أَنْدَادًا يُحِبُّونَهُمْ كَحُبِّ اللَّهِ وَالَّذِينَ آمَنُوا أَشَدُّ حُبًّا لِلَّهِ وَلَوْ يَرَى الَّذِينَ ظَلَمُوا إِذْ يَرَوْنَ الْعَذَابَ أَنَّ الْقُوَّةَ لِلَّهِ جَمِيعًا وَأَنَّ اللَّهَ شَدِيدُ الْعَذَابِ	(البقرة ١٦٥)
4:29-30	O you who believe! Do not consume each others wealth illicitly, but trade by mutual consent. And do not kill yourselves, for God is merciful towards you. Whoever does that, out of transgression and injustice, we will cast him into a fire. And that would be easy for God.	يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا أَمْوَالَكُم بَيْنَكُم بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ تِجَارَةً عَنْ تَرَاضٍ مِنْكُمْ وَلَا تَقْتُلُوا أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا وَمَن يَفْعَلْ ذَلِكَ عَدُوًّا وَظَلَمًا فَسَوْفَ نُنْصِلِيهِ نَارًا ۖ وَكَانَ ذَلِكَ عَلَى اللَّهِ يَسِيرًا	٣٠-٢٩ (النساء)
22:58-60	Those who emigrate in Gods cause, then get killed, or die, God will provide them with fine provisions. God is the Best of Providers. He will admit them an admittance that will please them. God is Knowing and Clement. That is so! Whoever retaliates similarly to the affliction he was made to suffer, and then he is wronged again, God will definitely assist him. God is pardoning and forgiving.	وَالَّذِينَ هَاجَرُوا فِي سَبِيلِ اللَّهِ ثُمَّ قُتِلُوا أَوْ مَاتُوا لَيَرْزُقَنَّهُمُ اللَّهُ رِزْقًا حَسَنًا وَإِنَّ اللَّهَ لَهُوَ خَيْرُ الرَّازِقِينَ لَيُدْخِلَنَّهُمْ مُدْخَلًا يَرْضَوْنَهُ وَإِنَّ اللَّهَ لَعَلِيمٌ حَلِيمٌ ذَلِكَ وَمَنْ عَاقَبَ بِمِثْلِ مَا عُوقِبَ بِهِ ثُمَّ بُغِيَ عَلَيْهِ لَيَنْصُرَنَّهُ اللَّهُ إِنَّ اللَّهَ لَعَفُورٌ غَفُورٌ	٥٨ ٥٩ ٦٠

Section (C) Qur'anic Verses Establishing the Islamic Fundamental Principles and Procedures of Justice

Chapter and Verse			Chapter and Verse
49:9	<p>If two groups of believers fight each other, reconcile between them. But if one group aggresses against the other, fight the aggressing group until it complies with Gods command. Once it has complied, reconcile between them with justice, and be equitable. God loves the equitable.</p> <p>The believers are brothers, so reconcile between your brothers, and remain conscious of God, so that you may receive mercy.</p>	<p>وَإِنْ طَائِفَتَانِ مِنَ الْمُؤْمِنِينَ اقْتَتَلُوا فَأَصْلَحُوا بَيْنَهُمَا فَإِنْ بَغَتْ إِحْدَاهُمَا عَلَى الْأُخْرَىٰ فَقَاتِلُوا الَّتِي تَبْغِي حَتَّىٰ تَفِيءَ إِلَىٰ أَمْرِ اللَّهِ فَإِنْ فَاءَتْ فَأَصْلَحُوا بَيْنَهُمَا بِالْعَدْلِ وَأَقْسِطُوا إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ</p> <p>يَا أَيُّهَا الَّذِينَ آمَنُوا إِخْوَةٌ فَأَصْلَحُوا بَيْنَ أَخَوِيكُمْ وَاتَّقُوا اللَّهَ لَعَلَّكُمْ تُرْحَمُونَ</p>	الحجرات
190	And fight in the cause of God those who fight you, but do not commit aggression; God does not love the aggressors.	١٩٠ وَقَاتِلُوا فِي سَبِيلِ اللَّهِ الَّذِينَ يَقَاتِلُونَكُمْ وَلَا تَعْتَدُوا إِنَّ اللَّهَ لَا يُحِبُّ الْمُعْتَدِينَ	
191	And kill them wherever you overtake them, and expel them from where they had expelled you. Oppression is more serious than murder. But do not fight them at the Sacred Mosque, unless they fight you there. If they fight you, then kill them. Such is the retribution of the disbelievers.	١٩١ وَاقْتُلُوهُمْ حَيْثُ ثَقِفْتُمُوهُمْ وَأَخْرِجُوهُمْ مِنْ حَيْثُ أَخْرَجْتُمُوهُمْ وَالْفِتْنَةُ أَشَدُّ مِنَ الْقَتْلِ وَلَا تَقَاتِلُوهُمْ عِنْدَ الْمَسْجِدِ الْحَرَامِ حَتَّىٰ يَقَاتِلُوكُمْ فِيهِ فَإِنْ قَاتَلُوكُمْ فَاقْتُلُوهُمْ كَذَلِكَ جَزَاءُ الْكَافِرِينَ	
192	But if they cease, then God is forgiving and merciful.	٩٢ فَإِنْ انْتَهَوْا فَإِنَّ اللَّهَ غَفُورٌ رَحِيمٌ	
193	And fight them until there is no oppression, and worship becomes devoted to God alone. But if they cease, then let there be no hostility except against the oppressors.	٣ وَقَاتِلُوهُمْ حَتَّىٰ لَا تَكُونَ فِتْنَةٌ وَيَكُونَ الدِّينُ لِلَّهِ فَإِنْ انْتَهَوْا فَلَا عُدْوَانَ إِلَّا عَلَى الظَّالِمِينَ	

Chapter and Verse			Chapter and Verse
38	As for the thief, whether male or female, cut their hands as a penalty for what they have reaped a deterrent from God. God is Mighty and Wise	٣٨ وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا جَزَاءً بِمَا كَسَبَا نَكَالًا مِنَ اللَّهِ ۗ وَاللَّهُ عَزِيزٌ حَكِيمٌ	المائد
39	But whoever repents after his crime, and reforms, God will accept his repentance. God is forgiving and merciful.	٩ فَمَنْ تَابَ مِنْ بَعْدِ ظُلْمِهِ وَأَصْلَحَ فَإِنَّ اللَّهَ يَتُوبُ عَلَيْهِ ۗ إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ	
44	We have revealed the Torah, wherein is guidance and light. The submissive prophets ruled the Jews according to it, so did the rabbis and the scholars, as they were required to protect Gods Book, and were witnesses to it. So do not fear people, but fear Me. And do not sell My revelations for a cheap price. Those who do not rule according to what God revealed are the unbelievers.	٤٤ إِنَّا أَنْزَلْنَا التَّوْرَةَ فِيهَا هُدًى وَنُورٌ يَحْكُمُ بِهَا النَّبِيُّونَ الَّذِينَ أَسْلَمُوا لِلَّذِينَ هَادُوا وَالرَّبَّانِيُّونَ وَالْأَحْبَارُ بِمَا اسْتُحْفِظُوا مِنْ كِتَابِ اللَّهِ وَكَانُوا عَلَيْهِ شُهَدَاءَ ۚ فَلَا تَخْشَوُا النَّاسَ وَاخْشَوْا اللَّهَ ۚ وَلَا تَشْتَرُوا بِآيَاتِي ثَمَنًا قَلِيلًا ۚ وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ	
45	And We wrote for them in it: a life for a life, an eye for an eye, a nose for a nose, an ear for an ear, a tooth for a tooth, and an equal wound for a wound; but whoever forgoes it in charity, it will serve as atonement for him. Those who do not rule according to what God revealed are the evildoers.	٤٥ وَكَتَبْنَا عَلَيْهِمْ فِيهَا أَنَّ النَّفْسَ بِالنَّفْسِ وَالْعَيْنَ بِالْعَيْنِ وَالْأَنْفَ بِالْأَنْفِ وَالْأَذْنَ بِالْأَذْنِ وَالسِّنَّ بِالسِّنِّ وَالْجُرُوحَ قِصَاصٌ ۚ فَمَنْ تَصَدَّقَ بِهِ ۖ فَهُوَ كَفَّارَةٌ لَهُ ۚ وَمَنْ لَمْ يَحْكَمْ بِمَا ۖ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ	
33	And do not kill the soul which God has made sacred, except in the course of justice. If someone is killed unjustly, We have given his next of kin certain authority. But he should not be excessive in killing, for he will be supported.	٣٣ وَلَا تَقْتُلُوا النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ ۚ وَمَنْ قُتِلَ مَظْلُومًا فَقَدْ جَعَلْنَا لَوْلِيهِ سُلْطَانًا فَلَا يَسْرِفُ فِي الْقَتْلِ ۚ إِنَّهُ كَانَ مَنْصُورًا	

Chapter and Verse			Chapter and Verse
	<p>The sacred month for the sacred month; and sacrilege calls for retaliation. Whoever commits aggression against you, retaliate against him in the same measure as he has committed against you. And be conscious of God, and know that God is with the righteous.</p>	<p>الشَّهْرُ الْحَرَامُ بِالشَّهْرِ الْحَرَامِ وَالْحُرُمَاتُ قِصَاصٌ ۚ فَمَنْ اعْتَدَى عَلَيْكُمْ فَأَعْتَدُوا عَلَيْهِ بِمِثْلِ مَا اعْتَدَى عَلَيْكُمْ ۚ وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ مَعَ الْمُتَّقِينَ</p>	<p>١٩٤ البقرة</p>
	<p>And We wrote for them in it: a life for a life, an eye for an eye, a nose for a nose, an ear for an ear, a tooth for a tooth, and an equal wound for a wound; but whoever forgoes it in charity, it will serve as atonement for him. Those who do not rule according to what God revealed are the evildoers.</p> <p>O you who believe! Retaliation for the murdered is ordained upon you: the free for the free, the slave for the slave, the female for the female. But if he is forgiven by his kin, then grant any reasonable demand, and pay with good will. This is a concession from your Lord, and a mercy. But whoever commits aggression after that, a painful torment awaits him.</p> <p>There is life for you in retaliation, O people of understanding, so that you may refrain.</p>	<p>وَكَتَبْنَا عَلَيْهِمْ فِيهَا أَنَّ النَّفْسَ بِالنَّفْسِ وَالْعَيْنَ بِالْعَيْنِ وَالْأُذُنَ بِالْأُذُنِ وَالسِّنَّ بِالسِّنِّ وَالْجُرُوحَ قِصَاصٌ ۚ فَمَنْ تَصَدَّقَ بِهِ فَهُوَ كَفَّارَةٌ لَّهُ ۚ وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ</p> <p>يَا أَيُّهَا الَّذِينَ آمَنُوا كُتِبَ عَلَيْكُمُ الْقِصَاصُ فِي الْقَتْلِ ۚ الْحُرُّ بِالْحُرِّ وَالْعَبْدُ بِالْعَبْدِ وَالْأُنثَىٰ بِالْأُنثَىٰ ۚ فَمَنْ عَفِيَ لَهُ مِنْ أَخِيهِ شَيْءٌ فَاتَّبِعْ بِالْمَعْرُوفِ وَأَدِّ إِلَيْهِ بِإِحْسَانٍ ۚ ذَٰلِكَ تَخْفِيفٌ مِّن رَّبِّكُمْ وَرَحْمَةٌ ۚ فَمَنْ اعْتَدَىٰ بَعْدَ ذَٰلِكَ فَلَهُ عَذَابٌ أَلِيمٌ</p> <p>وَلَكُمْ فِي الْقِصَاصِ حَيَاةٌ يَا أُولِي الْأَلْبَابِ لَعَلَّكُمْ تَتَّقُونَ</p>	<p>المائد ٤٥</p> <p>البقرة ١٧٨</p> <p><u>البقرة ١٧٩</u></p>

Observations on the key points in these selected Qur'anic verses

There are several important points to note from the above Quranic verses on Islamic concepts of resolving conflict through the peaceful means of arbitration, reconciliation, forgiveness, and payment of compensation. While the first step is to acknowledge the right of the victim for justice in the sense of retribution (al-qisas, a tit-for-tat), these verses also admonish the victim to settle for less than retribution in kindness and fairness. These Quranic verses provide powerful endorsement for what transitional justice has to offer: restitution and healing for the victim, forgiveness and accountability for the perpetrator, and restoration of peace and reconciliation for the communities.

Lessons can also be drawn from the traditions of the Prophet Muhammad (SAW) particularly, his handling of his erstwhile opponents after his final victory over them. Upon his triumphant re-entry into Mecca, his hometown from where he was forced into exile, he decided to forgive all his opponents. Therefore, the idea of magnanimity in victory can also be used to build support for acceptance of transitional justice.

It is imperative to provide the victims with clear and ample affirmation of the pains and the losses that have been inflicted on them during the insurgency. The point should be emphasized that all their pains and losses are not due to any wrong they have done to the perpetrators. As such, their right to justice is clear and compelling. The victims right to justice should never be cast in doubt, or belittled by sanctimonious demands for them to forgive and forget all the egregious violations of their fundamental human rights, the heinous crimes committed against them, as well as the destruction of their properties and livelihoods.

But it is also important to stress that the purpose of such affirmation is not to weep up the desire for vengeance, but to empathize with the victims for all the horrendous trauma they have endured, and the dire consequences they are still grappling with. This empathy can be a very effective strategy for confidence-building and facilitating the victims participation in the transitional justice. There is an urgent need to avoid the appearance of being paternalistic and insensitive to the tragedy that has befallen the victims; even the mere appearance of such attitudes can alienate victims from transitional justice. Since the victims acceptance to participate in the processes of transitional justice is indispensable, it follows, therefore, that their acceptance should never be unwittingly undermined.

Affirming the right of the victims to justice includes, but it is not limited to, acknowledging the enormity of their loss of life and property, psychological and emotional trauma, destruction of their livelihoods and social support systems, including the family and communal resources and infrastructure, etc. Again, it is important to communicate the point clearly to the victims that this affirmation is necessary not for the purpose of vengeance but for gaining their trust and



redressing their enormous grievances as the first step towards healing their wounds, reconciliation, peacebuilding, and restoration of peaceful coexistence in their respective communities.

Islamic History, including the history of Islam in Kanem-Borno, can be invoked for calling attention to the collective resilience and perseverance that had enabled communities to survive after the Fulbe destruction of Birni Ngazargamo and the ravages of Rabehs invasion. The resilience and perseverance contributed significantly to rebuilding the peace in Borno. The current predicament can also overcome by the same resilience and perseverance.

The main point of starting by affirming the right of the victim to justice is to prepare the ground for urging them to accept justice in the sense of restitution, remedy, and healing that transitional justice offers rather than demanding retribution through the normal criminal justice system, which in any case, is hardly capable of dealing with the enormous challenges of redressing the so many violations and crimes that have been perpetrated in the course of the Boko Haram insurgency.

Sulhu as a form of transitional justice, is also capable of providing accountability for the repentant Boko Haram insurgents by giving them the opportunity to demonstrate their remorse, make amends, render an apology, and seek forgiveness from the individuals, families, and communities for the insurgents horrific violence that has caused widespread devastation, pain and suffering to so many innocent people. Transitional Justice is also the appropriate framework for all the stakeholders to collaborate towards reconciliation and restoration of peace in the affected communities.





MODULE FOUR

Overcoming Challenges Against Reconciliation

There are some challenges to overcome before applying sulhu to achieve transitional justice. Careful understanding of these challenges should be the first step towards overcoming them. To begin with, the foremost challenge is the daunting task of sorting out the various sets of people and their different roles in the Boko Haram insurgency. It is important to note that some individuals were coerced to join Boko Haram, while some were accomplices who played minor or subsidiary roles in the violence, such as serving as informants, or providers of logistics and supplies. Similarly, all the victims did not uniformly endure the same trauma and loss, nor are they all in the same predicament in the emerging post-conflict situation. Ideally, every individual perpetrator should be held accountable for his or her conduct in the violence; and each and every victim is entitled to justice for the specific grievances perpetrated against him or her. Yet providing justice and accountability for every victim and perpetrator through the normal criminal justice system is hardly possible, given the sheer scale of the numbers of the victims and the perpetrators, as well as the difficulties of ascertaining the circumstances under which specific individuals became victims or perpetrators. Still, this problem must be addressed right away.

Equally daunting is the second challenge of widespread distrust and stigmatization in the affected communities against repentant Boko Haram combatants, as well as individuals associated with Boko Haram without being combatants or even members of the Boko Haram. Particularly problematic is the distrust against widows and orphans of Boko Haram members and combatants. If such family members are still distrusted, then the unrepentant members and those known to have the blood of victims on their hands are going to be even more difficult to engage in any way other than prosecution in the formal criminal justice system, with all the problems that may be associated with that, particularly prolonged trials. In one way or another, trust must be re-established for sulhu as a form of transitional justice process to work effectively and produce acceptable outcomes.

The unique predicament of young girls and adult women who found themselves in forced marriages, enslavement, and sexual violence are compounded by the pervasive distrust and stigmatization. Cultural norms about honour and shame can force victims of sexual violence to conceal their grievances, avoid talking about them, or make tragic choices to remain with the family born of their forced marriages. This unhealthy situation poses a formidable barrier to their participation in the sulhu process of achieving transitional justice. It is imperative to make the necessary arrangements to accommodate the victims of sexual violence so that their grievances can be addressed.

Sorting out the Victims and the Criminals

The need for sorting out the different types of perpetrators should be understood around the themes of patience, perseverance, and truth. The evil act of indiscriminate violence perpetrated by Boko Haram insurgents created the difficult situation of sorting out the victims and the perpetrators. The better response to that evil act



is patience and perseverance in the diligent duty of seeking the truth about the roles of specific individuals in the evil acts of indiscriminate violence against the innocent. Telling lies, hiding the truth, or making false accusations are evil acts that should be avoided. People should wait for the necessary sorting out to be done, so that each perpetrator receives the justice he or she deserves. Punishment must suit the offense: the unrepentant member of Boko Haram with the blood of victims on his hands and the coerced informant who provided intelligence to Boko Haram do not deserve the same punishment.

Calming the Fears of Repentant Perpetrators and the Victims

There are cogent reasons for using sulhu to address the legitimate grievances of victims as a critical factor for accepting repentant perpetrators back into their communities. Various scenarios for reintegration of repentant perpetrators can include taking them to communities other than their own original communities, resettlement into their communities after certain period has lapsed, stipulating reasonable conditions, such as requiring guarantors, taking sworn pledges, and performing tasks such as helping the youths to avoid becoming radicalized, etc. The potential hazards of not reintegrating the repentant perpetrators can also be explored, especially by highlighting the possibility of unresettled perpetrators relapsing into violent extremism again.

Promoting the appropriate attitudes and practices that can ensure lasting peace in the communities can include the creation of economic opportunities to give both the victims and the repentant perpetrators mutually dependent economic interests. Other activities may include cultural festivities, athletic programs and competitions, reading clubs, rendering voluntary community service, revamping the traditional mechanisms of peaceful resolution of dispute, and monitoring early signs of violence.

It is pertinent to note that the ways for reintegrating repentant perpetrators into communities do not need to be decided through in one instance. It suffices if reintegration of repentant perpetrators into the community is accepted in principle. Then each community can work out the appropriate arrangements suitable to that particular community. Reintegration can also be phased in gradual stages tied to the fulfillment of stipulated conditions. But, however accomplished, reintegration of repentant perpetrators is essential to avoid their relapse into violent extremism again. For the reintegration of repentant perpetrators to succeed, it needs to be supported by the collaboration of all stakeholders the Federal, State and Local governments, traditional rulers, religious leaders, community organizations, women and youth associations, civil society organizations, development partners, philanthropic organizations, etc. Successful reintegration of repentant extremists is critical not only for avoiding their relapse, but also for completing the processes of healing and reconciliation, as well as sustaining the peace. The greater task of



healing, reconciliation as well as sustaining peace has been well developed in the Borno Model document as noted earlier. The Borno Model includes:

- i. Engage communities and sensitize them through dialogue and confidence building to the reintegration challenges posed by mass exit;
- ii. Promote reconciliation by increasing trust between the community and seeking to reintegrate, and by utilizing community structures and local customs and in line with international norms;
- iii. Support transitional justice through locally appropriate transitional justice and restorative justice mechanisms (Sulhu sai da Adalci), that support healing and transformation;
- iv. Restoring and building social and productive infrastructure and community livelihoods systems for communities reintegrating formerly associated persons.

Individuals who committed gross violations of human rights and heinous crimes against innocent people may have cause to fear participating in the sulhu process to achieve the transitional justice. To begin with, the perpetrators may not enjoy all the rights, entitlements, and protections available to the accused in the formal criminal justice system. They may be ill-prepared to come face-to-face with the victims, still suffering from pain and loss as a direct result of the violent actions of the perpetrators. The possibility of some victims physically attacking the perpetrator in retaliation can be a worrisome concern for some perpetrators, given the severity of the victims trauma or the magnitude of their loss, as well as the now powerless status of the perpetrator.

These fears, and perhaps many more, may be strengthened by the widespread distrust and stigma against repentant Boko Haram members. In contrast to the presumption of innocence of the accused in the criminal justice system, the expectation in the transitional justice system is that the perpetrator will accept guilt. In contrast with the many rights of the accused in the criminal justice system, the entitlements of the victims are more prominently recognized.

Regardless of the sources and reasons for their fears, the perpetrators need to be reassured to secure their willingness to participate, and for them to provide candid testimonies of their exact roles in the violence. Once their fears are calmed, the perpetrators are more likely to contribute to the collective endeavour of reaching reconciliation with the victims and the community at large.

An effective way to begin addressing the likely fears of the perpetrators is to state clearly and forcefully the positive goals that transitional justice seeks to realize for the victim, the perpetrator, and the community. It should be made abundantly clear that while restitution for the victim is desirable, vengeance is not. Similarly, while remorse and repentance from the perpetrator are welcome and encouraged, retribution against them is not. For the community, the goal is to restore peace and reconciliation, while also checking impunity and not allowing unaddressed grievances to continue pestering in the community.



Additional benefits for the perpetrators participation in the transitional justice process can be highlighted in carrot-and-stick ways that address their fears and misgivings. Forgiveness, amnesty, reconciliation, and reintegration into the community are possible benefits that are available through the transitional justice system. Failure to participate in the transitional justice leaves the perpetrator liable to prosecution in the formal criminal justice system, with the real prospect for imprisonment, or even the death penalty, as well as ostracization, stigmatization that will follow them if they become convicted felons.

But while calming the fears of the perpetrators, it is very important to also reiterate the rights of the victims to justice by presenting both as mutually interdependent elements of transitional justice as a win-win process of addressing grievances, achieving reconciliation, providing accountability, and restoring the community to its normal activities and social intercourse. All these elements can be presented as part of the virtuous circle of sustaining the peace, which is the better way of repelling the vicious circle of violence.

Gender Matters

There are widespread misconceptions of Islamic teachings on gender relations. It is often but wrongly assumed that Islam teaches the oppression of women. In many Muslim societies, patriarchal assumptions of the inferiority of women originating from ethnic norms are presumed to be part of Islam even though Islam does endorse the oppression of women. Gender relations are discussed extensively in Islamic law, but space will not allow comprehensive examination of the diverse and sometime conflicting viewpoints on gender relations, including some Islamic tenets that have been misunderstood and misinterpreted to lend some form of Islamic legitimacy for discrimination against women. But the fundamental principle of parity between men and women is unambiguously established in the Quran. Here are some Quranic verses on gender relations that show the parity between Muslim men and women:



Chapter 9 Al-Tauba

71 The believing men and believing women are friends of one another. They advocate virtue, forbid evil, perform the prayers, practice charity, and obey God and His Messenger. These God will have mercy on them. God is Noble and Wise.

يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَيُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ وَيُطِيعُونَ اللَّهَ وَرَسُولَهُ ۚ أُولَٰئِكَ سَيَرْحَمُهُمُ اللَّهُ ۗ إِنَّ اللَّهَ عَزِيزٌ حَكِيمٌ

72 God promises the believers, men and women, gardens beneath which rivers flow, abiding therein forever, and fine homes in the Gardens of Eden. But approval from God is even greater. That is the supreme achievement.

ۗ وَعَدَ اللَّهُ الْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا وَمَسَاكِينَ طَيِّبَةً فِي جَنَّاتٍ عَدْنٍ ۚ وَرِضْوَانٌ مِنَ اللَّهِ أَكْبَرُ ۚ ذَٰلِكَ هُوَ الْفَوْزُ الْعَظِيمُ

These two verses clearly establish parity as the normative standard in gender relations among Muslim men and women. The verses are also clear in commanding moral conduct for both Muslim men and women. God will not discriminate in rewarding men and women for their moral conduct. The following verses indicate that Almighty Allah will not discriminate against women when He rewards righteous deeds.

Chapter 57: Al-Hadid

11 Who is he who will lend God a loan of goodness, that He may double it for him, and will have a generous reward?

ۚ ۚ وَإِذَا طَلَقْتُمُ النِّسَاءَ فَلَعَنَّ أَجْلَهُنَّ فَأَمْسِكُوهُنَّ بِمَعْرُوفٍ أَوْ سَرَخُوهُنَّ بِمَعْرُوفٍ ۚ وَلَا تُمْسِكُوهُنَّ ضِرَارًا لَتَعْتَدُوا ۚ وَمَنْ يَفْعَلْ ذَٰلِكَ فَقَدْ ظَلَمَ نَفْسَهُ ۚ وَلَا تَتَّخِذُوا آيَاتِ اللَّهِ هُزُوًا ۚ وَادْكُرُوا نِعْمَتَ اللَّهِ عَلَيْكُمْ وَمَا أَنْزَلَ عَلَيْكُمْ مِنَ الْكِتَابِ وَالْحِكْمَةِ يَعِظُكُمْ بِهِ ۚ وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ بِكُلِّ شَيْءٍ عَلِيمٌ

12 On the Day when you see the believing men and believing women their light radiating ahead of them, and to their right: Good news for you today: gardens beneath which rivers flow, dwelling therein forever. That is the great triumph.

Speaking in the context of divorce, the following verse is clear in its commandment for amicable treatment of women, as well as its prohibition of hurting women and aggression against them. When Almighty Allah prohibits any conduct, Muslims are obligated to refrain from that conduct. Similarly, when Almighty Allah commands Muslims to do something, it is obligatory for Muslims to obey Allah's commandment. In other words, any maltreatment against women is a violation of Islamic teachings.

Chapter Two: Al-Baqra

231 When you divorce women, and they have reached their term, either retain them amicably, or release them amicably. But do not retain them to hurt them and commit aggression. Whoever does that has wronged himself. And do not take Gods revelations for a joke. And remember God's favor to you, and that He revealed to you the Scripture and Wisdom to teach you. And fear God, and know that God is aware of everything.

۲۳۱ وَإِذَا طَلَقْتُمُ النِّسَاءَ فَبَلَغْنَ أَجَلَهُنَّ فَأَمْسِكُوهُنَّ بِمَعْرُوفٍ أَوْ سَرَخُوهُنَّ بِمَعْرُوفٍ ۖ وَلَا تُمْسِكُوهُنَّ ضِرَارًا لِّتَعْتَدُوا ۚ وَمَنْ يَفْعَلْ ذَلِكَ فَقَدْ ظَلَمَ نَفْسَهُ ۚ وَلَا تَتَّخِذُوا آيَاتِ اللَّهِ هُزُوًا ۚ وَادْكُرُوا نِعْمَتَ اللَّهِ عَلَيْكُمْ وَمَا أَنْزَلَ عَلَيْكُمْ مِنَ الْكِتَابِ وَالْحِكْمَةِ يَعِظُكُمْ بِهِ ۚ وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ بِكُلِّ شَيْءٍ عَلِيمٌ

There is need to address the gender differentials based on the parity clearly established in the above verses of the Quran. The predicament of the widows and orphans of deceased Boko Haram combatants requires urgent intervention. They continue to face stigma and rejection in their communities. Widows of deceased Boko Haram combatants cannot find potential husbands to remarry. In the context of a patriarchal society, being married is the normative status expected of women, and men as well. Married men are strongly expected to provide for their wives and children. Marriage provides a good moral standing to men and women, and without marriage, the moral standing of a man, but especially a woman, is suspect. Similarly, it is believed that children of unmarried women will not receive the morally proper upbringing to become responsible adults. In addition, there is the erroneous belief that the orphans inheriting through the blood of their deceased Boko Haram fathers are going to become a menace to society by also becoming combatants for the beliefs that their parents died fighting for either in the short-run or in the coming years. Therefore, in the context of such patriarchal norms and societal expectations, the severity of the predicament confronting the widows and orphans of deceased Boko Haram combatants becomes clear: their daily needs cannot be guaranteed because they do not have husbands/fathers, i.e., male providers.

While it is extremely difficult to change the underlying patriarchal norms that justify the predicament facing Boko Haram widows and orphans, it is important to expose the erroneous belief that the widows and orphans of deceased Boko Haram combatants are dangerous to their communities. However, in the future, the need for urgent intervention cannot be overemphasized. They do deserve targeted assistance for their material needs, as well as psychosocial support and services.

Strategic Communication

There is a widespread narrative across the communities affected by the Boko Haram insurgency that proclaims that while State and Federal Governments are giving preferential treatment to the perpetrators of the Boko Haram violence in the IDP camps where their needs are met, the victims are ignored and left to their own devices in dealing with loss, pain, and suffering. The convincing power of this narrative is reinforced by a national narrative that is widely spread across Nigeria. This national narrative of governmental neglect of the poor while corrupt leaders continue to milk the country dry through illicit means and then continue to enjoy their stolen wealth while ordinary citizens are left to suffer in their multidimensional poverty.

Regardless of the element of truth in these narratives, it is very important to plan and implement carefully and thoughtfully, develop a campaign of strategic communication to address widespread misconceptions about some of the emerging dynamics of the Boko Haram insurgency, particularly in Borno and Yobe states. The strategic communication campaign should be mounted by the Governments of the two states, along with development partners, community and civil society organizations. Using Kanuri, Hausa, and English, the campaign should be mounted through various media and channels, including television and radio broadcasts, billboards, newspapers, social media, community forums, etc. In particular, special efforts should be made to reach not only urban centers but rural communities as well.

Addressing the popular narrative of preferential treatment of the perpetrators and neglect of the victims should begin by validating the trauma of the victims, who have suffered enormous and irreparable losses of their loved ones, properties, businesses, etc. Detailed descriptions of the precarious situations of victims, their ongoing pains and challenges should be articulated through personal testimonies of victims willing to participate in the campaign. While providing unambiguous affirmation of the victims entitlement to redress in one way or another, the campaign should then correct the inaccurate perception that the perpetrators are receiving undeserved preferential treatment in light of the deplorable conditions in the IDP camps. This should be followed by highlighting the efforts made thus far to address the challenges facing the victims, especially through reconstruction projects and the provision of relief materials. Still, the need to do much more within the limits of available resources should be acknowledged.

An important theme to address through the strategic communication campaign is educating victims of the different categories of individuals associated with Boko Haram who are not living in the IDP camps, such as people whose towns and villages were captured by Boko Haram. Such people are victims rather than perpetrators.



Reparations as a Work in Progress

The treatment of this important topic should begin by expressing the continuing commitment to address the legitimate needs of victims. At the same time, victims should be admonished to moderate their expectations for reparations. The following issues should be considered and squarely address the strategic communication campaigns on reparation:

Repackaging reconstruction projects and presenting them as part, but not the whole, of reparations to victims.

Restoration of peace and security, allowing the return of normalcy to communities

Highlighting the interventions from development partners and NGOs as important additions to the efforts of government.

Reallocating certain percentages of budgets for reconstruction, as well as development projects, towards partial/incremental direct payments to victims.

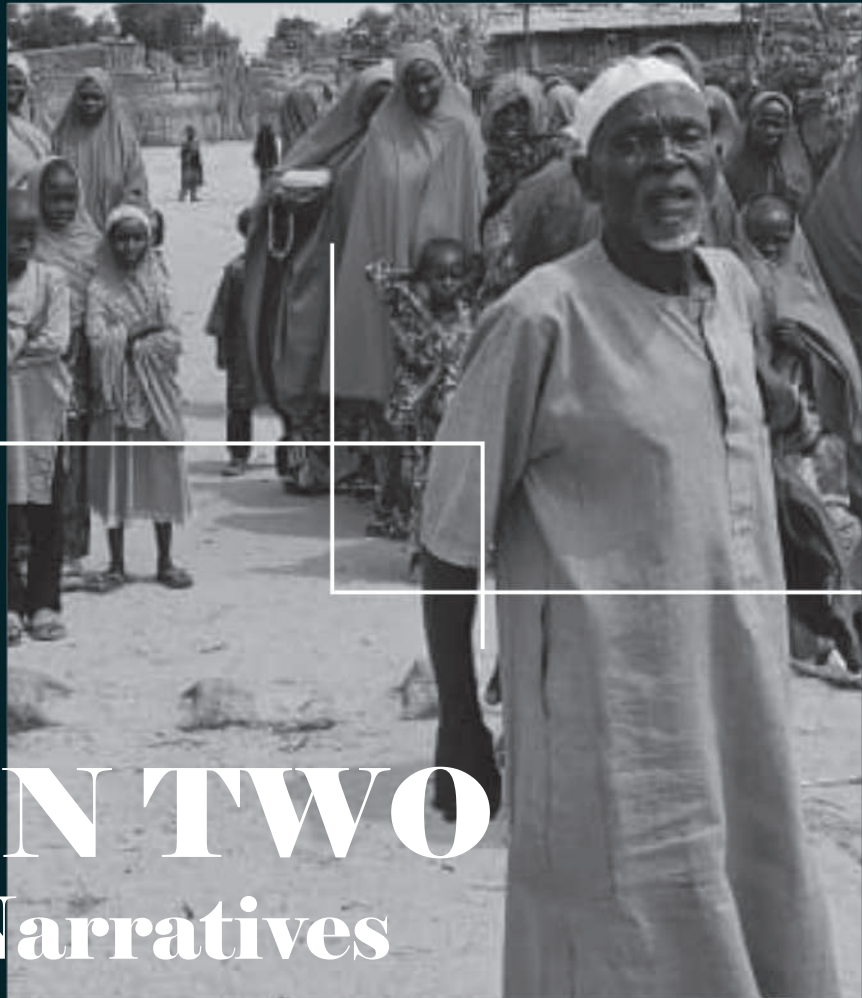
Providing victims with economic empowerment, including vocational training, start-off capital, financial literacy, and management of small individual enterprises, all of which should be presented as part of reparations.

Encouraging development partners and NGO interventions towards economic empowerment of victims, and presenting such efforts as part of reparations.



SECTION TWO

Alternative Narratives



Introduction

This section presents alternative narratives to the beliefs and arguments of Muhammad Yusuf and the group he led and named Jamat ahl-Sunnah li Dawati wa al-Jihad (Group of People of Sunnah for the Propagation and Jihad (Holy War). The group started as a peaceful movement propagating the principles and practices of Islam to all and sundry. Later, it turned to extremist violence and resorted to arms struggle against the state. This made the Jamat (popularly known as Boko Haram) to be violent, lost community support, and came into open confrontation with the government and people of the Federal Republic of Nigeria, especially in the Northeast Geo-Political Zone.

This section of the manual is divided into six (6) modules, carefully selecting the major thematic arguments presented by the Boko Haram as the basis of their religious thoughts and why their views are not authentic and to some extent, extreme. These beliefs and arguments are centered on:

1. Takfir (to declare one a disbeliever)
2. Jihad and Establishment of an Islamic State/Caliphate
3. Hijrah (Migration)
4. Relations with non-Muslims
5. Western Education
6. Serving under non-Islamic government

These topics are examined by first presenting the mainstream views, followed by the Boko Haram Narratives, and concluding with the Alternative Narratives to counter the violent extremism of the Boko Haram Narratives. This arrangement provides better and thorough understanding of all the arguments of Boko Haram, led by Muhammad Yusuf. It will also allow us to present the mainstream views that are agreed upon by Muslim scholars and Jurists. Lastly, the Alternative Narratives are highlighted so that even the repentant Boko Haram members can understand, appreciate, embrace the Alternative Narratives, and discard their Boko Haram extremist views.





MODULE FIVE

TAKFIR (Declaring one a disbeliever)

Takfir (Declaring one a disbeliever) is one of the major ideas used by Boko Haram to justify the legality of their violent acts. Mainstream Muslim Scholars stated that Takfir means to declare one a disbeliever for rejecting any fundamental commandments of Islam. They linked to the term Riddah, meaning apostasy.

Mainstream View

By mainstream, we mean the views expressed by the overwhelming majority of Muslim Jurists, recognised interpreters of the Quran (Muffasirun), established scholars of Hadith (Muhaddithun) and al-Rasikha fi al-ilm (Scholars well-grounded in knowledge). These Muslim Scholars, in their writings, have cautioned Muslims against calling a fellow Muslim a Kafir (Disbeliever).

Kufr

Kufr means disbelief, and an act leading to Kufr means Mukaffir. In Sharia, there are two types of Mukaffir, the first type means sins that remove one from Islam, while the second meaning indicates committing sins that do not take one away from Islam. The first type of Kufr that can take one away from the religion of Islam, denying the existence of Allah (SWT) and the second type of Kufr includes committing major sins like adultery, taking intoxicants, disobeying parents etc.

Excessiveness in Takfir

Mainstream scholars identify the factors that lead to excessiveness in Takfir, namely:

- i. Lack of proper understanding of the Quran and Sunnah of the Prophet (SAW).
- ii. Lack of vast understanding of Islamic and Arabic Studies.
- iii. Arbitrarily applying terms and phrases of Shariah like Iman (Faith), Islam (Submission), Kufr (Disbelieve), Fisq (Dissoluteness or wickedness), Zulm (Transgression), Shirk (Polytheism), Masiyah (Disobedience), Nifaq (Hypocrisy), and Jahiliyya (Ignorance) to agree with specific desires of the Boko Haram insurgents without resorting to their qualifications in the Shariah.
- iv. Complex ignorance (al-Jahl al-Murakkab). Scholars viewed that this is one of the main causes of extremism in Takfir.
- v. Lack of knowledge of Maqassid al-shariah (Objectives of Shariah).
- vi. Excessive extension of prohibitions despite textual warnings against that.

The Boko Haram Narratives



- i. i.To the Boko Haram, if a Muslim engages in something that contradicts the Boko Haram extremist understanding of the oneness of God (Tauhid), such a Muslim becomes a disbeliever.
- ii. ii.Upholding a constitution and believing in parliamentary legislations in a secular state contradicts the Islamic concept of Tauhid, which is tantamount to worshipping Taghut (false gods) and one therefore becomes an infidel (kafir).
- iii. iii.Promulgating laws in parliaments are an act of Kufr.
- iv. iv.Those who accept the secular system of governance and support it are disbelievers.
- v. v.Ruling with that which Allah did not reveal is also an act of disbelief.

Boko Haram supported their narratives with the following verses of the Quran (al-Maida 5:44-45 and al-Maida 5:47) which were misconstrued and inappropriately interpreted due to their inadequate knowledge of the Quranic texts and their meanings.

The Alternative Narratives

The mainstream Muslim jurists have agreed that if one commits an act of disbelief, it does not necessarily lead to Takfir, until all requirements of Takfir are met without any impediments.

- i. On the issue of accepting a secular system of governance or supporting it, does not remove a Muslim from Islam.
- ii. On the issue of not judging according to what Allah (SWT) has prescribed, the Mainstream Muslim scholars gave some conditions by saying that whoever rules with a law different from the revelation of Allah (SWT) becomes a disbeliever if he or she believes:
 - i. That ruling with a law that is different from the revelation is better.
 - ii. That the law of Allah (SWT) is the same as the laws of others or
 - iii. That it is permissible even if it is contradictory with the revelation of Allah (SWT) or
 - iv. when he denies the revelation.





MODULE SIX

Jihad and Establishment of an Islamic State

The Meaning of Jihad according to Mainstream Scholars

Jihad literally means exhausting efforts and ability in speech or action. Technically, Jihad is an intensive and absolute effort in pushing the enemy either with hand or tongue or with whatever means and ability are available. In another statement, even speaking the truth before a tyrant ruler is described as the best form of Jihad: the best Jihad is to speak up truth in the face of a tyrannical ruler.

Status of Jihad in Islam

It is important to note that there are no disagreements among the mainstream scholars that Jihad is compulsory whenever the necessary conditions arises. The obligatory status of Jihad has been clearly stated both in the Quran and the Sunnah of the Prophet (SAW). In the Quran Allah (swt) says: fight in Allahs cause against those who fight you, but do not transgress the limits. (Q 2:190-194)

Objectives of Armed Jihad

In the teachings of Islam, Jihad has never been fought to secure territorial gain or colonization, rather, it is embarked upon to attain lofty goals, which include among others:

- i. establishing justice on earth and repelling injustice
- ii. make the Word of Allah (SWT) superior, as the Prophet (SAW) was reported to have said: whoever that fights to make the Word of Allah (SWT) superior, it is the cause of Allah (SWT)
- iii. freeing the weak from persecution and torture on account their religion as attested in (Quran 4:74-75)
- iv. preventing the killing of innocent people and driving Muslims out of their homes.
- v. prevention of forcing Muslims to renounce their religion

The Mainstream Scholars emphasized that Muslim combatants should avoid wanton killing, aggression, the harming, and the killing of non-combatants, who are usually women and children. The killing of Monks, Nuns and Hermits, Pastors and Clerics, excessive cruelty (even against enemy combatants) as well as wanton destruction of the environment and indiscriminate killing of animals, burning of trees and mutilation of the dead (are all forbidden)).



A. The Boko Haram Narratives

Since Jihad is an important component of Boko Haram, they have developed the following arguments as part of their narratives in embarking Jihad:

- i. When rulers commit an act that is a clear disbelief, such as upholding democracy, ruling by constitution, and judging by that which Allah (SWT) did not reveal, then it becomes mandatory for Muslims to rebel against them or disobey them and where possible declare Jihad against them in order to overthrow them; and in its place, establish a just government that rules according to the provisions of Quran and Hadith/Sunnah.
- ii. They also argued that there are no lasting solutions to the problems of backwardness in religion and social affairs except through Jihad.
- iii. They further argued that Jihad is a religious obligation that must be undertaken by Muslims as there are many Verses from the Quran and Hadith statements that instruct and encourage Muslims to embark on Jihad.
- iv. Their reasons for waging Jihad on different towns is that they are abodes of disbelief and their dwellers are infidels, and Allah has definitively commanded fighting disbelievers.

B. The Alternative Narratives

1. upholding democracy and ruling by the constitution and judging by what Allah did not reveal does not necessarily imply that the ruler committed clear disbelief. The ruler can only be considered a disbeliever if he believes that man-made laws are better than divine legislation.
2. that Islam has put in place essential means of building the Muslim Ummah and finding solutions to their problems. These include preachings and counselling in the best manner, adherence to the provisions of the Quran and Sunnah. Jihad was not the starting point.
3. there is no doubt that Jihad is a religious obligation that must be undertaken by Muslims; but it is not allowed to embark upon it unless all its conditions and requirements are fulfilled.

e.g. wanton killing of women and children, aggression against an unarmed civilian population and destroying places of worship such as Mosques, churches and Synagogues etc. The most important condition generally accepted in the mainstream view is when Muslims are attacked. There is a clear consensus that Muslims are obligated to wage jihad in self-defense. But waging jihad for any other reason than self-defense is a subject of divergent viewpoints among Muslim scholars, as amply demonstrated in many books on the subject. The Boko Haram engagements in Jihad is in violation of Jihad conditions.



In conclusion, Boko Haram's perception of Jihad has failed to meet the requirements of Jihad and in its war against the People and Government of the Federal Republic of Nigeria and the Northeast region in particular, it has committed several atrocities that have nothing to do with the Islamic conception and perception of Jihad. Both Muslims and non-Muslims should understand that, throughout the history of Islam, no Muslim Community had indulged itself in permitting such heinous crimes committed by Boko Haram as Jihad. In historical context, most Jihads were embarked only in fulfilment of its necessary conditions prescribed by Shariah- the Islamic law to avoid losing their rewards from the Almighty Allah (SWT).

Establishment of Islamic State (The Caliphate)

The Mainstream Views on Islamic State

Muslim Scholars on the political development of Islam and the Muslim people asserted that the establishment of a state in Islam began with the emigration of the Prophet Muhammad (SAW) from Makka to Madinah. Muslim jurists agreed that at any given moment, the Ummah must have a leader and they must obey the ruler in accordance with the injunctions of the Shariah. Ibn Hazm said: all the Sunnis, the Murjites, all the Shiites and all the Kharijites agreed on the necessity of the Imamate (Muslim leadership) and the need to obey him so long as he obeys Allah and His Messenger.

Qualities of Leader of an Islamic State

The Qualities of a Muslim Leader according to the Mainstream Scholars are:

1. the Caliph must be just and possess all conditions for justice.
2. he must be intelligent and knowledgeable that he can independently reason in most circumstances.
3. he must be fit in body, mind and vision.
4. he must be prudent so that he can aptly resolve affairs of his people.
5. he must be brave so that he can protect his people and their properties.

Duties of a Muslim Leader

The minimum qualities for a Muslim Leader, are as follows:

1. safeguarding the religion so that it can be protected from any defection to maintain its sovereignty and upholding.
2. upholding justice by stopping the oppressor from transgressing so that the



oppressed can get the requisite justice.

3. protecting properties and safeguarding them so that people can enjoy their livelihood and travel around their domains peacefully.
4. establishing (Hudud) Capital Punishment to prevent people from disobeying Allah and maintain the rights of His servants.
5. protecting against any opportunity that may be or could be used by enemies to commit prohibited acts or shed blood of a Muslim or a dhimmi.
6. collecting Zakah and booty and distributing them in accordance with the law of distribution as stipulated by Shariah.

According to Imam ibn Taymiyyah, the true signs that a certain land is a land of Islam can be identified by the public acts of worship (shaa ir) of Islam. These (shaa ir) include a variety of Islamic rituals such as:

- i. the call of Azan to Prayer (without any restrictions), performance of five daily Congregational Prayers and the Friday Prayers.
- ii. Fasting during the Month of Ramadan (without hindrance), giving out the annual Zakah (Charity) as stipulated by Shariah and the performance of the Annual Hajj.
- iii. Conduct of the Muslim festivals (id el-Fitr and id al-Adha)
- iv. Recitation of the Quran (without any restrictions).
- v. Circumcision of the male child
- vi. Sacrificing animals to feed the poor

Imam Abu Hanifah opined that, for land to be Dar al-Kufr i.e the land of disbelief, the laws of disbelief are manifest.

The Boko Haram Narratives

1. Perception of Boko Haram on Establishment of Islamic State

- i. Modern States are formed on the basis of common law, decency and constitution. Boko Haram considers these State institutions Taghut and therefore, Muslims should rebel against such states. They argued that Muslims should establish in its place an Islamic State that rules according to the provisions of Quran and Sunnah.
- ii. To realise the establishment of a separate Islamic State of West Africa, Boko Haram justifies attacks and capture towns and villages. These captured towns were placed under the leadership of their Amirs and claimed that they are practicing Shariah Law. It is compulsory (fard) on all true Muslims to



migrate to their territory to defend and support it, as it is the only temporal authority recognised by Allah (SWT).

2. Perception of Boko Haram on Democracy

i.to Boko Haram, Democracy is the way of infidels and following its perceptions and systems and participating in it or through it is infidelity.

ii.the Boko Haram also claimed that sovereignty is for none but to Allah (SWT).

iii.to Boko Haram, those who follow the legislative system and agree to take their cause to the courts of law are in agreement with Taghut and therefore idolaters. Parliamentarians, Senators, House of Representatives and Members of State Assemblies have made themselves gods and are guilty of ascribing partners to Allah (SWT).

3. The Alternative Narratives on the Establishment of an Islamic State

i. Any conscious Muslim is aware that the creation of modern Islamic State including Nigeria are formed on the norms and value that are not in consonance to their established Islamic traditions and culture. So the absolute declaration that these States represents taghut by themselves tend to indicate that even though they are Muslims, but because of living within such a geographical entity are infidels unless they agree with their ideology (Boko Haram).

ii. Rebellion against rulers is prohibited in Islam unless they commit an explicit act of disbelief.

1. Most Muslim Scholars have expressed the opinion that a land of Islam does not turn into a land of disbelief because the symbols of Islam (Shaa ir al-Islam) are established in these lands. This is because even if disbelievers take over a territory of Islam, it does not turn into territory of disbelief unless such symbols of Islam like call to prayer, five daily prayers, Zakah, Hajj etc ceased to exist.

2. The claim that it is compulsory upon all Muslims to migrate to Boko Harams claimed State of Islam has no basis in either the Quran or Hadith. This is so, because migration was made compulsory on Muslims when they fear persecution because of their religion, or the weak members of the society are being abused and prevented from reverting to Islam. None of these are true regarding Nigeria of today.

4. Alternative Narratives on Democracy

It is worth noting that there is no disagreement among Muslim Scholars that some of the principles or embodiments of democracy consider as irrefutable truth are not



acceptable in the textual provisions of Islam? For example, the rise of sovereignty which in democracy belongs to the people is invalid. In Islam, sovereignty belong to Allah, the Most High and no law that contradicts the Law of Allah (SWT) shall be made as the Quran says: Authority belongs to Allah alone, and He orders you to worship none but Him (Quran 2:40).

In other words, participation in a democratic system is not tantamount to committing an act of disbelief that can remove one from Islam so long as a person does not:

- i. dismiss that which is revealed by Allah (SWT)
- ii. believe that man-made law are better than the divine laws
- iii. believe that man-made law is the same as the Law of Allah.





MODULE SEVEN

HIJRA (Migration)

A.The Mainstream View

Definition of Hijra

Lexically, the term Hijra means to leave and abandon. Technically, Hijra refers to leaving the land of disbelief to the land of Islam. the most rewardable type of migration is to run away to safe ones faith as embarked by Prophet Ibrahim (AS) in which the Quran says: Lot believed him, and he (Ibrahim) said: I will flee to my Lord: He is the Almighty, the All Wise (Q29:26).

Types of Hijra

Muslim Scholars classified Hijra into two types: the non-physical migration and the physical migration

The non-physical migration entails discarding disbelief, disobedience and sinful conducts. On this, the Prophet Muhammad (SAW) was reported to have said:

“An upright Muslim (submitter) is the one from whose tongue and hands people are safe and an upright Muhajir (emigrant) is the one who ees from what Allah has forbidden.”

The physical migration refers to moving from one place to another in order to protect ones religion like Prophets migration from Makka to Madina.

Motives and Goals of Hijra

Some of these motives and goals of Hijra are as follows:

1. Protection of the Religion
2. Protection of Life
3. Calling out to the way of Allah (SWT)

B.The Boko Haram Narratives

The Boko Harams Narratives on Hijra are:

- i. that those Muslims who live in countries or lands or territories governed by non-Islamic systems are considered as Abode of disbelief (Darul-kufr)
- ii. that Muslims must migrate from these areas to establish an Islamic State (Boko Haram)
- iii. Hijrah (migration) is compulsory upon all righteous believers based on command of the Quranic verses (earlier cited by Boko Haram) and the statements of the Prophet Muhammad (SAW) that believers must migrate from where they cannot practice their religion appropriately to where they can.



C.The Alternative Narratives

The Alternative Narratives are presented in sequence to the Boko Haram Narratives on Hijrah.

1. It should be recognized that an original Islamic territory cannot merely be turn into abode of disbelief as extensively explained in Module eight.
2. It is not in line with the objectives of Hijrah to command Muslims to migrate from where they are free to practice their religion and not persecuted.
3. In line with Boko Harams perception, assuming the Muslim countries of today are lands of disbelief, the goal of migration is for a Muslim to move from a place where he cannot practice his religion to a place where he can.





MODULE EIGHT

Relations with Non-Muslims

It has been observed that rejection of any form of positive relationship with non-Muslims is one of the strong views of the Boko Haram insurgents in their efforts to cause religious commotion in the country. However, Islam has advocated justice and kindness to non-Muslims, maintenance of good kinship relations as well as exchange of gifts.

A. The Mainstream View

i. Kindness to Non-Muslims

The Mainstream Muslims opined that Islam stressed the need for Muslims to establish their relations with non-Muslims on basis of moderation in conduct and kindness in deed. They support their position in the Quranic Verse which says:

“Allah does not forbid you to deal kindly and justly with anyone who has not fought you for your faith or driven you out of your homes: Allah loves the just.” (260:8)

A renown Muslim Scholar of the Quran, al- Zamakhshari said that, from the Verse above, Allah (SWT) does not forbid a Muslim from dealing kindly with non-Muslims who did not fight you, but he only forbade from loving them (at the expense the religion).

Imam al-Qurtubi also said that the Verse above was revealed on account of Asma bint Abubakars request of the Prophet (SAW) to allow her visit her non-Muslim mother. The Prophet (SAW) gave her permission to visit her non-Muslim mother who gave her earrings. The lesson to be learnt in the referred Hadith of Asma was that a Muslim person can interact peacefully with a non-believing parent. All the authorities cited above shows that the relationship between Muslims and non-Muslims are fundamentally based on peace, justice, goodness, generosity.

On the exchange of gifts, it was observed that one of the ways through which a persons heart can be touched and hatred is dispelled is through gifts. the Prophet (SAW) during his lifetime has sent gifts to non-Muslims, observed their occasions, and received gifts from non-Muslims many at times. He was said to have received gifts from various kings like Muqawqis, the ruler of Egypt, the King of Ailat, Ukaidar as well as Khosrow of Persia.

Here in Borno, the rulers were noted for giving gifts and titles to non-Muslims under their domains to strengthen Muslim and non-Muslim relations, Late Shehu Mustapha Umar El-Kanemi gave the title of Shettima Lugama of Borno to a German Scholar, Nobbert Cyfer; who is a Christian. Similarly, the present Shehu of Borno, Shehu Abubakar Garbai Al-Amin El-Kanemi gave the title of Shettima Ilmube of Borno to his friend and classmate, Professor Andrew Haruna; a Christian from Bauchi State. In fact, if we ignore the political biases, the current Governor of Borno State, Professor Babagana Umara Zulum Mni, FNSE sponsored a cross-section of Christians living in Borno State to go on Pilgrimage to the State of Israel.



Justice to Non-Muslims

Islam as a religion laid a lot of emphasis in giving justice to whom it is due. There are many Verses in the Quran that talked of implementing justice. In Surah Al-Maidah (5:8), Allah says:

“ you who believe stand out firmly for Allah as witnesses to fair dealing and let not the hatred of others to make you swerve to wrong and depart from justice. Be just: that is next to piety: and fear Allah. For Allah is well-acquainted with all that you do.”

Al-Qurtubi said: the Verse above indicates that the disbelief of a disbeliever should not prevent doing justice to him and that killing in the battlefield should be limited to combatants, and mutilating them is not permissible. These conducts should be applied even if they kill our women and children and hurt us with filthy things from which we are banned. We should not retaliate in the same manner to make them feel similar pain and agony.

In the Muamalat (social relations/transactions), permissibility has been granted to Muslims to eat the food of the People of the Book (Jews and Christians) as well as marrying their chaste women. Muslims are also encouraged to show natural love to their non-Muslim relations, to visit their non-Muslim relations, to accept their invitations etc.

The Boko Haram Narratives

According to Boko Haram, it is lawful to kill non-Muslims (in Nigeria) because they are Harbiyyun (those engaged in war with Muslims). This is because there is no covenant or truce between Muslims and non-Muslims in Nigeria. This is based on their misinterpretation of Quran Chapter 9, Verse 12 which says:

“And if they break their oaths after their treaty and defame your religion then fight the leaders of disbelief for indeed there are no oaths (sacred) to them (fight them that) they might cease.”

In one of his preachings, Muhammad Yusuf argued that there is no any treaty of safety between the Muslims and followers of other faiths in Nigeria. Where was the treaty entered into? Where is the treaty paper? Which leader (Caliph or Amir) executed it? What are the conditions contained therein? It is nothing but a lie. Any Muslim scholar who tells you that there is a treaty of safety between Muslims and the disbelievers is a liar, he is from the party of the disbelievers.

The Boko Haram went on to assert that even if such covenant or truce of protection exists, it shall only be applicable to non-Muslims when there is an agreement which is specified for a period of time. Even if there is such agreements in Nigeria, it has no limit and as a result invalid.



Lastly, even if such agreement existed, it was not documented as the Prophet (SAW) did with the Quraysh of Makkah during the Treaty of Hudaibiyyah.

A. The Alternative Narratives

In Islam, one of the objectives of Shariah is the protection of life; this means that it is prohibited to kill any non-Muslim who have entered treaty with Muslims; the basis of this rule was the Treaty of Hudaibiyyah. where the Prophet (SAW) entered a treaty with the polytheists of Makkah to suspend fighting between them for ten years (to protect loss of lives and properties) and promote peaceful co-existence between the Muslims and non-Muslims.

Among the agreements the Prophet (SAW) consented included erasing his name as the Messenger of Allah, preventing him from entering Makkah for the performance of that years Hajj and many other humiliating and unfavorable clauses were incorporated in the treaty agreements which the Prophet Muhammad (SAW) accepted. Some Scholars commented that some of the clauses were full of injustice and degrading to Islam and Muslims; yet the Prophet (SAW) consented. Is this an outright disbelief or infidelity? The Prophet (SAW) agreed with them all and abided by them, seeking a lasting solution for Islam and the Muslims.? In other words, honouring a covenant between Muslims and non-Muslims is compulsory as long as the latter fulfill their part, as stipulated in Quran 9:4.





MODULE NINE

Western Education

A. The Mainstream View

Position of Seeking Knowledge in Islam

Muslim scholars classified knowledge into two: religious and non-religious. According to the consensus of the Muslim scholars, pursuit of knowledge of the religion is compulsory; each and every individual Muslim must acquire it (Fardain) or it can be a collective obligation (fard kifayah). They further stated that acquisition of non-religious knowledge can either be obligatory (Wajib), recommended (Mustahab), permissible (Mubah), disliked (Makruh) or forbidden (Haram). To Muslims, all types of knowledge that are critical for the survival needs of the Ummah are considered essential, its acquisition is a collective obligation (Fard Kifayah) on Muslims. Imam Nawawi said that: Whatever that is not a religious knowledge but Muslims need it for their worldly subsistence, such as Medicine, Agriculture, Commerce, Security, Education, Engineering, Administration etc. are essential for public good and public benefit (Maslahah) and for the general survival or for the good of the society. Acquisition of these kinds of knowledge is Fard Kifayah.

Furthermore, Muslim scholars observed that knowledge can also be received from non-Muslims so long as it is beneficial to the Muslim community. This can be seen when the Prophet (SAW) ordered that in order for the non-Muslim captives of Battle of Badr, to free themselves, they should each teach ten (10) Muslim children to read and write. He did this in order to benefit from their education, even though they are still disbelievers.

Western Education in Nigeria

Prior to the introduction of Western Education in Nigeria, the Islamic system of education, using the Arabic Alphabets has been in use for centuries. It was the main medium of communication and intellectual expression. In fact, it was the lingua franca of the mainstream Muslim domain of Borno and Sokoto. Literacy levels and rates are determined by the amount of knowledge accumulated through the Islamic system for centuries until the arrival of the Missionaries and British Colonial authorities into the domains of Borno and Sokoto and Nigeria in general.

The colonization of Muslim lands by the British colonial authorities and its complete subjugation led to the adoption of the western system of education in curricula and contents and the gradual replacement of Islamic system of education flourishing in Muslim lands of Nigeria. During this time, the Islamic System was downgraded by the colonial government on the one hand and the missionaries on the other. It was feared that the participation of missionaries can lead to conversion of Muslim children into Christianity, a fear which led the locals to resist sending their children to the schools. Among the Kanuris, the level of resistance was so high that those few taking their children to Western Education Schools are referred as K ɓɓa



Kɔrdiye School of the disbelievers now referred to as Boko Haram (Western Education is Forbidden). However, the perception that Boko was Haram during the colonial period is contrary to the perception developed by Muhammad Yusuf and his group.

B. The Boko Haram Narratives

This section will present the Boko Haram Narratives on Western Education in brief.

- i. According to Boko Haram, the first and most dangerous of the poison they injected into the Muslim Ummah was the school, which is the worst of the cultural imperialism they waged upon. They changed all signs of religion of Islam in those schools and educated the Muslim children in their tender ages.

Muhammad Yusuf, founder and leader of Boko Haram was said to have extensively referred to the work of a prominent Saudi Scholar, Ibn Abdullah Abu Zayds titled: Al-Madaris Al-Alamiyya Al-Ajnabiyya Al-Istimariyyah: Tarikhuha wa Makhatiruha (Global Foreign and Colonialist Schools: Its History and Dangers) to support his position.

- ii. Boko Haram argued that mixing of males and females (Ikhtilaf) and uncovering or wearing impermissible attires (tabarruj) are allowed in the western system of education in Nigeria and this is Haram (forbidden). They use the following Verse of the Quran to support their arguments:

“ stay at home and do not go out your home as they used to in the pagan past (Q 33:33)

To Abubakar Shekau study in the present Nigerian Educational System is Haram; to quote him:

“ The system has disputed everything Allah () has revealed. It is in conflict with Islam on everything even on (a small thing like) a needle. I swear by Allah () that those who go to school do not believe in the existence of Allah.

Shekau went further to cite the synopsis of a book titled Dafi Boko da maganinsa (The Poison of Conventional Education and its Cure) written by Sanusi Iguda of Bayero University, Kano. In the Book, Sanusi said:

“ The philosophy of conventional education is to at least train people who are African by blood and skin but westerners by ideology training and thinking separating politics and religion women's right (because) Allah did not accord women's rights nationalism disputing the existence of Allah and imitating westerners in dressing marriage funeral Finally selfishness.”



Thus, from the discussions above, Boko Haram held that it is forbidden for any Muslim to send his child to a conventional school. In fact, Muhammad Yusuf said, it is so because these conventional schools corrupt the faith of Muslim children by teaching them subjects, ideas and theories that conflict with Islam. Yusuf cited a Hadith of the Prophet (SAW) as supportive evidence which says: Every infant is born upon natural instinct, but his parents turn him into Jew or Christians or Magician.

In addition to prohibiting studying in schools, Boko Haram warned Muslims against permitting their landed properties to be used for schools and also against working in the conventional schools. They believe and preach that Muslims are not permitted to teach even Islamic Studies and Quran in these schools, that any money earned by a Muslim from these schools is forbidden so also every kind of help is forbidden. They cited the Verse below to support their statement:

“Do not help one another towards sin and hostility” (2 5:52)

Boko Haram concludes that sending ones child to these schools amounts to betrayal of Allahs trust and His Messenger; so Muslims should abstain from taking their children to Boko.

C. Alternative Narratives

1. The fact that a particular knowledge originated from non-Muslim sources does not make such a knowledge prohibitive. According to Imam Al-Amin Al-Shinqiti, Muslims relations with Western Educational System is such that a Muslim should accept only what is good and useful and discard or reject what is unacceptable from the Islamic point of view.
2. On their quotations and references to the works of some other scholars, it is quite evident that Boko Haram picks from these scholars what is most convenient to their arguments and leave the rest. These are quite visible in their quotations and interpretations of the Quran and Hadith/Sunna as well as from the work of Ibn Abdullah Al-Madaris Al-Alamiyya. The author published this work with the intention of warning Muslims against sending their children to Missionary and Jewish schools established in Muslim countries by Western countries after the declaration of the New World Order with the intention of waging an ideological warfare against Muslims.
3. The third category is the subject matter of Abu Zayds book. As a result of weak understanding, Boko Haram generalizes the authors views on the Missionary Schools to include Nigerian Schools and brand them as (Al-Madaris Al-Ajnabiyya). Boko Harams views on this issue are perverse and contradicts the contents of the book they have been citing to defend their views.

As far as the Mainstream Scholars are concern, Muslim have need to this type of knowledge in the Conventional Schools and they should not hesitate to acquire it.



4. Mixing males and females at schools alone does not make these schools prohibitive; instead, Muslims have been commanded to avoid anything that is against the Shariah as much as possible. And if there is any way to change the narrative, if they can do it.

It is also worthwhile to note that, mixing male and female in schooling environment is prevalent in most Muslim countries so also in other spheres of life such as Markets, Commercial Vehicles, Hospitals, Parks etc. The group did not prohibit these interminglings based on the mixing of genders nor did it prohibit trading on Markets or riding cars based on mixing genders. Therefore, mixing of male and female does not in any way make one to be a disbeliever in the school environment.

Clearly, Islam embraces all sheds of knowledge and allow Muslims to acquire it as long as it does not contradict the injunctions of the Quran and statements and practices of the Prophet (SAW).





MODULE TEN

Serving Under a Non-Islamic Government

The Mainstream View

Working under a non-Islamic Government is one of the issues propagated by Boko Haram to prohibit people from working. Some Muslim Scholars agreed that it is lawful for a righteous person to work for a non-Islamic government or ruler provided he does not command such person to do something which goes against the Law of Allah (SWT). The Scholars cited the example of Sayyiduna Yusuf (who is a Prophet of God) agreed to work under the King of Egypt as Allah (SWT) said in the Qurán: Yusuf said: put me in charge of the nations storehouses: I shall manage them prudently and carefully. (Q 12:55).

Al-Qurtubi stated that it is permissible for one to accept the appointment of a non-Muslim ruler if the employee truthfully does his or her work without the non-Muslim rulers interference. This was because Prophet Yusuf was appointed as Treasurer with full authority and carries out his duties without further interference from his non-Muslim ruler.

Furthermore, some Scholars also agree that it is lawful to accept the appointment of a non-Muslim ruler where the righteous and knowledgeable man knows that injustice and detriments cannot be lifted upon the people but through accepting the appointment of the disbeliever.

- i. The Boko Haram Narratives Boko Haram declared that any government that is based on democracy and constitution is not an Islamic Government. Therefore, taking any position in such a government is prohibited.
- ii. Boko Haram also stated that accepting employment under an infidel government is considered as part of giving absolute loyalty to its system and leaders.
- iii. They argued that, in such situation, Muslims are duty-bound to rebel against it and replace it with a just government that rules by the Book of Allah (SWT) as stated in the following Verse of the Quran which says: Do not rely on those who do evil or the fire may touch you, and then you will have no one to protect you from Allah, nor will you be helped (Q 11:113)

From the Quranic Verse cited above, Boko Haram held that a ruler exercises his authority through the law and Allah explained that obeying the unbelievers leads one to apostasy (rida); and if you obey them (the unbelievers) then you become idolaters.

Boko Haram also cited some Hadith of the Prophet Muhammad (SAW) which they claimed to have proved the impermissibility of obeying a known infidel and taking up employment under such a Government.



A. The Alternative Narratives

1. Working in a non-Islamic Government does not necessitate consenting with the system. Some workers may be working for the government for their livelihood or for promotion of public good or interest (Maslahah). If it is generalized to say: working for such government is not permissible in all circumstances, it shall also be generalized this ruling in all spheres that are related to government.
 - ii. On the permissibility of working under a non-Islamic government, some Scholars reasoned with the position of Prophet Yusuf (AS) who sought a post under the government of non-Muslim ruler in order to realize the public good and its benefits.
 - iii. Muslim Scholars have also agreed with the story of al-Najashi (Negus), the King of Abyssinia (Ethiopia) who was said to have acknowledged the religion of Islam, but remained a ruler for a government that did not accept Islam.
2. Boko Harams claim that working under a non-Islamic government is tantamount to giving allegiance to it is ruling on peoples intention without proof. Issues of disbelief in working under a non-Islamic can come in when a person believes that some statements within the constitution conflict manifestly with the injunctions of the Quran, the statements of the Prophet (SAW) or stipulations in Shariah.

Clearly, it is inappropriate for Muslim to withdraw individually or collectively, their participation in a government whose decision shall adversely or negatively touch their lives and handover their affairs to others who have no interest in protecting or defending their rights and privileges as Muslims under a non-Islamic government.



Conclusion

This Manual has been written as a guide to conducting community forums to discuss the justice requirement for sustainable peace and reconciliation in communities devastated by the Boko Haram insurgency. Given the chaotic contexts in which Boko Haram insurgents committed gross violations of human rights and destruction of properties, it is not possible for the formal criminal justice system to provide the justice that the victims deserve. Yet, there can be no peace and reconciliation without justice. Therefore, GARCB steps in to contribute to find solutions to the predicament that injustice presents to sustainable peace and reconciliation.

Section One of the Manual provides Islamic guidelines for negotiating alternative mechanism of satisfying the justice imperative. Based on the recognition that transitional justice is the most feasible option to address the justice imperative, Section One draws from the rich traditions of Islam to articulate practical ways to pursue transitional justice.

Section two of the Manual examined the major views of the Boko Haram narratives on Takfir (excommunication), Jihad, Establishment of an Islamic State or Caliphate, Hijrah (Migration), Relations with non-Muslims, Western Education and Serving under a non-Islamic government. The ideas of Boko Haram on these are shallow, weak, and very extreme, and they are not correctly based on established Islamic Scholarship. Therefore, both Muslims and non-Muslims are well-advised to reject the extremist teachings of Boko Haram.



Appendix

Lessons and Exercises for Sulhu Sai Da Adalci Community Trainers

This Appendix provides a practical guide for GARCB Sulhu committee members/trainers on how to organize Sulhu dialogue sessions in their communities.

1.	Early program design including detailed conflict and security situation analysis, gender analysis.
2.	Identifying community stakeholders for partnership and beneficiaries for the Sulhu/Adalci capacity building workshop
3.	Mobilization of participants for the Sulhu dialogue sessions by team of GARCB community mobilizers.
4.	Selection of Sulhu/Adalci dialogue committee members based on performance and contributions during capacity building workshops.
5.	Training of the Trainers: this involves building the capacities of relevant community stakeholders such as community and religious leaders, youth and women groups.
6.	Ensure inclusivity: broad-based participation of all stakeholders in the Sulhu/Adalci dialogue session including former combatants, victims/survivors, people with disabilities, women and youth.
7.	Mapping of communities for the implementation of step-down training on Sulhu /Adalci dialogue. At this stage it is important for Sulhu/Adalci organizers to select communities based on impacts of the conflict and diversity.
8.	Facilitate and organize a bi-weekly Sulhu/Adalci community dialogue in the selected BAY states by the Sulhu Committee members
9.	Ensure the use of ATJLF Sulhu Sai Da Adalci Manual as guide to community dialogue
10.	GARCB project team will ensure Monitoring and Evaluation through periodic follow-up meetings to evaluate progress and identify challenges with trainers



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