



Problems Militating Against the Successful Implementation of Sharia Legal System in Bauchi State, Nigeria

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ABSTRACT

This study aims to investigate the primary challenges hindering the successful implementation of the Sharia legal system in Bauchi State. The research endeavors to identify and elucidate these major challenges and propose possible solutions. Sharia, as a legal system, brings about positive changes within the Muslim Ummah, and it is imperative for Muslims to lead a dignified life as individuals destined to represent Allah on Earth. The absence of Sharia, i.e., Islamic law, in our society poses internal and external threats. This study seeks to determine the extent of the problems impeding the full implementation of the Islamic Sharia legal system in Bauchi State and aims to provide remedies for the situation. Furthermore, the study utilized questionnaires to shed light on the respondents' perspectives regarding the active problems hindering the complete implementation of the Sharia legal system in the state. The findings of this study hold the potential to benefit the Muslim Ummah significantly once the Sharia legal system is effectively implemented.

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INTRODUCTION

In an attempt to describe the background of this study, it is very important to describe the history of Bauchi state, it is known now as Bauchi, was until 1976 province in the then north eastern state of Nigeria, according to census 2006 the state has an estimated population of 4,663,066. Bauchi state has gone through tremendous transformation over the years, it forms part of Bauchi Plateau of the then Northern region, until the 1967 state creation exercise when Bauchi Borno and Adamawa provinces constitute the former north eastern states, with the creation of the Bauchi state in February 3, 1976, then comprising present Bauchi and Gombe state, it includes 16 local governments, in the then Bauchi state was increased to 20 and later to 23 LGA. However, in 1996 when Gombe state was created out of Bauchi and additional local government were created in the country, Bauchi state was left with 20 local governments where sharia law was adopted in June 2001. However, the half of it

population are Muslims, the state was predominantly Muslims with Hausa Fulani, the constant movement of population particularly in context sharia.

Islam has been practice in a Bauchi state, since around the eleventh century, sharia has been applied in northern part of country not only in the state alone, before and during the colonial period, it has been in force. At least since the Islamic Jihad led by Shehu Usman Dan fodio and the establishment of Sokoto Caliphate in 1804, however, some scholars have argued that, it was established even earlier in Kanem Borno (in present day Borno state).

In Nigeria various attempt have been made by several Islamic leaders to properly implement sharia legal system. Dan Fodio's Islamic Jihad and propagation serve as typical example. Dan Fodio tries to penetrate in to the northern part of Nigeria to replace completely traditional rulers who were not practicing real islamic sharia, who were referred as oppressors.

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Despite the fact that, he succeeded but the spread of Islamic sharia was not in the mind of the Muslims leaders of the north.

However, this made the administrators at the beginning of democracy in 1999 in their first regime tenure to re-implement sharia legal system in some state of the nation/federation, nevertheless the sharia was associated with so many weaknesses. It is therefore, the main problem of this research is to analyses and examines the problems militating against the proper implementation of sharia legal system in Bauchi state, and to find the possible and reasonable solution to the problems.

The finding of this research will be significant to executive the task force on sharia implementation, legislatives and the Muslims of the state and the Nigeria at large. This research work is very significant toward the solving the problems which exist on the process of implementing the Shari'a legal system, it will also stimulate or provoke other attention from various part the state and beyond to adopt Islamic Shari'a system, in order to achieve the benefits or bounties of sharia system. Sharia is a law by Allah (SWT) and which is to be the uncreative inflexible (it can never be change) like the common law, which a, Manmade law. This is because it is a direct command by Allah, which indicates collection of each and every corner, which is said to be exist over whelming power of Allah over his creation.

In other word sharia present directions for regulation of individual life as well as collective live of mankind, this directive actually touches various family relationship social and economic affairs. Base on that, sharia covers all aspect of human's life, where Allah says..... nothing we have omitted from the book (6:38). According to Abdurrahman 1.D01 2001 defined sharia as an Arabic word, which means "the path to be followed". In other hand sharia means "the way to a watering place" it is a path shown by Allah the creator Himself through his messenger the prophet Muhammad (PBUH). In islam Allah alone is severing and it is he who the right to path for the guidance of mankind. Therefore, sharia it is the

only that live rate man from servitude to the than Allah,

Allah (SWA) "said in the glorious Qur'an "we made for you a law, so follow it and no the desire of those who have knew not" the absolute knowledge which is required to lay down a path for human life is not possessed by any group of people. In the word of Sayyid Qutbu "they are a equipped with nothing but faces and ignorance when they undertake the task which is no concern of theirs, and does not properly belong to them, their claim is one of their properties of divinity is a great sin and great evils".

According to Abul-ala Al-mauduti defined sharia as an Arabic word, which is means the fundamental religious concept of Islam, it is the religious law of islam is also seen as the expression of God's commands for Muslims. In application, constitute a system of duties that are incumbent upon all Muslims by virtues of their religious belief. Sharia known as path leading to the watering place, and also is a law represent a divinely ordained path of conduct that guides Muslims toward practical expression of religious conviction in this world and the goal of divine favour on the world to com.

In addition, the Islamic sharia differ from western system of law in two principal respect. In the first place, the scope of sharia Is much wider since it regulates the individuals' relationship not only with neighbors and with the state, which is the limit of most other legal system, but also with God and with individual's own conscience. Ritual practices such as daily prayers (Salat), aims giving (Zakat), fasting (Sawm) and pilgrimage (Hajj) are integral part of Islamic law.

The second distinct between sharia and western legal system is consequence of Islamic concept of law as the expression of the divine win, the death of the prophet Muhammad (S.A.W) In 632 direct communication of the divine will to human being ceased and the terms of the divine revelation were hence forth fixed and immutable. According to Lena Salaymen 2015 consider Islamic law as diverse legal system that have been and continue to be produced with the objective of being in accord with the Islamic faith. Islamic legal system operate in multiple and sometimes dis

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continuous way. In other hand Islamic law refers to juristic interpretation (Fiqh) of a divine law.

There are some people who take after provision of the Islamic panel code out of their context, and Jeer at them, but they do not release that, those provision are not to be wired with the background of the whole Islamic system of life, the economic social provincial and educational sphere of authority, if these entire departments are not working than those isolated provision of over panel code can certainly work no miracle. There are two main sources of shariah which are: - Primary Source and Secondary Source. The primary and secondary sources are clearly spell out. The Qur'an (5:50) it is only the shariah Qur'an and Sunnah that initiate the very essence of law (fiqh) or any other things in Islam and demarcates its legal bearing.

The first primary source of shariah is the holy Qur'an, the book of Allah sends through the prophet Muhammad (S.A.W) it contains guidance for the knowledge interpreted by Allah and the guidance for the men who are righteous for all time to come it is a declaration (Bayan) of the truth, and light (Nur) it show the right path, it is the wise (Al-hakim) and complete exhortation, and the clear message (Al-Balaq) it is the rape of Allah by holding which individual and nation can achieve solution. It is the remedy (Al-Shifa) for all spiritual ailments on men. It is a constant reminder (Al-dhikir) for all of us, that will not come and more for our guidance. It acts as criteria (Al-firqan) to choose between trust and falsehood.

The Qur'an provides code of conduct for every believer and commandment (AMR) and a warrant (Tazkir) for him. It injunction are manifest (Muhsin) sublime and bless (Mubarak). The first revelation of the Qur'an began on fifteen night of Ramadan in forty one years of the prophet life. It first sura was revealed in the cave of Hira, when the verse was recited to him like that "read in the name of your lord, and described who created man of mere clot of congealed blood proclaimed and your lord is most beautiful". The Qur'an was revealed in piece meal witting in a period of twenty-two years and the second sources of Islamic shariah, is the tradition of the prophet. The Qur'an was reveal to the prophet Muhammad (S.A.W) who never spoke

on his desire but hold what Allah had revealed to him, the Qur'an bears witness these fact "he does not say of his desire it is no less than aspiration send down to him".

It is for this reason that after Qur'an which God words and the first source of Islamic Shari'ah, Hadith as second as hidden revelation (Wahay), the Qur'anic verses gives support to those fact, when it is saying "and we have send to you also the messenger, that you may explain clearly to men what is send to them what they may give through". In reality the entire life of the prophet (S.A.W.) Whatever had did or said was according to the teaching of the Qur'an and hence, if the event of his life and teaching are taking together with all then the hadith we get in to practice by messenger of Allah himself of the divine revelation. Therefore, the tradition of the prophet (S.A.W) is important in the development of Islamic Shari'ah legal system.

Objectives of the Study

The research attempt to find out the problems militating against the implementation of sharia with due emphasis on Bauchi state. In addition, this research will try to discover the solution to those problems the people are in their need of sharia law, and this problem is serving as a stumbling block toward the proper and successful implementation of sharia.

Research Questions

This research provides answers and solutions to the following fundamental questions.

- i. Does sharia has impact in Bauchi State?
- ii. What the problems militating against the implementation of Sharia in Bauchi state?
- iii. How sharia be implemented in future in Bauchi state?
- iv. Who is a responsible of going ahead in solving the problems?
- v. How recent sharia legal system applied in various part of the state?

Objectives and Characteristics of Islamic Sharia

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Let us now proceed to understand the scheme of life envisaged by the shariah. To understand that we should start with clear conception of the objectives and fundamental of the Sharia. The main objectives of Islamic shariah, is to conduct a human life on the basic of ma'arufat (Virtues) and to clean it munilavant (vices). The term ma'arufat denotes all the virtues and good quality that have always been accepted as (good) by human conscience.

Conversely Mubarak denote all sins and evils that have always been condemned by human nature as "evil". In short ma'arufat in harmony with human life nature and requirement is in general. And munkarat are just the opposite. The Shariah give a clear view of these ma'arufat and munkarat and state them as the norms to which the individual and social behaviour should conform. The Shari'ah does not, however, limit it functions to providing us with an inventorying of vartures may flourish and vices may not condemned human life.

To achieve this end shariah has embraced in its scheme all factors that encourage the growth of food and has recommended steps for the removal of implement that might prevent its growth and development. This process give rise to subsidiary series of ma'arufat consisting the course and means initiating and nurturing the good and further of ma'arufat consisting prohibition of preventives to good, similarly, there is subsidiary list of munkarat which might initiate or allow growth of evils.

The shariah shapes the Islamic society in a way conducive to the unfettered growth of good vartures and truth in every spheres of human activities in all direction. And at the same time remove all impediments in the part of vartures. Along with it in attempts to eradicates evils from its social scheme by prohibiting vices, by obviating the courses of its appearance and growth by closing the in let through which it creeps in to society by adopting different measure to check it occurrences.

The Characteristics of Islamic Shari'a

The Islamic shari'ah therefore prescribed directives for the regulations of our

individuals as well as collective life, there directives touch such varied subject as religious rituals personal, social, moral habits, family relationship, right and duties of the citizens, judicial system, law of war, peace and international reaction. in short it embraced all the various department of human life. This directives reveal what is good and bad, what is beneficial and useful, and what is injurious and harmful and what are virtuous which we have to cultivate and encourage and what are the evils which we have to surprises and guard against, and what is sphere of our voluntary, untrammled personal and social action, and finally, what way and means can we adopt in establishing such a dynamic order of society.

The shariah therefore, it is a complete scheme of lift and all-embracing social order where nothing is super flours and nothing is lacking. By exclusion from the concept of shariah, every authority other than that of a defined above, we are leasing it both in its concept and its applicability from the accumulated heritage of difference influence introduced by various jurist and their school of law. With what all Muslims believe to be the words of Allah in the Qur'an, and with its human interpretation by the prophet in his traditions. Shari'ah or Islamic shariah aims to provide complete guidance in order to a person live their life in accordance to the will of Allah. Allah says "We made for you a law follows it, and no the fences of those who have no knowledge"

Brief History of Sharia Implementation

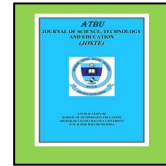
Before the arrival of the colonial masters to the Northern state of Nigeria, the Islamic Shariah used to be in existence for man, years a comprehensive Islamic political and legal system which were brought about by Sokoto caliphates and Borno Empire. However, consequently, upon the introduction of the colonial rule and imposition of the so-called common law in the region, the Islamic system were gradually relegated down and substantially phase out. As part of colonial transformation in judicial system of the region, they introduced two types of court.

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Emirs Court:- which has jurisdiction over cases of murder, inheritance and disputes over the title for farm land. Islamic law was applicable law in this court.

Native Court:- which was named by Alkali and customary law were applicable in this court, which has the both civil and criminal jurisdiction provided that "it will not be contrary to public policy equity and natural justice". The verdict of these court was always subject to affirmation by resident officer who has been empowered by the law to establish and confer jurisdiction on these types of court. From the decision of these court less, in another court rather known as the west African court of appeal (W.A.C.A) which has jurisdiction to hear and determine appeal from the decision of the two set of court mentioned earlier, the court was empowered to see a side any decision of the emirs court on Islamic matters help upon consulting Ulama (scholars), merely on the ground that is repugnant to the colonial interest and confirm those which promotes their ideals.

The court had set a side many human decisions such as; - stoning to death, amputation and so forth, therefore unfavorable situation had continued until when the issue of Nigeria independence started to become the talk of town. A London constitutional conference of 1958, was convened at the instance of Nigerian independence, at this conference was that; one condition was led down by colonial masters for the Nigeria independence, no one shall be tried for any criminal offence, unless under a written law just like the English law.

The representative of the southern part of Nigeria at that conference, unlike their counterpart from the north and western, no time in accepting the condition. Conversely the northern delegates comprising of Sir. Abubakar Tafawa Balewa, Sir. Kashim Ibrahim were finally forced to circuiting to colonial pressure and unwillingly accepted the conditions in order to ensure a hitch free independence.

According to lawyer, Islamic law was not a written law despite the fact that there is no religious law on this earth, which vividly spelt out in writing relationship between God and man and his offspring.

Man and his fellow human being rules their followers like Islamic law. This position cause serious concern to the northern leaders, in particular the entire northern Muslims in general. For this reason northern government has decided to adopt a panel code, which then applied in some Muslims countries like, Sudan and Pakistan. The new panel code was passed in the law by northern permanent on the independence by 1st October, 1960.

Sharia in Nigeria before and after the colonial masters

According to Trimmingham, the Qur'anic school and the Qur'anic school and the shariah court started in northern Nigeria. When Islam was introduced into Borno, through two path Northeast via like-chad and Northwest via futa Jallon mountains from the on slaught of the Abbasid victories over the Umayyat dynasty in 750 A.H landed them in Kanem Borno State.

Islam naturalized with the Hausa custom and traditional religion of paganism before the arrival and activities of Shehu Usman Danfodiyo in (1754-1817). Muslims scholars and teacher and his brother to investigate Islamic and Sharia law in the entire northern Nigeria, to implement the spirit of Sharia law, Danfodiyo conduct a Jihad for the total Islamization in Northern region of Nigeria to rid the area of laxity among the entire Muslim umma.

Before the death of Usman Danfodiyo, his son Muhammad Bello who live up to (1837) as the amir Al-muminun in Sokoto, he received Shariah and ruled the entire northern region as the Sokoto sultanate with the implementation of Shariah law, since it was applied to only Muslim. The Shariah was disrupted with the coming of European led by lord Fredrick lugard in (1902-1903).

In 1906 he established eight courts for the northern with only one for each of the following town, like Kano, Katsina, Daura, Hadeja, Katagum, Gumel, Kazaure, Misau and Jama'are. This was immediately followed with the nature court proclamation ordinance in 1906 which gave them power on the native courts.

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Lord Lugard recognized the importance of separating Shariah court from the non-Muslims, hence the establishment of the customary courts. In the non-Muslims areas as equivalent to Alkali court, known as the area court in Muslim areas, in this situation the Shariah civil court deals with personal status and family law, while Shariah criminal court deals with criminal law.

Lugard administration made it mandatory that, Christian's missionaries should not operate in the Muslims locality without the consent of the emirs. According to Mahmud A.B. (1988) "in 1956 a native court bill was passed to make a distinction between Muslims and non-Muslims, and provided procedures for cases involving each group in pluralist and secular society like Nigeria". The Nigerian government allowed the existence of many religion i.e Christianity, Islam and traditional. In 1957 the northern Nigerian Muslims court were established, and in 1958, the northern Nigerian government appointed a panel of jurist to make recommendation involved radical changes, which implies how English and Islamic law should be accommodated in Nigeria as obtained in India and Sudan.

The Panel recommended the enacting of criminal law which will apply uniformly to all people living in northern Nigeria, and which will not discriminate against any Section of the community, since the majority of people in Northern Nigeria are Muslims, the criminal law should not be in conflict with the injection of the holy Qur'an and Sunnah.

The sharia controversy cropped up during the drafting of Nigerian constitution in 1976 the palaver rocked and divided the members as the Muslims members wanted the Sharia to be incorporated in to the court, while to Christians members are rejected the view. Stressing that, the sharia should apply only to the Muslims, it was resolved that, the Nigerian courts should adjudicates for all Nigerian either Muslims, Christian and tradition, the Nigerian courts/constitution as pluralist, secular state assert that, all religion are equal before the law, the both sharia court and customary, civil court of appeal exist at state level.

The Islamic Shariah in Bauchi State

Bauchi State is one of the Northern states in Nigeria, it also contained many different ethnic groups like; Hausa, Fulani, Sayawa, Jarawa, Warjawa, Ningawa, Bare-bari and Kare-kare among others. The Islamic religion domination over 75% of the population of the state, the sharia was established since the time of Sheikh Usman Dan Fodio's Jihad in 1837. The Islamic sharia in Bauchi state was also affected by colonial rule, by the year 2000, the house of assembly base on section (4.6) 275 of the 1999 constitution legitimized the full application of Islamic sharia in the country, where by the many Muslims leaders celebrated the anniversary of the application, in attendance. Bauchi state implement and purify it local government, as a result of implementation of sharia, many Muslims evils acts were alleviated among the Muslims in most town and village in the state. They prohibit things like prostitution, drinking alcohol, gambling are being reduced to the minimum.

Problem of Shariah in Bauchi State

According the staff officer, Bauchi state Sharia commission is a special interview on 27 of July 2023 said that, there are two major problems militating against the implementation of Sharia in Bauchi State, they are; -

- i. **Lack of good Leadership in the state: -**
Insufficient leaders in the state as major problem in implementation of the sharia in any state not only in Bauchi state, more over lack of good leadership can used to both leader and entire subordinate of shun away from teaching of Islam. Due to the insufficient knowledge of Islam in some leaders can lead them to the selfish, corruption and greedy, in their government territories of the state.

Corruption and greediness are clearly present among the leaders, while remember leader are the mirror to the society, and the society or people living in that very society are the imitators of all of their behaviors more especially youth, how the Islamic sharia can be accepted without total submission by government.

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- ii. **Lack of understanding of what sharia means:** - Among the people of Bauchi state is the major problem of full implementation of Islamic sharia, some people do not understand their religion well, this they are ignorant of what sharia means, it is kind of people can cause many problems, like breaking laws and orders of the sharia, and making conflict between people and those who have the responsibilities of over-looking affairs of the sharia like Hisba committee.

The above are the two major problems of the sharia in Bauchi state, which depends heavenly on "ignorance" because ignorance is a disease among the Muslims community and can only be solved when they understand the concept of Islamic religion very well, ignorance can lead to both leaders and the entire people to commit any prohibited activities like kidnapping and robbery. Most of people are ignorant about the sharia precept, but they only inherited the region only, but do not care to study it well, where by leaders are the mirrors to their followers, if the leaders are of good characters. The people of that state or society should also have good character. If they are bad, also the society should be bad, because there is strict action on whoever violate any unacceptable action in the society, thus when government is full with ignorant, leaders' no one can stop them from any wrong doing, or to respect the rules and regulations governing by the cherisher of universe. i.e. Allah.

Steps to be consider for the successful implementation of Islamic Sharia Legal System in Bauchi State

The following are three steps to be consider for implementation of Islamic sharia legal system in Bauchi state are include; -

- i. Good leadership
- ii. Awareness about what sharia means
- iii. Islamic education has to be shared among the Muslim communities every L.G.A in the state.
 - i. **Good Leadership:** - this refers to an accepted way of ruling people base on the teaching of the Qur'an and Sunnah of the prophet (S.A.W), it is also seen as ruling a group of people for their benefits in the society. Good

leadership also brings mutual understanding, respect, obedient, patience and law abiding in the state society of the state.

A good leader should be acknowledging both religion and western knowledge before to become a leader, and also most to be honest, respectful tolerant and respect of the people right, and must to be secure the life and properties of any member under his domain, such kind of leadership contribute greatly toward the successful implementation of sharia in the state or the society.

- ii. **Awareness of what about sharia means:** - awareness means to understand something new. In this situation, government should ensure that, the entire Muslim Umma fully understand what sharia means all about, through state tour and enlightenment, this enlightenment purposely is to orient the Muslim Umma on what sharia is, and it is the responsibilities to every Muslim toward successful implementation of sharia system in the state. And also public lectures will be made and useful dialogue the 20 local government officials, imams, umma, and traditional rulers in terms making people realize the important of sharia system the benefit of this state, in the world and hereafter.

- iii. **Islamic Education:** Islamic education is very vital aspect among the people for the implementation of the sharia. Knowledge of the Islamic make people to understand the religion in order to practice it according to the teaching of Qur'an and Sunnah of the prophet Muhammad (S.A.W), knowledge of Islam make people to understand their contribution toward the development of their religion through the participation in many religious activities, like forming group in terms of preaching here and there, contribution for building mosques and Islamiyya school for teaching Islam books.

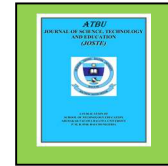
According to Abdurrahman I.DO "at this present day ignorance is also reduced among the Muslim Ummah as a result of globalization, and also this globalization attract many Muslim on luxury life instead of using it on how to improve their religion" This government has a responsibility of ruling its members to bring an appropriate

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manner base on teaching of the Qur'an and tradition of the holy prophet's Sunnah.

METHODOLOGY

The researcher employed the field experimental study, no scientifically procedure to find out something by using questionnaire, mean for the problems militating against the full implementation of sharia legal system in Bauchi state by using this individual can be able to respond on whether implementation can be achieving or not. The population of this research consist scholars, Hisba abd officer in Bauchi state sharia commission officers and some colleagues at Adamu Tafawa Balewa College of Education Kangere. The sample for this research is randomly drawn from various government and nongovernmental organization in some local government of the state, for instance. The reason behind this sample was drown from total population of fifty respondents was drown as follows: - Ten knowledgeable student, ten erudite scholars ten those who work under shari'ah court, ten Hisba Committee, and ten Islamic Judges. The questionnaire for this study will develop by the researcher.

The instrument faces content validation by the instructor and other researcher, after undergoing series of correction by supervisor by

adding relevant information to the questionnaire. It will be perfectly good to be administer on the respondent in order to obtain standard information for this study. The procedure adopted for data collection is textual information for this composed both primary and secondary source of information. Primary data include those date that where the researcher administered to one group of question to the student, this type of data normally makes use of structured questionnaire mainly.

While the secondary data include Islamic texts book, Islamic journal qur'anic text, juristic book, and Hadith of the noble prophet Muhammad (S.A.W). The instrument used for this research is a structured questionnaire of ten items. Questionnaires were structured and rate in two options as follow agreed and disagreed i.e. Yes or No. Data collected will analysed using both qualitative and quantitative techniques. Quantitative analysis was done through table and percentage to help summarize and present the information professionally. On the other hand, qualitative analysis of data was done by categorizing information into significant themes.

RESULTS

Research Question 1: Does sharia has impact in Bauchi State?

Table 1: Shariah System important to the All Spheres of Life

| Variables | Respondents | Percentage |
|-----------|-------------|------------|
| Yes | 31 | 62% |
| No | 19 | 38% |
| Total | 50 | 100% |

From the above, it shows that 31 questionnaires were answered Yes, i.e., 62% and 19 questionnaires were answered No representing 38%.

Research Question 2: What the problems militating against the implementation of Sharia in Bauchi state?

Table 2: Islamic Shariah Bring Rapid Development to the Muslim Society

| Variables | Respondents | Percentage |
|-----------|-------------|------------|
| Yes | 30 | 60% |
| No | 20 | 40% |
| Total | 50 | 100% |

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From the above table, 30 teachers indicated that they use mother tongue as a medium of instruction from primary 1 – 3 in the schools. While 20 teachers answered No.

Research Question 3: How sharia be implemented in future in Bauchi state?

Table 3: Islamic Shariah Bring Unity Arid Solidarity to the Muslims

| Variables | Respondents | Percentage |
|-----------|-------------|------------|
| Yes | 41 | 82% |
| No | 09 | 18% |
| Total | 50 | 100% |

From the above table, 82% responses show that if mother tongue is used as a medium of instruction it can improve the performance of students on their related subjects. While 18% says No.

Research Question 4: Who is a responsible of going ahead in solving the problems?

Table 4: Shari'ah Implemented in the State in Compare to What the Holy Book Stated

| Variables | Respondents | Percentage |
|-----------|-------------|------------|
| Yes | 18 | 36% |
| No | 32 | 64% |
| Total | 50 | 100% |

The table above indicated that 64% of teachers responded No, while 35% responded Yes.

Research Question 5: How recent sharia legal system applied in various part of the State?

Table 5: People of the State Highly Interested in Shariah Legal System

| Variables | Respondents | Percentage |
|-----------|-------------|------------|
| Yes | 41 | 82% |
| No | 09 | 18% |
| Total | 50 | 100% |

From the above table, 82% responses show that if mother tongue is used as a medium of instruction it can improve the performance of students on their related subjects. While 18% says No.

origin as compared to any other man made secular legislation in the assembly by man who ardently, opposed it is their interest. The laws of Islam are firmly base open the sharia and are therefore, in the interest of the people as whole.

DISCUSSION

The sharia originated from the direct commandment of Allah, but there is the provision of power given to man in order to interpret and explain divine commandment by means of analogical deduction and through other process, this is the reason why there is a greater degree of flexibility in the sharia, mainly due to the divine

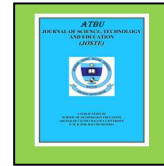
The Qur'an injunction from which derive the sharia are further explained and translated in to practice by tradition of the prophet that is Sunnah, literary mean way, practice, rule of life and refers to the exemplary conducted or the modern behavior of the prophet S.A.W. Therefore, it become a very important source of the sharia only second in authority after the holy Qur'an. Beside the Qur'an and Sunnah, the consensus of

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opinion of the erudite scholar and Jurists, it is known in sharia terminology. In chapter one of this research project the researcher discussed on what sharia and problem militating against the successful implementation of sharia in Bauchi state. And the study also looked at the purpose and the important of the study and the research question were framed in order to guide the work, while some terms were also defined.

A review of related literature was embarked upon the researcher, while a brief account of what sharia means, its historical antecedent in Nigeria before and after colonial rule, sharia in Bauchi state, problem of sharia implementation in Bauchi state, steps to be taken for successful implementation of sharia in a state the review literature indicated the major problems such as lack of enough Islamic education of both leaders and the followership in Bauchi state. Chapter three leaving with kind of methodology, the researcher uses in carrying out this research, the researcher prepared 100 questionnaires with ten questions, which were distributed among ten selected sample areas. In chapter four, the researcher presented data collected in the table and section, where by the questionnaires has two option agreed and not agreed, that is Yes and No, these questionnaires were filled base on the respondents can did option and understand. At the last, the researcher discussed the finding based on the option of the respondents in which question and section and also according to the table, the result of finding is done in percentage.

CONCLUSION

To conclude this research, one has to know that the problems militating against the implementation of sharia in Bauchi state, which are; Lack of good leadership in the state, and lack of understanding what the sharia means, in order to achieve this, the leadership has to be run base on what Islam design to it entire member in order to enable them establish successful sharia implementation and also the Muslim member has to know the meaning and the responsibility of sharia on each and every individual in Islamic society. And also the Islamic education has to pursuit by each and every Muslim knowledge of

Islam make people to understand their religion in order to practice it according to the teaching of Qur'an and Sunnah of the prophet, knowledge of Islam make people know their contribution toward the development of the religion through participation in some religion activities.

The sharia implementation also gives every individual special right both Muslim and Christian, because the Muslim are under the custody of sharia and also the sharia is under the custody of Muslim, the sharia provides mutual agreement between Christian who they are not Muslim in Bauchi state as well as what the Islam provided. Finally, by following all these methods and strategies the problem militating against the implementation of Sharia legal system should be curtained in Bauchi state.

RECOMMENDATIONS

On the basis of finding of this study, it is recommended that;

1. Since the problem of sharia implementation in Bauchi state are mainly due to reason which include among others, lack of good leadership and lack of understanding of what sharia mean, these two major problems, seriously affected sharia implementation in the state so that local government should work hand to hand one with to improve the situation.
2. This can be done by keeping the people fully enlightened on the importance of sharia legal system toward the development of the socio-economic and the benefit of the hereafter, because sharia is path of shown by Allah, the creator himself through his messenger, prophet Muhammad (S.A.W).
3. The Islam knowledge a foundation that should be improve to ensure that, the people see the value of Islamic sharia and also government has a responsibility to implement the sharia since the total power at their hand and to ensure that nobody is about the laws.
4. The researcher also recommending that ignorance among both leader and followers is a factor that makes the sharia implementation difficult.



5. It was also recommended that full sharia implementation can only be done by the state government, government should be enlightening people through making different occasion like;
6. Weekly preaching, special tour and so forth to make the fully understand what sharia means.
7. Lastly, government should put more concentration on sharia and given it more than total power without any interference from any section or quarters.
8. And also the sharia commission members should be well trained for effective handling of their activities.
9. Therefore, with this little or few recommendation, if something done definitely there will be new dimension in the field of sharia implementation in Bauchi state.

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