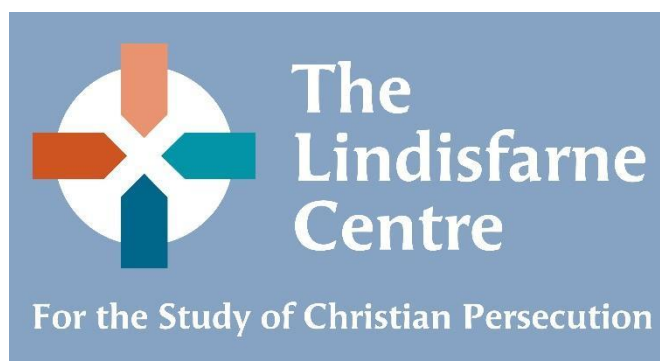


Lindisfarne Analysis



Christians at Risk of Genocide:

Radicalisation and Traditionalist Islam among the Fulani

The religious background to Fulani militia attacks on Christians in Nigeria's Middle Belt

Executive Summary

The religious element of the large-scale killings in the Middle Belt of Christians and other non-Muslims by Fulani herders is NOT merely incidental, with the herders happening to be Muslim and the settled farmers happening to be mainly Christian.

The killings exhibit significant similarities to the frequent raids on non-Muslim villages in the Middle Belt which were undertaken by Fulani until only 3-5 generations ago. These raids were justified on the basis of provisions in Maliki shari'a relating to jihad, slavery, booty and land seizure.

There is also significant evidence from across the West African Sahel that jihadist groups are deliberately seeking to exploit local grievances, including specifically among the Fulani in order to radicalise them.

Some Fulani are radicalised to the Islamist ideology of international jihadist groups and become part of the organisational structure of local affiliates of these organisations. However, there is little evidence that the Fulani attacks on villages inhabited by Christians and adherents of African Traditional Religions in the Middle Belt are directly linked to jihadist organisations.

What is far more plausible is that the actions of these jihadist organisations have inspired groups of Fulani to re-awaken the traditionalist form of Fulani Islamic belief and practice which prior to the commencement of colonial rule at the start of the twentieth century, involved regular raids on the non-Muslim villages in the Middle Belt to gather booty, including livestock and slaves. This is clearly a different form of radicalisation from that of those who join international jihadist groups, although the common ground it shares with them in terms of seeking to engage in jihad, clearly means it should be recognised as a form of radicalisation.

Climate change is undoubtedly a major part of the context in which the current violence in the Middle Belt is taking place, however, it forms the context, rather explaining the primary motivation or justification for the violence.

If this is the case, then it means that urgent action, which recognises the religious element of the attacks, urgently needs to be taken to avoid large scale religious cleansing and possible genocide.

On the basis of this analysis, two future risks are identified: First, if jihadist organisations are seeking to radicalise the Fulani then given the deep, extensive and recent involvement of Nigerian Fulani in slavery within the last 4-5 generations, then there clearly must be a significant risk that at some point the present spate of killings and ethno-religious cleansing of Middle Belt villages could broaden to include this.

Secondly, the question arises as to why Boko Haram, who were the world's most deadly terrorist group in 2014, killing more people than even Islamic State, have allowed the Fulani to far outstrip them in the number of non-Muslims killed since 2016. It is possible, that the answer lies in the discord and splits in the organisation combined with military setbacks at the hands of the Nigerian security forces. The alternative explanation may be that it is pursuing a strategy of strategic patience, maintaining a lower level presence in the Nigeria/Cameroon/Chad border regions, while waiting for the Fulani attacks to religiously cleanse the Middle Belt of its non-Muslim population.

Reasons for research report

There has been a massive escalation in killings associated with Fulani herders and Christian farmers in Nigeria's Middle Belt since 2013/14. The victims are overwhelmingly Christians or adherents of African Traditional Religions (ATR) and the alleged perpetrators are overwhelmingly Fulani Muslims. The killings of Christians particularly have reached the point where in 2018 the Nigerian House of Representatives declared killings in the predominantly Christian villages of Plateau State to constitute "genocide".

Despite this NGOs and western media repeatedly insist that the primary cause of the killings is a herder/settled farmer conflict based on competition for scarce resources of water, grass and land which has been exacerbated by climate change driving the herders further south. In this narrative, the religious factor is incidental i.e. the herders just happen to be Muslim and the settled farmers happen to be non-Muslim.

Such explanations are regarded with deep frustration by many Christians in the affected area and Nigerian Christian organisations who point out the destruction of more than 500 churches by the Fulani herders and the use of Islamic cries such as Allu Akbar by the Fulani attackers.

Moreover, it is only a minority of Fulani herders who are engaged in the attacks. The climate change explanation on its own, therefore does not explain why some Fulani are engaging in such attacks and others not

The frustration of Christian villagers, particularly in relation to the perceived lack of security protection from the Nigerian government has led to some young men from the Christian community forming their own defence forces to defend their villages, which have regrettably sometimes undertaken reprisal attacks.

This research is therefore urgently needed to properly understand the extent to which religious factors are a primary, rather than incidental cause of the conflict.

Research methodology

This research is based on desk-based analysis of existing published sources. It does not involve participant observation or field-based data collection. A formal Research Ethics analysis has been undertaken.

Introduction

The Fulani

The Fulani number an estimated 20 million living across West Africa, but are concentrated particularly in Guinea, Mali, Niger, Nigeria and Senegal as well as Burkina Faso, Cameroon, Chad and Mauritania.

A recent paper from the Observatoire of Arab-Muslim World and Sahel programme of the Fondation pour la Recherche Stratégique describes the Fulani way of life

Traditionally, the Fulani are transhumant herders, and they remain so, for the most part, even if gradually a certain number of them have become sedentary, both because of the constraints imposed on them by the progress of desertification in certain regions, because of their dispersion and mobility that encourage exchanges and miscegenation and because some governments have set up programmes aimed at settling the nomads. The

vast majority of them are Muslim, almost all of them in many countries. Historically, they have played an important role in the breakthrough of Islam in West Africa.¹

Whilst there has always been a degree of friction between herders and settled pastoralists, in recent years this has escalated significantly in the area of Nigeria commonly referred to as the Middle Belt. In the last decade there has been a sharp escalation of attacks experienced by villages inhabited by either Christians or adherents of African Traditional Religions (ATR) in both the North and Middle Belt of Nigeria.

According to the Global Terrorism Index, the number of killings carried out by Fulani militants increased dramatically from 63 in 2013 to 1,229 in 2014.² This increase coincided with the spike in killings by Boko Haram which increased to 6,644 making it the world's deadliest terrorist group.³ However, despite this, in 2016 both the number of attacks and the numbers killed by the Fulani exceeded those by Boko Haram.⁴

There is little evidence of direct links between Boko Haram and Fulani militias, other than the former's attempts to recruit Fulani. However, the sudden spike in killings by both groups in 2014 does raise the question as to whether Boko Haram actions may have in some measure inspired the Fulani attacks. The question is particularly pertinent.

The nature of attacks

It is always difficult to verify estimates of the number of victims in any persecution context, particularly where it involves intimidation and violence by non-state actors. It is nonetheless significant that there is a consensus that many thousands of people have been killed in Nigeria's Middle belt region in the last decade.

What is equally significant is that the casualty figures indicate this is a distinctly asymmetric conflict. The lack of government security intervention has in recent years regrettably led to some Christian youths forming their own militias, which on occasion have gone beyond defending to their own villages, to sometimes undertaking revenge attacks on uninvolved Muslim communities. However, what is very clear is that taking the conflict as a whole, the overwhelming majority of victims are Christians or adherents of African Traditional Religions, while the overwhelming majority of perpetrators have been Fulani Muslims.

If this was simply a herder-settled farmer conflict one might expect to see the casualty figures primarily reflecting those defending their farms. However, there are repeated reports of significant numbers of men, women and children being killed in villages, sometimes being tied up, before being killed. Some killings appear to have a ritual element.

Nor is it simply farm buildings and nearby houses which are burnt. Hundreds of church buildings have been specifically targeted, suggesting a religious element. The 2019 Report by the UK All Party Parliamentary Group on International Freedom of Religion or Belief

The APPG received numerous reports that Christian pastors and community heads are specifically targeted. During many of the attacks, herders are reported by survivors to have shouted 'Allah u Akbar', 'destroy the infidels' and 'wipe out the infidels.' Hundreds of churches have been destroyed,

¹ *Fulani People and Jihadism in Sahel and West African Countries* (Paris: Fondation pour la Recherche Stratégique, 2019).

² *Global Terrorism Index 2015* (Sydney: Institute for Economics and Peace, 2015) 22.

³ *Global Terrorism Index 2015* (Sydney: Institute for Economics and Peace, 2015) 4.

⁴ *Global Terrorism Index 2017* (Sydney: Institute for Economics and Peace, 2017) 24.

including over 500 churches in Benue State.⁵

While a March 2022 field visit report by Humanitarian Aid Relief Trust, International Organisation for Peace Building and Social Justice and Christian Solidarity International drew attention to the distinction between the Fulani militia who attack Christian villages and the Fulani involved in more general attacks in the North of Nigeria

The term 'Fulani militia' is used to describe well-armed groups composed of men of Fulani ethnicity who carry out attacks in the Middle Belt. They are distinct from so-called 'Fulani bandits' in the northwest, who mainly attack Hausa Muslim communities, and Fulani in the northeast, many of whom are victims of attacks by Boko Haram.

Adding that

Fulani militia repeatedly demonstrate a clear intent to target Christian leaders, Christian villages and symbols of Christian identity. Their attacks are organised and systematic. Armed with sophisticated weaponry, they destroy homes, farmland, churches and orphanages. They assert their right to land by settling their cattle, re-naming the village and threatening anyone who seeks to return. According to the Southern Kaduna Peoples Union, Fulani militia have occupied and settled in 145 Christian communities in the southern part of Kaduna state, accounting for some 10 per cent of the region's land.⁶

A 2018 report by the Crisis Group stated that "What were once spontaneous attacks have become premeditated scorched-earth campaigns in which marauders often take villages by surprise at night."

The nature of attacks has also changed, now increasingly taking the form of scorched-earth campaigns that kill scores, raze villages and burn down farms. Operating more audaciously, the militias now obstruct and engage security units sent to stop violence and, in some cases, kill police and troops.

It added that

an estimated 300,000 people have fled their homes. Large-scale displacement and insecurity in parts of Adamawa, Benue, Nasarawa, Plateau and Taraba states hinder farming as well as herding and drive up food prices.⁷

The Crisis Group report also drew attention to the highly sophisticated nature of the weapons used by Fulani attackers.

In fact, some Fulani militias are now so well armed that one army General in Adamawa claimed that troops had to use rocket-propelled grenades in order to prevent them from attacking Bachama villages.⁸

This level of sophistication raises the question as to who was supplying them.

In 2018 the Nigerian House of Representatives declared killings in the predominantly Christian villages of Plateau State to constitute "genocide" and urged the government to take decisive steps to stop the killings and provide security to communities which had suffered repeated attacks.⁹

⁵ *Nigeria: Unfolding Genocide An Inquiry by the UK All Party Parliamentary Group for International Freedom of Religion or Belief* (2019).

⁶ Humanitarian Aid Relief Trust, International Organisation for Peace Building and Social Justice and Christian Solidarity International Joint Visit Report March 2022 *Breaking Point in Central Nigeria? Terror and Mass Displacement in the Middle Belt* (HART-UK, PSJ-UK, CSI-USA, 2022) 8.

⁷ *Stopping Nigeria' Spiralling Farmer-Herder Violence* (Crisis Group, Africa Report No.262 26 July 2018).

⁸ *Stopping Nigeria' Spiralling Farmer-Herder Violence* (Crisis Group, Africa Report No.262 26 July 2018).

⁹ James Emejo and Senator Iroegbu, House Designates Plateau Killings as Genocide, *This Day Live News* 4 July 2018 <<https://www.thisdaylive.com/index.php/2018/07/04/house-designates-plateau-killings-as-genocide/>> [accessed 15 March 2023].

Geographical spread

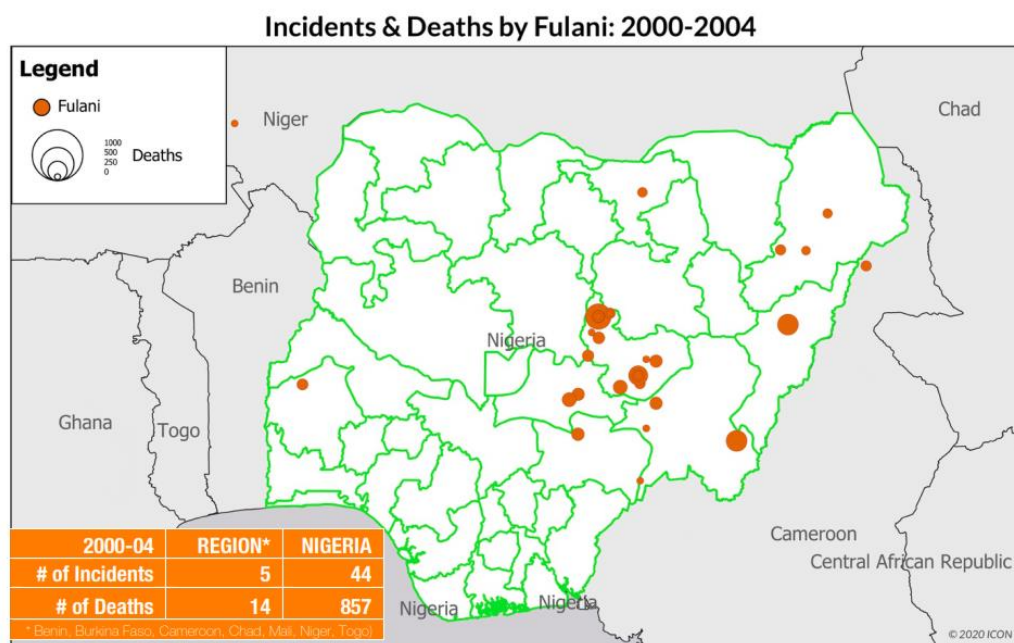
Maps of attacks by Fulani herders produced by the Global Terrorism Index in 2018 indicate that between:

2010-12 these were predominantly, though not exclusively around Plateau and Bauchi states.

2013-15 the attacks spread significantly both south and east, with a further new major centre around Zamfara and Katsina states in the far north west.

2016-18 attacks continued to spread eastwards, westwards and southwards from the original centre in Plateau and Bauchi states. However, Zamfara and Katsina states were no longer major centres of attack.¹⁰

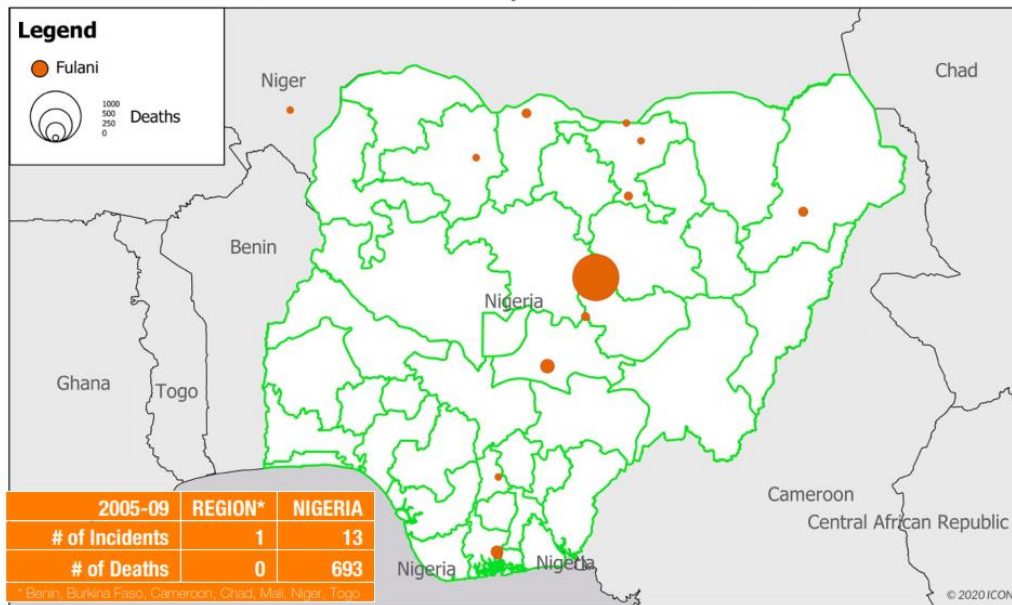
Similar maps have been published more recently by the International Committee on Nigeria (ICON).¹¹



¹⁰ *Global Terrorism Index 2018* (Sydney: Institute for Economics and Peace, 2018) 57.

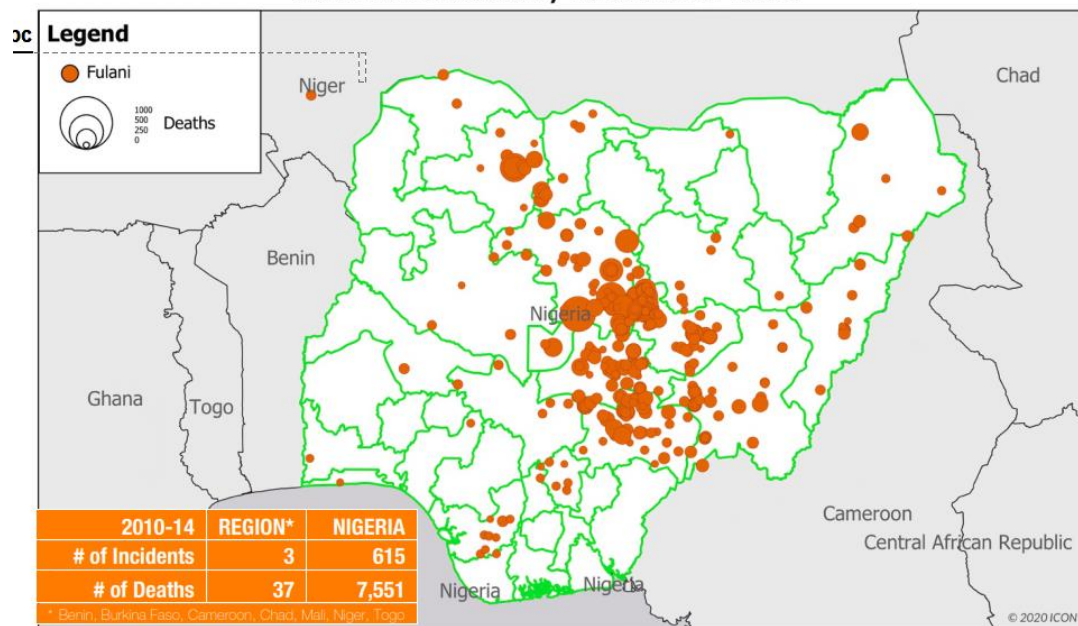
¹¹ *Nigeria's Silent Slaughter* (Falls Church, VA: ICON, July 2020) 127-28.

Incidents & Deaths by Fulani: 2005-2009

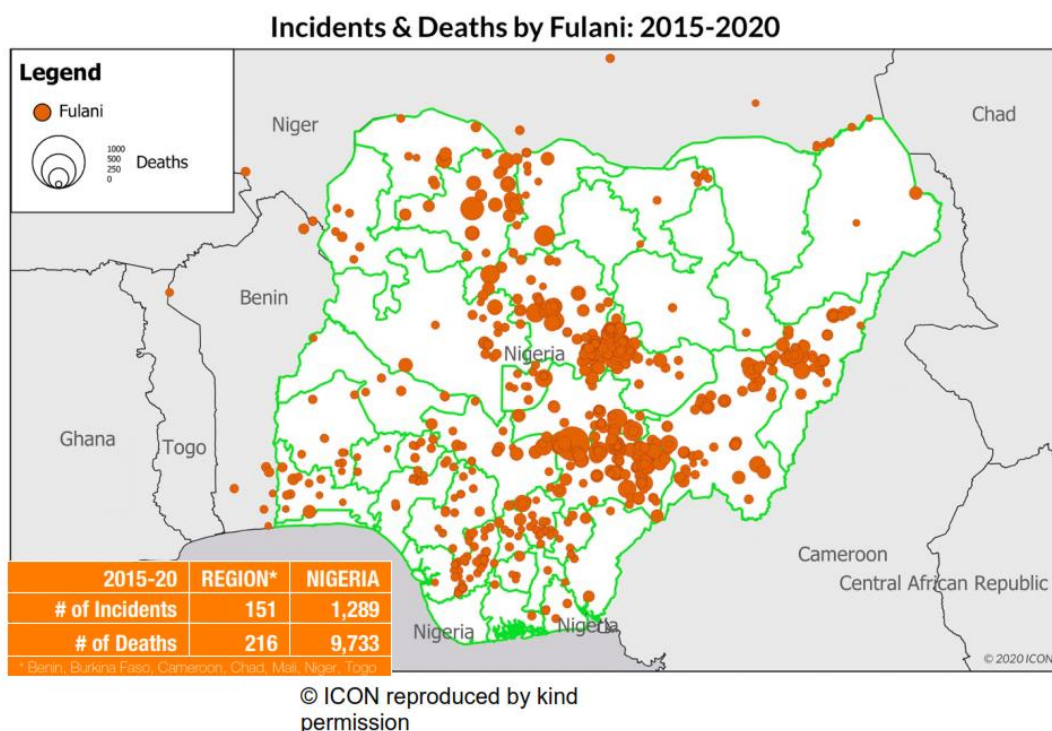


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Incidents & Deaths by Fulani: 2010-2014



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One of the most geographically significant terrorist attacks in the last three years was the June 2022 attack on a Catholic church in the town of Owo in Ondo State which killed at least 50 people. Whilst the overwhelming majority of terrorist attacks take place in the north or Middle belt, this was in the south west. The attack was attributed by local people to the Fulani,¹² although the government later arrested a number of suspects who it stated were members of Islamic State West Africa Province (ISWAP).¹³

The regional picture

It is important to understand that the Fulani attacks are not confined to Nigeria. Between 2010 and 2016, Fulani extremists were responsible for 466 terrorist attacks and 3,068 fatalities in four countries.¹⁴ As such, these attacks cannot be explained by factors which are specific to Nigeria, such as particular land laws, even though these may have a secondary impact.

One of the differences between jihadist groups, such as Boko Haram and the Fulani is that while the former tend to kill members of the security forces and civilians in equal numbers, the overwhelming majority of those killed by the Fulani are civilians, whether in Nigeria or Mali.¹⁵

¹² For example, 'Ondo church: massacre a direct attack on Yorubaland – Afenifere' *Vanguard* 5 June 2022 <<https://www.vanguardngr.com/2022/06/ondo-church-massacre-direct-attack-on-yorubaland-afenifere/>> ;

¹³ 'We have arrested Owo church attackers says CDS' *The Guardian* 9 August 2022 (Nigeria) <<https://guardian.ng/news/we-have-arrested-owo-church-attackers-says-cds/>> [both accessed 27 March 2023].

¹⁴ *Global Terrorism Index 2017* (Sydney: Institute for Economics and Peace, 2017) 76.

¹⁵ *Global Terrorism Index 2018* (Sydney: Institute for Economics and Peace, 2018) 56 gives an estimate of 89 percent of the estimated 1,700 deaths attributed to the Fulani between January-September 2018 being civilians.

They also operate structurally in a very different manner, with the Fulani having no single leader or well multi-layered hierarchical structure directing them.

Attributed causes

A wide range of western NGOs¹⁶ and media¹⁷ have portrayed this as being primarily a herder/settled farmer conflict driven by climate change forcing the herders south, with the religious element of the conflict being incidental i.e. the herders are Fulani Muslims and the settled farmers are non-Muslims, particularly Christians. It is unquestionably true that climate change has significantly affected the marginal lands of West Africa with rainfall having declined by 20 percent over the past four decades.¹⁸ However, it is less clear either that the assertion that climate change is the primary cause, or that religious factors are simply incidental can be easily verified.

Whilst acknowledging the complexity of a multiplicity of underlying factors, this narrative has recently been challenged in reports by both the UK All Party Parliamentary Group for International Freedom of Religion or Belief and in a 2022 joint visit report by Humanitarian Aid Relief Trust, International Organisation of Peace Building and Social Justice and Christian Solidarity International.¹⁹

Since 2019 the Global Terrorism Index has begun to draw attention to the deliberate attempts by jihadist groups to exploit both existing herder/settled farmer conflicts and other grievances among the Fulani through the use of ethno-religious narratives to recruit them. In 2019 it specifically warned that:

Tensions between the Fulani, the majority of whom are Muslim, and farmers, of whom the majority in Nigeria for example are Christian, is largely driven by economic causes and low levels of Positive Peace. However, extremist Islamic groups such as the Front de Libération du Macina (FLM) in Mali have, and may continue to, build from these underlying grievances and recruit susceptible members of the Fulani ethnic group through the use of ethno-religious narratives. The FLM, which formed in 2015, has similar stated goals and methods to al Qa'-ida in the Islamic Maghreb (AQIM). The FLM was responsible for approximately 12 per cent of terror attacks in Mali in 2015 and 2016. These attacks were responsible for ten per cent of deaths from terrorism in Mali during these two years.

It then went on to warn that there was a particular risk of radicalisation among the Fulani in Nigeria leading to increased killings by the Fulani there:

Of particular concern is the increasing terror threat from radicalised Fulani in Nigeria, where there is already an ongoing violent conflict between herders and farmers. The ongoing conflict over land use in Nigeria has been exacerbated by worsening droughts, erratic rainfall and land degradation. This has contributed to thousands of deaths in recent years...²⁰

¹⁶ For example, Amnesty International *Harvest of Death: Three Years of Bloody Clashes Between Farmers and Herders in Nigeria* (2018) <<https://www.amnesty.org/en/documents/afr44/9503/2018/en/>> [accessed 22 March 2023].

¹⁷ cf for example, 'Making sense of Nigeria's Fulani-farmer conflict' *BBC* 5 May 2016 <<https://www.bbc.co.uk/news/world-africa-36139388>>; 'Farmer-herder in Nigeria's Middle Belt could blow up into a civil war' *France 24* 28 April 2021 <<https://observers.france24.com/en/africa/20210428-farmer-herder-crisis-in-nigeria-s-middle-belt-could-blow-up-into-a-civil-war>> [both accessed 22 March 2023].

¹⁸ *Fulani People and Jihadism in Sahel and West African Countries* (Paris: Fondation pour la Recherche Stratégique, 2019).

¹⁹ *Nigeria: Unfolding Genocide? A Report by the All Party Parliamentary Group for International Freedom of Religion or Belief*, 2020; Humanitarian Aid Relief Trust, International Organisation of Peace Building and Social Justice, Christian Solidarity International *Breaking Point in Central Nigeria? Terror and Mass Displacement in the Middle Belt Joint Visit Report March 2022*.

²⁰ Global Terrorism Index 2019 (Sydney: Institute for Economics and Peace, 2019) 94.

The purpose of this research report is to examine some, at least, of those underlying religious factors.

Traditionalist interpretations of Islam.

Traditionalist Islam follows local Islamic practices and beliefs which have been transmitted for generations in that particular society. This reflects both the formal teaching of Islam in madrassas (Islamic theological schools) and the understanding of key Islamic beliefs and practices embedded in traditional culture and transmitted from one generation to the next.

Due to the predominance of semi-nomadic herding among the Fulani, literacy rates are particularly low, with less than ten percent of men and two percent of women, being formally literate.²¹ This means that their understanding of Islam is predominantly through oral transmission, either mosque preaching or oral traditions, although more recently radio and television have played a role. Of those which do receive formal education this is overwhelmingly in Qur'anic schools,²² where the Qur'an, Hadith and certain Islamic texts are rote learnt. The curriculum of Qur'anic schools and madrassas has largely remained unchanged for centuries.

In madrassas the curriculum reflects the interpretations of Islam set down in the textbooks of classical Islam, which in West Africa is predominantly the Maliki *mahdab* (school of shari'a). The influence of this on wider society is likely to be transmitted through the Friday mosque sermon. However, equally important is oral transmission between generations of what the society understands to be key Islamic beliefs and practices, which are seen as being embedded in Fulani culture.

It is therefore important to understand both the teaching of the Maliki school as this has for centuries been the main formal source of Islamic education, and also the manner and extent to which this has been traditionally practised in tribal Fulani society.

Texts used in the curriculum of West African madrassas

The *Muwatta* of the Iman Malik, the founder of the Maliki school of shari'a is still regarded as the pre-eminent work of the Maliki school. The book is largely a collection of Hadith (traditions of what Muhammad said or did which form an example to be followed).

Also important is the *Al-Risālah* by Abū Muḥammad 'Abdullāh ibn Abī Zayd al-Qayrawānī who was known as "the Sheikh of the Malikis" in the Maghreb (i.e. north West Africa), and which forms part of the curriculum taught in Maliki madrassas.²³ The book is based on hadith which it then comments on with Maliki legal rulings (*fiqh*).

²¹ Ismail Iro *Nomadic Education and education for Nomadic Fulani* (1994)– study funded by the African Development Foundation <<https://www.gamji.com/fulani7.htm>> [accessed 22 March 2023] found that of a sample of 1,998 pastoral Fulani in Nigeria approximately half had received Koranic education. Forty percent had no education, and only seven percent have either formal or both mainstream and Koranic education.

²² Ismail Iro *Nomadic Education and education for Nomadic Fulani* (1994)– study funded by the African Development Foundation <<https://www.gamji.com/fulani7.htm>> [accessed 22 March 2023] found that of a sample of 1,998 pastoral Fulani in Nigeria approximately half had received Koranic education. Forty percent had no education, and only seven percent have either formal or both mainstream and Koranic education.

²³ 'Maliki School: The Timbuktu Syllabus' <<https://splendidpearls.org/2015/05/28/maliki-school-the-timbukti-syllabus/>>; 'How to study the Maliki madhab' <<https://islamclass.wordpress.com/2014/12/14/how-to-study-the-maliki-madhab/>> [both accessed 21 March 2023].

In this context, the following aspects of traditionalist Maliki shari'a are potentially of some significance.²⁴

Jihad

The *Muwatta* of the Iman Malik contains an entire section on jihad. Although other hadith collections contain an hadith in which Muhammad is reported to have described the inward struggle against sin as the "greater jihad" and military jihad as the "lesser jihad", this particular hadith is not found in the *Muwatta*. Instead, the chapter in the *Muwatta* on jihad focuses on military jihad and begins by it stating that such jihad is a religious duty akin to prayer and fasting:

Yahyā related to me from Mālik from Abū az-Zinād from al-A'raj from Abū Hurayra that the Messenger of Allah said, "Someone who does jihād in the way of Allah is like someone who fasts and prays constantly and does not slacken from his prayer and fasting until he returns."²⁵

Jihad is based on the division of the world into *Dar al-Islam* (literally: the world of Islam) i.e. the world subject to Islamic government and shari'a; and b) *Dar-al Harb* (literally the world of warfare). i.e. those other parts of the world which the world of Islam is still at war with as it seeks to extend Islamic government and shari'a enforcement across the entire world. The residents of this zone are known as *harbis* (i.e. enemies). They are invited (*da'wa*) to embrace Islam. The *Risala* states that non-Muslims should be given three days' warning to do so before an attack takes place:

And it is preferable, according to us, that the enemy are not fought until they have been invited to the din of Allah except if they attack first. [The Malikis prefer that each group be called upon to abandon their disbelief and be called to the shahada whose contents are not prescribed. He calls to the general message of the Prophet for three days in succession unless they attack first...]²⁶

The *Risala* then makes clear that Christians can then either embrace Islam or be subjected to dhimmitude (see below) symbolised by payment of *jizya*. It emphasises that this is in effect a short delay with a warning given prior to a jihad attack being commenced against them:

30.2c. Offering a choice between Islam and jizya They can either accept Islam or pay the jizya (tax on non-Muslims); if not they are to be fought [His apparent words mean that they are given a choice between the two at the same time. If they accept one, they are left. Otherwise they are fought. Al-Jawhar describes the call as Islam being offered to them. If they answer, they are left. If they refuse, then jizya is offered to them, If they refuse, they are fought. All of that is when there is a delay and there is time.]²⁷

Booty

The *Muwatta* states that Allah will reward those who participate in jihad, both with a heavenly reward and with an earthly reward in the form of war "booty":

Yahyā related to me from Mālik from Abū az-Zinād from al-A'raj from Abū Hurayra that the Messenger of Allah said, "Allah guarantees either the Garden or a safe return to his home with whatever he has obtained

²⁴ The following are taken from the *Muwatta* of the Iman Malik, the founder of the Maliki school of shari'a which is still regarded as the pre-eminent work of Maliki shari'a.

²⁵ This is described in *Muwatta* s.21.1 (Hadith No 1).

²⁶ *Al Risala* s.30.2b.

²⁷ *Al Risala* s.30.2c.

of reward or booty for the one who does jihād in His way, if it is solely jihād and trust in His promise that brings him out of his house.²⁸

It also recounts an hadith that:

Then the people returned from the battle and the Messenger of Allah said, ‘Whoever has killed one of the dead and can prove it, can strip him of his personal effects.’²⁹

Other aspects of booty, including livestock, are divided up among those who took part in the jihad, with precise rules as to how the livestock are to be divided:

15 Yahyā related to me from Mālik from Nāfi’ from ‘Abdullāh ibn ‘Umar that the Messenger of Allah sent a raiding party which included ‘Abdullāh ibn ‘Umar near Najd. They plundered many camels and their portions were twelve or eleven camels each. They divided it up camel by camel.

16 Yahyā related to me from Mālik from Yahyā ibn Sa’īd that he heard Sa’īd ibn al-Musayyab say, “When people in military expeditions divided the spoils, they made a camel equal to ten sheep.” Mālik said about the paid labourer in military expeditions, “If he is present at the battle and is with the people in the battle and he is a free man, he has his share. If he is not present, he has no share.” Mālik summed up, “I think that the booty is only divided among free men who have been present at the battle.”³⁰

Dhimmitude

Where non-Muslim peoples have been conquered, those termed “People of the Book” (Christians and Jews) may be offered *dhimmi* status i.e. forced to agree to a *dhimma*, a contract which stipulates that they will be subject to Islamic government and live under shari’a enforcement, symbolised by them paying *jizya*, a poll tax on non-Muslim men, which according the *Muwatta* may be paid in either gold or livestock.³¹ If the offer is refused the Christians continue to be treated as *harbis*, for which the penalty is execution for men and enslavement for women and children, although sometimes the alternative of permanent exile may be offered as a concession. Bat Ye’or the leading authority in the western world on *dhimmitude* observes that:

The most important of these conditions is payment of poll tax, which represents the sum given to buy back from the *umma* [i.e. Muslim community] the non Muslim’s right to life. This poll tax has a compulsory, mandatory value because of its religious origins (Koran 9:29). Refusal to pay it turns the *dhimmi* into a *harbi*, subjecting him to the rules of jihad - slavery or death. Certain jurists advocate expulsion from the Islamic community.³²

Of particular significance is the question of what happens to the land of non-Muslim peoples who are conquered. A section of the *Muwatta*’s chapter on jihad, entitled “Acquisition of the land of dhimmīs who surrender” makes clear that if the non-Muslim people voluntarily surrender when faced by an Islamic jihad, then they may keep their land, subject to fulfilling the demands of the *dhimma* contract. However, if they refuse to surrender and are instead conquered, then their land becomes forfeit to the Muslim community which has defeated them:

²⁸ *Muwatta* s.21.1 (Hadith No.2)

²⁹ *Muwatta* s.21.10 (Hadith no.18).

³⁰ *Muwatta* s.21.6 (Hadith No.15 and 16).

³¹ *Muwatta* s.17.24 (hadith No.45).

³² Bat Ye’or *Islam and Dhimmitude: Where Civilizations Collide* ET from French by Miriam Kochan and David Littman (Madison:Fairleigh Dickinson University Press,2002):56.

Mālik was asked whether he thought that when an imām had accepted jizya from a people and they gave it, the land of any of those who surrendered belonged to the Muslims. Mālik said, “it varies. As for the people who make a treaty – those of them who surrendered are entitled to their land and property. As for the people of force who are taken by force – if one of them surrenders, his land and property belong to the Muslims because the people of force have been overcome in their towns, and so this becomes booty for the Muslims. As for the people with a treaty, their property and lives are protected by the treaty they made. Only the terms of the treaty are demanded of them.”³³

Slavery

Both the *Muwatta* and the *Risala* contain a vast amount of material relating to slavery. Much of this can be summarised as a) slavery is legitimate, with specific regulations regarding the business transactions involving slaves; b) while it is stated to be an act of piety to free slaves – this particularly applies to slaves who are Muslims.

Non-Muslim women and girls are particularly vulnerable to enslavement. When non-Muslims are defeated whilst male prisoners may be either killed or exiled, it is stipulated women and girls may be enslaved or ransomed or set free.³⁴

The *Muwatta* also provides a specific legitimisation of slave owners using female slaves for their own sexual gratification:

Mālik was asked whether a man who had wives and slave-girls could have intercourse with all of them before he did ghusl. He said, “There is no harm in a man having intercourse with two of his slave-girls before he does ghusl. It is disapproved of, however, to go to a free woman on another’s day. There is no harm having intercourse first with one slave girl and then with another when one is junub.”³⁵

This is also made clear in the provisions relating to the sale of female slaves

Mālik said, “The generally agreed-upon way of doing things among us is that, if a man returns a slave-girl in whom he has found a defect and he has already had intercourse with her, he must pay what he has reduced of her price if she was a virgin. If she was not a virgin, there is nothing against his having had intercourse with her because he had charge of her.”³⁶

Similarly the *Risala* states

It is halal to have sexual intercourse with women of the People of the Book if you own them as slaves...³⁷

Churches

Other schools of shari’a give a degree of toleration on sufferance to Christian churches, with the Hanafi school for example, allowing Christians to retain them for worship behind closed doors, but not repair them or build any new ones. However, the Maliki *mahdab* specifically states that church buildings are “unclean” and lists them, along with slaughterhouses, graveyards and rubbish heaps as places where it is forbidden for Muslims to pray because of this. The *Risala* states:

3.3c. Places where it is forbidden to pray:

You should not do the prayer in the following places:

³³ *Muwatta* s.21.20.

³⁴ *Risala* s.30.2h, 30.2i.

³⁵ *Muwatta* s.2.22 (Hadith No.90). NB *ghusl* is the ritual washing before prayer, *junub* is ritual impurity due to sexual intercourse.

³⁶ *Muwatta* s.31.4.

³⁷ *Risala* s.32.6b. NB *halal* means something permitted by shari’a.

3.3c1. **Camel places** - in places where camels congregate...

3.3c5. **Rubbish Dumps** or on a rubbish heap

[It is disliked to pray at a place where rubbish is thrown since one is not safe from impurity. If he is safe from impurity, then it is not disliked.]

3.3c6. **Slaughterhouses** or in a slaughter house,

[It is disliked to pray in a place where animals are slaughtered if he is not safe from impurity. Otherwise, it is not disliked.]

3.3c7. **Graveyards** or in the graveyards

[When the graveyard is a Muslim one, and there are no disinterred parts of the dead in the place of prayer, then it is permitted to pray there... Ibn Habib disliked praying in the graveyards of the unbelievers because they are pits of the Fire...

3.3c8. **Non-Muslim places of worship**

and places of worship of non-Muslims. [This designates churches, synagogues and fire temples of the Magians. Imam Malik disliked praying in them because of impurity from their feet, i.e. that is the custom in them...³⁸

Traditionalist Islam in recent Fulani history

Islamic legitimisation of cattle and slave raiding practices among the Fulani

What is clear from the history of West Africa is that whilst the interpretations of Islam taught by the Maliki school may not always have been the primary motivation for tribes such as the Fulani engaging in raiding and enslaving non-Muslim tribes, they provided a religious legitimisation for this tribal practice. As William Gervase Clarence-Smith observes:

Ahmad b. Ahmad al-Takruri, a Maliki scholar of Timbuktu, usually known as Ahmad Baba...insisted that Muslim rulers alone could legally enslave people. However, African jihads were fated to yield place to the *ghazwa* – the expedition against the enemies of Islam was transformed into a foray for plunder...Hausa authors in West Africa argued that success in slave raiding was divinely ordained.³⁹

He also notes that such raids were part of the Fulani (Fulbe) culture even before they were converted to Islam

Slave raiding in conjunction with infidels was perhaps the ultimate negation of the ideal of holy war. Around 1500, Muslims were accused of mounting such attacks with animist Fulbe in West Africa.⁴⁰

In other words, raiding other tribes for various forms of booty has been a local standing aspect of Fulani culture, which has been seen by them as having a specific Islamic legitimisation, even if their primary motivation for it was plunder rather than piety.

The Fulani jihad of Dan Fodio and the Sokoto caliphate

However, on occasions in their history the motivation for attacks on neighbouring areas, particularly non-Muslim ones, including those in what is now Nigeria's Middle Belt, was driven by a more specifically Islamic motivation.

The jihad initiated by Usman Dan Fodio in 1804 began as a Fulani uprising against the King of Gobir, which subsequently established the Sokoto caliphate. The jihad sought to purify Islam of non-Islamic practices and establish a political system which would ensure "true belief and right practice". This

³⁸ Rsiala 3.3c.

³⁹ William Gervase Clarence-Smith *Islam and the Abolition of Slavery* (OxfordOUP,2006) 31. The author is professor of Economic History of Asia and Africa at SOAS, University of London.

⁴⁰ William Gervase Clarence-Smith *Islam and the Abolition of Slavery* (OxfordOUP,2006) 31.

included the enslavement of non-Muslims and the Sokoto caliphate thereafter engaged in repeated raids on the non-Muslim peoples to the south, i.e. what is now the Middle belt of Nigeria, both enslaving them and taking their cattle as “war booty”.

During the nineteenth century the Islamic slave trade extended as far south as Illorin in the southern Middle Belt, from where slave raiding attacks were carried out on villages in southern Nigeria. The journal of British explorer Commander Hugh Clapperton who visited what is now Nigeria in the 1820s notes that around Oyo in southern Nigeria, the Fulani were then burning villages, killing old people and enslaving the young.⁴¹ This potentially forms part of the background as to why the June 2022 attack on the church at Owo in Ondo State in the South West led to local speculation that it was carried out by Fulani militia.

By the time the British annexed Northern Nigeria in 1903 the Sokoto Caliphate is estimated to have had at least 1 million slaves. Although suppression of the slave trade was one of the key reasons for British annexation of the north, slavery in fact continued until at least the 1940s among the Fulani in the North. As Clarence-Smith notes:

Northern Nigeria’s sharia courts slowed the pace of emancipation and refused to oblige slave owners to release slaves...⁴²

The Fulani chief Hamman Yaji (1863-1929), the emir of Magadali (now part of Adamawa state) was a particularly prolific enslaver of non-Muslims until his arrest by British colonial authorities in 1927.⁴³

This legacy of slave raiding persists today among the Fulani to the extent that when Abubakar Shekau, the leader of Boko Haram announced in May 2014 that he was re-implementing the provisions of the shari’a of classical Islam relating to slavery, he was immediately identified by people in north eastern Nigeria as being akin to Hamman Yaji.⁴⁴

Relationship of traditionalist Islam to recent Fulani attacks on villages inhabited by adherents of African Traditional religions and Christian in the Middle Belt

Maliki law

There are clearly significant parallels between recent attacks on villages inhabited by adherents of African Traditional Religions and Christians in Nigeria’s Middle Belt and the teachings of various aspects of Maliki law which predominates in West Africa and has for many centuries exerted a significant influence on traditionalist interpretations of Islam among the Fulani. In particular:

- The emphasis on military jihad.
- The advance warning given to villages, which closely parallels the 3 days non-Muslims are given in Maliki shari’a to convert, surrender or abandon their lands and flee

⁴¹ *Journal of a Second Expedition into the Interior of Africa by the Late Commander Clapperton* (London: John Murray, 1829) 35, 39.

⁴² William Gervase Clarence-Smith *Islam and the Abolition of Slavery* (Oxford OUP, 2006) 145

⁴³ cf James H Vaughan and Anthony HM Kirk-Greene (eds) *The Diary of Hamman Yajii: Chronicle of a West African Muslim Ruler* (Bloomington: Indiana University Press, 1995).

⁴⁴ Melchisedek Chétima, Scott MacEachern, Walter van Beek ‘The slave holders on the border’ <<https://africasacountry.com/2018/12/the-slave-holders-on-the-border>> [accessed 20 March 2023].

- The forfeiture of land to Muslims, by any non-Muslims who ignore the warning and fight the attackers
- The Islamic concept of booty, including the specific provisions related to livestock
- The specific targeting of church buildings -which the Maliki shari'a specifically regards as "unclean" and akin to rubbish heaps.

However, there are also other aspects of the Fulani raids which directly conflict with Maliki shari'a, in particular, the targeted killing of women, which is specifically prohibited.

Traditional Islamic practice among the Fulani

It appears that the traditional Islamic practices which existed among the Fulani until proscribed during the colonial era, provide a closer fit to the current wave of attacks by the Fulani on villages inhabited by Christians and adherents of African Traditional Religions in the Middle Belt. In particular, the emphasis in traditional Islamic practice among the Fulani of raiding non-Muslim areas, which was seen as legitimised by Islam, even if the religious motivation was not always predominant; and in particular, the legitimisation of booty, which, at times became a primary motivation for raiding.

The broader context of jihadist violence in West Africa

The ongoing attacks faced by Christians in Nigeria needs to be seen in the context of wider jihadist attacks in West Africa which have geographically spread to a significant extent in the last few years.

During the era of the British empire, the implementation of some aspects of shari'a such as military jihad and the provisions related to slavery were effectively suppressed by colonial authorities. At the same time the overwhelming military superiority of the British led in some Islamic contexts to a pragmatic abandonment of military jihad in favour of a form of Islam which sought to seek a renewal of Allah's favour by inward spiritual devotion.

However, jihadists have followed a two-fold strategy. The first is to directly recruit to their own jihadist organisation from groups such as the Fulani; the second is to seek to re-awaken West African Muslim communities, such as the Fulani, who follow traditional forms of Islam, to Islamic teaching on issues such as jihad against non-Muslims.

Boko Haram

There is little evidence of direct links between Boko Haram and Fulani militias, other than the former's attempts to recruit Fulani. However, the sudden spike in killings by both groups in 2014 does raise the question as to whether Boko Haram actions may have in some measure inspired the Fulani attacks. The question is particularly pertinent

As earlier noted, the dramatic increase in Fulani killings in 2013-14 from 63 to 1,229,⁴⁵ This increase coincided with the spike in killings by Boko Haram which increased to 6,644 making it the world's deadliest terrorist group.⁴⁶ In 2013 Boko Haram began using abduction as a new tactic. On 13 May 2013 its then leader Abubakar Shekau announced shortly after it had abducted women and children including teenage girls that it would treat them as "slaves",⁴⁷ effectively re-implementing the shari'a

⁴⁵ *Global Terrorism Index 2015* (Sydney: Institute for Economics and Peace, 2015) 22.

⁴⁶ *Global Terrorism Index 2015* (Sydney: Institute for Economics and Peace, 2015) 4.

⁴⁷ 'Boko Haram timeline: From preachers to slave raiders' *BBC* 15 May 2013
<<https://www.bbc.co.uk/news/world-africa-22538888>> [accessed 28 March 2023].

provisions legitimising the abduction and enslavement of non-Muslims. This became major world news in 2014 when it abducted 276 Chibok school girls. In a video released by Boko Haram on 5 May 2014 Shekau is reported to have stated:

Allah instructed me to sell them ... I will carry out his instructions ... slavery is allowed in my religion and I shall capture people and make them slaves.⁴⁸

It was shortly after this, that Islamic State which was then at the height of its power, followed suit and began re-implementing the shari'a provisions legitimising the enslavement of non-Muslim women and girls. Boko Haram's abduction and claimed enslavement of the Chibok girls became major news headlines across the world, which as the Fulani now have access to radio and sometimes TV, many would have been aware of.

Such claims may have resonance with many Fulani given their both their claim to have been at forefront of introducing Islam to parts of West Africa and recent heritage of undertaking slave raiding expeditions against non-Muslim communities in the North and Middle Belt of Nigeria. Given that such raids took place openly until 1903 which may be as little as 3-4 generations ago and were covertly carried on for at least another generation, it is likely that the news of this would have stirred the consciousness of some Fulani to similar events in their own recent tribal past.

Other West African jihadist groups

There are a range of different jihadist groups in West Africa from those with official links to groups such as al Qaeda (AQIM, JNIM) or Islamic State (ISGS and ISWA the latter having split from Boko Haram). There are also more locally based jihadist organisations such as Anser Dine in Mali. However, in recent years most of them have consciously sought to exploit local socio-economic or ethno-religious grievances to further their cause.

In 2018 the Global Terrorism Index reported that some jihadist organisations appeared to have developed a specific strategy which involved the Fulani:

The movement of Islamist-affiliated terror groups from the Maghreb into the African Sahel can also be seen through the decreased activity of ISIL-affiliates in Maghrebi countries such as Libya and Algeria, but increased activity in countries further south such as Mali and Niger, although the increase in these countries has been small so far. The vast, often under-resourced desert regions in the Sahel have been exploited by terrorist organisations. **Jihadist groups are strategically protecting neglected herders and nomadic Fulani and Tuareg communities in these rural regions.** Following the 2012 uprising of the Tuareg in Mali, the marginalisation of this population has provided AQIM the opportunity to frame their struggles as part of a broader ideological movement. Terrorist groups are seeking to use their activities in this region to amplify recruitment and radicalisation.⁴⁹

While in 2022 it stated:

Terrorist groups have sought to exploit intercommunal tensions between agriculturalists and pastoralists, further exacerbating the fragile security situation. For instance, JNIM has sought to embed itself into local communities by portraying itself as a defender of ethnic groups, such as the Fulani in Mali. Similarly, ISWAP has sought to take advantage of intercommunal conflicts between the Fulani and Tuaregs in the

⁴⁸ Wahid Bakare 'Bleak Christmas for Chibok schoolgirls' in the Lagos based newspaper *New Telegraph* 27 December 2014 <<http://newtelegraphonline.com/bleak-christmas-forchibok-schoolgirls/>> [accessed 7 January 2015].

⁴⁹ *Global Terrorism Index 2018* (Sydney: Institute for Economics and Peace, 2018) 52.

Mali-Niger border area. By exploiting existing tensions, both groups have been able to co-opt disaffected individuals into taking up arms against either rival groups, or government forces.⁵⁰

Radicalisation among the Fulani in Nigeria

It is clear that jihadist groups across West Africa are very deliberately seeking to exploit local grievances, including those between herders and settled farmers and ethno-religious tensions. This is partly to recruit to their own ranks, but also as part of a wider ideological jihad to inspire Muslims to work towards an idealised form of Islamic government with strict shari'a enforcement.

They are also specifically targeting the Fulani.

It is also clear that the Fulani are able to obtain far more sophisticated weaponry than settled farmers in the Middle Belt, which raises at least the possibility that some jihadist groups may be supplying them.

In effect what this suggests is that there is a degree of radicalisation happening among some elements of the Fulani. However, there are two differing forms that this radicalisation takes:

1. In some instances this is a radicalisation to the type of Islamism espoused by international Islamist groups such as al Qaeda and Islamic State, some of whose affiliates such as JNIM some Fulani have joined.
2. However, there is another type of radicalisation – in the broader sense of a return to the root (radical) of Fulani culture. This is a re-awakening to the ideas of traditionalist Islam among the Fulani. This included raiding expeditions on non-Muslim communities in the North and of Nigeria, which were historically given religious justification by shari'a provisions relating to jihad, booty and the enslavement of non-Muslims.

It is important here to understand both the similarities and differences between Islamism and the sort of traditionalist Islam practised by the Fulani prior to the imposition of colonial rule on the north and Middle Belt of Nigeria at the beginning of the twentieth century.

Islamism seeks to re-open the door of *ijtihad* (interpretation), bypassing the interpretations of classical Islam that to a significant extent became fixed in medieval times and reinterpret the Qur'an and Hadith in order to create a modern Islamic state.

Traditionalist Islam – is a traditional pattern of Islam, as it has been passed down for generations which is influenced by the teaching of classical Islam which is taught in madrassas, but also by the way Islamic belief and practice have become embedded in tribal custom. As such it does not so much aim at creating a modern Islamic state, as maintaining a traditional form of belief and practice.

In practice, when it comes to issues such as jihad, both Classical Islam and Islamism are unequivocal that it is part of Islamic belief and practice. However, they differ as to the details such as who may legitimately declare a jihad, and how it is to be conducted, with Islamists bypassing the rules set by classical Islam.

However, when it comes to the historic Fulani practice of Islam, as a largely nomadic people, without written literacy, simply ignored those rules anyway. As we earlier saw, the provisions of Maliki shari'a relating to jihad, booty and enslavement of non-Muslims, were sometimes pursued as a religious duty,

⁵⁰ *Global Terrorism Index 2022* (Sydney: Institute for Economics and Peace, 2012) 58.

but on other occasions simply provided a religious legitimisation of the raiding expeditions for cattle and slaves, where the primary motivation was plunder rather than piety.

Genocide

Section 2 of the UN Convention on the Prevention and Punishment of the Crime of Genocide sets out that:

Genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.⁵¹

There is clear evidence that at least the first two of these are now being carried on by Fulani militias on the Christian population of Nigeria's Middle Belt.

Conclusions

It is unquestionably true that the impacts of climate change on the Sahel have been a major factor in creating the conflict between some Muslim Fulani herders and the predominantly Christian settled farmers in the Middle Belt. Climate change is undoubtedly a major part of the context in which the current violence in the Middle Belt is taking place.

However, what this study has shown is that the associated claim, namely that the religious element of the large-scale killings is merely incidental, with the herders happening to be Muslim and the settled farmers happening to mainly Christian, is implausible. The close parallels which exist between the attacks and traditionalist forms of Islam which historically existed among the Fulani until only 3-5 generations ago, and which were justified on the basis of provisions in Maliki shari'a relating to jihad, booty, slavery and land seizure, mean that a religious element must be seen as part of either the motivation and/or justification, with neither of these being necessarily mutually exclusive.

There is also significant evidence from across the West African Sahel that jihadist groups are deliberately seeking to exploit local grievances, including specifically among the Fulani in order to radicalise them.

Some Fulani are radicalised to the Islamist ideology of international jihadist groups and become part of the organisational structure of local affiliates of international jihadist organisations.

However, there is little evidence that the Fulani attacks on villages inhabited by Christians and adherents of African Traditional Religions in the Middle Belt are directly linked to jihadist organisations.

⁵¹ Convention on the Prevention and Punishment of the Crime of Genocide, UN General Assembly Resolution 260 A (III) 9 December 1948.

What is far more plausible is that the actions of these jihadist organisations have inspired groups of Fulani to re-awaken the traditionalist form of Fulani Islamic belief and practice which prior to the commencement of colonial rule at the start of the twentieth century, involved regular raids on the non-Muslim villages Middle Belt to gather booty, including livestock and slaves. This is clearly a different form of radicalisation from that of those who join international jihadist groups, although the common ground it shares with them in terms of seeking to engage in jihad, clearly means it should be recognised as a different form of radicalisation.

Future risk

If this is indeed the case, then two further issues arise.

1. If jihadist organisations are seeking to radicalise the Fulani then given the deep, extensive and recent involvement of Nigerian Fulani in slavery within the last 4-5 generations, then there clearly must be a significant risk that at some point the present spate of killings and ethno-religious cleansing of Middle Belt villages could broaden to include this.
2. The question arises as to why Boko Haram, who were the world's most deadly terrorist group in 2014, killing more people than even Islamic State, have allowed the Fulani to far outstrip them in the number of non-Muslims killed since 2016.⁵² It is possible, that the answer lies in the discord and splits in the organisation combined with military setbacks at the hands of the Nigerian security forces. The alternative explanation may be that it is pursuing a strategy of strategic patience, maintaining a lower level presence in the Nigeria/Cameroon/Chad border regions, while waiting for the Fulani attacks to religiously cleanse the Middle Belt of its non-Muslim population.

If this is the case, then it means that urgent action, which recognises the religious element of the attacks, urgently needs to be taken to avoid large scale religious cleansing and possible genocide.

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⁵² *Global Terrorism Index 2017* (Sydney: Institute for Economics and Peace, 2017) 24.