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OVERTHROWING THE GOVERNMENT: WHAT BOKO HARAM MEANS FOR WOMEN

Kimberly R. Frazier*

Boko Haram has been active since 2002, however, most of the world became familiar with the Islamic terrorist group in April of 2014 after they kidnapped approximately 276 girls from a boarding school in northeastern Nigeria.¹ The group's leader, Abubakar Shekau, announced in a video that the kidnapping was an act of retaliation after Nigerian security forces kidnapped the wives and children of Boko Haram leaders.² He also stated that the girls would be forced to convert to Islam and sold into the slave market to begin their new lives as "servants."³ The kidnapping was not the first act of violence against women committed by Boko Haram and it will likely not be the last.

Boko Haram, which loosely translates to "western education is sin," vows to continue its campaign of violence until Sharia law rules Nigeria.⁴ These acts of violence reflect Boko Haram's vehement disapproval of western education and Nigeria's current government, but the group especially opposes the education of women. This essay analyzes how Boko Haram's plan to establish Sharia law affects women.

Boko Haram's goal is to overthrow the Nigerian government and create a pure Islamic state ruled by Sharia law.⁵ Sharia, or Islamic law,

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1. Janine de Giovanni, *The Deadly Mission of Boko Haram* (May 20, 2014), <http://www.newsweek.com/2014/05/30/deadly-mission-boko-haram-251505.html>.
2. Vladimir Duthiers, Faith Karimi, & Greg Botelho, *Boko Haram: Why Terror Group Kidnaps Schoolgirls, and What Happens Next*, CNN (May 2, 2014), <http://www.cnn.com/2014/04/24/world/africa/nigeria-kidnapping-answers/>.
3. *Id.*
4. Monica Mark, *Boko Haram Vows to Fight until Nigeria Establishes Sharia Law*, THE GUARDIAN (Jan. 27, 2012), <http://www.theguardian.com/world/2012/jan/27/boko-haram-nigeria-sharia-law>.
5. *Id.*

is a religious law followed by Muslims that largely originates from the Quran.⁶ Sharia is most often associated with gruesome violence, such as the removal of limbs, flogging, and stoning. It is also characterized by unequal rights, and what most of the Western world would consider women's oppression. For example, a woman who has been raped cannot testify in court against her rapists, a woman's testimony in court carries only half the weight of a man's testimony, and, in some instances, women are not allowed to drive.⁷ Sharia can be interpreted differently, but under Boko Haram, all Nigerians would be subject to the strict interpretation which, *inter alia*, severely subordinates women.⁸

Of the country's thirty-six states, twelve have Sharia law today, but none have an exclusively Sharia legal system.⁹ Nigeria has a pluralist legal system, which follows English-style, Sharia, and customary laws.¹⁰ Sharia is mostly used in civil cases such as divorce, but it is also used in criminal cases in northern Nigeria.¹¹ Northern Nigeria is predominately Muslim, whereas southern Nigeria is predominately Christian,¹² which explains the discrepancy between the north and the south. Northern areas have Islamic courts like the Sharia Court of Appeal, but in southern Nigeria, which is mostly Christian, Sharia law is not followed. Similar to the United States, Nigeria's constitution prohibits the establishment of a state religion, but left to Boko Haram, Islam would function as the country's only religion and Sharia would be the only legal system.

According to Islamic commentator, Akbar Ahmed, "In the ideal, [S]haria provides justice and compassion in society . . . However, the reality today is—from Nigeria to Pakistan—that ordinary people can expect little justice and no compassion . . . This is particularly true where women are concerned."¹³ For women, Sharia may also include

6. Toni Johnson & Mohammed Aly Sergie, *Islam: Governing Under Sharia*, July 25, 2014, <http://www.cfr.org/religion/islam-governing-under-sharia/p8034>.

7. *Id.*

8. *Id.*

9. Giovanni, *supra* note 1.

10. Johnson, *supra* note 6.

11. Johnson, *supra* note 6.

12. Mark, *supra* note 4.

13. Giovanni, *supra* note 1.

genital mutilation, forced marriages, widowhood practices such as home restriction, and lack of legal recognition.¹⁴

Nevertheless, Boko Haram believes that a pure Islamic state is the answer to Nigeria's problems. In another video, Shekau stated that "poor people are tired of the injustice," and the secular state was responsible for the problems.¹⁵ The "problems" Boko Haram speaks of are socioeconomic in nature. They believe the elitist government is far too removed from the troubles of everyday people living without water and electricity to understand and address the problems they face.¹⁶ The northeast, where Boko Haram is most active, is economically depressed and among the least educated regions in Nigeria. However, 54% of all of Nigeria is considered "extremely poor."¹⁷ Sharia law is presented as the solution and the only way to achieve justice, but what does that mean for women?

As stated earlier, the schoolgirl kidnapping was not the first instance of violence against women and will not be the last. In February of 2013, nine Nigerian women were gunned down while working on a polio vaccination campaign.¹⁸ In November of the same year, Boko Haram abducted dozens of Christian women, forcing some to convert to Islam and marry their kidnappers.¹⁹ One teenage girl told of how she was kidnapped and forced to cook and clean for the group.²⁰ She was held captive for three months, assigned a husband, forced to convert to Islam, and required to participate in the group's killings.²¹ Unfortunately, she was not the only one, and according to Human Rights Watch, at least twenty-five girls and women were kidnapped in the first few months of 2014.²² Despite statements from Boko Haram asserting the rights of Christians would be protected under the Islamic

14. Michael A. Peters, 'Western Education Is Sinful': *Boko Haram And The Abduction Of Chibok Schoolgirls*, 12 POL'Y FUTURES IN EDUC. 2 (2014).

15. Mark, *supra* note 4.

16. Giovanni, *supra* note 1.

17. Duthiers, *supra* note 3.

18. *Boko Haram and U.S. Counterterrorism in Nigeria*, U.S. DEP'T. OF STATE (May 14, 2014), <http://www.state.gov/r/pa/prs/ps/2014/05/226072.htm>.

19. *Id.*

20. Jacob Zenn & Elizabeth Pearson, *Women, Gender and the Evolving Tactics of Boko Haram*, 5 J. OF TERRORISM RES. 1 (2014).

21. *Id.*

22. *Boko Haram and U.S. Counterterrorism in Nigeria*, *supra* note 18.

state, recent reports indicate that Boko Haram has instituted Sharia in the town of Gwoza.²³ In its attempt to convert the town to Islam, Boko Haram beheaded many of the men and captured the women, converting them and taking them as wives.²⁴ Women are being used to capture the Nigerian government's attention, but if that results in Boko Haram getting its way, the value of women will decrease dramatically. Women will be moved to the background and made subordinate.

Marriage and divorce are the most significant aspects of Sharia and primarily affect women.²⁵ As a result, more women and young girls will continue to be targeted. The Nigerian government will have to stop Boko Haram in order to end the violence against women, but sadly, if Boko Haram is not stopped and Sharia becomes Nigeria's law, women will continue to be victimized, but in a different way. Instead of being abducted and killed by a terrorist group, women will be victimized in their own homes.

Boko Haram's interpretation of Sharia "promotes narrow gender roles for men and women, enforcing strict rules on women's dress and sexual conduct, and instituting other discriminatory and abusive practices against women."²⁶ Listed among the values Boko Haram opposes are "the rights and privileges of [w]omen."²⁷ Nigerian women will lose all aspects of their freedom: religious, sexual, and legal. They will be forced to convert to Islam if they have not done so already, forced to marry (some as young as nine years old), and their new husbands will be able to consummate the marriage when they are as young as twelve years of age. All women, young and old, will be under the control of their husbands. Sharia does not recognize rape within a marriage, so these women will have no choice about their sexual practices. For rape outside the marriage, women must have four witnesses testify to the rape and the women cannot testify on their own behalf. They will be prohibited from doing simple things such as driving a car. They will be prohibited from getting an education and

23. Jack Moore, *Nigeria: Boko Haram Declares Sharia Law, Beheads Christian Men and Forces Women into Islam in Gwoza*, INT'L BUS. TIMES (Aug. 29, 2014), <http://www.ibtimes.co.uk/nigeria-boko-haram-declares-sharia-law-beheads-christian-men-forces-women-into-islam-gwoza-1463185>.

24. *Id.*

25. Johnson, *supra* note 6.

26. Zenn, *supra* note 20.

27. Zenn, *supra* note 20.

becoming independent because, under Sharia, a woman's place is at home taking care of her home and her family. These women will have no choice.

Nigeria, Africa's most populous country, will not produce women leaders or scholars. Instead, these women will be prisoners in their own homes raising families with no other option. Their freedoms of religion, expression, dress, and sexuality will all be taken away from them. For many Muslim women, these are the laws of their religion, so the women conform. But for almost half of Nigeria who consider themselves Christian, this is not the way they want to live their lives. Boko Haram will take away their right to make choices for themselves. If Boko Haram succeeds in creating a Sharia Nigeria, their crusade will not end in Nigeria. Shekau has already made clear that Boko Haram will not stop fighting until the whole world accepts Sharia law.²⁸ Although that threat may not be realistic, the threat of continued violence is one that should be taken seriously.

28. Duthiers, *supra* note 2.