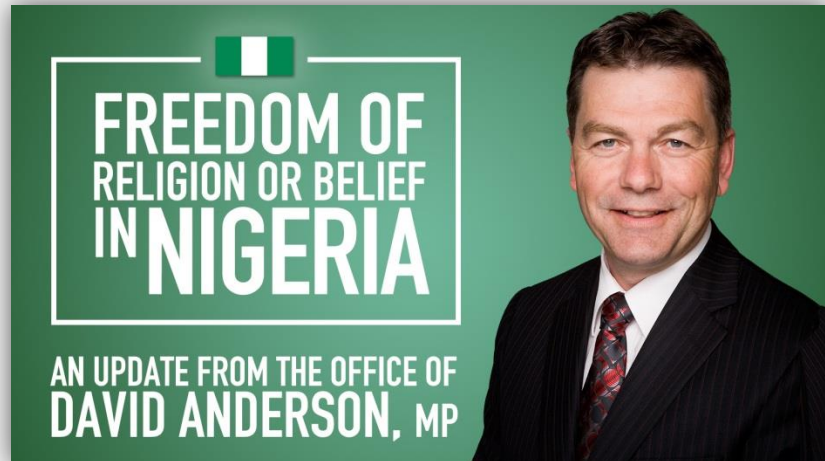


**An Update on
Religious
Freedom in
Nigeria: A Report
by the Office of
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May 2018



On October 1, 1960, Nigeria gained independence from the United Kingdom. After gaining independence, Nigeria had 6 years of elected governments, followed by 3 decades of political instability and rule by military dictatorships. In 1999, there was a return to elected government and Nigeria has since had four regular federal and parliamentary elections. However, these governments continued to be plagued by reports of fraud, various scandals and abuses of power. Nigeria was not officially considered an electoral democracy by Freedom House until 2015. That year, Muhammadu Buhari was sworn in as president and the country witnessed its first successful transfer of power.ⁱ

Upon gaining independence from the UK, Nigeria formed a constitution that outlined the separation of church and state, and provided for freedom of religion. However, the constant political instability rendered the constitution virtually meaningless. In 1999, when the country regained some stability, they formed a new constitution that maintained a section providing for freedom of religion. Article 38, section 1 of that constitution reads:

Every person shall be entitled to freedom of thought, conscience and religion, including freedom to change his religion or belief, and freedom (either alone or in community with others, and in public or in private) to manifest and propagate his religion or belief in worship, teaching, practice and observance.ⁱⁱ

According to a Freedom House report, the current federal government generally respects its citizens' constitutional right to freedom of belief.ⁱⁱⁱ However, the 1999 constitution left the federal system intact, and the various states maintain a significant amount of power. Although the 1999 constitution states that neither the federal nor the

state governments are to adopt a religion as a state religion, 12 northern states have implemented sharia law.^{iv}

The country is divided religiously with about 50% Muslim, 40-45% Christian and 5-10% traditional religions. Generally, Christians live in the south and Muslims in the north but there is more of a mixture of Christians and Muslims in the central states. Non-Muslims living in the states that have implemented sharia perceive that they are living under a Muslim government and fear consequences for their religious affiliation. The United States Commission on International Religious Freedom (USCIRF) reports that applications to build or repair places of worship, as well as access to education, and positions in government bodies and employment, are being denied.^v

The Christian Association of Nigeria claimed that the federal government rarely investigates reports of religiously-motivated violence or abuses of religious freedom and grants impunity to the perpetrators. The organization cited a case where five men were released after being charged with killing a 74-year-old Christian woman in Kano state. The attorney general in the case said that there was no evidence to be able to indict the five men.^{vi} In another case, a Christian minister was killed while preaching. Four men were detained for the murder but later released for the same reason: lack of evidence.^{vii}

Sharia in the Courts

Sharia courts are set up in the 12 northern states to hear both civil and criminal cases. In the case where all the parties are Muslim, a sharia court is the only option. For criminal offences, the Judges for these cases may prescribe punishments such as caning, amputation and death by stoning. According to state laws, non-Muslims can choose to use sharia courts or common law courts if they have either civil or criminal disputes with Muslims, and the state does not have the authority to compel participation in sharia courts by non-Muslims. Sharia court decisions can be appealed to 3 levels of sharia appellate courts. According to the constitution, appeals can be made to the federal and supreme court, but no cases have been.^{viii}

Several sharia courts have issued the death sentence for blasphemy against the Prophet Muhammad. In Kano State, a sharia court convicted a Sufi Muslim cleric and five others for making derogatory comments against the Prophet Muhammad and sentenced them to death. In the same state, another Muslim cleric, Abdulaziz Dauda, and nine of his followers were sentenced to death for blasphemy against the prophet. Dauda apparently said that Sheikh Ibrahim Niasse, a 20th century Islamic scholar, had a larger following than the Prophet Muhammad.^{ix}

The Government and the Islamic Movement in Nigeria

Most Muslims in Nigeria are Sunni and there has been frequent conflict between Sunnis and a Shia religious and political organization called the Islamic Movement in Nigeria (IMN). During 2016, the government at both federal and state levels was involved in the active repression of the IMN. In December 2015, the IMN sparked a conflict when they blocked a procession of the Nigerian Army's chief of staff. The Nigerian Army responded with extreme measures, killing 347 IMN members, arresting close to 200 and destroying the IMN's spiritual headquarters. Among the arrested men was the group's leader, Sheikh Ibrahim Zakzaky. The government detained Zakzaky without charge. On December 2, 2016 a court ruled that Zakzaky was to be released in 45 days, but the Nigerian government overturned this ruling. At the time of writing this report, Zakzaky is still being detained. The government also charged 191 IMN members, seeking the death penalty for 50 of them accused of causing the death of one army officer.^x

An investigation into the incident by the Kaduna State-appointed Commission of Inquiry (COI) found that the Nigerian Army was responsible for the massacre and that the IMN members did not possess firearms. The COI recommended that the responsible officers be prosecuted. However, none of the officers have been held accountable for their extremely violent measures. Kaduna State later released a white paper stating that the IMN was an insurgent group and that the military operated within its rules of operation. The same state made membership in the IMN illegal and imposed penalties of fines or even imprisonment of up to 7 years. However, in January 2017, the Kaduna State government told USCIRF that IMN must register with the government as an official religious group.^{xi}

IMN members have frequently been the target of military and police forces in Nigeria, especially during Ashura processions. IMN members engaging in Ashura processions were attacked by security officers in Kano, Plateau, Katsina and Sokoto states in October and November of 2016. Dozens of IMN were killed during a procession on November 14 in Kano State.^{xii}

Christian Farmers and Muslim Herders

In the states located in Nigeria's middle belt, the population is more evenly divided between Christians and Muslims. There has been frequent tension and violent conflict between the two groups. Since 1999, this continuous conflict has resulted in the deaths of tens of thousands; displacement of hundreds of thousands; and the destruction of many homes, businesses, mosques and churches. More recently, there has been frequent violent conflict between Christian farmers and Muslim herdsman who normally belong to the Fulani ethnic group. According to USCIRF's 2017 annual report, this conflict initially was non-religious. Fighting between the two groups was precipitated by Muslim Fulani allowing their animals to graze on the land of Christian farmers. However,

these disputes have taken on religious undertones and are perceived as religious conflict by those involved.^{xiii}

Amnesty International reported on January 31, 2018 that 168 have been killed this year as a result of the sectarian violence. The worst of the violence has been in Benue state where 100 of the 168 deaths occurred. Amnesty made its report after seven people were killed and set on fire for apparently looking like Fulani herdsmen. Someone shouted, 'the Fulanis have come to kill us', and a group of youth then attacked the seven men waiting at a bus stop in Gboko, Benue State.^{xiv} The conflict is not isolated to the central states. In Kaduna, in Northeast Nigeria, a news report from February 28, 2018 states that at least 13 were killed and many houses and shops were burnt as a result of a clash between Christian and Muslim youth.^{xv}

The Nigerian government has been criticized for failing to do more to resolve the conflict. They have sent military and police forces to Kaduna State to deal with the problems there. However, these deployments do not leave the main roads to go into the rural areas where the conflicts normally occur. These forces also have a reputation for corruption, with reports of them requiring payment from victims in order to act. This corruption impedes efforts of the government to stop the fighting between the two groups. In 2017, Kaduna state announced that it intended to designate 20,000 acres for the Herdsman, so they wouldn't send their cattle to graze on the farmers' land, and Benue and Bayesla committed to providing grazing land as well.^{xvi}

Boko Haram

Boko Haram is an Islamic terrorist organization that was founded in Northeast Nigeria in 2002 by Mohammed Yusuf. Translated, Boko Haram means 'Western education is forbidden.' The group really came to prominence in 2009 after clashes with police forces resulted in the capture and eventual death of their founder and leader, Mohammed Yusuf. The group seeks to overthrow Nigeria's secular government and implement its radical version of sharia. It has not sought to ally itself with the Muslim northern states, their leaders and political elites, and believes they are false Muslims.^{xvii} It also seeks to rid northern Nigeria of Christianity. Human rights groups and people who have escaped capture report that if Christians are captured by the terrorists, their only option is to convert or die. Boko Haram imposes sharia law, punishing those who have committed acts they deem criminal or immoral and forces those in its area to attend Quranic schools to learn their interpretation of the Quran.^{xviii}

Boko Haram wages its Holy War by way of targeted assassinations, drive by shootings, suicide bombings and the use of a major deployment of improvised explosive devices (IEDs). In recent years, the group has also engaged more in kidnapping and hostage taking.^{xix} A 2017 report by USCIRF states that since May 2011, the ongoing conflict with

Boko Haram has resulted in the death of more than 28,000 and the internal displacement of more than 1.8 million people.^{xx}

Boko Haram specifically targets and kidnaps young girls. In April of 2014, the group kidnapped 276 girls from a government secondary school in the town of Chibok, Borno State. Some girls escaped shortly after the abduction by jumping off the trucks they had been loaded on and running into the bushes. A BBC news report from May 8, 2017 reported that about 100 girls have been freed from the group in exchange for Boko Haram militants. More than 100 girls remain captive. It is most likely they have been forced to become brides for the Boko Haram soldiers.^{xxi} In 2015, Nigeria's president Muhammadu Buhari declared that Boko Haram had been defeated, but it is clear that the group is still active. On February 19, 2018, Boko Haram insurgents drove into Dapchi in machine gun-mounted trucks. They went to the Government Girls Science and Technical School and abducted more than 100 girls. The President stated over Twitter that he had mobilized police and military forces to rescue the girls.^{xxii} BBC News reported on March 25, 2018 that most of these girls have now been freed and gone home to their families. Five of the 110 girls that were originally kidnapped died and one, a Christian who refused to convert to Islam, has not been released. The girls that were freed were warned by Boko Haram not to return to school.

The Nigerian government has tried to combat Boko Haram mainly by force, but they have made some efforts to combat radicalization. In October of 2017 the Presidential Committee on the North-East Initiative was created to deal with development and radicalization in the northeast. The Minister of Foreign Affairs stated that more funding is needed to make the project successful. The Nigerian government has arrested numerous fighters of Boko Haram but often has not brought any charges against them. Normally, these fighters are merely detained for long periods of time.^{xxiii} However, an article from The Guardian reported on February 18, 2018 that 475 people with alleged affiliation to the terrorist organization have been released, and one man involved in the kidnapping of the girls in 2014 has been delivered 2 fifteen-year sentences. He is the first person to be convicted for the crime.^{xxiv}

Although the Nigerian government has made some efforts to combat the various forms of religious conflict and oppression in the country, it has not gone far enough and at times has been either complicit or actively involved in religious persecution. The cases of murderers being set free, or captured perpetrators being detained for lengthy periods without conviction make this clear. More effort needs to be made by the government of Nigeria to address, resolve and prevent the various religious conflicts that take place within the country's borders. The 2017 Freedom House report states that, in 2015, the Nigerian government had its first successful peaceful transfer of power. This is a very encouraging sign. International voices like Canada can encourage the Nigerian government to continue in this positive direction. This can be done by supporting the

Nigerian government to promote religious freedom and dialog amongst groups, and by enforcing its constitution by properly prosecuting perpetrators of religious oppression and violence.

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