

Nigeria (32)

**2000 Annual Report on International Religious Freedom:****Nigeria**

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The Constitution provides for freedom of religion, including freedom to change one's religion or belief, and freedom to manifest and propagate one's religion or belief in worship, teaching, practice, and observance; however, the Government restricted these rights in practice in certain respects.

The status of respect for religious freedom deteriorated during the year due to the implementation of an expanded version of Shari'a law in several northern states, which challenged constitutional protections for religious freedom and sparked interreligious violence. The Constitution prohibits state and local governments from adopting an official religion; however, it also provides that states may elect to use Islamic (Shari'a) customary law and courts.

Government discrimination based on religion and societal tension between different religious groups continued. Although Christians were exempt from the law, the societal ramifications of expanded Shari'a law infringed upon the rights of non-Muslims in the north to live in a society governed by secular laws. Plans to implement expanded Shari'a laws in Kaduna state, which has a large Christian population, sparked violence in February 2000 that lasted for several days and resulted in an estimated 1,000 to 1,500 deaths. Reprisal attacks followed in the predominantly Christian southeastern towns of Aba, Owerri, and Onitsha, resulting in an additional 500 deaths. The violence, although initiated in a religious context, had strong ethnic undertones and was the worst the country had experienced since the civil war of 1967-1970. The violence led several state governments to restrict public preaching, religious processions, and meetings. The national turmoil surrounding the Shari'a issue abated by mid-2000, but the issue was not resolved completely by June 30, 2000.

U.S. Embassy officials frequently discuss the political and social situation with various religious leaders, who play a prominent role in civil society and in the human rights community. Embassy officers raised religious freedom issues with government officials in the context of the embassy's overall efforts to promote respect for human rights.

Section I. Government Policies on Freedom of Religion**Legal/Policy Framework**

The Constitution provides for freedom of religion, including freedom to change one's religion or belief, and freedom to manifest and propagate one's religion or belief in worship, teaching, practice, and observance; however, the Government restricted these rights in practice in certain respects.

The Constitution prohibits state and local Governments from adopting an official religion; however, it also provides that states may elect to use Islamic (Shari'a) customary law and courts. There are 36 states in the country; governors have autonomy in decision-making but derive their resources from the federal government. Since independence, the jurisdiction of Shari'a courts has been limited to family or personal law cases involving Muslims, or to civil disputes between Muslims who consent to the courts' jurisdiction. However, the Constitution states that a Shari'a court of appeal may exercise "such other jurisdiction as may be conferred upon it by the law of the State." Some states have interpreted this language as granting them the right to expand the jurisdiction of existing Shari'a courts to include criminal matters. Several Christians have alleged that, with the adoption of an expanded Shari'a law in several states and the continued use of state funds to fund the construction of mosques, teaching of Alkalis (Muslim judges), and pilgrimages to Mecca (Hajj), Islam has been adopted as the de facto state religion of several northern states. However, state funds also are used to fund Christian pilgrimages to Jerusalem. In general states with a clear Christian or Muslim majority explicitly favor the majority faith. The Constitution also provides that the federal Government is to establish a Federal Shari'a Court of Appeal and Final Court of Appeal; however, the Government had not yet established such courts by the end of the period covered by this report.

On October 8, 1999, the governor of Zamfara state, Ahmed Sani, signed a bill establishing Shari'a courts and courts of appeal in Zamfara state, and another bill that constitutes the Shari'a penal code; the bills took effect on January 27, 2000. Zamfara's law adopted traditional Shari'a in its entirety, with the exception that apostasy was not criminalized. Other Muslim communities, particularly from the states of Kano, Niger, Sokoto, Jigawa, Borno, Yobe, Kaduna, and Katsina states, began to echo the call for Shari'a in their states. At the end of the period covered by this report, four northern states had adopted variations of Shari'a law--Zamfara, Kano, Niger, and Sokoto. In May 2000, an international human rights nongovernmental organization (NGO), Huri-Laws, took the Zamfara state government to court, challenging the constitutionality of Zamfara's expanded Shari'a penal code. The case was ongoing as of June 30, 2000.

Following violence in relation to the expansion of Shari'a laws in Kaduna in February 2000, several northern state governments banned any type of proselytizing, in spite of the fact that it is permitted by the Constitution.

Religious Demography

About half of the country's population practice Islam, about 40 percent practice Christianity, and about 10 percent practice exclusively traditional indigenous religions or no religion; many persons practice both elements of Christianity or Islam and elements of a traditional indigenous religion. The predominant form of Islam in the country is Sunni. The Christian population includes Roman Catholics, Anglicans, Baptists, Methodists, and a growing number of followers of evangelical Pentecostal groups. Catholics constitute the largest Christian denomination. There is some correlation between religious differences and ethnic and regional differences. The north, which is dominated by the large Hausa and Fulani (Peuhl) ethnic groups, is predominantly Muslim, with significant populations of Christians in urban centers, particularly in Kaduna and Jos. In the southwest, where the large Yoruba ethnic group is dominant, there is no dominant religion; Islam is practiced in a plurality, but probably not a majority, of the largest cities of the region, due in part to Hausa and Fulani communities in those regions. Many Yorubas practice Islam, many practice Christianity, and many continue to practice the traditional Yoruba religion, which includes both a belief in a single supreme deity and the worship of lesser deities believed to serve as the agents of that supreme deity with respect to specific aspects of daily life. In the east, where the large Igbo ethnic group is dominant, Catholics are in the majority, although many Igbos continue to observe traditional rites and ceremonies.

Governmental Restrictions on Religious Freedom

The law prohibits religious discrimination. Nonetheless, reports were common that government officials discriminated against persons practicing a religion different from their own, notably in hiring or awarding contracts. Christians in the northern, predominantly Muslim part of the country accused local government officials of attempting to use zoning regulations to stop or slow the establishment of non-Muslim, usually Christian, churches. Typically, a small section of a city was designated for non-Muslims to build their places of worship. In several cases, citizens in these enclaves reported that they were discriminated against by not receiving police protection or waste removal services.

On October 8, 1999, the governor of Zamfara state signed into law two bills aimed at instituting Islamic Shari'a law in his state. Implementation of the law began on January 22, 2000. Following Zamfara's lead, several northern states including Sokoto, Niger, and Kano states began to implement varying forms of expanded Shari'a. Previously, Shari'a law had been practiced in the north in the areas of personal law, only if both litigants agreed to settle their disputes in Shari'a courts. Elements of Shari'a also had been present in the northern penal code, which had been applicable in the north since independence.

As the result of nationwide violence in February and March 2000 related to the expansion of Shari'a laws (see Section II), several northern state governments banned open air preaching and public religious processions. The Kogi state government enacted such a ban on March 1, 2000. The Kaduna state government followed shortly thereafter,

enacting a ban on all forms of "processions, rallies, demonstrations, and meetings in public places." On March 23, 2000, Gombe state officials arrested 19 reportedly peaceful persons for "unlawful assembly capable of causing a breach of peace in the state." Such bans were viewed as necessary public safety measures after the death of approximately 1,500 persons. However, large outdoor religious gatherings continued to be quite common, especially in the southern part of the country.

On February 29, 2000, in response to this nationwide violence, President Olusegun Obasanjo convened a meeting of the Nigerian Council of State, a consultative body consisting of the President and Vice President, all past heads of state and past chief justices, all governors, the Attorney General, and the President of the Senate and Speaker of the House. The result of the meeting was an agreement that northern governors would halt initiatives to expand Shari'a and return to the northern Nigerian Penal Code.

Although the expanded Shari'a laws technically do not apply to Christians, the Christian minority, especially in Zamfara state, was subjected to many of the social provisions of the law, such as the separation of the sexes in public transportation vehicles (a law that was repealed after only 2 weeks) and bans on the selling of alcohol. Niger state also enforced a ban on selling alcohol. However, the federal Government has disregarded the ban on alcohol sales in military installations. All Muslims were subjected to the new Shari'a provisions in the states that enacted them, which, according to many legal scholars, constitute an abridgement of their freedom of religion and conscience.

The Constitution states that "no person attending any place of education shall be required to receive religious instruction or to take part in or attend any religious ceremony or observance if such instruction, ceremony, or observance relates to a religion other than his own." The Government continued to enforce a 1987 ban on religious organizations on campuses of primary schools, although individual students retain the right to practice their religions in recognized places of worship. Islam is a mandatory part of the curriculum in public schools in Zamfara and other northern states, to the exclusion of Christianity.

According to the governor of Zamfara, Shari'a is supposed to apply to Muslims only; however, schoolchildren continue to be segregated by gender in Zamfara schools and preparations were underway for separate transportation and health facilities for men and women. The governor of Zamfara also disbursed public funds to refurbish mosques and pronounced that only persons with beards would win government contracts. In May 2000, Kebbi state also began to separate schoolchildren by gender.

Although distribution of religious publications remained generally unrestricted, the Government continued to enforce lightly a ban on published religious advertisements. There were reports by Christians in Zamfara state that the state government restricted the distribution of religious (Christian) literature. The Right Reverend Samson Bala, First Bishop of Zamfara, Gusau diocese, said that the state radio station had

"closed its doors to Christians." Commercials and paid advertisements containing Christian literature are not accepted, he said, and only Islamic religious programs are aired.

Foreign missionary groups operate in the country and do not face restrictions specifically designed to deter their activities. Many missionary groups have noted bureaucratic delays and obstruction and attempts to extort money for the processing of necessary residence permits for foreigners; however, many foreign businesses and other nonreligious organizations also have encountered similar difficulties. Rough estimates put the number of foreign missionaries at over 1,000, with many in the area around Jos, in Plateau state. The main Christian missionary groups include Jesuits, Dominicans, the Church of Jesus Christ of Latter-Day Saints (Mormons), the Church of Christ, and the Society for International Missions.

Following nationwide Shari'a-related violence in February and March 2000, public proselytizing in many northern states was banned, although it is permitted by the Constitution. Missionaries reported that law enforcement officials harassed them when they proselytized outside of their designated zones. Both Christian and Muslim organizations alleged that the Ministry of Foreign Affairs and the Immigration Department restricted the entry into the country of certain religious practitioners, particularly persons suspected of intending to proselytize. Proselytizing did not appear to be restricted in the southern part of the country.

Governmental Abuses of Religious Freedom

In March 2000, the government of Zamfara state, under its newly expanded Shari'a statutes, amputated the right hand of a cow thief. The victim was quoted as saying that he voluntarily submitted to the full Shari'a proceedings, including amputation. After being convicted, he was entitled to an appeal, a right that he willingly waived. Other convicted Muslim criminals in Zamfara state were subjected to public floggings for various minor offenses.

There were no reports of detainees or prisoners imprisoned solely on religious grounds. In May 1999, the predominantly Shi'a Muslim Brotherhood published a list of 96 of its followers who were in prison or awaiting trial on charges that varied from preaching without a license to homicide. By the end of 1999, Ibrahim el-Zakzaky, the leader of the Muslim Brotherhood, was released from prison, along with most of the 96 followers who had been jailed in 1999.

Forced Religious Conversion of Minor U.S. Citizens

There were no reports of the forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

Section II: Societal Attitudes

The law prohibits religious discrimination. Private businesses frequently are guilty of informal religious and ethnic discrimination in their hiring practices and purchasing patterns.

Religious differences often correspond to regional and ethnic differences. For example, the northern region is overwhelmingly Muslim, as are the large Hausa and Fulani ethnic groups of that area. Many southern ethnic groups are predominantly Christian. Consequently, it is often difficult to distinguish religious discrimination and violence from ethnic and regional discrimination and violence, which is pervasive. The violence of the past year, although sparked by Muslim attempts to expand Shari'a law, had strong ethnic undertones, particularly the retributive violence that occurred in the southeast.

When Kaduna state announced plans to implement Shari'a law, the large Christian minority in the state protested on February 21, 2000, leading to several days of violent confrontations. Estimates of the number of persons killed range from 1,000 to 1,500; many churches and mosques were burned. Many Christians in the north, fearing continued violence, returned to their historic homelands in the southeast.

On February 28, 2000, when the bodies of the victims from the Kaduna violence were returned home to the southeast, reciprocal violence erupted in Aba, Abia state, and, to a lesser extent, in the neighboring towns of Owerri, Imo state, and Onitsha, Anambra state. This violence was characterized by attacks on the minority Muslim Hausas by the majority Igbos. Estimates of the number of persons killed range from 400 to 500. Many of the Hausas were victimized due to their ethnic identity rather than their religious beliefs.

In spite of the February 2000 agreement that northern governors would halt initiatives to expand Shari'a (see Section I), a few states continued to expand their Shari'a laws. Niger state declared that it would expand Shari'a laws on the same day as the Council of State meeting, and the amputation of the cow thief's right hand in Zamfara state occurred on March 23, 2000 (see Section I), 3 weeks after the Council of State agreement. Nonetheless, the broad political accommodation reached between the Government and the state governors on Shari'a appeared to be holding at the end of the period covered by this report, especially after public criticism at the amputation of the cow thief's hand. A court case challenging the constitutionality of Zamfara's Shari'a penal code was ongoing on June 30, 2000.

Following the violence related to the expansion of Shari'a laws, several committees were established, both by government officials and by religious leaders, to work for peace and a better understanding between Christians and Muslims, and to obtain a solution to the Shari'a debate. However, the efforts of these various committees did not result in a permanent solution as to how, or if, Shari'a will be permitted to expand into the criminal code of states that so desire it, by mid-2000.

In July 2000, a Hausa woman who violated a religious taboo against

women viewing a Yoruba festival was killed by a mob. This incident ignited reciprocal violence on July 21, 1999 in the northern, predominantly-Hausa city of Kano, with the Hausa majority attacking the Yoruba minority. Approximately 80 persons died over a 4-day period; the majority of the victims were Yorubas.

In December 1999, in two attacks, 16 churches were burned and 1 clergyman was injured seriously by Muslim youths in the town of Ilorin, Kwara state. The churches reportedly were located in the Muslim part of town. The reason for the attacks was not clear. The Government's response was limited to pleas for calm and understanding, and there was no attempt to prosecute the perpetrators.

In addition to the violence related to the expansion of Shari'a law in Kaduna, Aba, Owerri, and Onitsha, there was civil unrest on March 7, 2000 in Sokoto following a pro-Shari'a rally by university students. Although there were no confirmed deaths, at least one church was burned and two others were vandalized. Local Christians sought refuge in military barracks, but they returned to their homes once calm was restored.

On March 27, 2000, at least one person was killed and several were injured in Borno state when a long-festering argument over the location of a church escalated into violence between Muslims and Christians. The church in question also was burned down.

On May 22 and 23, 2000, rioting erupted in Nayari, Kaduna state after Christian residents found the body of a person whom they believed to have been a Christian and killed by Muslims. Christians retaliated against Muslims and almost completely destroyed Muslim residences and businesses, causing many Muslim residents to flee. Press reports indicated that as many as 200 persons were killed, although this total could not be confirmed. The exact cause of the outbreak remains unclear, although some observers believe that the violence was organized and preplanned by Kaduna Christians in order to prevent Muslims from returning to the neighborhood to rebuild their community following the violence related to the expansion of Shari'a laws in February 2000.

Section III: U.S. Government Policy

U.S. Embassy officials frequently discuss the political and social situation with various religious leaders, who play a prominent role in civil society and in the human rights community. Embassy officers raised religious freedom issues with government officials in the context of the Embassy's overall efforts to promote respect for human rights. The U.S. Government, through the U.S. Embassy and in statements from officials in Washington, sought to encourage a peaceful resolution to the Shari'a issue and urged that human rights and religious freedom be respected in any resolution.

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