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Nigeria

International Religious Freedom Report 2007

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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 through worship, teaching, practice, and observance. While the Government generally respected religious freedom, it occasionally placed limits on religious activity to address security and public safety concerns.

There was no change in the status of respect for religious freedom by the Government during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

Interreligious tension between Christians and Muslims remained in some areas, and conflicts of a seemingly socioeconomic or political nature often divided people along religious lines. While members of Jehovah's Witnesses freely practiced their religion and were generally accepted in society, there were isolated cases of societal abuse of Witnesses who chose not to participate in local age grade associations for religious reasons.

The U.S. Government pursued several religious freedom-related issues as an important part of the U.S. Embassy's program. The Ambassador and the Embassy assumed an active role in discussing and advocating these issues with government, religious, civil society, and traditional leaders, and are involved in these issues countrywide. The Embassy also devoted substantial funding to projects and outreach with a religious freedom component.

Section I. Religious Demography

The country has an area of 356,700 square miles and a population of 135,031,200. There are no accepted figures for the proportion of citizens who practice Islam or Christianity; it is generally assumed the numbers are roughly equal and that there is a substantial number who practice traditional indigenous religious beliefs alongside Christianity or Islam. The predominant form of Islam is Sunni, although indigenous Shi'a communities reside in isolated parts of the North as well. The Christian population includes Roman Catholics, Anglicans, Baptists, Methodists, Presbyterians, and a growing number of evangelical and Pentecostal Christians and members of the Church of Jesus Christ of Latter-day Saints (Mormons).

The North, dominated by the large Hausa-Fulani and Kanuri ethnic groups, is predominantly Muslim. However, significant Christian communities have resided and intermarried with Muslims in the North for well over 50 years. Overall, Muslims and Christians coexist peacefully, neither community segregated completely from the other except in parts of Kaduna State. Both Muslims and Christians reside in large numbers in the Middle Belt, including the Federal Capital Territory (FCT). In the Southwest, where the Yoruba ethnic group predominates, Christians and Muslims reside in equal numbers. While most Yorubas practice either Christianity or Islam, the practice of traditional Yoruba religious beliefs continues. Southern ethnic groups are predominantly Christian. In the East, where the Igbo ethnic group is dominant, Catholics, Anglicans, and Methodists are the majority, although many Igbos continue to observe traditional rites and ceremonies in tandem with Christianity.

The Government's nationwide census released in March 2007 did not record religious or ethnic affiliation due to a great deal of controversy surrounding this issue.

Foreign missionaries from many religious groups operate freely; many have been present for a decade or longer.

Section II. Status of Religious Freedom

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 through worship, teaching, practice, and observance. Chapter 1, Section 10 of the Constitution mandates that the Government "shall not adopt any religion as State Religion." While the Government generally respected religious freedom, there were some instances in which it placed limits on religious activity to address security and public safety concerns.

The Government is a member of the Organization of the Islamic Conference; however, there is no state religion.

Each year the Government observes the following Islamic and Christian commemorations as national holidays: Eid al-Adha, Eid al-Fitr, Good Friday, Easter Monday, the Birth of the Prophet Muhammad, Christmas, and Boxing Day.

There are 36 states constituting the federal republic; governors enjoy significant autonomy in decision making but derive substantial resources subject to oversight from the Federation Account of the Government. The Constitution prohibits state and local governments from adopting or giving preferential treatment to a religious or ethnic community. Some Christians allege that the 2000 reintroduction and enforcement of criminal aspects of the Shari'a legal system and the continued use of state resources to fund the construction of mosques, the teaching of Qadis (Shari'a court judges), and subsidies for the pilgrimage to Mecca (the Hajj) across the 12 northern states amounted to the adoption of Islam as a de facto state religion. Moreover, the Nigerian Civil Liberties Organization (CLO) contends that the establishment of a Ministry of Religious Affairs and the creation of a Preacher's Council in Zamfara State is tantamount to adopting Islam as a state religion. However, several states, including northern states, apportioned funds to finance Christian pilgrimages to Jerusalem and to construct churches. States, whether predominantly Christian or Muslim, generally responded to the religious needs expressed by the majority of their residents.

The Constitution provides that states may establish courts based on the common law or customary law systems. Individual states in the North have elected to create, alongside the common law and customary law courts, Shari'a appellate courts. Many other states, including Middle Belt states Benue and Plateau, have Shari'a appellate courts. In 2000, 12 northern states (Sokoto, Kebbi, Niger, Kano, Katsina, Kaduna, Jigawa, Yobe, Bauchi, Borno, Zamfara, and Gombe) reintroduced criminal law aspects of the Shari'a legal system. Prior to 2000 the courts used the Shari'a system to adjudicate civil matters only. Adherence to Shari'a criminal law is compulsory for Muslims in some states and optional in others. While the Constitution (Section 262.2 and 277.2) technically does not permit non-Muslims to consent to Shari'a jurisdiction, in practice, non-Muslims have the option of submitting to Shari'a jurisdiction when the penalty under the Shari'a is less severe, such as paying a fine rather than a jail sentence under common law. Defendants have the right to challenge the constitutionality of Shari'a criminal statutes through the common law appellate courts. As in the previous reporting period, no challenges with adequate legal standing reached the common law appellate system. The Constitution also provides for the Government to establish a federal Shari'a Court of Appeal; however, the Government has not established such a court and has provided no justification for the delay in its establishment. The highest appellate court for the Shari'a remains the Supreme Court manned by common law judges who need not have and do not usually possess any formal training in the Shari'a.

The law requires Christian and Muslim groups planning to build new churches or mosques to register with the Corporate Affairs Commission (CAC). The CAC did not deny registration to any religious group during the period covered by this report. Many nascent churches and mosques ignored the registration requirement, and a small number, most notably those in the Federal Capital Territory, had their places of worship shut down or demolished when officials enforced the zoning laws.

Both federal and state governments were involved in the regulation of mandatory religious instruction in public schools.

In June 2007 newly-elected President Umaru Yar'Adua pledged to create an interfaith advisory council consisting of prominent Muslim and Christian leaders to aid the Government in maintaining peace among its various religious communities. Some state governors, including former Kaduna State Governor Ahmed Makarfi, actively encouraged interfaith and intercommunal discussions and made advances to prevent further violence and tension. The Government encouraged the activities of nongovernmental organizations (NGOs) such as the Kano based Inter-Ethnic Forum, the Kaduna-based Inter-Faith Mediation Center, and the Muslim/Christian Dialogue Forum. Traditional leaders, such as the Sultan of Sokoto--the communal leader of the country's 70 million Muslims--as well as various local chieftains and Emirs throughout the country took steps to minimize conflict in their communities. In advance of the April 2007 elections, the Christian Association of Nigeria and the National Supreme Council for Islamic Affairs issued joint statements exhorting adherents of the two faith communities to exercise civility and tolerance for each other, particularly at a time of heightened political unease.

On June 18, 2007, the President pledged to establish a National Hajj Commission, which would earmark federal funding for the annual pilgrimage to Mecca. The Government agreed to look into the creation of a commensurate Christian Pilgrimage Commission.

The National Broadcasting Commission requires televangelists who broadcast religious miracles to prove the authenticity of the miracles, although that rule was suspended by the Lagos High Court pending a hearing of a lawsuit contesting the policy. Some evangelists continued to reference miracles in their broadcasts.

Restrictions on Religious Freedom

In June 2005 the Abuja High Court struck down provisions of the Public Order Act that banned gatherings whose political, ethnic, or religious content might lead to unrest. Although several state governments continued to ban public mass rally proselytizing to avoid ethno-religious violence, large outdoor religious gatherings were less likely to be

restricted as a result of this ruling.

Although the Government did not generally restrict distribution of religious publications, it sporadically enforced a ban against broadcasting religious advertisements on state-owned radio and television stations. Private radio stations regularly broadcast religious programming.

In Zamfara State, a Shari'a court must hear all criminal cases involving Muslims. Other states, including Niger and Kano States, that utilize the Shari'a legal system permit Muslims to choose common law courts for criminal cases. Civil society groups alleged that some Qadis apply harsher penalties in adultery and fornication cases against women than in commensurate cases against men and require stronger evidence to convict men than to convict women. The courts did not prosecute any known cases of adultery or fornication during the reporting period.

There are no laws barring women or any groups from testifying in common law courts or that give less weight to their testimony; however, Shari'a courts usually accord less weight to the testimony of women and non-Muslims.

The Government continued to ban religious organizations from primary school campuses, although individual students retained the right to practice their religious beliefs in registered places of worship. The Constitution does not require students to receive religious instruction in secular public schools. Nigerian NGOs such as the CLO claim that the 12 northern states have made Islamic religious education compulsory in previously secular public schools. Several state authorities claimed that schools did not require students to attend classes of a religious group other than their own, and that students could request a teacher of their own religious beliefs to provide alternative instruction. However, there were often no teachers of "Christian Religious Knowledge" in many northern schools or those of "Islamic Religious Knowledge" in some southern schools.

Christians in the predominantly Muslim northern states continued to allege that local government officials used zoning regulations to stop or slow the establishment of new churches. Muslims in the predominantly Christian southern part of Kaduna State alleged that local government officials prevented the construction of mosques. In some areas of the south, Muslims decried local governments for not approving permits to build mosques and Islamic schools. Officials responded that many of the proposed new churches and mosques would be in residential neighborhoods not zoned for religious purposes, and that the certification boards dealt with a large backlog of cases for all applicants regardless of religious belief.

Although the expanded jurisdiction of the Shari'a does not apply to non-Muslims in civil and criminal proceedings, certain social mores inspired by the Shari'a, such as the separation of the sexes in public schools and health care and transportation services have affected non-Muslim minorities in the North. Some social practices and norms precede the advent of Islam in the country.

Kano State maintains on its books steep fines and prison sentences for the public consumption and distribution of alcohol, in compliance with Shari'a stipulations proscribing public alcohol consumption. However, there were no reports of non-Muslims being penalized during the reporting period. In spite of the ban, alcohol was available in Kano at hotel bars and restaurants. In some northern states, government officials have restricted the sale and public consumption of alcohol except on federal government installations, such as military and police barracks.

In Zamfara State, local governments citing religious sensibilities enforced laws requiring the separation of men and women in the transportation and health care sectors. The bans on mixed gender transportation did not appear to extend to private vehicles. The 2005 Kano State ban prohibiting commercial motorcycle taxis from taking women as passengers continued during the reporting period. The Kano State Shari'a Implementation Council cited repeated complaints by female residents of Kano as the impetus for the ban. Only Muslim women were subjected to the ban, as motorcycle taxis continued to offer rides to non-Muslim female passengers. In response to the need for adequate transport for women, Kano State purchased Indian-style motor carriages for Muslim female transport. Several other northern states and the FCT also use these carriages.

Abuses of Religious Freedom

The Constitution permits capital punishment; although several Shari'a courts, as well as common law courts, sentenced persons to death, no Shari'a death sentences were carried out during the period covered by this report.

The Nigeria Legal Aid Council appealed 50 Shari'a court convictions and death sentences in Bauchi State since 2004.

Muslims convicted of crimes under Shari'a received a public caning sentence for minor offenses, such as petty theft, public consumption of alcohol, and prostitution. Unlike in the past, there were no reports that states administered amputations or canings pursuant to a Shari'a court ruling during the period covered by this report. For a variety of reasons, there were numerous Shari'a cases pending appeal or implementation of sentence, including pending amputation and stoning sentences in Jigawa, Bauchi, Niger, Kano, and Zamfara states. The 2003 case involving Bauchi resident Ade Dabo, sentenced to stoning for the alleged rape of two minor females, was pending confirmation by the newly elected Bauchi State Governor. If confirmed, this case would represent the second stoning sentence

carried out since Shari'a criminal punishment was reintroduced in 2000.

Human rights groups reported that many indigent persons convicted of Shari'a offenses claimed they had not known of their entitlement to legal representation.

A number of states with expanded Shari'a laws sanctioned enforcement of such laws by groups known as the Hisbah, which are funded by state governments. In some cases these groups have authority to make arrests but primarily serve as traffic wardens and help regulate commercial activity in the marketplace. The Hisbah groups were active during the period covered by this report in Zamfara, Niger, and Kano States.

There were no reports of religious prisoners or detainees in the country.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States. The 12 northern states that reintroduced the Shari'a criminal code did not criminalize apostasy or penalize Muslims that converted to another religion.

Section III. Societal Abuses and Discrimination

Interreligious tension between Christians and Muslims remained in some areas, and conflicts of a seemingly socioeconomic or political nature often divided people along religious lines. Unlike in prior reporting periods, there were no high-profile cases of community violence directed at religious groups. Events occurring in other regions or other parts of the world, particularly those of a religious tenor, heightened tensions between religious groups.

Religious differences often mirror regional, tribal-ethnic, and occupational differences. For example, in many areas of the Middle Belt, Muslim Fulani tend to be pastoralists, while the Muslim Hausa and most Christian Igbo and other ethnic groups tend to be farmers or work in urban areas. Consequently ethnic, regional, economic, and land use competition often correlate with religious differences between the competing groups.

There were unconfirmed reports of several incidents of violence directed against Christian groups.

Local religious and traditional leaders met regularly in Katsina and Borno States in response to the 2006 violence sparked by protests over caricatures of the Prophet Muhammad. The region remained susceptible to religious conflict because of underlying socioeconomic problems.

In response to violence between Sunni and Shi'a communities in Sokoto State in 2005, the Sultan of Sokoto regularly counseled local religious leaders to promote coexistence among all groups.

Incidents of communal violence in Plateau State continued to occur, but not on the scale of the previous reporting period.

School authorities, with the aid of student leaders representing campus religious organizations, continued to use interfaith dialogue to address tensions that resulted from the 2004 killing of a Christian campus organization leader at a major university in Bauchi State.

The law prohibits religious discrimination in employment and other practices; however, private businesses frequently discriminated on the basis of religion or ethnicity in their hiring practices and purchasing patterns. In nearly all states, ethnic rivalries between "indigene" groups and "settlers" led to some societal discrimination against minority ethnic and religious groups.

There were a few instances of societal abuse and discrimination against members of Jehovah's Witnesses who refused to join local age-grade associations or women's associations for religious reasons. As in the past, communities in Abia State sometimes ostracized these Witnesses, denying them the right to sell goods in the public market or to retrieve water from the public tap. At the end of the reporting period, the Director of Public Prosecution reportedly had not prosecuted persons accused of assaulting Jehovah's Witnesses (which resulted in the death of one member) who refused to join a women's association in Abia State in 2003. There were also unconfirmed reports that several communities in Abia State seized or destroyed the property of Jehovah's Witnesses who for religious reasons refused to pay a fee levied by the community for the identification of witches.

Although many non-Muslims feared that implementation of the Shari'a criminal code would change their way of life, there was little or no change in the daily lives of most non-Muslims. Some state and local governments strictly interpreted the new Shari'a laws for political reasons, but the majority interpreted and implemented their laws less

stringently. There also was a trend developing among some segments of the Muslim community to shift focus away from the criminal aspects of the Shari'a legal system to its tenets of social justice and charity for the poor. Islamic scholars and many Muslim lawyers began educating the poor and the less well informed about their procedural rights under Shari'a. Several lawyers offered free services to the indigent in cases with potentially severe punishments.

In the northern states, some community members reportedly pressured or ostracized Muslims that converted to another religion.

Section IV. U.S. Government Policy

The U.S. Embassy regularly raised religious freedom issues with various federal, state, and local officials, and with prominent citizens. The U.S. Embassy made an especially strong effort to promote religious reconciliation between Christians and Muslims. Embassy officers traveled extensively to various states to meet with Christian and Muslim leaders throughout the reporting period to further that outreach.

In an effort to increase engagement with and outreach towards northern Nigeria, where most of Nigeria's approximately 70 million Muslims reside, the U.S. Government designated and filled a new Political Officer position focused on Muslim Outreach and trained in Hausa, the lingua franca of much of the North.

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[International Religious Freedom Report Home Page](http://www.state.gov/g/drl/rls/irf/2007/90114.htm)