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2012 International Religious Freedom Report - Nigeria

Executive Summary

The constitution and other laws and policies protect religious freedom and, in practice, the government generally respected religious freedom. The trend in the government's respect for religious freedom did not change significantly during the year. Selected state governments, individuals, and groups outside of the national government occasionally committed abuses. The government did not act swiftly or effectively to quell communal violence, or to investigate and prosecute those responsible for such violence. Federal, state, and local authorities did not address effectively underlying political, economic, ethnic, and religious grievances leading to violence. An atmosphere of impunity existed, as authorities rarely investigated, prosecuted, and punished those responsible for violent attacks and sometimes responded to violence with heavy-handed tactics.

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Some Muslim and Christian religious leaders alleged that Nigeria-based extremists, collectively known as Boko Haram, sought to incite hostilities between Muslims and Christians and to spark reprisals in the Northern and Middle Belt states, where local laws, discriminatory employment practices, and fierce competition for land exacerbated communal tensions.

The U.S. mission discussed and advocated for religious freedom and tolerance with government, religious, civil society, and traditional leaders. Visiting U.S. delegations, including the ambassador at large for international religious freedom, raised these issues with state and federal government officials. The embassy launched a new project aimed at promoting tolerance in six northern states.

Section I. Religious Demography

The population is approximately 170 million, according to a U.S. government source. Most observers estimate it is 50 percent Muslim, 40 percent Christian, and 10 percent adherents of indigenous religious beliefs. The predominant Islamic group is Sunni, including Tijaniyah, Qadiriyyah, and Sufi. Growing Shia and Izala (Salafist) minorities exist. Christian groups include Roman Catholics, Anglicans, Baptists, Methodists, Presbyterians, evangelicals and Pentecostals, and The Church of Jesus Christ of Latter-day Saints (Mormons).

The Hausa-Fulani and Kanuri ethnic groups dominate the predominantly Muslim northern states. Significant numbers of Christians also reside in the north, and Christians and Muslims reside in about equal numbers in the Middle Belt, the Federal Capital Territory, and the southwestern states, where the Yoruba ethnic group predominates. While most Yorubas are either Christian or Muslim,

some primarily adhere to traditional Yoruba religious beliefs. In the southeastern states, where the Igbo ethnic group is dominant, Catholics, Anglicans, and Methodists constitute the majority, although many Igbo combine traditional practices with Christianity. In the Niger Delta region, where the Ogoni and Ijaw ethnic groups predominate, Christians form the majority while an estimated 1 percent of the population is Muslim. Pentecostal groups are growing rapidly in the Middle Belt and southern regions. Ahmadi Muslims maintain a small presence in the cities of Lagos and Abuja.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution and other laws and policies generally protect religious freedom. The constitution mandates that the government not adopt any religion as a state religion. The constitution prohibits state and local governments from adopting a state religion or giving preferential treatment to any religious or ethnic group.

A Katsina State law requires Islamic schools, preachers, and mosques to obtain permission from the state prior to operating. The law stipulates a punishment of one to five years of incarceration and/or a fine of up to \$3,000 for operating without a license.

The constitution provides for state courts based on the common law or customary law systems. Twelve northern states maintain Sharia courts. The constitution specifically recognizes Sharia courts for civil but not criminal matters. Non-Muslims have the option to try their cases in the Sharia courts if involved in disputes with Muslims. Common law courts hear the cases of non-Muslims who do not agree to the use of Sharia courts. Sharia courts cannot compel participation by non-Muslims, but some non-Muslims took cases to Sharia courts, citing their speed and low cost. Aggrieved parties can appeal Sharia court judgments to three levels of Sharia appellate courts. Decisions by the Sharia court of appeal (the highest level of the Sharia courts) theoretically can undergo appeal to the Federal Court of Appeal and then to the Supreme Court, although none has done so.

Despite constitutional prohibition, a Zamfara State law requires that a Sharia court must hear all criminal cases involving Muslims. Zamfara's state-level religious affairs commission regulates religious affairs and preaching, distributes licenses to imams, and attempts to resolve religious disputes in the state. The states of Bauchi, Borno, Kaduna, Kano, and Yobe also maintain state-level religious affairs ministries or bureaus, while many other state governors have appointed special advisors on religious affairs.

Christian and Muslim groups planning to build new churches or mosques must register with the Corporate Affairs Commission.

Both federal and state governments regulate mandatory religious instruction in public school. The constitution mandates that schools may not require students to receive religious instruction in any

religion other than their own. State officials and many religious leaders assert that students are free to request a teacher of their own religious beliefs to provide alternative instruction.

The government observes the following religious holidays as national holidays: Eid-El-Maulud, Good Friday, Easter Monday, Eid-El-Fitr, Eid El-Adha, and Christmas.

Government Practices

There were no reports of abuses of religious freedom by the federal government. However, there were reports of abuses by some state and local governments, including reports of detentions. In addition, some state and local governments imposed restrictions on religious freedom that affected members of religious groups. Some state governments asserted that they placed limits on religious activity to address security and public safety concerns.

Sharia-based practices, such as the separation of the sexes in public schools, health care, voting, and transportation services, affected non-Muslim minorities in the north. State governments in Bauchi, Zamfara, Niger, Kaduna, and Kano funded Sharia law enforcement groups called the Hisbah, which enforced Sharia law inconsistently and sporadically. There were no verified reports that Sharia courts illegally heard criminal cases during the year, although they have done so in the past. Sharia courts continued to hear civil cases as permitted by law.

On August 8, Kano State Hisbah personnel arrested 20 people who chose not to fast during Ramadan. Authorities reportedly denied the detainees food to “teach them how to fast” and released them after three days. Kano State authorities maintained steep fines and prison sentences for the public consumption and distribution of alcohol, in compliance with Sharia statutes. Some non-indigene and non-Muslim residents of Kano accused the Hisbah of impounding alcoholic beverages transported on federal roads through Kano, and harassing and injuring travelers passing through the state because they used or possessed alcohol.

Authorities in some states reportedly denied building permits for construction of new places of worship of the non-dominant religious community, or for expansion and renovation of existing ones. Christians from both the north and the south alleged that in the predominantly Muslim northern states, local government officials used zoning regulations and title registrations to stop or slow the establishment of new churches. Early in the year, a church in a northern state purchased land from a private seller to expand its rectory, but local government officials refused to transfer the title into the church’s name. Some Muslims in the south alleged that local government officials demolished or prevented the construction of mosques in retaliation for denials in the north. On August 12, Muslims in predominantly Christian Anambra State protested the state government’s decision to demolish a mosque, allegedly for a road construction project. By year’s end, government officials had not compensated the community or provided a new mosque.

On August 13, police in Plateau State banned Muslims from using certain open-air prayer grounds during the Islamic holiday of Eid al-Fitr, citing concern for the safety of the worshippers, given the deaths of ten Muslims at a prayer ground in 2011. This year the Plateau State government recommended an alternate prayer ground, and no large-scale violence occurred.

Muslim organizations continued to criticize a Katsina State law requiring licensing of Islamic schools, preachers, and mosques, although there were no reports of prosecutions under the law.

during the year. Opponents described the law as discriminatory, because it did not impose licensing requirements on Christian groups, and asserted that it inhibited the freedom of Muslim imams to preach openly against the government. The government maintained that a more rigid definition of Islamic education and preaching helped address security concerns.

On November 19, a federal high court based in Minna, the capital of Niger State, ordered the state government to pay approximately \$503,000 in compensation for a February 2011 incident in which the authorities had evicted from the state a small Islamic group critical of the local government. The state government appealed, claiming that only state level high courts have jurisdiction over such cases. The case remained unresolved at year's end.

Some non-Muslims alleged that use of government-funded Sharia courts amounted to the adoption of Islam as a state religion.

The federal government approved the use of air carriers for religious pilgrimages to Mecca for Muslims and to Jerusalem or Rome for Christians, and subsidized both types of pilgrimages. It established airfares and negotiated bilateral air service agreements with Saudi Arabia and Israel to support pilgrimages. The National Hajj Commission provided logistical arrangements for approximately 85,000 annual pilgrims to Mecca. The Nigerian Christian Pilgrims Commission provided logistical arrangements for as many as 30,000 annual pilgrims to Jerusalem and Rome.

Shortages of teachers capable of teaching Christianity or Islam reportedly existed in some public schools. Increasingly, students received no religious instruction in the classroom, turning instead to informal religious instruction outside of public schools. One Muslim group based in the south confirmed that no Muslim student was required to participate in Christian religious education unless he or she attended a private parochial school.

Government Inaction

The federal government did not act swiftly or effectively to quell communal violence, nor to investigate and prosecute those responsible for abusing religious freedom. Although religious leaders and civil society groups commended the Kaduna state government for taking decisive action to halt reprisal killings after a church bombing in October, an overall air of impunity persisted. Legal proceedings against five police officers arraigned in 2011 for the extrajudicial killing of Boko Haram leader Mohammed Yusuf did not resume as scheduled in February. No indictments or prosecutions followed August 2011 communal violence in Jos in which 100 people died.

Federal, state, and local authorities did not effectively address underlying political, ethnic, and religious grievances that led to violence. Recommendations from numerous government-sponsored panels for resolving ongoing ethno-religious disputes in the Middle Belt included establishing truth and reconciliation committees, redistricting cities, community sensitization, and ending the dichotomy between indigenes and settlers. Nationwide practice distinguishes between indigenes, whose ethnic group is native to a location, and settlers, who have ethnic roots in another part of the country. Local authorities grant indigenes certain privileges, including preferential access to political positions, government employment, and lower school fees, based on a certificate attesting to indigene status. The federal government did not implement any recommendations despite urging by a prominent group of northern leaders in May.

Abuses by Rebel or Foreign Forces or Terrorist Organizations

The Jama'atu Ahlis Sunna Lidda'awati Wal-Jihad, or People Committed to the Propagation of the Prophet's Teachings and Jihad (commonly referred to as Boko Haram, Hausa for "Western education is forbidden"), continued to commit violent acts in its quest to overthrow the Nigerian government and impose its own religious and political beliefs throughout the country, especially in the North. The United States designated three of Boko Haram's leaders as terrorists in June.

Boko Haram violently murdered hundreds of Christians and Muslims during the year. The group often targeted political and ethnic rivals, religious leaders, businesses, homes, police stations, military installations, churches, mosques, and rural villages using assault rifles, bombs, suicide car bombings, and suicide vests. Although Boko Haram did not officially claim responsibility, unsuccessful attempts on the lives of three prominent Muslim leaders occurred shortly after they publically disagreed with Boko Haram's beliefs and goals. Boko Haram members indiscriminately killed many others in large-scale attacks, including the April 26 bombings of the *This Day* newspaper offices in Abuja and Kaduna.

Boko Haram claimed responsibility for many of the 15 church attacks that killed more than 150 people, including scores of Christians, during worship services. There were unconfirmed reports that Boko Haram burned down dozens of churches, often at night and without casualties, or during clashes with security forces. Christian groups alleged the media consistently underreported the razing of churches. Several Christian leaders reported church attendance rates in the north decreased by 30 to 70 percent, attributing the decline to fear of Boko Haram and the growing inconvenience of navigating roadblocks and metal detectors put in place to mitigate the risk of attack. Some civil society groups, media outlets, and politicians maintained that Boko Haram killed more Muslims than Christians because its primary bases of operation were in the predominately Muslim north and it frequently targeted banks and security forces or other government installations. In one such January attack, Boko Haram killed more than 180 people in the city of Kano.

Government attempts to stop Boko Haram were largely ineffective. Actions taken by security forces often increased the death toll, especially in the remote and troubled city of Maiduguri, Borno State, where large clashes between Boko Haram and security personnel occurred frequently. Religious leaders, civil society, and international human rights organizations condemned the government's heavy-handed military response in Maiduguri.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Because ethnicity and religion were often inextricably linked, it was difficult to categorize social abuses or discrimination cases as either ethnic or religious intolerance.

Early in the year, a Muslim woman in a northeast state reportedly received death threats after she converted to Christianity. Anonymous harassers whom she suspected were Boko Haram members told her to convert back to Islam. When she refused, unknown gunmen shot and killed members of her immediate family in her home.

In some communities, Muslims or Christians who converted to another religion reportedly faced ostracism by adherents of their former religion. In some northern states, those wishing to convert to Islam applied to the Sharia council for a letter of conversion to be sent to their families, which served to dissolve marriages to Christians, and to request Hisbah protection from reprisals by relatives. Similar procedures did not exist for those converting to Christianity.

Muslims and Christians increasingly feared reprisal attacks based on their religious affiliation, especially following attacks on churches. In June an estimated 50 people died in reprisal attacks after a series of church bombings in Kaduna, and several prominent Christian leaders made inflammatory statements. However, most Christian and Muslim religious leaders based in areas experiencing violence either spoke up for tolerance or remained silent. Several Christian and Muslim religious leaders speculated that the perpetrators of an October suicide bombing of a church in the Middle Belt intended to spark communal violence in the surrounding community. They also acknowledged that the state government's quick action to maintain order and establish a curfew averted a larger crisis.

There were credible reports that some Christian and Southern indigenes temporarily moved away from the northeastern states of Borno and Yobe early in the year. They cited general security concerns, including attacks on churches and sustained violence between extremists and government security forces.

While the law prohibits religious discrimination in employment and other activities, some businesses continued to discriminate based on religion or ethnicity in hiring. Muslim women in the south reportedly continued to face job discrimination in the private sector, especially when applying for jobs requiring interactions with customers. Advocacy by Muslim groups in the South resulted in three major banks accepting "corporate hijab" into their dress code for the first time. There is no legal restriction against wearing the hijab.

The Nigerian Inter-Religious Council (NIREC), an independent organization comprised of 25 Christian and 25 Muslim leaders, advised the government on ways to mitigate violence between religious communities. The federal government publicly supported NIREC efforts, but it met only once during the year. Several Christian and Muslim religious leaders expressed growing frustration with and distrust of NIREC leadership.

Section IV. U.S. Government Policy

U.S. mission staff at all levels promoted religious freedom and tolerance in discussions with government, religious, civil society, and traditional leaders. The ambassador and principal officer arranged and attended meetings with government officials for visiting delegations, including the U.S. Department of State's ambassador at large for religious freedom in January, the undersecretary for political affairs in March, and the assistant secretary for democracy, human rights, and labor in November. These officials encouraged the Nigerian government to address sectarian violence and called for timely legal action against perpetrators of violence. Each of these officials met with civil society groups and religious leaders to listen to and show public support for their concerns.

The ambassador presented the first annual Ambassador's Humanitarian Award to the chief imam of an Abuja mosque on September 26. A grant for promoting peaceful coexistence and tolerance in the community accompanied the award.

In July the deputy chief of mission encouraged increased cooperation among all ethnic and religious groups in Nigeria in a speech in Abuja. Consulate general Lagos hosted an interfaith iftar to promote religious pluralism in early August. Guest speakers focused on the fundamentally tolerant and peaceful nature of Islam and openly denounced religious violence. Over 40 embassy volunteers served meals to needy youth and Muslims breaking their fast at an iftar. The principal officer met with leaders of the growing Pentecostal Christian movement in early September.

In October the embassy launched a program in partnership with the Interfaith Mediation Center in Kaduna State to help interfaith organizations deepen and strengthen community engagement capacities and support interfaith dialogue.

Embassy representatives supported interfaith dialogue at a meeting of the Adamawa Community Peace Council, a meeting on communal violence hosted by the European Union mission, and a research presentation by The Netherlands- funded Islam Research Project. The embassy and the American International School of Abuja sponsored a "Basketball for Peace" event in August, bringing Christian and Muslim youth together on neutral territory.

The U.S. embassy and consulate general Lagos regularly distributed information on religious freedom to journalists, academics, entrepreneurs, civic organizations, teachers, students, government officials, the armed forces, clergy, and traditional rulers through information resource centers and American Corners.