



U.S. DEPARTMENT of STATE

Nigeria

International Religious Freedom Report 2006

Released by the Bureau of Democracy, Human Rights, and Labor

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 Federal Government generally respected religious freedom, there were some instances in which limits were placed on religious activity to address security and public safety concerns.

There was no change in the status of respect for religious freedom during the period covered by this report.

Interreligious tension between Christians and Muslims remained high in some areas, and there were several violent economic, ethnic, and political conflicts that took on religious overtones. A government census was held in March, the first since 1991. Census results were not scheduled to be released until at least November 2006. The census had been expected to settle the question of whether Christians or Muslims make up the majority in the country. However, the religious issue proved so divisive that questions related to it were eventually removed from the census form. 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 broached and actively pursued several religious freedom-related issues, and this was an important part of the U.S. embassy's program. The ambassador and the embassy have taken an active role in discussing and advocating these issues with government, religious and community leaders, and are involved in these issues countrywide. The embassy has 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 its population is estimated at 140 to 150 million. There were no accepted figures for the proportion of citizens who practiced Islam or Christianity; it was generally assumed the numbers were roughly equal and that there were a substantial number who practiced traditional indigenous religions alongside Christianity or Islam. The predominant form of Islam in the country was Sunni. The Christian population included 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).

There was a strong correlation between religious differences and ethnic and regional diversity. The north, dominated by the large Hausa and Fulani ethnic groups, was predominantly Muslim with significant numbers of Christians. Both Muslims and Christians were found in large numbers in the Middle Belt. In the southwest, where the large Yoruba ethnic group was the majority, there was no dominant religion. Most Yorubas practiced either Christianity or Islam, while others continued to practice the traditional Yoruba religion, which includes a belief in a supreme deity and the worship of lesser deities that serve as the supreme deity's agents in aspects of daily life. In the east, where the large Igbo ethnic group was dominant, Catholics, Anglicans, and Methodists were the majority, although many Igbos continued to observe traditional rites and ceremonies in tandem with Christianity.

The Government conducted a nationwide census in March 2006. There was a great deal of controversy over whether to count religion and ethnicity during the census exercise. The final decision was to leave questions of ethnicity and religion off the census form. Therefore, no precise data was gathered about the relative numbers of adherents to various faiths in the country.

Christian missionaries from many denominations operated freely. Rough estimates put the number of foreign Christian missionaries at more than one thousand, with many residing in the area around Jos in the Middle Belt's Plateau State. Many Christian missionaries have been present for a decade or longer. There were fewer foreign Muslim missionaries, and they generally stayed for shorter periods of time than their Christian counterparts.

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. While the Federal Government generally respected religious freedom, there were some instances in which limits were placed on religious activity to address security and public safety concerns.

The Government remained a member of the Organization of the Islamic Conference during the period covered by this report. However, there

is no state religion.

Each year the Government observes the following Islamic and Christian holy days 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 thirty-six states; governors have substantial autonomy in all decision making but derive the vast majority of their resources from the Federal Government. The constitution prohibits state and local governments from adopting an official religion; however, some Christians have alleged that Islam has been adopted as a de facto state religion in several northern states, citing the reintroduction of criminal law aspects of Shari'a (Islamic law) and the continued use of state resources to fund the construction of mosques, the teaching of Kadis (Shari'a judges), and pilgrimages to Mecca (Haji). However, several states, including northern states, used government revenues to fund Christian activities, including pilgrimages to Jerusalem. In general, state governments, whether dominated by Christians or Muslims, tended to lean toward the faith practiced by the majority of residents.

The constitution provides that states may elect to use Shari'a laws and courts. There are twelve northern states that have adopted at least parts of Shari'a--Sokoto, Kebbi, Niger, Kano, Katsina, Kaduna, Jigawa, Yobe, Bauchi, Borno, Zamfara, and Gombe. Adherence to Shari'a provisions is compulsory for Muslims in some states and optional in others. Non-Muslims are not required in any state to submit to Shari'a jurisdiction. In some states non-Muslims have the option of submitting to Shari'a jurisdiction when the penalty under Shari'a is less severe, such as paying a fine rather than a jail sentence under secular law. Defendants have the right to challenge the constitutionality of Shari'a criminal statutes through the secular courts. As in the previous reporting period, no challenges with adequate legal standing reached the secular appellate system. The constitution also provides for the Federal Government to establish a federal Shari'a court of appeal and a final court of appeal; however, the Government has not yet established such courts.

Christian and Islamic groups planning to build new churches or mosques are required by law 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 Islamic congregations ignored the registration requirement, and a small number, most notably those in Abuja, had their places of worship shut down or demolished when the zoning laws were enforced.

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

Some state governors actively encouraged interfaith and interethnic discussions and took steps to prevent further violence and tension. The Government encouraged the activities of nongovernmental organizations such as the Kano-based Inter-Ethnic Forum, the Kaduna-based Inter-Faith Mediation Center, and the Muslim/Christian Dialogue Forum. At the national level, the Government established an Inter-Religious Council, consisting of prominent Muslim and Christian leaders.

Restrictions on Religious Freedom

The Government requires permits for outdoor public functions; government authorities and those assembling often ignored this requirement. In June 2005 an Abuja High Court ruled that long-standing legal provisions of the Public Order Act banning gatherings whose political, ethnic, or religious content might lead to unrest were unconstitutional. While it is not specific to religious gatherings, the act has nonetheless allowed authorities wide latitude in dispersing gatherings in which they have a "reasonable ground to fear a breach of the peace."

Despite the court ruling, several state governments continued to ban public mass-rally proselytizing to avoid ethno-religious violence. Some proselytizing groups remained active even before the court ruling, but since the ban was ruled unconstitutional in 2005, large outdoor religious gatherings were less likely to be restricted. Some state governments continued to impose bans inconsistent with the court ruling.

In 2003 the National Broadcasting Commission ruled that televangelists who broadcast religious miracles would be required to provide evidence to prove the authenticity of the alleged miracles. The Lagos High Court ordered a suspension of the ruling pending its hearing of a lawsuit contesting the policy. The suit was not heard during the reporting period, and some evangelists continued to reference miracles in their broadcasts.

Although distribution of religious publications was generally unrestricted, the Government sporadically enforced a ban against broadcasting religious advertisements on state-owned radio and television stations.

In Zamfara State, all criminal cases involving Muslims must be heard by a Shari'a court. Other states utilizing Shari'a law permit Muslims to choose secular courts for criminal cases; however, societal pressure compelled most Muslims to use the Shari'a court system. Some kadis (Shari'a judges) apply harsher penalties in adultery and fornication cases against women than in such cases against men and require stronger evidence to convict men than to convict women. While this legal standard still existed, there was less controversy surrounding specific Shari'a cases in the reporting period than during previous periods. No specific cases of adultery or fornication were known to have been prosecuted during the reporting period.

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

In the north there is a long tradition of separating schoolchildren according to gender. Some form of gender segregation occurred in many secondary schools in the north. In December 2004 the Kano State Commissioner of Education announced that public and private school pupils should observe "decent standards of dress," although non-Muslim girls would not be required to wear the headscarf.

The Government continued to ban religious organizations from primary school campuses, although individual students retained the right to practice their religions in registered places of worship. The constitution does not require students to receive instruction in a religion other than their own; however, the Ministry of Education requires public school students to undergo either Islamic or Christian religious instruction. State authorities claim that students are permitted not to attend classes taught in a religion other than their own and that students may request a teacher of their own religion to provide alternative instruction. However, there were often no teachers of "Christian Religious Knowledge" in many northern schools, and of "Muslim 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 continued to complain that they were denied permission to build mosques in predominantly Christian southern states. Officials responded that many of these proposed new churches and mosques were being planned for residential neighborhoods not zoned for religious purposes. State officials also stated that the certification boards were dealing with a large backlog of cases for all applicants regardless of religious faith.

Although the expanded Shari'a laws technically do not apply to non-Muslims, the non-Muslim minority has been affected by certain social provisions associated with Shari'a, such as the separation of the sexes in public schools, and health and transportation services. Many social provisions associated with Shari'a have roots in the country's pre-Islamic societies and were in practice before the states adopted Shari'a. For example, schoolchildren were separated by sex in most northern states prior to the recent implementation of Shari'a law.

Although most states have not criminalized alcohol consumption by non-Muslims, in May 2004 Kano State announced that non-Muslims would be fined approximately \$380 (50,000 naira) or up to a year in prison for drinking or selling alcohol in certain public places; however there were no reports of non-Muslims being penalized during the reporting period. In some northern states, the sale and public consumption of alcohol have been restricted, except on federal government installations, such as military and police barracks. Additionally, alcohol was available in Kano in spite of the ban, and while restrictions against it were not enforced, it was generally available only in international hotels or within small communities of Christians.

Kano State announced in May 2005 that commercial motorcycle taxis could no longer take women as passengers because, it claimed, the transport of women on motorcycles was contrary to Shari'a. The state government did not cite any specific Qur'anic references in announcing the ban. Both Muslim and non-Muslim women were affected by the ban. Zamfara State continued to enforce gender-segregated public transportation such as minibuses and motorcycle taxis. The bans on mixed gender transportation did not appear to extend to private vehicles.

Abuses of Religious Freedom

The constitution permits capital punishment; although several Shari'a courts, as well as secular courts, sentenced persons to death, no Shari'a death sentences were implemented during the period covered by this report.

In September 2004 in Bauchi State, Daso Adamu, a nursing mother, was sentenced to death by stoning when she initially admitted to having sex with her first husband after her second husband absconded. The man was freed for lack of evidence. In October 2004 she was released on bail on the grounds that she was breastfeeding. In December 2004 a Shari'a appeals court vacated the conviction and sentence, ruling that her pregnancy was insufficient evidence to convict her.

In October 2004 in Bauchi State, Hajara Ibrahim was sentenced to death by stoning for adultery after becoming pregnant outside of wedlock. According to the Shari'a court that convicted her, she confessed to having sex with a man who had promised to marry her. The man denied meeting her and was released for lack of evidence. The defendant appealed the sentence, stating that she should have been charged with the lesser crime of fornication, rather than adultery. In November 2005 a Shari'a appeals court overturned the conviction and sentence, ruling that she had never consummated an arranged marriage and therefore should never have been charged with adultery. It appeared that the prosecution in the case had not pursued the fornication charge subsequent to the court's ruling.

The Nigeria Legal Aid Council agreed to appeal thirty Shari'a convictions and death sentences in Bauchi State. In one case from September 2004, an eighteen-year-old man, Saleh Dabo, alleged that police told him he could plead guilty to rape and he would be released; instead, a court sentenced him to death by stoning for adultery, even though he was not married. At the end of the period covered by this report, the appeal had not been heard, and the sentence had not been carried out.

Muslims convicted of crimes under Shari'a were sentenced to public caning 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 Shari'a during the period covered by this report. 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. Many of these cases were delayed continuously for various reasons.

In May 2005 a Shari'a appeals court in Kaduna overturned amputation sentences that had been passed in 2003 against six Zaria men who had been accused of stealing a cow and a motorcycle. The appeals court ruled that the lower court had erred in convicting the men solely on the basis of police testimony, without allowing the men to defend themselves. The men also had not had access to legal representation, as required by the Kaduna State Shari'a code.

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

A number of states with expanded Shari'a laws have sanctioned private Shari'a enforcement vigilante groups (known as Hisbah). In some

cases these groups had authority to make arrests, but generally the groups were empowered only to "advise" possible Shari'a offenders. The Hisbah groups were not very active during the period covered by this report.

There was no further information on the imam detained by the Government in 2003, and who continued to be held despite a 2003 Kaduna state court order for his release.

There were instances of violence by security forces. In October 2004, during Ramadan, police killed two persons and injured three or four others in Gusau, the capital of mostly Muslim Zamfara State in the northwest. A crowd had approached the state government's building to demand traditional Ramadan alms from the Zamfara State governor. Police at the gates stopped the crowd from advancing, a scuffle ensued, and police opened fire. No further investigation was expected in the incident.

The Adamawa state governor dethroned the ethnic Bachama traditional ruler for his role in inciting violence between ethnic Bachama Christians and ethnic Hausa Muslims in Numan in June 2004. Later the governor named a new traditional leader for the Bachama. In early February 2005 police killed at least two persons and arrested at least thirty others who were protesting the appointment of the new ruler, claiming that he had no mandate to rule over them. It was believed that those arrested were later released.

There were no other 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.

Section III. Societal Abuses and Discrimination

Interreligious tension between Christians and Muslims remained high in some areas, and there were several violent economic, ethnic, and political conflicts that took on religious overtones.

Religious differences often mirror regional and ethnic differences. For example, persons in the North and in parts of the Middle Belt are overwhelmingly Muslim and from the large Hausa and Fulani ethnic groups that tend to dominate these areas. Many southern ethnic groups are predominantly Christian. In many areas of the Middle Belt, Muslim Fulani tend to be pastoralists, while the Muslim Hausa and most Christian 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.

It is not unusual for different ethnic groups with a long history of conflict to have adopted different religions with the effect of exacerbating existing tensions. Communal conflicts in Plateau and Kano States in 2004 led to the deaths of thousands and a several-month-long state of emergency in Plateau State. There have been incidents of violence in Plateau State since, but not on the scale of the previous reporting period. For example, in April 2006 at least twenty-five persons were killed and hundreds fled their homes during fighting between the Pan and Goma people of Plateau state over land ownership.

There were also instances of violence primarily based on religious issues or because of their religious affiliations.

As many as 50,000 persons were displaced and approximately 150 killed in a wave of sectarian violence across various states at the end of February, sparked by protests over caricatures of the Prophet Muhammad, according to the Nigerian Red Cross. The majority of deaths occurred in the mainly Christian southeast city of Onitsha, where groups of armed youths attacked Muslim Hausa-speakers from the north in revenge for Christian Igbos killed some days earlier in the north of the country. Spiraling violence spread across at least six states, with thousands of persons taking refuge mainly in police and army barracks or churches, although many later returned to their homes. Widespread destruction of property took place, with numerous churches, mosques, and houses burned down. State governments in the affected areas dispatched police and army reinforcements and imposed curfews in an attempt to contain the situation. The curfews were later lifted.

In September 2005 a student quarrel occurred at the University of Minna over respect for the generally observed Shari'a dress code in which two female non-Muslim students and several males were reportedly injured. Details of how the conflict started were not available.

In February 2005 in Sokoto a State, at least three persons were killed and dozens injured in fighting between groups of Sunni and Shi'a Muslims during a public commemoration of Ashura. To restore order, a curfew was imposed for approximately one month.

Also in February students at a secondary school in Bauchi State reportedly threatened a Christian teacher for handling the Qur'an, and in a subsequent demonstration that turned violent, two churches were burned and approximately twenty Christians were killed. The teacher came in contact with a copy of the Qur'an while taking it from a student who was reading it while class was in session. While approximately twenty-five arrests were believed to have been made, the case was being handled as a state security matter with little information publicly available. Some of the defendants may have been taken to Jos and were believed to have been granted bail, and some of the defendants were believed to have been taken to Abuja. Christian religious leaders in Bauchi were unable to make contact with the teacher, Florence Chuckwu.

A Christian female student from a nursing school in Sokoto was threatened after she was accused of having made inappropriate remarks about Islam. The school was closed for a few weeks for security reasons. A police investigation did not locate the perpetrators. The case

arose when the student's Christian mother converted to Islam and married a Muslim man. The student refused to convert, and her fellow students asked her why she had not done so while using inflammatory language denigrating Jesus Christ. The student responded with inflammatory language denigrating the Prophet Muhammad, and a riot ensued. She was spirited away from the scene by a Muslim instructor who, according to credible reports, later faced reprisals for helping. The student was given refuge at the local police station. Shortly before a crowd threatened the station, she was moved to a different town and then to another state for her safety. She reportedly planned to attend school elsewhere.

In December 2004 at a major university in Bauchi state, a group of Muslim students abducted and killed the head of a Christian campus organization in retaliation for what they considered to be insults to Islam by Christian students. To alleviate tensions and escalating violence against property, authorities closed the university and another nearby school, but both later reopened after an interfaith dialogue had been established. No arrests or prosecutions in the case were reported.

No further action was taken, nor was further action likely, in connection with the church and mosque burnings in Kebbi, Kaduna, Ebonyi, and Jigawa States in 2004. No one remained in detention from these incidents, nor was further action likely in relation to the 2003 unrest in Jigawa and Plateau States.

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.

Members of Jehovah's Witnesses were generally respected; however there were isolated instances of societal abuse and discrimination when a Witnesses chose not to join local age-grade associations or women's associations for religious reasons.

On September 6, 2005, in Imo state, a female Witness was assaulted by a mob of women who pulled off her dress for refusing to be a member of their association. Several other Witnesses were assaulted in other incidents and had property looted for not paying a women's association levy. Although in some instances police were able to broker an agreement, no arrests were made.

In Abia state, Witnesses who chose not to participate in local age-grade associations for religious reasons were in some instances ostracized by the community, denied the right to sell goods in the public market, and denied water from the public tap.

According to several eyewitnesses, on November 11, 2005, members of the Eleghawa Age-Grade Association of Asafa Ohafia looted the home of a Jehovah's Witnesses husband and wife, taking all their belongings. Although the perpetrators were identified, police made no arrests.

On June 21, 2005, villagers in Isiugwu Ohafia Community in Abia state reportedly destroyed the Kingdom Hall, and attacked the homes of twenty-four Jehovah's Witnesses families. More than seventy persons remain displaced from their homes. Despite formal petitions by the families for an investigation and the prosecution of the perpetrators, police made no arrests.

Although many non-Muslims feared that implementation of Shari'a would change their way of life, there has been little or no change in the daily lives of most non-Muslims. While some state and local governments interpreted the new Shari'a laws stringently, the majority of states and local governments 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 law aspects of Shari'a law to its tenets of social justice and charity for the poor. Islamic scholars and many Muslim lawyers have begun 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 many areas, girls are discriminated against in their access to education for social and economic reasons; religious beliefs sometimes are a factor. Girls living in the more traditional rural areas, both in the predominantly Muslim north and the predominantly Christian south, are disadvantaged more than their urban counterparts.

Section IV. U.S. Government Policy

The U.S. mission regularly raised religious freedom issues with various federal, state, and local officials, and with prominent citizens. The U.S. government, through the U.S. mission and in statements from officials in Washington, sought to encourage a peaceful resolution of the debate concerning Shari'a criminal penalties in a way that would be compatible with recognized international human rights norms and urged that human rights and religious freedom be respected in all instances.

The U.S. mission made an especially strong effort to promote religious reconciliation between Christians and Muslims. Mission officers traveled extensively to the individual states to meet with Christian and Muslim leaders throughout the year and further that outreach.

The U.S. mission reached out to Muslim communities in several programs, including the International Visitor Program, the American Speaker Program, the Fulbright Senior Scholar Program, and the Humphrey Fellowship Program. The U.S. mission also continued publishing its informational magazine in Hausa, the language of the predominantly Muslim north.

Released on September 15, 2006

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