

Nigeria



Persecution / Unchaged —

Religion

Population

Area

- Christians : **46.3%**
- Muslims : **46%**
- Ethnoreligionists : **7.4%**
- Others : **0.3%**

186.988.000

923.768 Km²

Legal framework on freedom of religion and actual application

Article 15 of the constitution stipulates that no one may be discriminated against on grounds of his or her religion. Nigeria is a democratic federal republic consisting of 36 states and the Federal Capital Territory, where the capital, Abuja, is located and article 10^[1] specifies that neither the federation nor any state may adopt a state religion. Article 38 of the constitution^[2] also guarantees freedom of conscience and religion, including the liberty to practise and propagate a religion through instruction and the right to convert.^[3] The same article also provides that no one can be required to participate in religious instruction against his or her will if the instruction does not correspond to that individual's own religious affiliation. The same also holds true for religious ceremonies.^[4]

To promote social integration in Africa's most populous country, article 15 of the constitution obliges the state to promote inter-faith marriages as well as clubs and associations that are open to members of different religions.^[5] The constitution also prohibits political parties from making religious affiliation a condition of party membership.^[6]

Mohammedu Buhari, a former army general, has been President since 29th May 2015.^[7] Buhari is a Muslim; his predecessor, Goodluck Jonathan, is a Christian. The current Vice President, Yemi Osinbajo, is a member of a Christian Protestant community, the Pentecostal Redeemed Christian Church of God.^[8] The composition of the government is reflective of the broad religious spectrum of Nigeria. It is subject to change with every presidential election.

Similar to other countries of Africa, in Nigeria there is a gulf between the principles of the constitution and the reality of life in the country. For instance, President Buhari's government took office, it faced serious problems including corruption and widespread poverty. Economically, the country was largely dependent on oil and natural gas. During the current reporting period, the country had to focus on a number of issues, such as conflicts in different regions of the country. These include:^[9]

War and terror by the jihadist Boko Haram militia in the north-east of the country and neighbouring Cameroon, Chad and Niger (more than 20,000 deaths since 2009; more than two million refugees; millions of people reliant upon humanitarian aid; thousands of women and young people kidnapped, enslaved or forcibly recruited for military and terrorist acts)^[10] According to official statements, since 2015, the Nigerian military, working with neighbouring countries, has pushed back Boko Haram. The Islamists militants have since split into factions and to date they have not been completely eliminated.^[11]

Bloody attacks, mostly perpetrated against Christian farmers by militant Muslim Fulani livestock herders (several thousand deaths since 2010). In this conflict taking place in the multi-ethnic Middle Belt, a central issue is land, although cultural and religious questions are closely linked.^[12]

Violent religious conflicts in various parts of the country, the religious motif overlapping with socio-political backgrounds (several thousand deaths since 2000).^[13]

Latent, persistent tensions in the resource-rich Niger Delta against the central authorities (since 2006 and flaring up again in 2016).^[14]

Overall, religious affiliation plays an important role in Nigeria's political system. Consequently, the party system is a reflection of the country's ethno-regional and religious composition.^[15] The ambitions and sensitivities of individuals and groups are often of greater significance than party programmes. Compounding this situation is the large number of parties, making the system unwieldy. There are currently nearly 150 organisations preparing for the elections to be held in February 2019. Of these, 67 had been given official recognition as of January 2018.^[16]

As religion has long been a source of conflict in Nigeria, there are no official figures on religious affiliation.^[17] Christians and Muslims both claim to constitute the country's majority.^[18]

Article 275 of the Nigerian constitution allows each state to set up a Shari'a Court of Appeal.^[19] Article 277 states that Islamic appeals courts have jurisdiction only in marriage and family law if all parties are Muslims.^[20]

In a controversial development, Islamic Shari'a law was introduced in criminal cases in 12 states in northern Nigeria beginning in 2000.^[21] The authority of Shari'a courts in criminal matters varies among the states.^[22] In the State of Zamfara in north-west Nigeria, criminal cases go before a Shari'a court when all parties are Muslim.^[23] Shari'a courts may pass judgements and impose penalties based on Islamic criminal law. These penalties include caning, amputation and stoning.^[24]

Whether Shari'a law is compatible with Nigeria's federal constitution is a matter of controversy – especially where questions of criminal law are concerned.^[25] Without doubt, the introduction of Islamic law in criminal cases has heightened tensions between Christians and Muslims in many parts in the country.

Incidents

Following numerous attacks by Islamist or jihadist groups, the situation of religious freedom in Nigeria has not improved in the reporting period and remains extremely tense. In some parts of the country, especially in central Nigeria, the situation has even deteriorated.^[26] There are essentially three causes for this:

The terror perpetrated by the Islamic jihadist organisation Boko Haram,
Clashes between Islamic nomads and sedentary Christian farmers over land (central Nigeria),

Failure by the authorities to investigate infringements of religious freedom as set out in the country's constitution.

The perpetrators of this violence and intimidation are not limited to the jihadist terrorist militia Boko Haram, as is often assumed in Western countries. Although Boko Haram continues to commit bloody attacks in the north-east of the country, kidnapping girls and boys and engaging in human trafficking, the central and more southern areas in Nigeria's Middle Belt have also been destabilised as a result of attacks by other groups.

At dawn on 24th April 2018, there was a bloody attack at the Catholic church in the village of Aya-Mbalom in the central state of Benue.^[27] According to survivors, the violence took place at the start of the early 5.30am Mass, when many parishioners were gathering for the service. Armed men entered the building and fired several shots. People panicked and tried to escape. Nineteen people, including the celebrants, Father Joseph Gor and Father Felix Tyloha, were murdered. Many others were injured.^[28]

According to some accounts, the Fulani had let their cattle graze around the village before storming the village and the church, armed with firearms and machetes.^[29] Following the assault on the church, the armed group also attacked more than 60 houses and barns.^[30] The residents fled to nearby villages. "We confirm the deaths of Rev Joseph Gor and Rev Felix Tyloha in the mortal attack by shepherd/jihadists in the village of Mbalom, parish of St Ignatius Ukpor-Mbalom," said a statement by the press office of the Diocese of Makurdi.^[31] The diocese's social communications officer, Rev Iorapuu, stated that massacres had been committed in other villages in the area as well, but "it seems the police knew nothing of attacks in other villages in Benue State."^[32]

In fact, the Nigerian press reported that, also on 24th April, at least 35 people were reported killed in the village of Tse Umenger in Mbadwem Council Ward, also in Benue State.^[33] According to local witnesses, the massacre was committed by at least 50 armed nomads who had invaded the village at around 7am.

The massacres in various villages of Benue State exacerbated tensions in the state capital city of Makurdi, where several adolescents set car tyres on fire during protests.^[34]

Rev Iorapuu criticised the security forces. Despite similar attacks in other villages in the region, they were utterly unprepared, he told the news portal Daily Trust.^[35] The priest warned against mounting conflicts in Benue in the wake of the ongoing influx of refugees fleeing armed conflict in the northern parts of the country.^[36]

In April 2018, Nasarawa State, north of Benue, was also the scene of multiple bloody attacks by Fulani herders on local farmers, who are ethnic Tiv. According to the Daily Post newspaper, a total of 39 people were killed and 15 houses destroyed.^[37] (This is consistent with information provided by project partners in Nasarawa to the charity Aid to the Church in Need following the attacks.) The municipalities of Awe, Obi, Keana, and Doma in the southern senatorial district of Nasarawa were also affected.^[38]

Following the massacres, the Catholic Bishops of Nigeria called for the resignation of President Buhari.^[39] "It is time for the President to choose the path of honour and consider stepping aside to save the nation from complete collapse," the bishops said. The bishops' statement expressed their shock: "These innocent souls met their untimely death at the hands of a wicked and inhuman gang of rampaging and murderous terrorists who have turned the vast lands of the Middle Belt and other parts of Nigeria into a massive graveyard."^[40]

The bishops wrote: "[Rev] Jan Gor tweeted: 'We live in fear the Fulani are back in the area of Mbalom. They refuse to leave. They continue to pasture their flocks. We have no means of defending ourselves.' [...] Their desperate cries for security and help went unheeded by those who should have heard them," the bishops complained. "They could have fled", the bishops said, referring to the two priests, "but true to their vocation they remained to continue to serve their people right unto death".^[41]

The bishops accused the federal government and their security forces of having failed. "How can the federal government stand back while its security agencies deliberately turn a blind eye to the cries and wails of helpless unarmed citizens?" the bishops asked. "For over two years now the Catholic Bishops' Conference along with many other well-meaning

Nigerians have consistently asked the President to rethink the configuration of his security apparatus and strategy,” the statement went on to say. On 8th February, a delegation of Bishops visited the President to draw his attention to the precarious security situation. “Since then,” the Bishops emphasised, “bloodletting and destruction of homes ... have increased in intensity and brutality. [...] Today, we Christians feel violated and betrayed in a nation that we have all continued to serve and pray for,” the bishops wrote. “If the President cannot keep our country safe then he automatically loses the trust of the citizens”, they warned in conclusion.^[42]

During the reporting period, in the north-east of Nigeria and in neighbouring countries, the jihadist Boko Haram militia posed a particularly severe threat to the safety not only of Christians but of many Muslim citizens as well. Since 2009, Boko Haram has killed more than 20,000 people, and about 2.6 million people have been forced to flee their homes^[43] Added to this are thousands of children who have been kidnapped by the organisation and trained as fighters. The precise size of Boko Haram’s membership is difficult to determine. It is estimated to be at least several thousand^[44]

President Buhari had declared the fight against Boko Haram to be a focus of his presidency^[45] Some inroads seem in fact to have been made towards weakening the organisation in some regions.^[46] Still, there are no compelling reasons to assume that the Nigerian military has defeated Boko Haram, as President Buhari has repeatedly announced during the period under review. The opposite actually seems to be the case. The BBC, for instance, reported 150 attacks in 2017 – which is 23 more than in 2016.^[47]

Prospects for freedom of religion

The prospects for religious freedom in Nigeria depend on three central concerns.

First, will the national government in Abuja succeed in ensuring security in the crisis-stricken areas of central and northeast Nigeria? To date, President Buhari has not provided enough resources to stop atrocities and prosecute those responsible. Failure to restore stability could lead to more famine and displacement.

Secondly, it is often poverty that drives people – especially the young – into the hands of the fundamentalists. Investment and development are urgently needed.

Thirdly, the government needs to ensure that religious freedom is enshrined in law.

The danger of Nigeria breaking up cannot be excluded, especially given the country’s immense ethnic and cultural diversity.

Endnotes / Sources

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[3] Cf. also Bureau of Democracy, Human Rights and Labor, op. cit.

[4] Nigeria’s Constitution..., op. cit.

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- [9] Munzinger Archiv 2018, op. cit.
- [10] Ibid.
- [11] Ibid.
- [12] Ibid.
- [13] Ibid.
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- [15] Ibid.
- [16] Ibid.
- [17] Bureau of Democracy, Human Rights and Labor, op. cit.
- [18] For the share of religious communities in the total population, cf. Grim, Brian et. al. (eds.), Yearbook of International Religious Demography 2017, Leiden/Boston: Brill, 2017.
- [19] Constitution of the Federal Republic of Nigeria of 1999 (version of 2011), op. cit.
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- [21] Munzinger Archiv 2018 op. cit.
- [22] Bureau of Democracy, Human Rights and Labor, op. cit.
- [23] Ibid.
- [24] Ibid.
- [25] Munzinger Archiv 2018, op. cit.
- [26] Clear references are provided in the course of the text that follows.
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- [29] 'Nigeria: 19 Tote bei Angriff auf Kirche', quoted in Die Tagespost, 25th April 2018, op. cit.
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