

September 26, 2003: Nigeria: Commission welcomes acquittal in stoning case

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WASHINGTON - The U.S. Commission on International Religious Freedom (USCIRF), an independent and bipartisan federal agency advising the Administration and Congress, welcomes the acquittal of Amina Lawal by an Islamic appeals court in northern Nigeria. However, the overturning of yesterday's decision for technical reasons does not address larger concerns about the criminal application of Islamic law (Sharia) in northern Nigeria and its interference with the religious freedom of Muslims and non-Muslims alike. The panel of judges in Katsina state, in a 4-1 vote, said the decision to acquit Lawal was based on procedural errors at her original trial and the fact that her adultery was not proved beyond doubt. An Islamic court originally had found Lawal guilty in March 2002 for having a child out of wedlock. Her initial appeal was denied five months later. Since October 1999, twelve northern Nigerian states have expanded or announced plans to expand the application of Sharia. Although the particulars vary from state to state, each has adopted, or plans to adopt, a Sharia-based penal code and provisions to extend the jurisdiction of Sharia courts beyond personal status matters to include Sharia crimes and punishments. These new codes generally ban the sale and distribution of alcohol, stifle individual dissent and free press through blasphemy laws, criminalize adultery and gambling, and provide for Sharia punishments such as amputation of the hand for theft or stoning for adultery. A recent ruling in Kano state in northern Nigeria imposes the wearing of headscarves on all females, both Muslims and non-Muslims. There are also other cases pending where sentences of death by stoning have been handed down to Muslims. The USCIRF, which sent a staff delegation to Nigeria last month to examine religious freedom conditions, remains concerned about ongoing Muslim-Christian violence that has resulted in the death of thousands since the expansion of Sharia. "We deplored the trial of Amina Lawal. Incidents such as this led the USCIRF to place Nigeria on a Watch List because of concerns about human rights and religious freedom violations tolerated by the government of Nigeria. In so doing, the Commission stated that it would continue to consider whether Nigeria met the statutory criteria for designation as a 'country of particular concern,' those countries which the Secretary of State finds to have engaged in or tolerated particularly severe violations of religious freedom. The Commission has urged the State Department to monitor closely religious freedom in Nigeria and to respond vigorously to further violations," said USCIRF Chair Michael K. Young.

Dean Michael K. Young, Chair

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