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COUNTRY UPDATE: NIGERIA

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Religious Freedom Conditions in Nigeria in 2020

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Overview

Religious freedom conditions in Nigeria have deteriorated in recent years. While the Nigerian Constitution protects citizens' rights to freedom of religion or belief, other federal and local laws undermine these rights. Moreover, political and social tensions have, at times, exacerbated sectarian divides and led to targeting of individuals and communities based on religious identity.

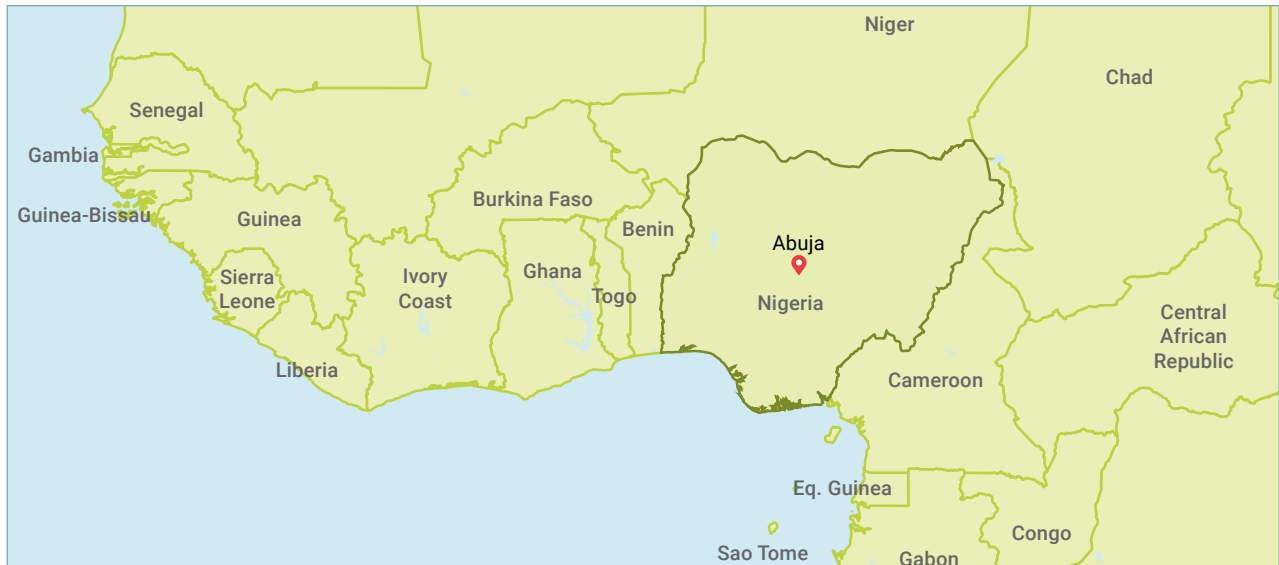
In this context, both state and non-state actors perpetrate violations of Nigerian citizens' rights to freedom of religion and belief. Ongoing state violations include harsh convictions for blasphemy, imposition of Shari'a law on non-Muslims, and discrimination against religious minorities. Non-state actors have been responsible for abductions and executions of individuals based on their religious affiliation as well as myriad attacks on houses of worship and religious ceremonies. Christian communities in Kaduna state and civilians in the northeast of the country have weathered particularly egregious attacks.

The United States Commission on International Religious Freedom's ([USCIRF](#)) [2020 Annual Report](#) recommended, based on conditions during 2019, that the State Department designate Nigeria as a Country of Particular Concern (CPC) for engaging in and tolerating systematic, ongoing, and egregious violations of religious freedom — a recommendation USCIRF has made every year since 2009. On December 2, 2020, the State Department [designated](#) Nigeria as a CPC for the first time.

This country update examines religious freedom conditions in Nigeria during 2020. It provides background demographic and political context, explores Nigeria's legal framework as it pertains to religious freedom, highlights the impact of religiosity across the country, examines recent incidents of violations of religious freedom committed by state and non-state actors, and concludes with recommendations for U.S. policy.

Background

Nigeria is a west African nation roughly 1.5 times the size of Texas. With over [214 million people](#), Nigeria is the most populous country in Africa. Many analysts posit that Nigerians are roughly evenly split between Muslim and Christian, although current quantitative data is not available. [Pew Research Center](#) reported the following religious



breakdown in 2010: 49.3% Christian (75% Protestant, 25% Catholic), 48.8% Muslim (42% non-identified, 38% Sunni, 12% Shi'a, 5% other or unaffiliated), and 2% other religions, including Baha'is, Jews, Hindus, Sikhs, Buddhists, animists, and individuals who do not follow any religion.

Nigeria is currently experiencing several security crises. In the northeast of the country, the government is [battling jihadist factions](#), including Boko Haram. In the [northwest](#), the military is conducting operations against organized bandits and criminal gangs. In the country's [Middle Belt](#), the government has been attempting, though largely failing, to reverse the escalation of herder-farmer conflict and retaliatory ethno-religious violence. Finally, the government is also in the implementation phase of a peace agreement struck with ethnic militias that arose in the [Niger Delta region](#) of the south in response to poor resource management regarding oil companies in the late 2000s.

In this context, concern regarding religious freedom conditions in Nigeria has grown. A February 2019 USCIRF study found that some Nigerians consider current religious divides in the country to be "[the worst they have ever been](#)." In June 2020, the U.S. State Department for the first time placed Nigeria on a [Special Watch List](#) for having engaged in or tolerated severe violations of religious freedom, in addition to re-designating Boko Haram as an Entity of Particular Concern (EPC) for engaging in systematic, ongoing, and egregious violations of religious freedom. Also in June, the UK's All-Party Parliamentary Group for International Freedom of Religion or Belief published the findings of [an inquiry](#) into escalating violence and reports of deliberate targeting of Christians in the country.

Legal Framework

Nigeria transitioned to a federalized democracy in 1999 after 16 years of autocratic military rule. Article 38 of the [1999 Nigerian Constitution](#) protects freedom of religion and conscience for all Nigerian citizens, including the freedom to change one's religion and freedom to worship, teach, practice, and observe one's religion of choice. The Constitution also prohibits discrimination on religious grounds (Article 15), and prohibits federal and state governments from adopting a state religion (Article 10), although it also establishes state-sanctioned Shari'a Islamic courts in tandem with secular and customary courts.

Nigeria is governed under a decentralized system whereby the federal and state governments share legislative power. Since 1999, [12](#) of Nigeria's 36 states have enacted Shari'a codes of law that apply to Muslims in civil and criminal cases, which is provided for under the federal constitution. The form of Islamic law practiced in these states is generally based on the [Maliki School](#) of Sunni Islam, which has been dominant in the region for centuries. In these states, Shari'a courts lack the legal authority to compel participation by non-Muslims.

According to the Nigerian Constitution, no court in the country at the state or federal level is permitted to violate the rights of citizens as guaranteed under the Constitution, including the right to freedom of religion and belief codified under Article 38. In deference to this, states that apply Shari'a law have dictated that this law should [not be applicable to non-Muslims](#) without their express consent. Shari'a codes in northern states also

do not make any provision against apostasy, which is typically an offense punishable by death under Islamic criminal law.

In practice, however, customary and Islamic court decisions sometimes conflict with the Federal Constitution. For example, while apostasy is not a crime, both customary and Shari'a courts outlaw blasphemy. The [Criminal Code](#) considers an act that publicly insults a class of persons based on their religion a misdemeanor punishable by two years' imprisonment. Shari'a courts have handed out [death sentences](#) to those convicted of blasphemy, though these rulings are [rarely carried out](#). In the past, non-Muslims have been tried in Shari'a courts without their informed consent, although in each case these convictions were overturned by higher courts upon appeal.

Additionally, several federal laws in Nigeria have implications for religious freedom. The [Terrorism Prevention Act of 2013](#) gives sweeping powers to security forces that infringe on many human rights afforded under the Nigerian Constitution, including freedoms of expression and assembly and rights pertaining to detention and fair trials. The [Cybercrimes Act of 2015](#) penalizes the use of a computer system or network to intentionally threaten or publicly insult persons based on religious identity, effectively criminalizing hate speech that takes place online. In December 2019, Nigerian lawmakers [introduced legislation](#) that would criminalize hate speech, with punishments including life imprisonment and the death penalty, despite the fact that hate speech laws [restrict freedoms](#) of religion, belief, and expression.

Religiosity: Overlap between Religion, Politics, and Social Life

Religion plays a highly influential role in the lives of most Nigerians. Eighty-seven percent of Nigerians [rank religion as "very important"](#) in their lives. This context of religiosity shapes and influences the religious freedom landscape in the country, particularly as religious institutions often overlap with social and political institutions in Nigeria. Religious leaders' voices [carry special weight](#), and many Nigerians are [more likely](#) to listen to and believe the words of their religious and traditional rulers than they are to trust political and state officials.

The intense overlap between religion and other aspects of social and political life in Nigeria has had ramifications for interreligious harmony. Several analysts report that Nigeria is home to [deeply entrenched religious divisions](#) and mistrust. Often religious dynamics overlap with ethnic identity, exacerbating [ethno-religious conflicts](#) that

play on both religious and ethnic aspects of victims' and perpetrators' identities.

For example, violence between predominantly Muslim herding communities and primarily Christian farming communities in Nigeria's Middle Belt has often exacerbated sectarian divides. Fulani-affiliated militias have [burned churches](#), [abducted and killed pastors](#), and used [religious terminology](#) while conducting violent attacks against civilians in predominantly Christian communities. Armed Fulani-affiliated elements reportedly have [selected individuals](#) for abduction and execution based on their Christian identity. These actions suggest the attackers seek to [Islamize the region](#) and [eradicate Christians](#). Fulani communities in some areas also accuse Christians of targeting them in an [attempt to eliminate Muslims](#) from the area.

In this context of heightened religiosity, political, ethnic, and resource conflicts easily take on a religious dimension. According to [Reverend Hassan John](#): "The drivers of the violence in Nigeria may be complex but generally speaking Nigerians are deeply religious.... So, while there are social, political and economic drivers, the average Nigerian sees all these from their religious perspective first.... Christians and Muslims ... see this conflict as one religious group's fight to dominate and, if possible, exterminate the other."

Religious Freedom Conditions and Violations

While Nigerian federal law provides for the protection of citizens' rights to freedom of religion and belief, many Nigerians still face violations. Religious freedom violations committed by the state include the continuation of enforcing blasphemy laws and the passing of overly harsh sentences for blasphemers, improper implementation of Shari'a law, and discrimination against religious minorities, including Shi'a Muslims and nonbelievers. Violations committed by non-state actors include abductions and summary executions and attacks on houses of worship and religious ceremonies.

State Violations

Despite being a signatory to the International Convention on Civil and Political Rights (ICCPR) that provides for the freedom of religion and belief for all people, Nigeria has tolerated and engaged in several violations of international religious freedom in 2020. State-sanctioned Shari'a courts in northern Nigeria have handed down several overly harsh sentences for

[blasphemy charges](#), which are inconsistent with human rights standards guaranteed under the ICCPR. On August 10, 2020, a Shari'a court in Kano state sentenced 22-year-old musician [Yahaya Sharif-Aminu](#) to death by hanging for having committed blasphemy in a private WhatsApp message. [Yahaya Sharif-Aminu](#) is part of USCIRF's Religious Prisoners of Conscience (RPOC) Project highlighting cases of religious freedom violations. Also in August, the same court sentenced [Omar Farouk](#), a 13-year-old boy to 10 years in prison with menial labor for insulting the Prophet Muhammad during an argument with a friend.

The flawed enforcement of Shari'a codes in some northern states has also presented a threat to citizens' rights to believe and practice the faith of their choosing. [Many report](#) that hisbah groups—informal corps of young recruits who enforce Shari'a codes—are ill-trained regarding human rights standards and the rights and freedoms guaranteed by the Nigerian Constitution. Untrained authorities have led in the past to Shari'a courts trying several non-Muslims against their will or without their informed consent, although all of these convictions have been overturned.

In April, authorities arrested prominent atheist activist [Mubarak Bala](#), reportedly for insulting the prophet Muhammad in a Facebook post. Bala's charge has yet to be revealed, though he remains detained and has reportedly been denied access to his legal counsel. As of November 2020, he was allegedly detained in Kano state, which institutes Shari'a law, leading to concerns that Bala may be tried in a Shari'a court even though he is not a Muslim. [Bala](#) is also part of USCIRF's RPOC Project.

In some instances, the Nigerian government has also discriminated against religious minorities. For example, [Shi'a minorities report](#) facing discrimination for government positions in some northern states, and many Shi'a avoid Shari'a courts for fear of being discriminated against based on their beliefs. In 2019, federal forces [violently cracked down](#) on Shi'a protestors affiliated with a group called the Islamic Movement of Nigeria (IMN), which was met with condemnation from several religious leaders in Nigeria, including the [Archbishop of Abuja](#).

Violations by Non-State Actors

In addition to restrictions and violations committed by state actors, Nigerians also face violations by non-state actors. Jihadist Boko Haram factions and other armed insurgents continue to commit violence and target civilians, at times based on their beliefs or religious affiliation.

In 2020, several Nigerians have been abducted and summarily executed as a result of their religion or beliefs. For example, the Islamic State in West Africa Province (ISWAP) continues to hold 17-year-old [Leah Sharibu](#) captive, reportedly because she refuses to convert from Christianity to Islam. Sharibu is part of USCIRF's RPOC Project.

In January, fighters aligned with ISWAP abducted and [executed Ropvil Daciya Dalep](#), a Christian university student, stating "Christians all over the world must know that we will never forget their atrocities against us, until we avenge the bloodshed visited on us." That same month, Boko Haram fighters abducted Rev. Lawan Andimi, local chairman of the Christian Association of Nigeria (CAN) in Adamawa state, and later beheaded him, reportedly because [he would not renounce his faith](#) and because his ransom was not paid.

In July, ISWAP soldiers [executed five aid workers](#) as a warning to "all those being used by infidels to convert Muslims to Christianity." Again in July, unidentified gunmen abducted the [chief imam](#) of Taraba Police Command after he had preached against increasing rates of crime and kidnapping during a Friday afternoon sermon. In October, ISWAP fighters [abducted a Christian pastor](#) and two women in Borno state.

Non-state actors have also been responsible for several attacks on houses of worship and religious ceremonies. In February, Boko Haram militants attacked Garkida, a town known for the foundation of the Church of the Brethren in the country, [burning at least five churches](#). In a series of attacks in Kaduna state in March, suspected Fulani militants [burned four churches](#). In April, armed assailants believed to be affiliated with Fulani militias attacked a [Christian wedding ceremony](#) in Niger state, killing 12 people and abducting the couple. In October, unidentified criminals [burned down two mosques](#) in Enugu in the south of the country.

In May, reported Islamist extremists attacked a community as people were preparing to break their Ramadan fast, killing [at least 20 people](#). In July, unidentified gunmen [killed 18 people](#) at a Christian

wedding party in Kaduna state and injured 30 others. That same month, reported jihadist elements [attacked](#) the city of Maiduguri as locals were preparing celebrations of the Muslim festival Eid al-Aldha, killing four people and wounding three others.

The federal government has continued to focus its efforts on combating religious extremists and criminal gangs in the north of the country through the use of military operations. However, in other areas, impunity for attackers and instigators of mob justice against individuals accused of blasphemy and their families demonstrate a problematic level of apathy on the part of local state officials. Federal and state governments have done almost nothing to investigate the identities of the perpetrators and their motives or to prosecute them for their crimes, painting a picture of willful state negligence in the face of gross violations of international human rights standards as well as the Nigerian Constitution.

U.S. Policy and Recommendations

The U.S. government has taken several steps in the past two years to prioritize efforts to reduce violence and interfaith conflict in Nigeria. In December 2019, for the first time, the State Department placed Nigeria on its [Special Watch List](#) for engaging in or tolerating severe violations of religious freedom. As noted above, in December 2020, the State Department downgraded Nigeria, designating it as a CPC for engaging in or tolerating particularly severe violations. The government has also increased programmatic funding in Nigeria aimed at reducing violence and criminality and at building peace.

Despite these efforts, U.S. assistance to Nigeria continues to prioritize humanitarian support and economic development far above efforts to reduce violence and human rights abuses. For example, in February, the United States signed a trilateral agreement releasing over \$300 million USD for the Nigerian government to spend on infrastructure projects. Given the government's clear reticence to invest in strengthening protection for religious freedom, the U.S. government should specifically tailor its support to ensure it is spent on reducing violations and improving religious freedom conditions for all Nigerians.

First, the U.S. government should prioritize funding for access to justice, especially in regions experiencing escalated sectarian tensions. Supporting improved access to justice for Nigerian citizens could help prevent small-scale disputes from escalating into identity- and faith-based conflicts.

Second, the U.S. government should invest in stronger information gathering and access to reliable, accurate, and timely data on allegations of religiously motivated attacks. The U.S. government should collaborate with the Nigerian government and civil society to establish independent, religiously diverse rapid response teams to investigate the perpetrators and motives of particularly severe attacks on religious communities and institutions. In addition to providing judicial officials with stronger evidence for convictions, these reports will also help identify key leaders of armed elements that are committing religiously-motivated attacks, whom the U.S. government should act swiftly to sanction.

Third, the U.S. government should also seek out opportunities to amplify Nigerian voices calling for religious freedom and interfaith tolerance. This could include opportunities for religious minority leaders and strong voices advocating for religious freedom to attend events at the U.S. Embassy in Nigeria. It could also include the presence of U.S. diplomats at events and proceedings with particular import for solidifying religious freedom norms in Nigeria, such as key blasphemy court cases.

Finally, the U.S. government should invest in a more localized understanding of religious freedom dynamics and violations in Nigeria and develop state-based engagement strategies. U.S. diplomats in Nigeria should engage diplomatically with state governors and local courts in regions of the country where religious freedom violations are particularly potent.

In addition to targeting assistance in these areas, the U.S. government should also conduct a thorough and impartial review of its financial aid to Nigeria and the impact thereof. This will ensure that U.S. government funds are not being coopted for use by government agencies that are complicit in engaging and tolerating particularly severe violations of religious freedom.

Conclusion

In 2020, Nigerian citizens have continued to face significant threats to their rights to freedom of religion and belief. State actors have passed harsh sentences for blasphemers, improperly implemented Shari'a law, unconstitutionally detained individuals for exercising their rights to freedom of belief and expression, and discriminated against religious minorities. Non-state actors continue to attack religious institutions and abduct and execute individuals based on their religious affiliation.



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