

APPENDIX 1:

THE CONSTITUENT ASSEMBLY

A CASE FOR A CANON LAW COURTS SYSTEM IN NIGERIA

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Dear Comrades:

I do believe earnestly that every true Nigerian Christian and even the liberal Moslems in this country will support the idea that a Nigerian Canon Law Courts system should be enshrined in the new Nigerian Constitution for the spiritual and moral interest and justice for the teeming population of the Nigerian Christians (in correspondence to the Sharia Courts of Appeal for the Moslems).

In this connection, I would have wished to move a motion in the following manner: that in view of the fact that Nigeria operates a complex legal and judicial system comprising:

- 1) The English Common Law, the doctrines of equity and various statutory enactments;
- 2) The various Customary Laws of different tribes in the country, and
- 3) The Islamic law as applied to Moslems.

Now, therefore, as a matter of great national urgency and importance: This Constituent Assembly approve the setting up of a “special committee” of Christian jurists and experts among the members of the Assembly to investigate and recommend the establishment of a Nigerian Canon Law Courts system for inclusion in the new Nigerian Constitution: That the recommendations should include such aspects of the Canon Law to be administered by the canon judges in Nigerian canon courts; the types of hierarchy of canon courts and their respective jurisdictions. And also proposals for the necessary procedures for the establishment of a system of training for canon lawyers in the Faculties of Law in Nigerian universities.

Now, this above motion seems self-explanatory, clear and non-controversial. But the following comments may serve still as further illustrations and elucidations:

2. The Two Major Religions in Nigeria:

¹ Somewhere along the circuitous route this document had to endure, various spelling and grammatical errors crept in. Though I have corrected a few of the most offensive ones, I have hesitated to do much editing, since this version is the official one presented to the Constituent Assembly.

It is a very well known fact that most of Nigerians have already abandoned their traditional worship of numerous idols, secret cults and their attendant daily rites or rituals. Many of us have accepted to worship instead, The Only One God Almighty, The Creator of all things through the medium of either Islam or Christianity. Evidently, these two different faiths are the only major distinctive religions in the country to which the majority of Nigerians from almost every tribe now profess and practise as their religions and their ways of life.

3. Principles of Religious Beliefs and Practices

It is also common knowledge that among the essential factors which facilitate the moulding of excellent characters in any society or nation are the influences of religious beliefs and practices. Therefore the principles of these religious tenets or doctrines are the embodiment of a set of laws to guide and direct the lives of their adherents from generation to generation. Therefore in the Christian world, these guiding principles are based on the “Law of the Lord” as contained in the Holy Bible which Law is known as the Canon Law.

4. Courts as Instruments of Justice in Religion and Government

It is in the consideration of this fact and the acceptance of the principle of fair play and equity that we all (the Northerners) have accepted, as a forerunner, the establishment in the Northern States of Moslem Sharia Courts system which caters for the religious interests of the Northern Moslems who profess the Islamic faith.

Therefore, the Sharia Courts system should be allowed to continue as part of our constitution together with the other systems of the customary laws and the English common and statutory laws which have hitherto been in operation. This complex judicial and legal system of ours has already won worldwide commendation.

5. Similar Committees or Commissions Were Earlier Appointed

What this motion is actually requesting is nothing new in practice but a sort of special committee similar to many previous committees and commissions set up which did marvelous jobs in the arduous task of our constitutional development in this country. One of those bodies was the

distinguished panel of jurists set up in 1958, headed by its chairman, Sayyed Muhammed Abu Rannat, Justice of the Sudan; and other members including Mr. Justice Muhammed Sharif, a retired Judge of the Supreme Court of Pakistan; Professor J.N.D. Anderson of Oriental Laws of the University of London; the Waziri of Borno, Shettima Kashim; Mr. Peter Achimugu and M. Musa Othman, the Chief Alkali of Bida. It was this panel which recommended the establishment of the Northern Nigerian Penal Code. Their recommendations were scrutinized in 1959 by another committee of Moslem jurists, presided over by Mallam Junaidu, the Waziri of Sokoto. This is the Penal Code Law that now operates in the Northern States of Nigeria since 1960.

6. Need for Christian Canon Law Courts

i) Therefore, as a corollary of the foregoing statement, one can conclude that the time is more than ripe or even overdue for the large population of the Christians in the country also to have a separate court system based on the principles of the Canon Law whose ramifications are already observed and practised in isolation by various Christian denominations and local churches in the country. The example of these are the marriage law of marrying only one wife to a husband which has been universally accepted in the whole Christendom. But incidentally or unfortunately enough, because there are no ecclesiastical courts or rather canon courts established to deal properly with this matter, there have been many instances in this country of Christian marriages *divorced* by non-Christian judges to the utter disappointment of many Christian believers. It is even more shameful that matrimonial wedlock performed by the clergymen are not legal until they are approved by the secular courts.

ii) Therefore, it is now obvious that nothing short of establishing a Canon Law Courts system in Nigeria would satisfy the spiritual and moral aspirations of the teeming population of Christians in the country.

The lives of these millions of Christians must hang upon the doctrines of Christianity. And as such, all true Christians would very much cherish to develop their well-being much more under the direction of the Canon Laws which have been commanded by God the Creator and Father, by the Lord Jesus Christ, and by the Holy Spirit who inspired the apostles, the saints and other leaders of the church even through ecumenical synods.

iii) This Honourable Constituent Assembly can therefore do this

country a world of memorable good, if it caused a special committee of Christian jurists among the members of the Assembly, to investigate through consultations with some clergymen and legal experts and to recommend any appropriate system of Canon Law courts to be enshrined or included in the new Nigerian Constitution.

7. The Scope of the Canon Law

i) It is obvious that the scope of the Canon Law, taking it from the very beginning, can be very extensively wide and voluminous. But for any specific periods and circumstances there are always available provisions. In other words, Nigeria can draw down from the enormous volume of the Canon Law, those parts necessary for our requirements to benefit; especially on civil matters of “personal law” relating to marriages, divorces, inheritance and the like. Nevertheless, the Canon Law as we all know, was commanded by God Almighty through His Prophet Moses for the administration of justice among His Chosen People, the Israelites, and then later, the Christians by His grace.

ii) The Canon Law was given in the form of statutes, ordinances, rules and regulations of personal conduct in order to prepare God’s people to attain high moral and spiritual rectitude and excellence. These laws or commandments are easily traceable from the Holy Bible. (For ease of reference, the following are some of the specific books and chapters concerned):

a) First, the Book of Exodus, Chapters 20-23. The injunction under Chapters 20 and 21 covers the Ten Commandments, laws for men servants and women servants, laws for manslaughter, for stealers of men or kidnappers, for cursers of parents, for smiters, for a hurt by chance, for an ox that gores, etc. Under Chapter 22 we have the laws of theft, of damages, of trespasses, of borrowing, of fornication, of witchcraft, of bestiality, of idolatry, of strangers, widows and fatherless, of usury, of pledges. Under Chapter 23 we have laws of slander and false witness, of justice, of charitableness, etc.

b) The second reference should be made to the third book of Moses called Leviticus. In Chapters 11-14 the law covers the following matters of life, namely, the dietary laws and the laws of purification, etc.

c) Thirdly is the reference to the fourth book of Moses called Numbers. In Chapters 26-36 further laws were given concerning the inheritance of land, national census, the other inheritances, the law of murder, etc.

d) Fourthly is the reference to the fifth book of Moses called Deuteronomy. In Chapters 5-26 further restatement, exposition and expansion of the law are given.

e) Fifthly is the Lord Jesus Christ's confirmation of the importance and authority of the law which He mentions in the Gospel according to St. Matthew, Chapter 5, verse 17 where He said "Think not that I am come to destroy the law or the prophets; I am not come to destroy, but to fulfill." Jesus Christ also on many occasions expatiated upon the Law as shown in the Gospel of Matthew 22:37-40. "Jesus said unto him, Thou shall love the Lord, they God, with all thy heart, and with all thy soul, and with all thy mind. This is the first and great commandment. And the second is like it: Thou shall love thy neighbour as thyself. On these two commandments hang all the law and the prophets."

f) Sixthly, when the Rising Lord was ascending to Heaven, He did promise the Church of the coming of the Comforter; the Holy Spirit would come and stay with the Church. This promise was fulfilled on the day of Pentecost. It is because of the presence of this Holy Spirit in the Church that the Lord gave the authority to interpret the Law and also to decide on any major issues of spiritual importance. This is contained in the Gospel according to St. John 14:16-17 and 16:13. "And I will pray the Father, and He shall give you another Comforter, that He may abide with you forever, even the Spirit of Truth, whom the world cannot receive, because it sees Him not, neither knows Him; but ye know Him, for He dwells with you and shall be in you. Nevertheless, when He, the Spirit of Truth is come, He will guide you into all truth; for He shall not speak of Himself, but whatever He shall hear, that shall He speak; and He will show you things to come."

g) By the directions of the Holy Spirit, the Apostles passed many laws to the Church, among which is the passage found in verses 27 and 29 of Chapter 15 of the Acts of the Apostles. All the Apostolic Epistles were declared part of the Canon Law.

h) At subsequent periods in the history of the Church, that is after many synodical decrees promulgated at various ecumenical councils and conferences. Some of these decrees were applicable at some local churches in various places while others were of general application such as the observance of Sunday as a holiday, 25th December as Christmas Day, etc.

According to the *Oxford Dictionary of the Christian Church*, the standard Text of the Canon Corpus + day is the “Codex Iuris Canonici” issued in 1917.

To support this case further, may I quote a few other passages from *A Dictionary of the Bible* by John D. Davis, published by Baker Book House, Grand Rapids, Michigan, p. 116.

The Old Testament Canon: “Authoritative literature grew up by degrees and was carefully preserved. The Ten Commandments, written on tables of stone, Israel’s constitution were deposited in the ark (Ex. 25:21). The statutes were recorded in the Book of the Covenant (Ex. 24:7). The Book of the Law, written by Moses, was put by the side of the ark (Deut. 31:24-26). Joshua added to the collection what he wrote (Josh. 24:26). Samuel wrote the manner of the kingdom in a book and laid it up before the Lord (I Sam. 10: 25). In the days of Josiah the Book of the Law of the Lord, the well-known book, was found in the temple and recognized by king, priest, prophets, and people, as authoritative and ancient (2 Kings. 22:8-20). Copies of the law were made (Deut. 17:18-20). Prophets committed their words to writing (e.g. Jer. 36:32) and they were acquainted with each other’s writings and quoted them as authority (Is. 2:2-4; Mic. 4:1-3).”

“The law and the words of the prophets were recognized as authoritative and inspired by the Spirit of God and jealously guarded by Jehovah (Zech. 1:4, 7:7,12). The N.T. refers to ‘The Scriptures’ as a body of authoritative writings (Matt. 21:42, 26:56; Mark 14:49; John 10:35; 2 Tim. 3:16), as holy (Rom. 1:2; Heb. 4:12; 1 Pet. 4:11), mentions a three-fold division into the law of Moses, and the prophets, and the psalms (Luke 24:44), and quotes from or refers to all the books of Obadiah, Nahum, Ezra, Nehemiah, Esther, Song of Songs and Ecclesiastes. And it is the instinct of every Jew from the day of his birth to consider these Scriptures as the teaching of God, and to abide by them and if need be, cheerfully to lay down his life in their behalf.”

The New Testament Canon: “The Apostolic Church received from the Jews the belief in a written rule of faith. Christ Himself confirmed this belief by appealing to the O.T. as the written word of God (e.g. John 5:37-

47; Matt. 5:17-18; Mark 12:36-37; Luke 16:31), and by instructing His disciples out of it (Luke 24:45). The apostles habitually refer to the O.T. as authoritative (e.g. Rom 3:2, 21; 1 Cor. 4:6; Rom. 15:4; 2 Tim. 3:15-17; 2 Pet. 1:21). In the next place, the apostles claimed for their own teaching, oral and written, like authority with the O.T. (1 Cor. 2:7-13, 14:37; 1 Thes. 2:13; Rev. 1:3), and directed the public reading of their epistles (1Thes. 5:27, Col. 4:16-17; 2 Thes. 2:15; 2 Pet. 1:15, 3:1-2), while revelations, given to the church through inspired prophets were considered to form, with apostolic instruction, the foundation of the church (Eph. 2:20). It was therefore both natural and right that the N.T. literature should be added to the Old, and thus the written canon of faith be enlarged. The teaching of the apostles was the rule of faith.”

Now therefore this Constituent Assembly should approve the setting up of a special committee, the panel might consider recommending the establishment of a Canon Law Courts system in a pattern similar to the Sharia Courts with an extension to have Christian judges also as members of the existing Area and Customary Courts on all cases involving Christians and the Canon Law.

8. Existing Judicial and Legal Structure

Looking at the existing complex judicial and legal system in Nigeria, one can notice that the system has a broad-based courts structure comprising the Area and Upper Area Courts, the native or customary courts and the magistrate courts of different grades as the courts of “first instance” which handle civil and criminal cases of the customary laws, English common and statutory laws, the Penal Code Law and the other Islamic laws.

From this broad base, two columns of different court systems shoot up. There is the taller and the greater column which is the secular court system drawing its judges and the parastatal employees from virtually all the religious and non-religious sectors of the society, while the second column which is the Sharia Courts system is an exclusive preserve for the Moslem believers. The first column goes up from the State High Court level to the Federal Supreme Court level, while the second column ends at present at the state level as the Sharia court of Appeal in the Northern States but now with a proposal in the Draft Constitution for advancing it to a Federal Sharia Court of Appeal level. From this structure one can see the complete absence of the Third Pillar or column of a court system to cater also for the Christian

religion, which pillar should stand parallel to the other two! This is just what is being required of the new constitution to equally provide.

9. Case for Expanding the System

Since the Nigerian judicial and legal system has been a unique type, and since it has been operating for many years without any rancour or bitterness to any group of our society, there would definitely be no problem or danger to our unity as far as administration of justice is concerned, if this system is made more accommodating and composite by filling the existing gap with the proposed Canon Law courts system. Otherwise it would be an unfair treatment to deny the Christian religion its rightful place in the scheme of our national affairs. This could be alleged as an act of injustice or omission to undermine the very foundation of Christianity in this country.

The proposition or suggestion before the Assembly now would no doubt provide a comprehensive judicial and legal structure, a tripartite court system which would bring greater efficiency in the administration of justice in this country; it would foster our unity in diversity; and our mutual co-operation and understanding would further be enhanced. By this arrangement, those aspects of its sweet application would be that, in any cases which might involve people of different religious beliefs, they could as well go to the common secular courts for settlement.

10. In Conclusion

PRAISE THE LORD! PRAISE THE LORD! PRAISE THE LORD!

i) We are now in the “Jesus Generation,” but because the church laws are non-justiceable for want of Canon Law Courts to handle them, and because the customary laws and the laws of other religions are obligatory and justiceable with ample number of courts to administer them, a situation has now been created in Nigeria which has rendered the church and the Canon Law weak and impotent to have a really firm grip on many Christian believers. And as a result of this unsatisfactory state of affairs, many Christians are now backsliding into religious indifference and some are even re-initiated as members of traditional cults and secret societies. Therefore, unless we retrieve our position, this country is dangerously heading for a national calamity and doom.

ii) As I have already mentioned earlier, it is my belief that it is the strengthening of the foundations of our religions and our complete trust in God our Creator and Saviour that we can successfully tackle our national problems concerning immorality, corruption, indiscipline, religious indifference and backsliding, and other social vices, and thereby restore our moral and spiritual virtues in the society.

iii) “The law of the Lord is perfect, converting the soul. The testimony of the Lord is sure, making wise the simple. The statutes of the Lord are right, rejoicing the heart. The commandment of the Lord is pure, enlightening the eyes” (Psalm 19:7-8).

APPENDIX 2:

For True and Sincere National Rebirth

New Nigerian on Sunday

October 31, 1999

Aminu M. Binji

In Nigeria, and Zamfara State in particular, most currently the issue of sharia has come under a cacophony of lampoon and an avalanche of sharp, baseless, myopic and irrational criticism; most of these attacks are manifest signs of ignorance and false phobias about the sharia.

Sharia is only an embodiment of commandments, a catalogue of dos, don'ts and punitive provisions that apply to Muslims only. Heaps of write-ups featuring daily in the print media to cast one aspersion or the other on the body for sharia are quite unnecessary and absolutely uncalled for.

Those nominal Muslims who chose to crucify the sharia are half-baked faithfuls, while those Christians who chose to oppose the sharia are both narrow-minded and unobjective. Why should they at all bother with something that does not concern or apply to them? Imagine the demonstration in Gusau by a bunch of misled and ignorant Christians calling on the Federal Government to halt the sharia cruise.

The notion that the northern Muslim clamour for sharia to spite Obasanjo for marginalizing

ONE LINE OF TEXT IS MISSING

wrong. I state here that a good number of the *talakawa* in the North enjoy how Obasanjo dispenses the affairs of the nation; therefore, the clamour for sharia is never to spite Obasanjo but to demand for justice and absolute freedom of worship as enshrined in the constitution.

I humbly call on Chief Obasanjo not to listen to and not to kowtow to the calls for halting the sharia cruise in Zamfara State and other states. The sharia is simply about restoring sanity to our polity and eradicating all shades of immorality in the society, and I believe no correct religion allows fornication, adultery, stealing, alcoholism, bribery and corruption. These are some of the ills which the sharia sees to uproot.

The sharia is never for wanton chopping off of hands, stoning or lashing as wrongly adjudged by others, but for true and sincere national rebirth and diversion from our ungodly ways of life. If Christians are worried about sharia, let them introduce Biblical laws in their stronghold states, and no Muslim will raise eyebrows.

APPENDIX 3:

The Folly of Our Moslem Elite

By

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In times of instability there is nothing as comforting as the idea of returning to old certainties. If these certainties are illusory: no problem; they nonetheless protect us from having to confront our real problems. The urge to seek refuge in a world of certainties is usually indicative of reluctance to face facts. In a world of perplexing technological advancements, intellectual achievements, and economic progress; in a world in which we see abundant evidence of the inventiveness, imagination and ingenuity of the human spirit; in a world in which we are unwilling to make the sacrifices necessary to excel and to compete – why not just give up, blame our problems on the corrupting influence of modernity, and quarantine ourselves in a make-belief recreation of a medieval religious era. The Talibanisation of Nigeria is unfortunate because it gives us a reason not to face our real and pressing problems. The problems that confront us – deteriorating educational system, dilapidated infrastructure, burgeoning unemployment, collapsing industrial sector, etc. – have no easy solutions. So why struggle with them? Why expend the intellectual energy necessary to find meaningful solutions? Why not take the easy path and announce that all our problems are a result of having strayed from religious morality? Enact laws to impose religious law. And voila, all our problems are solved. And the elites can return to emptying the national treasury, while cruelly punishing cow thieves. They can remain as licentious as they want inside their gated mansions, as they advocate the lapidation of poor and uneducated adulterers.

Religion is an intimately private matter. A pact with God is usually made in the privacy of one's heart and soul. A relationship with God is a personal affair; the state ought not to be concerned with it. While the state may regulate individual actions that impinge on vital societal interests, it should not be in the business of superintending the relationship between individuals and their God. This is especially so in a multi-religious and liberal society, where practitioners of different faiths are expected to live peacefully together. Moreover, state imposition of religious law would not make people more religious than they previously were, assuming that being religious is an inherently moral value. See what happened in Afghanistan after the Taliban were removed from power: the pretense was washed away and Afghans began, to a large extent, to behave publicly in the way they had always behaved privately. They publicly played their traditional music, which the Taliban had banned. Many of their men cut their beards, which the Taliban had forced them to wear. This is not to say that their society became less moral. There was a loosening of the knot that the Taliban had tied between religion and the state, and Afghans felt able to breathe a bit easier.

The Nigerian Taliban can intimidate people into behaving in particular ways in public, but the question remains: From a religious perspective, what is achieved if this public pretense is at odds with private, non-public, behavior? The enactment of hypocrisy is hardly a virtue. A society in which people drink alcohol in private but in public advocate the criminalization of alcohol drinking is hardly one worthy of emulation. Why create a society honey-combed with hypocrisy? Our country is already riddled with hypocrisy – of our political leaders, our church leaders, our military personnel – and we don't need to add to our overflowing vessel of hypocritical attitudes.

The folly of our Nigerian Talibans is heightened by the fact that the harshest aspects of their beloved sharia laws would in practice apply only to the poor and the oppressed. This is why a large part of the educated Moslem elite, who should be keen to the anti-modernist tendencies of religious law (all religious law, not just sharia law), is vocally supporting sharia criminal law. Members of this elite group know that neither themselves nor their pampered children will be adversely affected by the sharia regime. In this regard, they are as shamefacedly hypocritical as U.S. republicans who publicly oppose abortion but would privately assist their own children in obtaining abortion instead of having them carry unwanted pregnancies to term. Imposed religious values are good for the poor and uneducated, not for the powerful and their children.

How many of our esteemed advocates of the sharia have called for the lapidation of those who have emptied our national treasury? I can hear them say that the naira and the dollar are relatively new means of exchange; they were not in use at the time the sharia was conceived. Consequently, it is okay to steal money denominated in these new currencies; but steal a cow and your arm will be amputated in accordance with the sharia. This is one of the problems with literal, as opposed to contextual, reading of texts. In placing a literal reading on ancient texts, the spirit and purport of the writings are often lost as the interpreter goes down the wrong path of carrying, untranslated and unmodulated, into the present time words that were carefully targeted at a generation that has long departed. Do you wonder why the members of the national assembly who are clamoring for the release of Mohammed Abacha are not advocating his trial under sharia law? After all, it is clear to everyone that Sani Abacha and his family looted our national treasury. [By the way, I believe that Mohammed Abacha should be either put on trial or released, but this is not the focus of this article.] Some of these parliamentarians have spoken strongly in support of the sharia but none of them would, of course, countenance Abacha facing the harsh penalty that the sharia suggests for stealing. Don't forget that the sharia, as conceived by our Moslem elites, is not for the rich and powerful. Like their Saudi brethren, our Nigerian elites can loot and screw as indiscriminately as they want, without fear of being punished under sharia law.

Were Sani Abacha still alive I would not be surprised if he became one of the strongest supporters of the sharia. He was widely reputed as a chronic drinker and a womanizer. But like his kindred spirits among the Moslem elite, he would have supported the sharia in the knowledge that the enactment of harsh penalties for adultery, drinking of alcohol, etc, would not prevent any of his illicit activities.

At first blush, it seems odd that the poor and the uneducated, the group most adversely affected by the harsh aspects of sharia law, are also the most vocal advocates of the sharia. The rich do not steal cows. The rich can drink alcohol in the privacy of their gated homes. The rich hide evidence of their adultery. It is the poor and the disadvantaged, the talakawas, that are invariably caught in the clutch of these dated laws. Yet most of them remain strident in their support of the sharia.

Religion has a way of colonizing the imagination of the poor and the dispossessed. Bereft of any hope of a worldly alleviation of their plight, they look to God as the source of their salvation; if not in this world then in the next. Most religious people are socialized to believe that the sacred texts of their religion represent the word of God. Follow the literal dictates of these texts and you will find comfort and solace in God; disobey them, and you will suffer the wrath of a sometimes-vengeful God.

With education and intellectual maturity, some grow out of their religious straight-jackets. Some still learn to see religious doctrines as metaphor. They use these metaphors as

creative compasses to navigate a dynamic world. No longer bound to a literal interpretation of their religious texts, they are able to reconceptualize their religion to provide a modernized moral outlook in a world different from that in which the texts were written. The uneducated often do not have the same tools, of education and enlightened cosmopolitan experience, to free themselves from a literal reading of their religious texts. They see the rules and teachings of these texts as crystallized, immutable and unamenable to reinterpretation. A mélange of this blind faith in frozen doctrine and a firm belief that salvation from their worldly problems lies in the practice of faith, leads to a fundamentalist world-view. Salvation from their privations lies in their fighting the moral battle on behalf of their God.

So we have a situation where a population of thinly educated and oppressed class of poor people sees the enactment of religious law as a solution to their problems. Sadly, those who should know better – the educated elite, the worldly politicians, and the cosmopolitan socialites – either remain silent or actively support the Talibanisation of our society. But then the elites have a lot to gain from the distraction of religion. They know that the harsh aspects of the regime will not affect them or theirs. They also know that the enactment of sharia would distract attention from their lamentable failure to provide much-needed services to our poor. Instead of having the poor talk about the alarming rate of unemployment, let's get them to talk about adultery. Instead of having them lament our ill-gotten wealth, let's get them to talk about chopping off the hands of cow thieves. Let's distract their frustration and anger and focus them on less serious matters.

What about the damage done to our country's reputation? Increasingly, Nigeria is seen as embracing the "palmary" intellectual and cultural standards set by the Taliban in Afghanistan. In most western newspapers, articles on the Talibanisation of Nigeria have displaced those on Nigerian fraudsters. On the internet, there are several petitions on behalf of victims of the sharia. On the streets, tell a foreigner that you are Nigerian and she would ask whether you are also a Taliban. At a time when our peregrine president is traveling all over the world ostensibly to dust our tarnished image and to plead for foreign investments, our Taliban are busy advertising us as an anti-modern and pre-industrial society. Why worry, our Moslem elites say. Provided we the elites have control of our oil money and can send our children to the best schools overseas and can ourselves travel overseas to enjoy stimulating cultural activities, what difference does it make if foreigners think poorly of us? Are these critics not mostly Europeans who, jealous of our faith, want to foist their modern educational system, their cultural practices, and their technological advancements on us? We and our children can travel to the West to enjoy these things. But here in our own country, the middle ages are good for our poor. They have no need for a liberal education. The Koran contains all they need to function in our society. We don't give a damn what foreigners think about us. Do they not know that by getting our poor to focus on religion, we make our country stable by distracting them from their oppressive social conditions?

Tellingly, Moslem countries such as Bosnia demonstrate a different approach. They show that the Moslem faith, like all faiths, can be practiced in a way compatible with modernism. Islam does not entail the subjugation of women, the rejection of liberal education, or the resistance of modern culture. Countries such as Bosnia show us that, similar to all religions, Islam has strands that reject a literal and fundamentalist interpretation of religious doctrine. This modernist strand ensures that the practice of faith does not inhibit other objectives of society: social progress, economic development, and multiculturalism. This liberal version of Islam is what should be emulated in a cosmopolitan and multi-religious society such as Nigeria.

It might be in the short-term interest of Moslem elites to support the Talibanisation of parts of Nigeria. However, in the long run they would have contributed to the retardation of progress in our society. The education of the mind, the opening of the mind to new ideas and new ways of looking at the world, is not inherently incompatible with the practice of faith. But the deliberate closing of the mind is patently incompatible with human progress.

Okezie Chukwumerije
San Francisco, California

APPENDIX 4:

Maguzawas – The Agony of Hausa Christians

Nigerian Tribune

26 November, 1994

by Bode Opeseltan

A minority group of Hausa Christians called the *Maguzawas* with tentacles in Katsina, Kastina (?) and Kano states has for almost one decade now been the victim of organised torture, persecution and oppression.

An investigation conducted in the North by the *Nigerian Tribune on Saturday* revealed that the *Maguzawas* (meaning Hausas who reject Islam) are treated as infidels and scums for having the “effrontery” to practice Christianity rather than Islam.

From Bie in Zaria, Yakawada in Saoni Mayo Village near Kaduna, Musawa and Gangara in Makarfi Local Government Area, all in Kaduna State to Malumfashi, Bango village in Funtua, Faskari, Kafu Local Government Area and Danja Local Government Areas of Katsina State, the *Maguzawas* are groaning under various forms of persecution exerted by their fellow Hausas.

The *Maguzawas* whose alleged sin is their resolve to embrace Christianity are denied their rights and privileges including government patronage. They are also subjected to various forms of physical and psychological torture.

The investigation conducted by the *Nigerian Tribune on Saturday* however revealed that the persecution of the *Maguzawas* differ from one village to another.

In Musawa Village, the tales of woe of the *Maguzawas* dated back to April 1985 when a Pastor Simon Amedu (an Igala from Kogi State) went to the village to preach the Gospel to the *Maguzawas*.

Amedu, a retired soldier and missionary who brought Christianity to Musawa told the *Nigerian Tribune on Saturday* at his Zaria residence that he first heard of the *Maguzawas* in Kaduna when he was still serving in the army.

“I heard they were neither Christians nor Muslims. So I took it upon myself to preach to them since the Bible said we must reach out to those who did not know Christ,” he said.

Soon after Pastor Amedu heard of the *Maguzawas*, an opportunity opened up for him to reach them when he was redeployed to Zaria by the Nigerian Army.

On getting to Zaria in 1985, Amedu decided to go into full time ministry when he found the *Maguzawas* just as he was told.

Though the *Maguzawas* were idol worshippers, Pastor Amedu said many of them, on hearing the Gospel, became Christians.

Their resolve to embrace Christianity was however to expose them to a reign of terror which they never witnessed when they were pagans and idol worshippers.

Pastor Amedu continued the story:

“The people I am pastoring now (the *Maguzawas*) when they became Christians, the Muslims rose against them, saying they should become Muslims or else they would be driven out of the land they occupy. They (the *Maguzawas*) rejected the demand because they have known the truth.”

In 1988, Pastor Amedu said the *Maguzawas* built a church, The Truth and the Life Gospel Church at Ungwan Seriki in Musawa Village, Makarfi Local Government Area.

This reportedly did not go down well with Muslims in the community who rose against them and vandalized the church.

Pastor Amedu said he reported the development to the Chief of Musawa Village, Salisu Jubril who promised to intervene and call the people to order.

“He said I should not be annoyed and that he would talk to his people but surprisingly, he later instigated the people to do further damage,” Amedu said.

Confirmed reports said the *Maguzawa* people of Ungwar Seriki renovated the vandalized church and continued with their activities on the assumption that their safety had been guaranteed.

The *Maguzawas* were said to have enjoyed relative bliss from 1988 till October 5, 1991 when the Hausas allegedly invaded the church and razed it. The burnt relics of the church still lay at Ungwar Seriki.

The Muslims were also said to have destroyed the crops of the *Maguzawas* soon after. The case is now before the Zaria High Court. Efforts to interview Salisu Jubril, the Chief of Musawa proved abortive. A source close to the Muslim community in Musawa however told the *Nigerian Tribune on Saturday* that the Muslims vandalized and later burnt the church because they were aggrieved that a church was built on what they claimed was their land.

Apart from the burning of the church, Pastor Amedu and other *Maguzawas* at Ungwar Seriki who spoke with the *Nigerian Tribune on Saturday* said they had also suffered other forms of persecution. Said Pastor Amedu: “They denied them their rights. For instance, whenever the Kaduna State Government gave out fertilizer for distribution, the Chief of Musawa, Salisu Jubril would never share it out to the *Maguzawas* but would always send for them to pay their taxes. They are also physically attacked though this has stopped since we reported them to the police. The judge handling the case has also threatened to arrest Salisu Jubril if he heard of any disturbance.”

Pastor Amedu said the Musawa Muslims had also said that they would stop bothering the *Maguzawas* if they would abandon their Christian faith. “The irony of it all is that these people were not attacked when they were not Christians,” the Pastor said. Mrs. Rahila Yusuf, a *Maguzawa* by marriage, corroborated all the accounts rendered by Pastor Amedu. Mrs. Yusuf claimed to have been living at Ungwar Seriki for the past 22 years, saying their woes started about April 17, 1985 when they embraced Christianity.

“Immediately we became Christians, they (the Muslims) came and said we should move out of their land if we failed to repent. They labeled us infidels and threatened to drive us out of our lands. Every day, they mock us and insult us. They have also extended the harsh treatment to our children. Before the case was filed at the Zaria High Court, they would prevent us from going to our farms and assault us. But all these had stopped since the case went to court. Now they said they are waiting for the end of the case when they will drive us away.”

The head of Ungwar Seriki in Musawa village, Seriki Mato who had been the head of Ungwar Seriki for the past 40 years said their ordeal started in 1985 when they embraced Christianity.

Before then, he was an idol worshipper. Since he and other *Maguzawas* who reside at Ungwar Seriki became Christians, they had known no peace from their Muslim counterparts.

Seriki Mato who spoke through an interpreter said he had been called all sorts of derogatory names like infidel and an unbeliever who did not know what he was doing by his Muslim counterparts. The Seriki while arguing that they did not enjoy any governmental presence like their counterparts, said they had no clinics or schools. “But in Musawa Village (2 kms to Ungwar Seriki) where Salisu Jubril is, government built the community a mosque and school,” he said.

Seriki Mato also said he had never received one bag of fertilizer from government. He also said they (the *Maguzawas*) had not bothered to enroll their children in schools, despite the fact that there was a primary school in Musawa village because “we felt they would not be safe.”

He said since the persecution worsened, some *Maguzawas* in the area had fled to Katsina and other states while those who could no longer bear the heat, caved in and became Muslim.

He named Ishaya Lanto and other members of his family as one of the *Maguzawas* who were forcefully converted to Islam. He also told the account of one Musa whom he said was forcefully converted to Islam but later fled to Katsina State where he has now reverted back to Christianity.

An elderly woman, Jummai Hakurai of Gangara, speaking through an interpreter also recalled the traumatic experience they are going through in her community. Mrs. Hakurai could not remember the date of her conversion.

“The first church in our area was built in my village. The pastor was on several occasions arrested and taken to Kano. He was forbidden from preaching the Gospel. They denied our children employment in the local government. They discriminate against us in the distribution of fertilizer despite the fact that it is very essential here in the North. But whereas we don’t get fertilizers, we are always called upon to pay tax and participate in other communal projects.”

“They impose leaders on us. Even though it is a Christian community, they will bring a Muslim to rule us. And when there is a land dispute between a Christian and a Muslim, the leader will confiscate it and give it to the Muslim.”

“At times when you lease out your land to a Muslim and he refused to give it up at the end of the contract, the only thing the Muslim will say is, ‘Let him go to court; he can’t win.’ The *Maguzawa* would then leave the case to God.”

“There were times we have had to resort to violence to get our rights and privileges which our Muslim counterparts get on a platter of gold.”

“One of my sons, Bulus, bought a piece of land 11 years ago from a Muslim for farming. But two months ago the man he bought the land from died and his people refused to acknowledge the document he gave to my son. The Christians in our village said they would not allow the injustice this time around. Even in spite of their protestation, my son had to pay N16,000 before the matter was resolved. He paid L2,000 when he bought it 11 years ago.”

The national chairman of Tarraya Masihiyawa (Hausa-Fulani, Kanuri Christian Association), Professor Ishaya Audu also confirmed the plight of the *Maguzawas*.

He said the degradation and persecution was however not limited to the *Maguzawas* but extended to all Christians in the North.

Professor Audu said the Hausa Muslims were bent on giving the world the impression that there were no Hausa Christians, adding that this was why Christians in the North came together under one umbrella to show that there are Hausa Christians.

He said the *Maguzawas* were more receptive to Christianity because of the similarity that existed between it and their original Hausa religion. He said some *Maguzawas* not only bore the sign of the cross on their chest, their festivals were also similar to Christian festivals.

Professor Audu said the *Maguzawas* were persecuted in various forms, including job discrimination, difficulty in getting permission to build churches which are even razed at the slightest note, and lack of access to scholarships.

SOME TEXT IS MISSING from what he called the inability of the Yoruba to keep secrets.

“You (the Yoruba) are the problems of this country because you talk too much. You are the ones that will come out in the open and talk about things that are supposed to be secret. That is stupid. That is why we don’t respect you. That is why we don’t trust you,” he said.

Citing the manner Bashorun Moshood Abiola, the acclaimed winner of the June 12 presidential election managed the June crisis to buttress his point, Alhaji Kontagora said he and other Northerners of his ilk were disappointed that a Yoruba man misplaced their trust.

“Now, how can Abiola come to Kaduna, take (win) Kaduna and then take (win) Kano and say it was the Northerners who did not like him, that it was the Hausa-Fulani who did not like him. Who voted for him to become what he says he is? This is the kind of thing I am telling you, because one would expect when that trouble (annulment) started that Abiola would leave Lagos, leave Ibadan to come and sit in Kaduna and say, ‘Look I am the President. I am in Kaduna, the people of Kaduna voted for me.’ That would have given him more credibility than to go to Lagos or Ibadan and start making noise,” he said.

The *Hotline* publisher said the Yoruba were wont to boast that they were more educated than the Hausa-Fulani, contending that the Hausa-Fulani knew more about democracy than the Yoruba.

Alhaji Kontagora said since democracy was the “government by the people, of the people, for the people,” it was undemocratic for the Yoruba to insist on rotational presidency.

“If you say there should be a democracy in this country, then allow the people to choose. If they want a Hausa-Fulani to be leading this country forever he has to because he has the majority,” he argued. Alhaji Kontagora said though the Yoruba say the Hausa-Fulani do not know anything, they (Hausa-Fulani) have the people.

Said he, “I have the people. So, why are you blaming me. I cannot see anything we (Hausa-Fulani) have done wrong. If the Hausa-Fulani want a Hausa-Fulani man to be president of this country forever, he has to be. But if you (the Yoruba) want to be (president) there are normal ways of doing it. Come to me, beg me on my right and I will give it to you.”

When reminded that a Yoruba man won a presidential election (on June 13, 1993) fair and square TEXT MISSING

APPENDIX 5:

Split The Core North

The Post Express
May 4, 2001

The lot of the Hausa-Fulani-Kanuri Christians in Northern Nigeria is a very difficult one. Treated as second-class citizens primarily because of their faith, they are a marginalized people whose fate is hardly known beyond their immediate locality. In a concerted move to redeem themselves, they have formed an association, *Taraiyar Masihiyawa a Nigeria* (TAMANI). The association's Secretary-General is Dr. Mary Anfani Joe. A doctorate degree holder in Home Economics, she resigned her appointment from the Ahmadu Bello University (ABU), to concentrate fully on this agenda which is so close to her heart. She recently spoke to the duo of Emeka Alex Duru and Chukwudinweje. All through the interview, her impassioned position was undisguised. And the facts she proffered to support some of the allegations are startling. Below are excerpts from the interview.

Madam, may we know who you are?

I am Dr. Mary Anfani Joe, the National Secretary of the Hausa Fulani and Kanuri Christian Association of Nigeria. They call it *Taraiyar Masihiyawa a Nigeria* (TAMANI).

What is the organization all about?

Well, primarily, there are some objectives. One is that it is only we than can evangelise our people. It is the Hausa man or Fulani man that understands his people properly. We have had many concerned groups of Christians trying to evangelise the Hausa community but apparently we observed that they have not been very effective and this is because of the differences in culture, tradition and our ways of life.

For example, it is not in our culture for an elderly man to shake hands with a younger man. If you visit a Hausa man's house, you remove your shoes. It is disrespectful to enter with your shoes on. If he offers you food, you want to eat the food alright, but you don't eat in his presence. It is a sign of disrespect to do so. With the modern people it is alright but culturally, it is not acceptable. So it has been difficult trying to penetrate this group of people effectively. So we felt that for those of us who are Christians, it is our responsibility to do that and will do it more effectively.

Second, there has been the misconception that there are no Hausa/Fulani and Kanuri Christians in the North. That the North is basically Muslim. It has been used politically to the detriment of the body of Christ throughout the country and even to us who are of the same ethnic origin. You know the Bible said that if you are ashamed of me before men, I will be ashamed of you before my father who is in Heaven. So we said, we need to come out and let people know this is not true. You remember one time late Sheik Gumi said there were only 25 percent Christians in the whole North, so that is to

say 75 percent were Muslims. That is absolutely not true. So we felt it is not right; we have to come out and show ourselves to be Christians.

Another reason is that religious persecution is very very severe in the North. Those with relations in the North know all this. If there is a crisis, and they kill Christians, they don't mention what is happening to the Hausa/Fulani and Kanuri Christians. So everybody in Nigeria sees these things and we cannot continue to keep quiet. Given the culture that we have, the young ones are not supposed to talk but we have been pushed too close to the wall, that when our elders fail us we say enough is enough. Like one of our brothers said that "the Bible said when you are slapped, you should turn the other cheek, but it doesn't say when you are killed, you should turn the other side to be killed too." So we just felt it is not morally right. Those of us who are being persecuted, if we come together, and form a formidable force, at least, we can comfort each other. The Bible said "with the comfort that you have been comforted, you may also comfort others."

So these are some of the reasons among many others why we felt that we should put this association in place.

There are no less than 9 million Hausa/Fulani and Kanuri Christians in the Northern part of the country.

Are all Hausa-Fulani and Kanuri Christians members of the association?

So far, the awareness is so great. Some are registered, so the registered people are members. But generally, when we call meetings, you see the crowd. Of course anybody who belongs to these ethnic groups and is a Christian is a member. The registration process is still going on and from some of the research work we have done, this is what we have so far.

You were talking about persecution and all that happens in the North. We sometime ago talked to a highly placed official of the Christian Association of Nigeria and he told us that there had not been any official report by the Northern Christians about persecution. How true is that?

That is most untrue. You see what is happening is this, we have CAN, which embraces every Christian body, and we realize that officials of CAN are not particularly keen on the Hausa/Fulani and Kanuri group. In fact it is one push for this organization so that we can now take care of the issues that affect us and then relate to them. You know there is a lot of ill feeling of the Hausa man and that is genuine. I don't have to tell anybody. A man has been struggling over the years to put his business together and then one night you come and destroy it and kill the man or kill his children and wipe out everything. I mean it is genuine to have an ill feeling. So anything that has to do with the Hausa irrespective of whether you are a Christian or not, you understand their reaction. But we have gone into work together. In fact, before we got registered we were working under CAN in nineteen other states. We have worked very closely and still are working very closely with the secretary of the nineteen other states and Abuja. So we've been working together. There is nothing that happens we don't tell

ONE LINE OF TEXT IS MISSING

not aware of our efforts and I won't be surprised.

Madam, recently your organization took your case to the Justice Chukwudifu Oputa Commission. What actually happened?

Well, I went and made our own submission. I didn't see him in person. I submitted it to the secretary and I confirmed through a member of the panel that they had received it but we've not heard anything from them. We had thought that by the time they came to Kano to take care of the Northern zone, we would be called upon but we haven't heard anything till today. So I don't know.

So you were not communicated whether the petition was admitted or whether it was thrown out?

No, not at all. Nothing whatsoever.

What actually was the main crux of the petition?

Well, it had to do with the issues of persecution and so forth. The copy of the submission we made is there. But in addition to all this, when you go through it, you will see it had to do with deprivation, oppression and all that. In addition to this, the Federal Civil Service Commission, you are aware, employed about two thousand people. Personally I went to make sure we had information so that they would not say nobody came forward. We knew when the interview took place; our people went there and no single Hausa/Fulani Kanuri person who is a Christian was employed. No single one.

In Kaduna State, there were 54 spaces at least from what I saw. They put it on the notice board. I think in one of the ministries in Kaduna State, it was on the board. All the vacancies available and the qualifications were displayed. You know, they went. Some of them were interviewed. Some were not interviewed. In fact from the information we have, it was the commissioner himself who coordinated the whole thing irrespective of the other members of the panel and at the end of the day, only 38 names were listed as people who got the vacancies. You will not believe that out of these 38 names, only four were Christians from the southern part of Kaduna. From the northern part of Kaduna no single one who is a Christian was taken. I think this is just too much. We have people with Second degrees.

I have a list of our 100 candidates who had graduated. There is somebody in Kaduna State for example who has a B.Sc. Pharmacy and still does not have a job. There is another with a degree in civil engineering who was given a teaching job. The best employment they can give him is teaching. Go and teach our children. What happens is that if they don't have their people to put there, they will keep those spaces. Only 38 in Kaduna State out of 84. What happened to the remaining 46?

You see the point I'm making? This is the story all over. And in Zamfara, Katsina, Jigawa, Kano, Kaduna States, the information for the interview was communicated and quickly they attended. There are some of them who graduated four or five years ago still without a job. That is one aspect of it. Another aspect is this UBE thing. The UBE thing, the forms were sent to various local governments. No single

Christian in the whole of the North got it. They distributed to either their political allies or the Muslims. Now we were able to go to the UBE office to lay a complaint and some forms were sent. For example, in Kaduna State, when the forms were sent to one local government chairman he said he has no Joshua, no Elijah and no Samuel in his local government so he will not sign it and up till today after making that report, only Kaduna State was purported to have received the forms. All other states have not received the forms. The same thing with the poverty alleviation thing.

Now I give you another example. In Kaduna State during the time of
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Shika. He was then Commissioner for Education. He is now the Provost of FCE Kaduna. In Kaduna community, Igabi Local Government, Karau-Karau is a Christian community and there was this community school located there, but he sent all the Christian students back home and converted it to an Islamic school. When we had this meeting with Professor Nwabueze, Education Minister at the time, I mentioned it on the floor when he was working on Operation Save our Schools. It was CAN that nominated me to represent them. I mentioned it and all he could say was that whether it was a theological school or an Islamic school or a traditional religion school, it's what the people wanted.

Who said so?

Shika himself in the presence of the minister. I was there in person and the traditional religious people were there. That was his response. Now that school has been upgraded to a modern school. You can imagine Christians sitting at home doing nothing because the school is now an Islamic school. So what I am saying is that we try to educate our children with our own money and when they graduate, they remain unemployed meaning that our children cannot aspire to become anything in life.

Another thing is this. We are Hausa/Fulani people. We have our own way of life. Do you know that Federal Radio Corporation of Nigeria Kaduna (FRCN) refused to feature our programmes and we are taxpayers? We buy air space for the *Kalangu Kotso* music; why should we play short? Can you imagine that? Does that make sense to you? When we had a joint programme with Family Worship Centre in Kaduna this last December they were doing this Hausa programme for the Christians, they said we should remove the *Kalangu*, the Hausa instrument. And they removed it.

Why did they remove it?

They said they don't want it. That why should a Christian programme have Hausa in it. So they removed it. Daniel was the musician at that time. The same thing with Marcus then at Kaduna FRCN. They recorded their music there except the one he did on AIDS which they use for their commercial. Except for that one, they don't air it because it has Hausa culture in it. What does the constitution say? The right to propagate or even change your religion. So it is a Federal Government enterprise. We pay taxes and we are not allowed to use it.

Have you reported to the authorities and what has been their response?

They will do nothing.

But have you tried?

Yes, we have. I remember, once I went, we had this advert and they mispronounced it. We said “Masihiyawa” and they said “Matsihiyawa.” So I went and confronted them. All they could say was sorry and all that. I spoke to the programme officer in charge of Christian programmes and he said there was nothing he could do. In fact he was warned not to put any typical Hausa programme on TV. That’s what he said.

Now, Madam, you have been painting this gory scenario, a situation where society has been marginalizing a section of its people. How safe has it been with your association?

Ah, the issue of safety or unsafety does not arise. It is a matter of life and death. Now I tell you why. In Kano I have a document. There was a pastor who went to the Director of Education for scholarship for his son and the director told him to come back the next day to take a letter to the chairman. He was given the letter alright and he went to the chairman. Once he didn’t see him, twice he didn’t see him; thrice he still didn’t see him. So it’s like the Chairman was deliberately avoiding him. So out of curiosity, he opened that letter and this was what was written, “This is Adamu, the father of Abba, and in bracket he put, ‘Christian whom I spoke to you about.’” We have that document. So for the association, it is a matter of life and death. I tell you, as far as I’m concerned, I’m ready to shed the last drop of my blood for this.

Have you in any way been intimidated or harassed for projecting your association?

Personally, no. Just that you know that for most of our people, evangelism has really gone deep into the rural areas. If you go to the villages, you will see churches all over the place. So we have had stress from village heads who say signboards must not be there. There are children who demolish our churches, who interrupt by throwing stones during church service worship, we have had that. But personally to me nobody has done that except that our house was burnt in 1987. My family house.

What of these stories we hear about churches being converted to mosques or even outrightly pulled down. How true is that?

Governor Ahmed Sani of Zamfara State did it in Dashi. Now he did it claiming that they were converts. And it is not true. Eyewitnesses said he was there personally. What was he doing there at 11:00 P.M.? You know he forced the door open. The witnesses are there. You know when we are among our people you will hardly know who is a Christian or who is a Moslem. The witnesses are there and shamelessly he is coming to deny it. He pulled it down and then they prayed that henceforth this place is an Islamic centre. Look this man I think has a serious agenda and he is not alone. This is my own analysis of things. If any right thinking man would see the kind of mayhem in

Kaduna, the loss of lives, properties and so on and he comes out to do that again, then he has a serious agenda and he is not alone.

Apart from these hostilities, what is the relationship between an average Muslim and an average Christian in the North, religion apart?

This is the situation. We are just there. I have relations who are Muslims. We see them, we love them. But I tell you the truth, we don't trust them and they don't trust us.

So it is a relationship of mutual suspicion?

Yes, a relationship of mutual suspicion. That is the right word.

How far has your organization gone; what are the successes despite all odds?

Well, we praise God. We really praise God. In terms of structures, we have about 13 state branches including Abuja. We have branches in Kebbi, Sokoto, Zamfara, Katsina, Kaduna, Kano, Jigawa, Plateau and Bauchi States. Borno and Yobe States are still together and work has not been completed in Niger State. So we really thank God and we also have branches at local government and ward levels and we thank God for that. There is much awareness. That is in terms of structure. In terms of evangelism, because that is one of the primary objectives, we really praise God. At first we used to have what we call *bikin tuba* maybe once in three months when we started. Then once in two months and then we graduated to once a month; now it's like every week we have *bikin tuba*. Sometimes every week consecutively like that. But usually we go out from November to April or early May because of the rain and from that time they're in their farms although we are already working on some strategies to reach out to them. So we thank God for that.

Sometimes they come themselves and tell us they are tired of this way of life and they want us to bring the Gospel. So this is the story and we really praise God for that.

What about funding; how do you get funds?

Well, for funding, we depend on God. You know most of our people are village people so those people who can afford it try to put something together. People also do help us. Of recent, people from the South are beginning to extend a hand of fellowship. So that is it. We don't have any other source of funding.

Again, I want to say three things: one to our persecutors, one to the body of Christ, and one to the government.

To our persecutors, the Bible tells us "Do not hit your head against the rock." He says in the book of John that if you hit your head against the rock, it will break. But when you allow the rock to fall upon you, it will crush you. Anybody can read between the lines.

The second one is to the body of Christ in this country. Chapter 6 in the book of Amos tells us that the complacency of Christians is too much. Christians are very

complacent and it says we should be careful that the ruin of Jerusalem will not come back to us particularly those who are in the South. I have a document on the implications of *sharia*. It is a gradual process of Islamisation. This has been planned several years back and the body of Christ has to be careful and we need to be united.

Now to the government, the situation has reached the stage it is now and like I said earlier, it is a matter of life and death. We have already tried to get in touch with government through the Oputa panel. We even sent a letter to the president. We congratulated him and wanted to pay him a courtesy call but I think he is pretty busy and I hope some day we will meet. We want the executive and legislature to tell us if we belong to this country. If the Hausa/Fulani/Kanuri Christians belong to this country and if we do, then they need to intervene. Let me give you a better picture. The South and the South East have also said Sovereign National Conference and they have their reasons. The Middle-Belt, whether they like it or not, has come to stay. What you are left with is the core North and in the core North we are well over 9 million Hausa/Fulani/Kanuri Christians and we want a Sovereign National Conference to say whether we belong or not. We want the core North to be split. We want a demarcation for the Hausa/Fulani Christians and the Hausa/Fulani Muslims so that we will now have our own media, schools etc. This is the message I want to put across.

APPENDIX 6:

Who Is Marginalizing Whom?

The Punch
May 3, 2005
John Musa

The Nigerian Constitution states that all Nigerians must enjoy equal rights and privileges. But is this our experience as a nation? Certainly not.

Our Muslim brothers, particularly in the so-called core North, attempt to hide the existence of Hausa/Fulani Christians in those areas. Yet a large population of Hausa/Fulani and other ethnic Christians are found in Kaduna, Katsina, Kano, Jigawa, Zamfara, Sokoto, Kebbi, Niger, Gombe, Bauchi, Yobe and Borno States.

Despite this, unfair, unjust and discriminatory treatment is regularly meted to this group of people, particularly in the areas of education, economics, business and politics.

For instance, over the years, Hausa/Fulani Christians with Christian names are denied enrolment in schools, scholarship award and employment.

In the North, Christian Religious Knowledge is never taught in schools, while schools built with self help by Christian communities or missionaries are refused registration in some local government areas.

It is common knowledge that Christians are denied plots to build churches, while in some areas, churches are sometimes demolished on the flimsiest of reasons.

Indeed, in some Northern states, the NTA and FRCN stations are not allowed to air Christian programmes.

Also boundary demarcations are regularly manipulated through sharing of Christians into different districts and local governments, thus hampering their political rights.

Who is therefore fooling whom? The North should stop crying wolf when there is none, but it should look inward and stop its policies of discriminations against the so-called settlers and those of different religious persuasions.

APPENDIX 7:

DEPUTY GOVERNOR THREATENS TO RESIGN OVER SHARIA

The Post Express 06/20/2000

Luke Binniyat, Kaduna

Against the backdrop of possible adoption of Sharia by a majority of the Kaduna State House of Assembly, the state's Deputy Governor, Mr. Stephen Shekari, has threatened to resign his appointment if the adoption eventually comes through.

Only last week, the assemblymen had in a controversial decision adopted the report of its committee on Sharia which stated that over 70 per cent of the state indigenes favour the Islamic legal system. Christians in the house boycotted the deliberations.

The Deputy Governor, who was speaking in Zango Kataf Local Government Area of the state at a meeting convened at the instance of the state branch of the Christian Association of Nigeria (CAN), stated that the executive arm of the state government still maintains stiff opposition to anyone who engages in any Sharia related issue "at least for now." "But if the House of Assembly tables the bill and gets two-third majority and the governor assents to the law," said Shekari, "I assure you that me and Christian members of the cabinet would all resign our official positions in protest," he told the gathering which included top clerics, retired generals, members of the National Assembly among others from the southern part of Kaduna State.

Adding his voice, the State Commissioner for Agriculture, Mr. Baw Magaji, narrated how the Sharia issue started and the pressure exerted on Governor Ahmed Makarfi from Moslems especially those from the northern part of the state to expedite action on the adoption of Sharia in the state.

"It all started when we took our first tour of the state last year and our entourage went to Zaria city." He said that the entourage was lured into an uncompleted stadium in Zaria by the chairman of Zaria Local Government Council under the pretext that the governor was going to commission something there. "Suddenly," he continued, "youngsters led by elderly mallams (Quranic teachers) appeared with placards chanting, 'Sharia only, we want Sharia!'"

Magaji explained that since then Moslem members of the State House of Assembly have been under intense pressure from their constituencies to pass a law authorizing Sharia in Kaduna State which led to their forming a committee early this year culminating in the anti-Sharia fracas that engulfed Kaduna and Kachia last February. “For all I know, the governor wants the Sharia issue suspended for now as advised by the meeting of the Northern Governors in March,” Magaji said.

In a related development, a member of Kaduna State House of Assembly, Mr. Musa Shekarau, representing Lere constituency, has raised alarm that the Moslem members of the House have formed a committee to be led by the Director of Legal Services of the House, Hajiya Uma Hikima, to visit Zamfara State with a view to studying to adopt the type of Sharia bill passed to the state.

Shekarau said that the commitment of the Moslem members of the House to presenting and passing the Sharia bill into law, was “fanatical.” “We, the Christian members have resolved to divide the House into two should any Sharia law be made,” he told the gathering, adding that “We have no choice than to carve out a Christian House of Assembly with independent leadership.”

Last week all the local council chairmen from Southern Kaduna held a press conference and swore to declare southern Kaduna a Christian State with Christian flags hoisted in all the settlements of the area should Sharia law be declared in Kaduna State. A move strongly backed by the youth wing of Southern Kaduna Peoples Union.

The meeting was convened by Archbishop Peter Jatau, Chairman CAN Northern States, Archbishop Fearon, bishop of the Anglican Communion, Elder Saidu Dogo, Secretary CAN Northern States and Kaduna, all local government chairmen of Kaduna State.

A communiqué would be issued soon on the outcome of the meeting, *The Post Express* learnt.

APPENDIX 8:¹

Government palaver. After a couple of preliminary conferences amongst ourselves, we had an interview last week with the Governor and Palmer. There were present for the missionary side, Oldham and Paton, Secretaries International Missionary Committee, Bishop of Salisbury and Garfield Williams representing the National Assembly of the Church of England Missionary Committee; Cash and Hooper, C.M.S.; Playfair S.I.M.; Farrant and myself S.U.M.; Maclennan, Secretary Conference of Missionary Societies.

Oldham had prepared a memorandum which made out a strong case. At the end were five or six requests. The Governor took the chair and, ignoring the body of the memorandum which contained some problems for him, dealt with the requests. Probably you have heard that Palmer declared to Smith and others that it was a matter of definite government policy that the three Northern Provinces should be Moslem and continue so indefinitely, this quite apart from any promises supposed to have been made by Lugard. The Governor turned this down completely. He said that the government policy was that Missions should be allowed to enter these Provinces sooner or later but protested that the time was not propitious because of some isolated incidents which had aroused Moslem fear and opposition, as for instance, Miss Miller's booklet on Mohammed, Cotton's preaching, Mrs. Cotton's visitation, etc. The Governor said that he knew Miss Miller had no connection with any Society; he read letters from the Emirs of Kano and Zaria, and said that he was aware that the missionaries thought that there was Government suggestion at the back of the Emir's opposition but that he was sure that no Government official would thus oppose a known policy of the Government. A simple answer to that, of course, is that until Graeme Thomson made the declaration the government policy against missionaries getting into the three Provinces. We know what value to place on the suggestion that the work of the Cottons has had any effect in arousing opposition, but these points were not debated. The Governor practically gave in on every point but always with the plea for time to put things right and bring a new condition of things to pass. Palmer attempted to defend the exclusion of missionaries from Bornu by statements regarding Mohammedan influence from the Eastern Sudan, and also by going back about a thousand years into Moslem history. Garfield Williams took him up on the latter point, Cash knocked him out altogether on the Eastern Sudan

¹ Dawson, (?) July 1/27 (J).

point, as he has intimate knowledge of the conditions there. With regard to the Pagans, Palmer's contention was that the pagan areas were not settled. I asked them when they had become unsettled, seeing that we had been invited to occupy them thirteen years ago by the Resident and Playfair had letters from Zungeru received at the same time stating that the tribes were all open to missionary work. The Governor was rather taken aback at this and Palmer tried to counter it by saying that Ruxton was ill at the time and could not attend to matters properly. I replied that his letters to me reached me some considerable time before he took ill. Palmer then said that Ruxton had not been able to get around the Province and could not have accurate information (he would surely as Resident have known whether the tribes were unsettled). My answer to that was that Ruxton had sent me full particulars regarding the various tribes and had suggested my calling on the different D.O.'s in the pagan districts to consult them further. The Governor tried to cover Palmer's difficulty by saying that Palmer had made a special study of that Province and they had more complete information now, but it was easy to see that he felt that he had been let down. Then the old gag about the Missionary Societies finding work to do along the Benue was brought out, although Oldham had, in his memorandum, disposed of it. Farrant informed the Governor that there were only two large pagan tribes along the Benue still unoccupied and these two had been refused to the S.U.M. several times. The Governor said that the S.U.M. had marked off large areas on the Benue which they were not occupying, one could only suppose that his informants had looked at the map and had seen a long distance between out Stations. We answered him by stating that we would be glad to go over the map of Nigeria with him and show that our stations had been linked up the one with the other by working the districts in between, and also pointing out that there were large districts very sparsely populated. This was evidently all new to him and he admitted that he did not know the country very well. Playfair also had an innings with Palmer over sites refused to them in Bauchi Province. Palmer expressed surprise and was ready to promise almost anything. Whenever they went into details we had them in our hands, so the Governor said that they could not touch details on matters then but would stick to broad principles.

Oldham and the others were well pleased with the result of the Conference. Maclennan said that he had been watching the two men and had never seen such a case of a chief feeling that his subordinate had let him down, and that he did not envy Palmer his subsequent interviews with the Governor. Playfair, Farrant and I would have liked to have a little more detail work, but we must rest content and wait and see what the ultimate

result is. Oldham pressed Thomson to make a public statement along the line on what he had said to us, but Thomson demurred to this excepting that he promised to make his statements known to the Residents at the first opportunity, and also suggested that he would initial any account of our Conference.

APPENDIX 9:

HISTORIC MEMORANDUM PRESENTED TO THE MISSIONARY CONFERENCE AT MIANGO WHEN THE SUBJECT OF RELATIONSHIP OF MISSIONS TO GOVERNMENT WAS UNDER CONSIDERATION¹

The subject was opened by Mr. H.D. Hooper, the C.M.S. Secretary for Africa. Rev. R.V. Bingham then rose and addressed the meeting presided over by Bishop Smith as follows:

Missions in Nigeria have shown long patience with a government that has long hindered their progress, and in calling for further and united action, it is well to consider the steps that have been taken in the past.

The Church Mission Society was the first to undertake entrance into, and the opening up of, the Northern Provinces of Nigeria to the Gospel. They were magnificently led by Graham Wilmot Brooke and Charles Robinson. From Lokoja they faced the task before them. They sought no protection from the British Government. Carefully they prepared for advance into the Northern Territories, and then the tragedy occurred, and both of these men laid down their lives on the border of the land which they sought to occupy.

It was five years later when the society with which I am connected undertook its first pioneer effort from Toronto, Canada. Our way up the Niger was blocked at that time by the Royal Niger Company, holding charter from the British Government. It refused permission to us to sail up the Niger. We landed in Lagos and assayed the difficult task of the overland entrance into the Northern territories of Nigeria, then known as the Central Sudan. Again we asked no protection from the British Government. My companions faced the Moslem emirs of the north, passed through Ilorin, Bida, Kontagora, Zaria, and today their graves, the one in Bida and the other in Ghirku, in the Zaria Province, give testimony to the fact that, long before the British occupation, the Christian Missionary entered these lands.

We were preparing for our third effort to get a foot-hold at the time the British decided to cancel the charter of the Royal Niger Company, and to seek direct administrative connection with these great territories. At that time, Sir Frederick Lugard appealed to us to submit our plans and movements to him lest we might hamper his operations, and lest any untoward incident with the missionary might demand a punitive expedition

¹ (J)

which would seriously embarrass them. The Church Missionary Society, which was about to launch another effort led by Bishop Tugwell and accompanied by Dr. Miller and others, made this promise. Our Sudan Interior Mission agreed to Sir Frederick Lugard's request, but, in concluding their letter acquiescing to his proposal, placed, as one condition, that immediately on the effective occupation by the British, no further restriction should be placed on missionary operations.

Sir Frederick Lugard made no protest or demur at such a condition, and, whatever the later interpretation Government has sought to place upon its proclamations, *we claim that an understanding then entered into with our Canadian Mission is just as sacred as any like understanding made with Moslem emirs.*

When Britain finally undertook to break the power of the Moslem emirs of the North, it was on grounds of humanity, and to put an end to the fearful bloodshed of the perpetual slave-raiding wars carried on by those Moslem emirs. When the British successfully completed their task with scarcely any bloodshed, the whole populace welcomed relief from these cruel oppressors. On Sir Frederick's own testimony, the populace of Kano, sick and tired of the rule of their Moslem king, met them miles before they reached the city with food for his troops. When finally the fleeing Moslem emirs were captured, they trembled for fear that the British Government would give them some of their own medicine, and that they, who had sought to force the Mohammedan religion, at the point of the sword, upon great populations that endeavoured to resist them, would be themselves compelled to give up the Moslem faith and to accept Christianity. When Sir Frederick Lugard decided on his policy that those same blood-thirsty slave-raiders should be placed back again to rule these peoples now brought under British control, he sought to set their fears at rest in this sphere by issuing his proclamations. Those proclamations applied to the missions with which Sir Frederick was then in communication as much as they applied to the Moslem. We quote from one of these as follows: "The English Government never interferes with religion. Taxes, law and order, punishment of crime, these are matters for the Government, but not religion." We claim this as our Magna Carta for Northern Nigeria just as much as these Moslem emirs. We claim it, too, for all the subjects that then came under British rule. We claim that it is the inalienable right of everyone under that British Flag to be left free to peaceably accept and to peaceably propagate whatever religion they choose.

But it is upon a false interpretation of these very proclamations that the Government of Northern Nigeria has built its whole anti-missionary

propaganda, claiming that these lands were assured that their religion would not be interfered with and that it involves the exclusion of the missionaries.

We hold the sworn statement of the man who officially translated Sir Frederick Lugard's proclamations into both Arabic and Hausa, and in that statement he declares that there was nothing in a single proclamation that either implied or involved the exclusion of missionaries, and he further states that, as a British citizen and a Christian man he would have refused to translate it had Sir Frederick Lugard requested it. We hold the letter which Sir Frederick sent thanking him for his services and increasing the fee which he had asked for his work.

The whole conflict must be waged right at this point of our right. In the early years Sir Frederick Lugard had not thought of the interpretation which he has since permitted to be placed upon his words. We can prove it both by his actions and his words. We quote from his own annual reports as follows:

“1901 – Dr. Miller (of the C.M.S.) and Rev. Anthony (of the Sudan Interior Mission) afford us every confidence that both missions will be of great value in the work of civilization and progress. It may be advisable hereafter that Government should give them a small annual grant based on results.” Both of these missions at that very time had occupied Moslem areas with Sir Frederick's approval.

In the report of 1903 Sir Frederick Lugard states: “The C.M.S. in addition to their stations at Ghirku and Lokoja, and in the Bassa country, opened a mission at Bida with the concurrence of the emir and Mohammedan chiefs.” (And yet, since then in Bida itself there has been Government restriction, and, at the present, they refuse to grant license to marry in their Church building inside the town. Why, and by what authority?)

In 1905-06, in the government Report, the following paragraph occurs, “The Hausa Mission situated hitherto in the Ghirku District, forty miles south of Zaria, transferred its headquarters to the latter city in March 1905 with my consent on the invitation of the emir, and *they have it in contemplation to open a mission next year at Kano with the consent of the emir and chiefs, and also propose entering Kontagora, where the emir seems quite anxious to allow them to come.*”

Sir Frederick at that time was interested in the occupation of these Moslem emirates by the missions. Not until British officialdom adopted a different attitude was there any question either of right or of peaceable entrance. It is a group of anti-missionary officials who have been responsible for building up the whole position as we have it today, and a

later changed attitude of Sir Frederick himself when he returned to his second period of administration. It was in the development of his policy of indirect rule that the manifestation of this antagonism came up, and little by little laws were formulated in which the missionaries had no voice, that curtailed more and more their liberties. These laws were put out under various pretexts. It was under the specious plea of health that the enactment was passed that no white man, including missionaries, should live within 440 yards of any native hut. This enactment often compelled residence miles from the towns in which their work was carried on. Missionaries were the only ones that desired to live in the midst of their people. The enactment worked great difficulty and hardship. Our first lady missionary has been compelled to wade up to the waist in water in the rainy season in coming from her work to the site far out of town in which they were permitted to reside. Of course, this was for her health?

At last our missionaries, tired of conflict with the government, decided to yield this point, and, though they would have their schools and dispensaries in town, walk in the morning, and stay until evening. But, no sooner did they cease fighting this ordinance regarding residence in town, than the order went forth that no site should be granted for any purpose whatever within native towns.

Then, too, came the Government order commanding, under penalties, that no one should practise medicine or be permitted to bring in poisonous drugs unless they were qualified so to do in Britain. If government had undertaken to place doctors throughout the whole country and to meet the great needs of the natives in this sphere, nothing would have been said. But it involved the closing of all our dispensaries had we obeyed. It invalidated the right of our doctor, who had put his whole fortune into the work, and holds his degree from Toronto University, from practicing.

Twice we memorialized the Government on these matters. On one occasion, Lord Maclay, who was then in the Cabinet, presented that memorial, but our petition was turned down, and we were told that we need expect no amelioration of these conditions.

We continued our dispensary work, and our doctor continued his ministry, prepared to let the Government enforce its penalties. Those were war days. On our council we had two men each with four sons at the front. Another member of our council was brother-in-law of the first Canadian General who laid down his life in Flanders. The rest of us were bound with close ties to our country's cause. Had we passed over to the United States at that time the facts that, in German territory in Africa, missionaries had ten times more liberty than in British Nigeria, it would have had a very serious

bearing upon public opinion in the United States. At the very time that Mr. Lloyd George sent over his group of leading British ministers and clergymen with a view to creating kindlier feelings in the United States toward Britain and her allies, we could have vitiated that whole mission by the simple statement of conditions existing in Nigeria. We remained silent in the expectation that, when the war was over, we would secure from our country changed conditions. But we have looked in vain to Government for this. Instead of this, some of the very territory taken from the Germans, in which the missionaries had entire freedom, has now been proclaimed a "closed area" by this government.

Some things have been modified, and the laws which we were told by viscount Milner would not be rescinded, have been changed. It was one of those Governors who, on taking charge, received our missionary delegate, and who, asking the Resident why the law excluding missionaries from residence in native towns had been enacted, was informed by that official that it was "a health law, Your Excellency," to which the incoming governor responded, "Between the choice of duty and health, a missionary should choose duty." Under that Governor, some of the legislation was rescinded, but he imbibed from those under him, the impression that the British Government had given assurances that missionaries would not be permitted in the Moslem territory, and, while we have much to thank Sir Hugh Clifford for, in retiring from his term of service, he enunciated anew the same idea, as though it had been a matter of permanent British policy.

Again, to prove that such was never intended by British Government, let us quote from the reply received from Downing Street on July 15th, 1911, in response to a protest against certain restrictions by Residents of that day, as follows: "Mr. Harcourt, however, thinks it right to say at once that he cannot believe that the local authorities desired to favour Mohammedan rather than Christian Missionary work, or that any instructions from him are needed to make them aware that such an attitude would be wholly contrary to the views of His Majesty's Government."

We charge a complete change of Government attitude since Mr. Harcourt, as Colonial Secretary, made that splendid pronouncement. We can prove that, while the present Government in Nigeria is refusing us permission to enter vast areas in which there are not only Moslems, but tens of thousands of pagan subjects, they are sending their Government-trained Moslem teachers into pagan areas, and that they are using their influence as Government representatives to introduce the Moslem faith.

Two years and a half ago when the missionary delegation led by the Bishop of Salisbury and Mr. Oldham waited upon the Governor and the

Lieutenant Governor of Nigeria in London, we were assured as an outcome of the better understanding there that Government would take steps to instruct the Moslem emirs in the principles of British religious toleration with a view to our entrance into the territories of the north. We have waited patiently for that change. In one case we had the willingness of the Moslem emir for our entrance, and yet upon making our application to headquarters we were advised to withdraw our application. Before the Conference, replying to our request for a site in Kano, not in the native city, but in the area occupied by white residents, our application was refused, and when request was made for a reason, the reply was given to us, "I have to inform you that it is against the precedents and policy of Government to give facilities to a mission when the object would seem to be the conversion of Muslims in a Mohammedan emirate. I must reply further that His Honour, the Lieutenant-Governor, Northern Provinces, regrets that he is unable to recommend the granting of your application." Now this was written January 26th, 1927. Whatever may be the wish and desire of the Governor to fulfil to the missions his promises, the letter clearly indicates that the head of the Northern Provinces stood in an attitude where he refused to permit our liberty to peaceably approach Mohammedans with an offer of the Christian faith. While assured of a changed attitude, we still wait, after two and a half years, for permission to enter Kano and the northern emirates.

We have borne long and patiently. We do not believe that these men represent the British citizenship of the Empire. We have their own official statement that, in permitting missionaries to enter these very territories, there would be no likelihood of a breach of the peace. For thirty years we have worked in Moslem regions, and Government cannot point to a single place where missionaries have asked protection, or where any disturbance has been created by their presence.

Far from desiring agitation or publicity for our cause, we have sought quietly and reasonably to get Government to listen but the day has passed when we should come as suppliants to them when they place in control men who are known not to be governing with British fair play as neutral in this sphere of religion, but men who are pro-Moslem and anti-Christian.

We never sought Government aid when we went into these provinces before the British occupation. We claim that, since that occupation, the British government has no right to bar our entrance. While acknowledging our debt to many friendly Residents who have sought to aid us, we refuse longer to leave the question of religion to be decided by Residents or Governors, many of whom have no interest in the religious. We ask for our

Moslem fellow-subjects of the British Crown the same religious liberty that we demand for ourselves.

With our final appeal to Government, therefore, we should serve notice that now we ask for rights. We are not supplicating for favours, and, if these rights cannot be assured to us, then we must take the only course left open. We are going into these Northern Territories as ambassadors of Jesus Christ, who, sitting upon the Throne of power says, "All authority is given unto me in heaven and on earth. Go ye therefore and make disciples of all the nations."

APPENDIX 10:

ANTAGONISING THE CHRISTIAN CHURCH¹

Opposition of Government to the advance of Christian Missions has been strongest in the Moslem Emirates but because Missions have now occupied so much of the pagan areas it must not be thought that their entrance there was unopposed.

Objection was made because a tribe was under a Moslem Emir, or the claim that a district was unsettled was continued long after danger had ceased. A Political Officer when interviewing a chief with regard to an application for a site by a Mission would so enlarge on the responsibility that would fall on the chief if the missionary were murdered that the chief would promptly refuse the responsibility and the application would be turned down on the ground of the chief's refusal. Under cover of showing to the native how neutral the Government was with regard to religion a Political Officer would ask so many questions and couch them in such a way that the chief would conclude that the officer did not wish the Mission to enter and would say therefore that he did not. The power which a Political Officer wields in this way is very great. It was expressed to me by one officer in the words – "The District Officer can help, he can hinder and he can absolutely block." No charge of bad faith can be brought against the official for no European is present when he interrogates the chief. Later however, especially when the Mission eventually gains access to the tribe, the people tell the missionary very frankly what occurred. None of these things are secret to the native and the people are often puzzled to know why the Government should object to the coming of the Mission. The missionary who feels bound to maintain the prestige of Government is as puzzled to reply.

After a Mission is established there are still interferences, varying in magnitude from the destruction of a Church, an instance of which is given in this memorandum, to instances of petty but vexatious meddling. Some of these latter are due to the personality of the official and would not be supported by Government but there is reason to think that the knowledge that the policy of headquarters was antipathetic to Missions allowed individuals to do things which they would not otherwise have done.

Perhaps, more than from any other cause, interferences arise from the apparent inability of any Political Officer to think of the Christian Church as

¹ Farrant, Dec. 16/29, pp. 4-5 (J).

anything but a foreign organization. In some districts Islam is not ten years old but is accepted as indigenous and left alone. In the same district Christianity may be twenty-five years old and spreading from native to native in the identical way in which Islam spreads. Yet a native Christian will be interrogated by a District Officer as if he were a dangerous propagandist from Moscow instead of a common farmer who has come to know the Lord Jesus Christ.

There are few chiefs who do not believe that their conversion to Christianity would be received with disfavour by Government.

Taking Garkida and Zaria as two examples of what I mean – every native in these districts, be he Christian, Moslem or pagan, is quite sure that the Government is against the Mission. In the whole of Northern Provinces the total mass of interference accumulated throughout the years is prodigious and every bit of it is known and remembered by the native whether he is Christian or not. The Church therefore is growing up in the consciousness that it was born against the wish of the Government. The strongest impressions are formed in childhood and the impression made on the Church in the Northern Provinces will probably never be effaced.

Speaking purely as a Christian, the fact that it has been so clearly shown to all the Northern Provinces that the Christian Church is not protégé of an alien Government gives me no cause to complain. Anyone who studies the history and present position of the Church of Scotland and contrasts it with that of the church of England will be assured that lasting benefits accrue to a Church which grows up in opposition.

Speaking however as a British subject, I and the greater part of the three hundred missionaries in the Northern Provinces who are also British subjects, ask if the church can only grow strong by discomfiting the government and if it is really necessary for the Government to alienate further the organization which is destined to be the greatest spiritual force in the Protectorate.

APPENDIX 11:

Press Conference

Christian Association of Nigeria (CAN)¹

¹CAN, 1989.

APPENDIX 12:

CAN Northern States and Abuja

Being Text of a Press Conference Held by Christian Association
Of Nigeria (CAN) Northern Zone on April 3, 1989¹

SHARIA VERSUS NATIONAL UNITY

This administration headed by President Ibrahim Badamasi Babangida in the maiden presidential broadcast to the nation made a promise to this country thus:

“This government is determined to unite this country. We shall not allow anything to obstruct us. We recognise that a government, be it civilian or military, needs the consent of the people to govern if it is to reach its objective. We do not intend to rule by force.”

We are of the humble view that this administration did not intend Nigerians to take it lightly on issues of national cohesion as a primary assignment. We are however disturbed that it is presently manifest to Christians that this administration headed by President Ibrahim Babangida has in practice assumed a partisan and discriminatory posture and hence completely obliterated all traces of national cohesion that had hitherto existed.

We are prompted to ask whether this administration is determined to unite this country or consider the consent of the people necessary for the achievement of its objectives!

Since the Babangida administration came to power it has unashamedly and in utter contempt for national unity manifested its naked discriminatory religious posture through overt and covert acts of patronage and preference for Islamic religion. One is therefore left with no alternative but to conclude that the

¹Appendix 9.

Babangida administration is the principal agent for the Islamisation of Nigeria.

This administration, more than any before it, has built up religious tension in this country of a dimension that is capable of obliterating the foundations of our corporate unity as a country. A few examples will suffice to illustrate this:

i) In the year 1986, General Ibrahim Babangida surreptitiously dragged Nigeria into the membership of the O.I.C., a purely Islamic organisation whose principal motive is the expansion of Islam. This was done without the consideration and approval of Nigeria's membership by the A.F.R.C.

ii) The Babangida administration is reported to have subscribed Nigeria to the membership of the Islamic Development Bank where Nigeria holds 0.32% share as per I.D.B. Legal information of January, 1988.

iii) Babangida administration by a government newspaper to wit, the *New Nigerian*, decided to sponsor a debate for the entrenchment of Sharia in our constitution as far back as December 1985 barely four months after the government came into power. The government knew that the subject is a tension builder but did so to lay the foundation for its desired goal of Islamising Nigeria.

It would be recalled that CAN Northern Zone in its publication in the *New Nigerian* of 16th January 1986, predicted that "the debate (Sharia debate) was a prelude to ensuring that in any subsequent constitutional arrangement in this country, Islam will be imposed on this country."

This prophetic suspicion started manifesting itself when eight months after CAN's publication, the Council of Ulama in the *New Nigerian* of 29/9/86 threatened that "Muslims in the country have vowed to reject any new political order that does not recognise the uninhibited application of Sharia Law in Nigeria."

iv) Barely two months after the Ulama's threat, this government feverishly came out with Decree No. 26 of 1986 purely for the purpose of achieving the uninhibited application of Islamic Law in all civil matters before the Sharia Court of Appeal.

v) While the Sharia debate was going on at the Constituent Assembly and a democratic resolution of the issue was nearing its conclusion, this administration “interrupted” the democratic process by stopping the debate and taking the matter out of the competence of the Constituent Assembly and exclusively vesting same in the A.F.R.C.

vi) This political pretence soon manifested itself when General Ibrahim Babangida in an airport interview soon after the Constituent Assembly was precluded from discussing the Sharia issue and before the tabling of the issue before the A.F.R.C., came up with a preemptive verdict that the provision for Sharia in the 1979 Constitution is adequate.

We are however aware that this preemptive verdict was to cow that A.F.R.C. to retain Sharia in our Constitution; otherwise the president alone by Decree No. 1 of 1984 and its subsequent amendments does not constitute the A.F.R.C.

vii) To our greatest shock, the Constitution Drafting Committee was reported in *The Guardian* of March 22, 1989 as having included the C.R.C. recommendations of Sharia and Customary Courts of Appeal in our constitution. Hon. Justice Aniagolu was credited in *The Guardian* of 22nd March, 1989, as having advanced the reason for the inclusion thus:

“All we have done is to put the C.R.C. recommendations in the interim in the draft. We felt it will be untidy to leave blank spaces in the draft constitution we are submitting to the government.”

We now know that Justice Aniagolus’s lame defence herein above has its foundation on Vice Admiral Aikhomu’s letter of 20/3/89 wherein he said as per *The Guardian* newspaper of Thursday 30/3/89 that:

“The Constituent Assembly is hereby requested to insert in the draft constitution all matters and clauses in the revised C.R.C. constitution which were excluded from the jurisdictions of the Assembly. In this way, the Federal Government expects no gaps whatsoever in the various sections.”

It is therefore obvious that the inclusion of the provisions of Sharia Court of Appeal is not for the untidiness of blank spaces as Aniagolu wants us to believe, but purely a government exercise. This exercise is a true reflection of Government various open and secret interference with the work of the Assembly.

One indisputable vice that has so far stood to the discredit of this administration is its obvious ambiguities. How can Vice Admiral Aikhomu, who excluded the jurisdiction of the Assembly from deliberating on the Sharia issue, now write commanding the inclusion of the C.R.C. recommendations by the same Assembly he had rendered incompetent on these issues?

We think Hon. Justice Aniagolu ought to have seen his responsibility to this country beyond that of mere copying of the C.R.C. recommendation on these issues. If his job were that simple it would have sufficed to employ copy typists.

We are also aware of the ugly rumours that only the Chairman and Secretary of the Assembly would be required to sign the Draft Constitution to avoid the embarrassment to the government over possible reactions to the inclusion of Sharia Court provisions in the draft. Unless the Constitution is for the two officers aforesaid, it would be rejected by all Christians.

We have written and published our objections before the government interruption of the democratic process on 28/11/88.

Let it be known that a Sharia laden constitution is unacceptable to us and our stand is not negotiable. If the government of General Babangida decides as against its maiden promise to this country to rule us by force, we shall assert our rights as our God did not put us under any bondage.

We call on all persons who know and believe the Lord Jesus Christ to be alert in defence of their faith whenever same is threatened as our first responsibility is to God. **AND NOT TO MAN.**

General Ibrahim Babangida, Sudan has after a bitter experience opted for the path of sanity out of Sharia or religious

laws and we think Nigeria has every opportunity to profit from the lessons of the Sudanese experience.

We believe very firmly that if this administration decides to rush in where the angels would fear to tread, the consequences will be too grave and obvious.

We want a Nigeria that is united and peaceful for all Nigerians. Long live the Federal Republic of Nigeria.

Archbishop P.Y. Jatau (Chairman CAN Northern Zone)

Bishop Ogbonyomi (President CAN Kaduna)

Bishop Adeboyojo (Vice President Kaduna State CAN)

Ambassador J.T. Yusuf (Co-ordinator CAN Northern Zone and Vice President National)

Rev. N.B. Alodeino

Engr. S. L. Salifu (Secretary)

APPENDIX 13:

Press Release by the Christian Association of Nigeria Northern States and Abuja on December 17th 1997: Reaction of Religious Groups over the Airing of the Special Christmas Programme Titled *WorldReach Nigeria* from Dec. 1st – 7th, 1997.

Gentlemen of the Press, we call you here this evening to express our concern over some alarming developments bordering on religious freedom in our nation.

Our attention has been drawn to the reaction of some religious groups championed by Group Captain Usman Jibrin (rtd) and DITV-Kaduna over the airing of the Christian Special Christmas Programme titled *WorldReach Nigeria*, which concluded with *Muzika* on Sunday, December 7th, 1997. In this *Muzika Programme*, one Malam Mohammadu Ali Biu gave the testimony of his encounter with Jesus Christ which led to his conversion from Islam to Christianity. Our investigation revealed the following:

(1) – In spite of the contractual agreement and payment for the programme in all the 36 States' NTA Stations, NTA Sokoto, Kano, Maiduguri refused to air the programmes while NTA Birnin-Kebbi stopped the programme midway.

(2) – Some Directors of both NTA and State TV Stations are being interrogated for allowing the programme to be aired.

The Christian Association of Nigeria, Northern States and Abuja considers the refusal of some NTA stations to air the programme, thereby denying millions of Christians in those states the opportunity to enjoy with their brethren, as well as the interrogation of officers, as a violation of Section 33 of the 1979 Constitution as amended which guarantees freedom of worship, conversion and propagation of one's faith.

CAN is therefore surprised by the protests, interrogations and threats over the conversion of Mal. Ali Biu to Christianity for the following reasons:

1. During *Tabsir* at Ramadan, Christians are presented on NTA and private TV for conversion to Islam and are asked to publicly renounce the basic tenet of the Christian faith which is: **JESUS CHRIST IS THE SON OF GOD**. For example, *Tabsirs* of late Sheikh Abubakar Gumi, Sheikh Dahiru Bauchi and Sheikh Lawal Abuakar etc. contain such public conversions.

2. A few years ago, the then-teenage daughter of a prominent Christian leader in Kaduna, Dr. Christopher Abashiya, Jumai, converted to Islam. The *Gaskiya Ta Fi Kwabo*, owned by the Federal Government, published a provocative front-page caption titled *Musulunci Ta Yi Wawan Kamu*, meaning "Islam has made a foolish catch." Christians did not threaten anybody.

3. At the Kaduna State Religious Peace Consultative Committee Meeting with the former administrator, Col. Lawal Ja'afaru Isah with Sheikhs Dahiru Bauchi and Lawal Abubakar in attendance, CAN protested against the public TV conversions and

denunciation of the basic tenet of the Christian faith. Up to this day, it has not been stopped and we have not threatened anybody.

In the light of these, we are appealing to our Muslim friends, most especially the *Ulama* to learn to appreciate our differences and rights, by applying the Golden Rule to themselves which says: "Do unto others what you want them to do to you" which in essence means "Do not do to others what you won't want them to do to you."

As law abiding God-fearing and patriotic citizens of this nation whose fundamental rights have been guaranteed under the Constitution, we are calling on the Federal and States Military Governments:

1. To resist the pressures being mounted by a religious group to retard the propagation of other religions in the guise of peace and security.
2. To avoid showing favoritism in airing of religious programmes, especially in states like Kano, Borno, Sokoto, Katsina, Jigawa etc., where we have many Christians living there.
3. To ensure that the fundamental rights of every citizen to practise, promote and propagate his or her own religion anywhere in the country is protected.
4. To see to it that no staff of either NTA or States' Television is made a scapegoat for this sponsored *WorldReach Nigeria* programme.

Finally, CAN is appealing to all Christians to remain calm and prayerful for God's intervention so that justice, truth, peace and harmony may prevail in Nigeria.

Wishing you a Merry Christmas and God's richest Blessings in the New Year 1998.

Signed by

Archbishop P.Y. Jatau, Chairman, CAN Northern States and Abuja,
Archbishop B.A. Achigili, Vice-Chairman CAN, Northern States and Abuja,
Saidu Dogo, Secretary General, CAN Northern States and Abuja

APPENDIX 14:

On Southern Kaduna: A Plea to Makarfi

Nath N.I. Maitakama¹

On Saturday, May 29, 1999, the reality of the end of a prolonged rule of the military dawned on Nigerians. Before them, the military had ruled for 30 years in Nigeria's 39 years of independence, the various regimes often characterised by religious and ethnic informed marginalisations, extermination of minority rights, unimaginable human rights abuses, feudal oppressions, complete erosion of fairness and equity in geographical development and government appointments, injustices and generally militarised society in both the federal, state and council levels of governance. It was therefore not surprising the level of merry making, jubilation and happiness that enveloped the entire country following the formal hand-over by General Abubakar to a democratically elected representatives of all levels of government.

The dawn of democracy brought along with it renewed hopes for the hitherto marginalised, oppressed, humiliated, deprived, dehumanised and the forgotten citizenry. In the same vein too, the people of Southern Kaduna who are made up of many minority ethnic groups – predominantly of Christian faith (a minority faith in Kaduna State?) and who have had to make do with all the attendant and unimaginable injustices associated with minority people during the military era, also looked up with hope and expectation to a new beginning.

The Southern Kaduna area and its people suffered tremendous deprivation during the past regimes. This deprivation stretched from lack of provision and maintenance of motorable roads, as 90 per cent of the one or two Trunk A roads that pass through the area, were provided by the federal government, to lack of electricity in almost all the major towns in the area compared to smaller villages being connected to national grid supply in the Northern part. The same bias applied with respect to the siting of industries and educational institutions. Where any is sited the neglect it suffers makes the presence not felt.

In terms of appointment into government offices, the injustice visited on the Southern Kaduna people was not only unfortunate but shameful and laughable. It is therefore not news to find a northern Kaduna indigene less

¹NN, 11 Nov/99.

qualified and articulate lording it over a more experienced, educated and articulated man from the southern part of the state by virtue of his belonging to a minority ethnic group and faith.

Rural development suffers more neglect. You find a lot of communities without a basic health care centre. Credit here goes to neighbouring Plateau State, by virtue of closeness of their hospitals to the people, all sick people are quickly transported there for attention. Furthermore, a lot of the communities are not connected to the outside world by motorable roads. This is in spite of the fact that the area remains the food basket of the state, the people being predominantly farmers.

In addition to all these wounds, the past military regime mobilised all forces within their reach to safeguard and entrench feudal lordship (the emirate rule) over the people. A completely alien system to the people and at variance to the tenets of their faith, this effort by the military in the past triggered off violence in the area that has left unhealed wounds in a peace loving people of the area.

Governor Makarfi may find it difficult to believe these few examples of deprivations suffered by the people, because they are unbelievable in this 21st century. Therefore to make his case easier, I suggest he visit these towns: Randa town, a popular missionary town with the oldest primary school in the area; and Abu town, through Fadan-Wate, their district headquarters; and Wasa, a major town in Sanga Local Government Area through Gwantu, the local government headquarters. Though the combined distance of the journey is less than 40 km, I can bet he would require three days to cover it with his entourage.

I have followed with keen interest the promises of Governor Makarfi during his campaign, and his efforts since assuming the mantle of leadership and believed he would visit this neglected area with relief and give them the desired sense of belonging. So far, the governor is yet to give me serious doubt on my earlier hope though there has not been any bold and clear deviation from the attitudes of the past regimes towards the people.

This is because, among others, the appointments made so far into government offices and boards of parastatals seems to be based on the old sentiments. For instance, some local government in the southern part of the state have not benefitted from even one of such several appointments made, even though some local government have five slots of such appointments, despite the level of intellects that abound there. I stand to be corrected. I expected the governor to borrow a leaf from the central government, incidentally formed by his party, where all appointments were allotted to all

states equitably including those states the party lost elections woefully, in the spirit of reconciliation, stability and power shift.

Another development, which is rather sad, is the purported sacking of the Jema'a Local Government chairman and his councillors-elect. Nigerian democracy is very nascent and mistakes are bound to be made by the players, as no man is perfect. Experiences and mistakes are the teachers that would strengthen our democracy and eventually perfect it. Apart from this, the beauty of democracy is the fact that there are no checks and balances, the executives by the legislatures, and the legislatures by the people holding the ultimate power. The sacking of the chairman and his councillors, elected and empowered by the people, therefore is not only unfortunate but a blow to the growth of democracy in the local government and area in general. This definitely is an affront on these voters/people's constitutional right to determine who presides over the administration of their resources. Assuming the chairman and all the councillors connived to defraud the people, the governor should have exposed same and leave the people with the rigours to remove them constitutionally which would form part of a learning process.

Another landmine that needs to be unearthed and destroyed is the unresolved emirate crisis in Kafanchan that has brought about loss of lives and property. The hatred and enmity generated by the crisis, that has been given religious connotation in the past, has resulted heavily to the purported combined efforts of state and federal officials in the past to perpetrate underdevelopment in the area through outright neglect bringing about the present state of things. I believe the governor is confident enough to set in motion machinery to heal these wounds and bitter pill.

The genesis of this system was the employment of superior power by the colonialist, in collaboration with the emirate in the 19th century, to bring the people under the authority of Zaria emirate council for the government administration of the indirect rule system of the British. This resulted to imposition of emirs and district heads of Fulani origin across the area through whom taxes and other levies were paid to the emir. The history of the violent and peaceful opposition of the people to this imposition is as old as the emirate system in the area itself. The Kafanchan riots of April 1999, in which attempt by the military government to snub the people's disdain for the existence of the alien system in their midst resulted to massive riots with end result of wanton loss of lives and property, signifies only the pinnacles of the opposition to the system.

The present state of things requires nothing short of a bold decision. The people over whom the emir is supposed to rule have said emphatic no.

The people see it as not being only alien but having slavish tendency as it forecloses the right of the indigenes to even aspire to ascend the throne. Redress and justice only is required to bring about lasting solution to the crisis thereby bringing about peace and harmony, a prerequisite for the desired socio-economic development of the area.

To completely erase this injustice and give the people a complete sense of belonging, the Southern Kaduna area should be declared a disaster area and machinery set in motion to identify areas that require urgent attention to restore hope to the people. In this respect attention should be paid to opening rural communities through roads construction and maintenance and provision of water and electricity, health facilities and others.

APPENDIX 15:

Remarks by the Out-Going President of the Church of Christ in Nigeria (COCIN), Rev. Dr. Alexander Lar, During a Farewell Visit to the Executive Governor of Plateau State, Chief Dr. Joshua Dariye on Wednesday, January 26, 2005 at Government House, Rayfield, Jos¹

Your Excellency, our beloved son and brother in the precious faith, Governor Joshua.

I bring you very warm greetings in the name of our Saviour and Lord Jesus Christ. It is my pleasure and with gratitude to the Lord our God to be reunited with you in your office this new year.

My heart is filled with great joy that at last God has allowed us to meet with you again after the unfortunate events of the recent past which culminated in the declaration of the state of emergency. COCIN was not part of it. We were not consulted. As you are well aware, COCIN spoke out clearly, loudly and publicly against any attempt to derail democracy in this state. We were guided by the facts at hand, the history of the church and the desire of our people to remain free in Christ.

How could we have supported the declaration of the state of emergency when the whole agenda was suspect? Were we not insulted as “idiots”? Were we not written off as religious leaders who never did anything to bring peace to the land? And to imagine that we had carried no arms against anyone; neither had we trained for warfare. We did not keep any militia; neither did we retaliate when attacked. We did not boast of having a “strike force;” neither did we refuse to go out hand in hand with our Muslim neighbours on peace missions.

All the same, we have forgiven! We have forgiven!! We have forgiven!!!

Your Excellency, permit me to speak this way because I was denied expressing my hurt in Abuja on behalf of the bruised and brutalized flock God had given me to look after. Let me find this freedom before you, because it is my last as one wearing the toga of the COCIN presidency.

But then, we rejoice with you, the house of Assembly, your cabinet, family and all people of goodwill that the spirit of reason, fairness and democracy has prevailed on the Plateau, and this unwarranted nightmare is over. As we proclaimed in Wase when we worshiped during the Centenary just next to the ruins of our church and other church buildings, so also we beseech you to FORGIVE. To forgive is not a luxury.

It is a command. It is the hallmark of a true child of God who himself has obtained forgiveness from a merciful God.

In this, look up and see the hand of God in releasing you miraculously and bringing you back despite the very dark clouds. Appreciate this liberty therefore and use it to work for the good of the people you lead, no matter how scanty the resources may be.

Our reflection on the emergency period shows that God gave us six months of quietness in the state, and that was a big gap during which many things were left unattended to. But as a bona fide Plateau man, you are not a hired man. So execute your programmes for your people. Let not accusations and the casualties of the crises deter you. Feel bold enough to deliver the goods to the people in your remaining tenure.

¹A. Lar, 13 Feb/2005.

Be encouraged by God's word which says: When a man's ways are pleasing to the Lord, he makes even his enemies live at peace with him (Prov. 16:7).

But elsewhere, the Bible also warns: If a man pays back evil for good, Evil will never leave his house (Prov. 17:13). So also we encourage you to continue to do good to all manner of people, whoever they are.

Your Excellency, I am here to also introduce to you the new COCIN President in-waiting, Rev. Dr. Pandang Yamsat. Not that you do not know him, because you really do. He was my Vice President for four and a half years, and it pleased God to stir the hearts of delegates at the last General Church Council meeting to give him the baton for continuity. Work with him.

Consult him. Take him along. Co-operate with him. Sharpen each other. He has the training and the calling to take the church to the next level that God has set for him.

Finally, I am in your office to personally bid you Goodbye. I went into the ministry at the age of 25 and after 40 years of service, it has pleased God to let me rest from carrying the full weight of the church. So I will take a dignified bow come Sunday, January 30th, 2005. And as for my parting words, I say as father to son: Hold unto your faith firmly because it is not man-made. Keep working on it until God turns it to something more precious. God is testing your faith to refine it. Work in such a way that God will find you faithful in all the affairs He has entrusted into your hands.

Do not fear those who commit acts of terror against the innocent. Instead confront and resist them until you overcome.

In my retirement, I will continue to be a partner in prayer with you. I will speak out and give counsel where I can and should for the growth of the gospel – until my second and final retirement to glory. Hallelujah!

May the peace of God which transcends all understanding guard your heart and mind in Christ Jesus.

Thank you and Goodbye.

APPENDIX 16:

GAMJI (no date)

STAR NEWS: The Okigbo Panel Report Revealed !

By

Mobolaji E. Aluko, Ph.D.

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Dear Compatriots:

On January 15, 1994, as part of his early moves to convince the nation of a new broom of probity and accountability, General Sani Abacha (who had become military head of state November 17, 2003)

empannelled a group of eminent Nigerians chaired by the late economist Dr. Pius Nwabuo Charles Okigbo to probe the Gulf War period receipts.

The full report, submitted 27th September, 1994, has NEVER seen the light of day, and was declared mysteriously "missing" from government records soon thereafter.

Until now....

The full Okigbo Report - all 365 pages of it, with much arcane stuff - is now in the public domain, and has begun to be serialized by the ever-enterprising TheNews Magazine in Nigeria ! It's actual title

is:

PANEL ON THE REORGANISATION AND REFORM OF CENTRAL BANK OF NIGERIA (1994)

The report's contents are divided up as follows:

Executive Summary of the Main Report: Pages 1 -13

Chapter 1: Introduction - Pages 1-30

Chapter 2: The Evolution of the Central Bank of Nigeria - Pages 31-44

Chapter 3: The Regulatory Framework - Pages 45 - 66

Chapter 4: Legal Framework - Pages 67 - 88

Chapter 5: Domestic Operations - Pages 89 - 126

Chapter 6: The Growth and Management of Domestic Debt - Pages 127 -150

Chapter 7: External Sector Policies - Pages 151 - 224

Chapter 8: Fiscal and Monetary Policies - Pages 225 - 256

Chapter 9: Administrative and Managerial Structure of the Bank Pages 257 - 291

Chapter 10: Information Management - Pages 292 - 311

Catalogue of Recommendations: Pages 312 - 351

Members of the Panel Secretariat - Page 352

For significant excerpts of it (Executive Summary, several pages of Chapters 1 and 7 for now), please see pdf files in:

<http://www.nigerianmuse.com/nigeriawatch/okigbo/>

Nigerian Muse
"That the World May Know"

The Punch, Monday, May 16, 2005

Okigbo report indicts IBB, two others

Yusuf Alli

A window may have been opened on a dark era in the country's past as the long-sought-for report of the Pius Okigbo panel entered the public domain on Sunday.

In spite of desperate official efforts to keep the report away from the public in the last 11 years, there are indications that the report indicted the former military President, Gen. Ibrahim Babangida, and two others for mismanaging about \$12.4 billion oil revenue in six years.

The others are the late Gen. Sani Abacha, and a former Governor of the Central Bank of Nigeria, the late Alhaji Abdulkadir Ahmed.

Okigbo's panel was set up by Abacha in January 1994, as part of efforts at the time, to re-organise the CBN.

The panel was also mandated to examine the use of dedicated accounts and other special accounts for oil receipts. The panel submitted its report in September 1994.

As part of its duties to the public, PUNCH had written several letters to the Secretary to the Government of the Federation, Chief Ufot Ekaette, for a copy of the report.

In a letter on October 27, 2004, PUNCH informed the government that its investigations had traced a copy of the report to a former Permanent Secretary, Federal Ministry of Finance, Alhaji Ibrahim Idah.

In his last letter to PUNCH on the report, Ekaette said, "We have since written to Idah to send us a copy of the report. We are still awaiting his response."

Also, in one of his public outings, President Olusegun Obasanjo said, "I don't have the report. In fact, I don't know if any such report existed. I will be happy if anyone can give me the report."

But The News magazine, in its current edition, circulated on Sunday, published the Executive Summary of the 335-page report of the Okigbo Panel.

In the summary, the three former public officers were accused of wasting the oil

revenue from September 1988 to June 1994.

The report claimed that the \$12.4billion was secretly sourced and spent from six extra-budgetary accounts, which were only known to the two former heads of state and the former CBN Governor.

The report further identified the sources of the \$12.4billion fund as Central Bank Dedication Account, NNPC sales of Mining Rights Account, Stabilisation Account, the Signature Bonus Account and GHQ Special Fund Account.

The report said, "In 1988, the President authorised the dedication of crude oil of 65,000 barrels per day for the finance of special priority projects including Ajaokuta Iron and Steel, Itakpe Iron Mining, and Shiroro Hydro electric projects. The account was also to be used for external debt buy-back and the build-up of reserves. The quantity was subsequently increased to 105,000 barrels per day and in early 1994 to 150,000 barrels per day.

"In addition, a stabilisation account to receive the windfall of oil proceeds from the Gulf War and a special account for Mining Rights and Signature Bonus were opened. Altogether, \$12.4billion was received into these accounts from 1998 to June 1994, all of which have been spent leaving a balance of \$206million as at the 30th of June, 1994."

It said, "The problem with these accounts is that even when revenues were shown globally, as in the case of dedication account, the expenditures were not included in the Federal Budget.

"Apart from the projects which the accounts were established, their use was extended to a wide variety of projects, many of which could not be classified as priority. The details of receipts and disbursements on these accounts were, however, carefully maintained and all payments were duly authorised by the President."

The panel said if the two former Heads of State prudently managed the funds, the exchange rate of the Naira would have been stronger to the dollar in 1994.

It said, "If only the funds had been regarded as part of the external reserves and had been counted as such, the impact on the exchange rate in the year under review would have been so significant that the Naira would have been stronger in 1994, in relation to the dollar, than it was in 1985."

On the operation of the accounts, the Okigbo Panel said it was not subjected to budgetary processes and lacked transparency.

"By limiting the authorisation process for its operation to the approval of the President or Head of State, which was communicated directly only to the CBN Governor, it created considerable room for abuse of procedures, abuse of application and reduced accountability.

"From the foregoing, it is clear that the instructions relating to the operation of these accounts ran between the President and the Governor and between the Governor and the Director, Foreign Operations.

"The Panel was informed that each time the Governor received an authority from the President to effect a payment, a Minute was sent to the Director, Foreign Operation, through the Deputy Governor, International Operations. The dedicated accounts were not operated whenever the Governor happened to be away. The Deputy Governor, International Operations and the Director, Foreign Operations, had no discretion with regard to the operation of the dedication accounts. They acted only on the authority of the Governor."

On the disbursement of the accounts, the panel traced it to three categories, including security and defence expenditures, contractors and presidential fleet and other payments.

Although the details of the expenditure of the \$12.4billion were not provided, the Okigbo Panel identified some projects of importance but it added that there were many large projects of doubtful viability and many more of clearly misplaced priority.

Some of the curious sub-heads included a documentary film on Nigeria, \$2.92million; purchase of TV/Video for The Presidency, \$18.30million; ceremonial uniform for the Army, \$3.85million; staff welfare at Dodan Barracks/Aso Rock, \$23.98million; travels of the First Lady abroad, \$0.99million and the President's travels abroad, \$8.95million.

Other expenses were medical (Clinic at Aso Rock), \$27.25million; Gifts (Liberia), \$1million; Gifts (Ghana) \$0.50million; Embassies- London, \$18.12million; Riyadh, \$14.99million; Teheran, \$2.76million; Niamey, \$3.80million; Pakistan, \$3.80million; Israel, \$13.07million; TV equipment for ABU, \$17.90million; Ministry of Defence, \$323million; Security, \$59.72million; Defence Attaches, \$25.49million and General Headquarters, \$1.04million.

The panel said, "In addition to these, the Dedication and Special Accounts had become a parallel budget for The Presidency. The President alone made the decision as to what expenditure items to be financed out of these dedicated accounts, depending on the pressures brought to bear on him by the sponsors of the items.

"For example, the accounts had been utilised to defray assortment of expenses that could not in any way be described as priority."

The panel did not recommend any sanction for Babangida, Abacha and those involved in the illegal operation of the six accounts.

It, however, urged the Federal Government to discontinue the Dedication Account and other Special Accounts.

It said, "The balance in the existing Dedication and other Special Accounts should immediately be taken into the external reserves of the Central Bank.

"Receipts from sales of dedicated crude oil should be paid into that account up to the end of the 1994 fiscal year. Thereafter, with effect from January 1995, there should be no further dedication of crude oil.

"But if for any reason, there is to be a dedication account, there should be a total and full disclosure of both the expected revenue and the item(s) of expenditure in the budget and the GHQ Special Account should be transferred to the normal budget of the government."

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SUNDAY MUSINGS: Why Government Should Release the Okigbo and Oputa Reports
– A Question of Credibility

By

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April 25, 2004

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NOTE: For more info re these reports, go to *Companion CD <Misc Arts/Govt Inquiry Reports/...>*.

INTRODUCTION

In Nigeria's forty-four years of flag independence – actually 482 months this April 2004 since October 1960 - it has been ruled for approximately 126 months by civilians and 356 months by the military – a ratio of about 1:3. This fact has led to serious structural defects, made worse by two military-imposed constitutions. Consequently, the country is still contending with many ills, two of which stand out: corruption and impunity. One affects our economic life, the other our social life.

Inherent in any military regime is lack of a mandate for accountability by the citizens, since the military imposes its constitutional will on the people anyway. Nevertheless, under a civilian administration that we are currently under, no demand for accountability is too much.

There have been two significant attempts in the past to provide some measure of accountability: these are supposed to have been documented in the Okigbo Panel Report of 1994, instituted during the Abacha regime, that details how our oil money was spent during a period 1985 - 1991; and the Oputa Panel Report of 2002, instituted under the current Obasanjo civilian administration, that details how our human rights were violated during the period 1966 - 1999.

Ironically, neither report has been made public: in fact, the Okigbo report was recently declared “missing” from government archives, and as far as the Oputa report is concerned, the government has not indicated what it wishes to do with it.

So let me start where I should end: If the Obasanjo administration is to enhance its credibility, it must unfurl both the Okigbo and the Oputa Reports without further delay – for the world to know. If corruption and impunity now and in the future are to be stemmed, both reports should be released.

THE OKIGBO PANEL REPORT

In January/February 1979, the Iranian Revolution leading to the exile of the Shah Reza Pahlavi to the United States (where he eventually died) and the installation of Ayatollah Khomeini as spiritual leader of a revolutionary Iran shook the world. From September 22, 1980 to August 20, 1988, neighbors Iran and Iraq (led by Saddam Hussein) then engaged in a devastating war which led to the death of hundreds of thousands, maybe millions of citizens of both Islamic countries. Not done yet, on August 2, 1990, Saddam’s Iraq invaded Kuwait, but on 28 February 1991, following a counter-attack by allies led by the United States and begun on January 16, 1991, Iraq had been defeated and pushed out of Kuwait.

Note that this theater of war Iran, Iraq and Kuwait, all within the Gulf region, are members of the 11-nation Organization of Petroleum Exporting Countries (OPEC).

As far as Nigeria is concerned, our country joined OPEC in July 1971. Looking at Figure 1, the Arab boycott and its attendant oil price increase in 1973 suddenly made Nigeria to be awash in much oil money under military head of state General Yakubu Gowon (1 August 1966 – 29 July 1975). International oil prices then rose through the regimes of Generals Murtala Mohammed (29 July 1975 – 13 February 1976) and Olusegun Obasanjo (13 February 1976 – 1 October 1979), and hit its peak during the civilian regime of Alhaji Shehu Shagari (1 October 1979 to 31 December 1983). Unfortunately, oil prices also fell dramatically during Shagari’s regime, precipitating a crisis that led to his deposition by General Muhammadu Buhari [31 December 1983 – 27 August 1985], who in turn was deposed by General Ibrahim Badamosi Babangida [27 August 1985 – 26 August 1993]. The regimes of Chief Ernest Sonekan (26 August 1993 – 17 November 1993), General Abacha (17 November 1993 – 8 June 1998), and Abdusalami Abubakar (8 June 1998 – 29 May, 1999) were to follow. We currently have as ruler-returnee former General but now Chief Olusegun Obasanjo (29 May 1999 to date; re-elected for second four-year term beginning May 29 2003),

Thus, the intense 12-year period 1979 – 1991 – the Iranian Revolution, the Iran-Iraq War and the Gulf Iraq/Kuwait war - that led to a significant increase in world oil prices in comparison with those up until the mid-70s (see Figure 1), with oil producing OPEC countries like Nigeria benefiting from so-called “oil windfalls” – saw at least four governments as beneficiaries, with Alhaji Shehu Shagari enjoying a particular spike in 1980/81 during the Iran/Iraq war, and General Babangida’s regime benefiting from the

Gulf War windfall which had its peak a decade later, in 1990. By convoluting Figures 1 and 2, an net average export amount of 1,300,000 barrels per day, at an average of \$20 per barrel for the years 1985 – 1991 would yield \$66.43 billion for Nigeria.

FIGURE 1: Crude Oil Prices Graph [<http://www.wtrg.com/prices.htm>]

Figure 2: Nigeria's Net Oil Exports 1980 - 2002

On June 30 of 1991, one Financial Times journalist William Keeling was peremptorily deported from Nigeria by the Babangida regime for investigating and reporting about Gulf War Oil windfall corruption by Nigerian government, stating that a total receipt of about \$12.2 billion – a mere one-fifth of projected sales during that period - was not properly accounted for. Three years later, in early 1994, as part of his early moves to convince the nation of a new broom of probity and accountability, General Sani Abacha empanelled a group of eminent Nigerians chaired by the late economist Dr. Pius Okigbo to probe the Gulf War period receipts. The charge was simple: give an account of monies spent.

This is how the charge was put in an November 2003 letter to President Obasanjo by Punch newspaper:

QUOTE

PUNCH Writes Obasanjo, Seeks Release Of Okigbo Panel Report

"As your Excellency presumably know, the Secretary to the Government of the Federation, Chief Ufot Ekaette, was the secretary of the Okigbo Panel set up in 1994 to investigate how the military regime of General Ibrahim Babangida spent the extra oil earnings from the Gulf War in 1991."

PUNCH has written President Olusegun Obasanjo, as a last resort, to ask for a copy of the Pius Okigbo Panel report that probed how the \$12.4 billion oil windfall which accrued to Nigeria during the 1991 Gulf war was spent.

In a letter dated November 5, 2003, the newspaper urged the President to facilitate the release of the report for publication.

The Okigbo Panel was set up, among other things, to recommend how to reform the Central Bank of Nigeria in the light of the way and manner the Gulf oil windfall was squandered. The panel, inaugurated in late 1994 by Abacha, revealed how Babangida, in connivance with the top officials of the CBN, allegedly misappropriated the \$12.4 billion extra revenue that came to the purse of the Federal Government as a result of the increases in the prices of oil on the international spot market occasioned by the Gulf war.

In that war, the Allied Forces amassed troops in the Gulf to drive Iraq out of Kuwait, which it then occupied.

According to a summary of the report released by the Federal Government, the Okigbo panel said Babangida squandered the \$12.4 billion oil windfall on clearly unproductive ventures. Besides Babangida, the report also indicted the former military president's security chiefs and the former Governor of the CBN, Alhaji Abdulkadir Ahmed. The report also frowned at the manner and method of disbursing the oil windfall through a "Dedicated Accounts."

According to the summary, the dedicated accounts, which consisted of NNPC sales of mining rights, signature bonds and stabilisation, received a total of \$12.4 billion, out of which \$12.2 billion was disbursed leaving a balance of \$206.037 million.

The accounts were operated between 1988 and June 30, 1994. Okigbo, while identifying the lapses inherent in leaving Babangida and Ahmed to directly disburse the funds, said the operation of the accounts opened the floodgate for the diversion of public funds.

He also noted that the accounts were operated outside the national budgets and therefore not open to auditing.

The panel also criticised the way and manner the funds were spent, noting that they could have been put to better use, either to reduce the national's external debt stock or put in the external reserves so as to ease the pressure on the nation's currency, the naira, which was depreciating at the foreign exchange market.

UNQUOTE

The full report has NEVER seen the light of day, and has now been declared mysteriously "missing" from government records. Even after ten years, questions about it keep being raised, particularly when new report or rumor is heard of Babangida's ambition to return in 2007 to be a civilian leader.

Early on in his civilian administration, Chief Obasanjo asked for "evidence" to be given to him of such corruption, and in fact implied that there was no such Gulf Oil corruption in Nigeria. One got the feeling that Babangida, being an early highly-publicized promoter of Obasanjo's presidential candidacy soon after his release from Abacha's gulag, had become, in Obasanjo's mind, a "sacred cow", damage to whom might occur if disclosure the Okigbo report were to be pursued more vigorously. After Punch's recent letter to OBJ, he declared inter alia that he would ask for the report from Okigbo's widow, to the consternation of the poor Mrs. Okigbo who must still be mourning her beloved! More recently, in the past few days to be exact, OBJ has been reported to finally agree that money was indeed squandered during the period – but how much was it really, who really did the squandering – and more importantly what happens next?

These are the questions that inquiring minds want to know.

THE OPUTA PANEL REPORT

On or around September or October 1998, five of us all Nigerians had a private two-hour meeting with newly-released Chief Olusegun Obasanjo at a Washington DC Hotel. That was his very first trip to the United States following his release from Abacha's gulag in July 1998. OBJ was not a declared presidential candidate yet, and in fact at church service that I attended in his honor in Silver Spring, Maryland earlier that very day, he had vehemently declared (during a questions-and-answers period) that he had no such ambitions.

The late evening meeting had been set up by a mutual friend of mine, who had sought my help in getting a hold of Mr. Wole Soyinka, General Alani Akinrinade and a few others (Prof. Ladipo Adamolekun and Mr. Dapo Olorunyomi of the News completed the group) to visit with OBJ on his short trip to the US. I obliged, having also had a long international "welcome back" phone call with OBJ within weeks of his release. My attempt to invite Chief Anthony Enahoro to that meeting was firmly rebuffed by the elder – and older - statesman. At that time, he saw no reason why he should be at such a meeting, and that in any case, OBJ knew (or could find out) where he was staying (humbly) still in exile at that time in Virginia across the bridge from DC.

The meeting quickly turned to the issue of a Sovereign National Conference, with all but OBJ in support of it. I don't even know why we thought it necessary to convince the man, but anyway we stated that the SNC was both a reconciliation concept as well as a way to obtain a true constitution drawn up by the people. Obasanjo suddenly lit up on the reconciliation aspect of it, likening it to the South African example, and invited us to consider a two-step process – a Truth and Reconciliation Commission, and if that goes well, maybe a National Conference, but not sovereign.

The day being already quite late, I guess we all agreed that that might be a good idea, and left after being graciously attended to by then first wife now First Lady Mrs. Stella Obasanjo.

Whether he had thought of the Truth and Reconciliation Commission concept before that meeting, and just made us think that we tweaked his consciousness about it, or whether we actually did suggest it to him for the first time, we will never know – but there it is, because on June 14, 1999, just two weeks after his inauguration on May 29, 1999 as president, Obasanjo announced a seven-person commission grandiosely called the Human Rights Violations Investigation Commission (HRVIC) headed by Justice Chukwudifu Oputa – or the Oputa Panel for short – to investigate human rights abuses dating back to the military coup of January 15, 1966 till May 28, 1999, the day before the last military handover to civilians. The Secretary of the Panel was the very well respected Reverend Father Mathew Kukah. It did not begin formal hearings until October 23, 2000.

By the time it completed its sittings in October 2001 - at various times in Lagos, Abuja, Port Harcourt, Kano, and Enugu - it had received over 11,000 submissions, of which it

was only able to consider around two hundred, including numerous oral testimonies of killings, rape, and other abuses by the security forces against civilians. Three former heads of state Abdulsalami Abubakar, Ibrahim Babangida, and Muhammad Buhari refused the summons of the Oputa Panel, but Obasanjo gave testimony on September 11, 2001

There was some circus atmosphere surrounding some of the proceedings, but sessions held in public were gripping in many instances – chilling accounts of killings by security forces, corruption in high places, etc.

Ever since the report was submitted to President Obasanjo in May 21, 2002, it has not been made public, nor has government found it appropriate to let the world know what it intends to do with the report that must have cost million of dollars to prepare, and millions of man-hours of panel members, panel officials and testifiers. One would have expected that transcripts of the months and months of public hearings detailing corruption and human rights abuses during the period would have been made available by now. This is despite the bold promise of one of the panel members Rev. Father Mathew Kukah who had previously indicated that

QUOTE

<http://www.rnw.nl/humanrights/html/nigeria011210.html>

"we are determined to provide a popular version of our report, perhaps translated into different Nigerian languages, so that ordinary Nigerians have some kind of highway code on human rights. We want to make people know their rights as citizens and their rights before various security agencies that in the past became institutions of oppression."

UNQUOTE

So what happened? So one of course knows that Babangida had been busy in court over his isummons in respect to the 1986 Dele Giwa case:

- (i) getting a favorable ruling from a High Court (on 8 December 2000) “restraining the Commission from compelling them (i.e. IBB AND SOME MILITARY INTELLIGENCE CHIEFS) to appear before it in Lagos on the grounds that their personal security would be at risk”;
- (ii) getting a favorable judgement from the Court of Appeals (on October 31, 2001) “that the Oputa Panel cannot summon Babangida” “to give evidence on the allegation that he and his security chiefs had a hand in the murder” of Dele Giwa because “the law does not back the Human Rights Violations Investigation Commission (HRVIC).” The Federal Government appealed to the Supreme Court.
- (iii) Getting a favorable judgement from the Supreme Court (on February 3, 2003), that the panel had “no powers to summon witnesses outside the Federal Capital

Territory”, and further “that the 1999 Constitution made no provision for tribunals of inquiry.”

(iv) Babangida is still currently before the Federal High Court (suit filed June 3, 2002) asking it “to stop the president, Chief Olusegun Obasanjo, from implementing the report of the Oputa-led Human Rights Violations Investigation Commission”. This suit was jointly file with and the former Director of Military Intelligence, Col. Halilu Akilu.

It is this last “sub judice” case that is being employed to delay the PUBLICATION of the report, but it only addresses IMPLEMENTATION!

So who is developing cold feet about publication here? Who is protecting whom?

That is what inquiring minds want to know.

WHY THE NIGERIAN PEOPLE MUST HAVE BOTH REPORTS

The Okigbo Panel Report exists somewhere in Nigeria, as testified to by the present Secretary to the Federal Government (Mr. Ufot Ekaette) who was also Secretary to that Panel. The Oputa Panel Report is packaged in eight big volumes, and was handed over to President Obasanjo in broad daylight.

The Nigerian people therefore deserve – and desire – to know what are in those reports as paid for by their hard-earned naira, so as to stem the corruption and impunity that have impaired the quality of our lives.

I rest my case on their behalf.

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OBASANJO ON FIRE...Over comments on Gulf war windfall

By ABDULFATAH OLADEINDE BEIFOH OSEWELE, ADESINA AIYEKOTI
RASAQ BAMIDELE, OLA AGBAJE, Lagos
WOLE ADEDEJI, Ilorin
Friday, April 23, 2004

Obasanjo
The Sun News Publishing

President Olusegun Obasanjo has got thumbs down for accusing the regime of ex-military ruler, Ibrahim Babangida of squandering the \$12.2 billion Gulf War revenue windfall, but failing to bring the culprits to book.

Obasanjo had lamented in an address read on his behalf at the opening of the 4th Nigerian Oil and Gas Conference in Abuja earlier in the week that the Babangida regime squandered the crude oil revenue which accrued from the Gulf War in 1991 with very little to show for it.

It was the first time the president would issue an indictment on the Gulf War oil windfall, but Babangida on his part had dismissed the contentious crude oil revenue as a non-issue, saying there was no windfall.

Notable Nigerians who reacted on the issue carpeted Obasanjo as well as Babangida. Obasanjo was accused of insincerity in his handling of the matter, while the ex-military president was berated for not coming clean on it.

President of the Nigeria Bar Association (NBA), Chief Wole Olanipekun blamed President Obasanjo for merely telling Nigerians that the oil money was squandered and stopped at that without telling the nation what he was doing about it. Olanipekun said Obasanjo owed Nigerians a duty to do the right thing in the right direction, considering that his administration had once given the impression of fighting corruption in the land.

“This oil money was lodged somewhere and could not be found again. That there was no record of it again was an indication of foul play somewhere or that somebody actually had removed it. Obasanjo owes us a duty of telling us what he is doing about it,” the NBA president said.

Lagos lawyer, Chief Gani Fawehinmi (SAN), in another reaction said it was not enough for Obasanjo to say Babangida squandered the oil money, adding that “IBB should face the music and be tried for stealing.”

Fawehinmi argued that by the president’s statement, “It is clear that the Gulf money amounting to about \$12.2 billion had been stolen, looted and mismanaged.”

“It is not just mentioning it that the money was squandered, President Obasanjo should go further to invoke the country’s legal system on the looters,” Fawehinmi stressed. Besides, the human rights lawyer insisted that all those who looted the nation’s treasury from 1966 to date should be arrested and prosecuted before a court of law.

Another lawyer, Fred Agbaje, said if it was true that Obasanjo said Babangida mismanaged or squandered the Gulf oil windfall, then the ex-military ruler should be arrested and prosecuted without further delay.

According to him, nothing prevented the Independent Corrupt Practices Commission from stepping into the matter, adding: “That could put every government on their toe and make them think twice about the management, mismanagement or squandermania tendencies that most government officials are renowned for.”

Agbaje said further that taking action on the crude oil money would help to instill the principle of accountability that is most desirable in governance otherwise people like IBB who should be languishing in jail would find themselves back in government.

In another comment, human rights activist, Femi Falana also roundly condemned Babangida for allegedly squandering the money and still having the guts to aspire to rule Nigeria again.

Falana said Babangida should know that the issue of \$12.2 billion would keep on recurring until a definite answer is found and that he would not enjoy any rest till that day.

The human rights lawyer also condemned Obasanjo for chasing the late General Abacha's looted \$5 billion in five years while there was a 12.2 billion dollars still standing against Babangida who is alive and very much around.

Falana said President Obasanjo should stop taking Nigerians for a ride having said recently that the report of Pius Okigbo panel which investigated the issue was missing. "This is the first time IBB is saying there was no windfall. Earlier, he had said that he was not indicted which means that he had read the report or seen it. So, he should be bold enough to cause the report to be published so that Nigerians can make up their minds on it.

"For Obasanjo, to say that the \$12.2 billion was squandered was not enough. We want to see the report and he can't say it's missing because the current Secretary to the Federal Government was a member of the panel," said Falana.

Femi Falana stressed that Obasanjo should employ the law with which he had been chasing Abacha's five billion dollars to get explanations on the 12.2 billion dollars. "Otherwise, it is irresponsible and means that there are two laws, one for the dead and one for the living."

The Pan-Yoruba socio-cultural organisation, Afenifere also casts doubts on Obasanjo's sincerity on the Gulf War oil revenue, querying "Why is he just raising the issue now?" Afenifere, which spoke through its National Publicity Secretary, Dayo Adeyeye, noted that journalists had asked the president questions on the issue several times in the past, "and on one occasion, he almost gave Babangida a clean bill over the issue."

Also reacting, another Lagos lawyer, Mr Festus Keyamo said the president should come out clearly and tell Nigerians what happened to the oil money.

"Was it mismanagement or embezzlement?" Keyamo asked.

He also questioned the government's refusal to release the white paper on Okigbo's report over the alleged missing money.

"The Federal Government should release Okigbo white paper report to the public, so that the people themselves can decide," he stressed.

Founder of Oodua Peoples Congress (OPC), Dr Fredrick Fasehun on his part challenged Babangida to sue Nigerians for maligning his name if he believed there was nothing like \$12.2 billion Gulf oil windfall.

Fasehun was particularly angered by the purported reaction of the former maximum ruler that there was nothing like Gulf oil windfall.

According to Fasehun, “Obasanjo has not said anything new. Nigerians have been holding it against Babangida that he owed the nation the \$12.2 billion dollars accrued from the crude oil sales during the 1991 Gulf war.”

The OPC chieftain wondered why Babangida failed to appear before retired Justice Chukwudifu Oputa panel, which would have afforded him the opportunity to clear his name.

Also reacting, human right activist, Bamidele Aturu, described both Obasanjo’s comment and Babangida’s response as sheer hypocrisy.

According to Aturu, “The only proper forum to resolve the controversy over the excess money, which accrued from the sales of crude oil during the Gulf war is a judicial commission of enquiry. Both of them have been issuing contradictory statements in spite of the Okigbo report.”

Continuing, Aturu said, “They must be compelled to give evidence on oath. One of them must be lying in view of the content of the 1994 Okigbo panel report. Don’t forget that Obasanjo has found the report difficult or too hot to handle. It is the only report they say they cannot locate, sounds funny. But certainly, Nigerians are interested in getting to the root of the matter.”

APPENDIX 17:

Pilgrimage in the Press

Jan H. Boer

In Chapter 6 of Volume 7, Wilson Sabiya asks many questions about the Muslim pilgrimage and Government financial and other involvement. For him, many of these questions may have been merely rhetorical: He already knew the answers to most of them, if not in all specifics, at least in general. For those who need to know more or wish to do research on the subject, I provide a list of newspapers and their dates that contain articles with pilgrimage info. The list is kind of random. There are many more articles out there, but this selection will get you started.

Muslims have written many articles on the subject of pilgrimage. In their totality they answer many of Sabiya's provocative and meaningful questions. Unfortunately, all of these were *after* Sabiya wrote his documents. If he only had questions to ask, his successors were privileged to many answers.

Do also remember that there are considerable pilgrimage materials in the volumes themselves, but most of it is found in Sabiya's chapter (Chapter 6 of this volume). Be sure to check out the Index entry "Pilgrimage" in all the volumes. Also consult *Companion CD* <Misc Arts/Pilgrimage> for quite a number of articles.

You should be aware that almost all the articles referenced below are written by Muslims. The *Companion CD* will also contain Christian articles.

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Companion CD

<Pilgrimage/....> and <Gamji >

APPENDIX 18:

Friday July 29, 2005

NOTE: This is from Obed Minchakpu. See also Christian Courier, 15 Aug/2005, p. 8.

NIGERIA: NORTHERN LEADERS IMPLORE PRESIDENT TO END SHARIA

Church and state officials grow restless over violence from Islamic law.

July 29 (Compass Direct) -- Church and government leaders in northern Nigeria are becoming increasingly impatient with President Olusegun Obasanjo's failure to prevent northern states from using Islamic law (*sharia*) to demolish church buildings and deny land to Christians.

Nigeria's northern Christian leaders this week appealed to Obasanjo to put an end to the imposition of sharia in 12 northern states. The Nigerian constitution allows Islamic law to be applied only to domestic matters such as marriage and inheritances, not to criminal matters as practiced by Islamic governments in the north. Saidu Dogo, secretary general of the northern chapter of the Christian Association of Nigeria (CAN), told Compass in an interview here on July 28 that the organization sent a demand for an end to sharia to President Obasanjo. The Christian leaders wrote to him that continued practice of the Islamic legal system in 12 northern Nigerian states has led to the demolition of church buildings, rejection of applications to build new churches, and denial of land to Christians.

"Since the introduction of sharia in most of the states in northern Nigeria, no church has been given a certificate of occupancy for the building of new churches," Dogo told Compass. Christians build houses and later convert them to churches when state governments deny them land to build new churches, he said; the state governments then mark the churches as illegal structures and destroy them.

Churches that have applied for land are also denied certificates of occupancy, making it illegal for church buildings to be built, Dogo said.

"Yet, we see mosques being built on every corner of the streets -- you don't even need government approval in these states to build mosques," he said. *"Nobody is saying anything about this. We feel that we as Christians are unjustly being discriminated against, and that is why we are demanding the expunging of this Islamic law which encourages this discrimination against Christians."*

The appeal to the president came after he gave an address on July 26 to the country's National Assembly regarding a major, just-concluded forum -- the National Political Reform Conference -- without acknowledging delegates' concerns about persecution of Christians in northern Nigeria.

Starting in 2000, sharia has been implemented in the northern states of Zamfara, Kano, Katsina, Jigawa, Kebbi, Sokoto, Borno, Yobe, Bauchi, Gombe, Niger, and Kaduna.

Duelling Governors

In Jos, capital of central Nigeria's Plateau state, Gov. Joshua Dariye spoke out against Islamic abuses resulting from sharia law when he received the governor of northern Zamfara state on June 24.

In the presence of Zamfara Gov. Ahmed Sani, Gov. Dariye said he fears that religious crises that have become commonplace in the northern part of the country may result in the obliteration Nigerian unity.

“Religion is being manipulated with the aim of destroying Nigeria,” Gov. Dariye said, warning that, “unless something is done very urgently by the Nigerian government, religion will become a tool that will not only bring setback to the country, but will eventually lead to her destruction.”

Responding to Gov. Dariye’s speech, Gov. Sani said he introduced Islamic law because Muslims in Zamfara state wanted it.

“All political leaders are responsible to Nigerians, no matter their religions,” said Gov. Sani, who was the first of 12 Muslim governors to introduce sharia. “There is no difference between Muslims and Christians as they all believe in the judgment of God, and equality in the next world.”

Political analysts believe adoption of Islamic law has been a catalyst to complex conflicts in Nigeria.

Violence in Plateau State

On September 7, 2001, a major religious conflict occurred in Jos, the capital city of Plateau state. The crisis led to the death of about 10,000 persons. It was sparked by Muslims who barricaded a road leading into an area of the town inhabited by Christians.

From that time until early 2005, Muslim militants carried the religious war from Jos into villages where Christians reside. Within three years, 17 areas of the state were engulfed in religious conflict.

Those troubles became worse in February of last year, when Muslim militants in Yelwa town attacked Christians there -- killing more than 300 believers and destroying their homes and churches. The Rev. Samson Bukar and 68 other members of his Church of Christ were killed inside their worship building.

The Rev. S.L.S. Salifu, secretary general CAN, in a letter to the Nigerian government, noted with concern that after *“over 60 Christians were murdered in a church while worshipping by Muslim fanatics and hoodlums, the federal government did not do anything.”*

The Rev. Yakubu Pam, chairman of CAN’s Plateau state chapter, told Compass that more than 30,000 Christians have been displaced as a result of attacks by Muslim militants.

Following these and other religious conflicts (see *Compass Direct*, “Fresh Violence Erupts in Nigeria,” May 7, 2004), a state of emergency was declared in Plateau state last year for six months. It was lifted in November.

Kano and Kaduna

At the same time, Muslim leaders in the northern state of Kano organized a procession to protest the killings of Muslims in Yelwa, more than 700 kilometers away. The May 11, 2004, protest turned bloody -- hundreds of Christians were killed in the city of Kano. (See *Compass Direct*, “Muslim ‘Protest’ Turns Deadly in Nigeria,” May 13, 2004.)

The Reverends A.U. Ubah and Foster Ekeleme, chairman and secretary respectively of CAN’s Kano state chapter, said more than 3,000 Christians were killed in the Kano violence.

Nigeria’s National Emergency Management Agency (NEMA) reported that a total of 69,000 persons were displaced in both the Yelwa and the Kano conflicts. NEMA’s director-general, a Muslim, said 15,000 Christians were displaced in the Kano crisis.

The Rev. Joseph Hayap, secretary of the Kaduna state chapter of CAN, in an interview with Compass in the city of Kaduna, said religious conflicts between Christians and Muslims have claimed 10,000 lives in the state in the past four years.

“We have had a series of religious conflicts in this state between Christians and Muslims, from 1987 to 2004,” he said. “The religious crisis of the year 2000 claimed over 3,000 lives.”

Religious conflicts have struck almost all of the 19 northern states in the past four years. In major cities like Kaduna, Kano, Jos, Sokoto, Bauchi, and Yola, Muslims and Christians no longer live together -- the conflicts have forced them to live in separate areas of the towns.

APPENDIX 19:

Friday September 23, 2005 Compass Direct by Obed Minchakpu.

Almost same article is published in *Christian Courier*, 10 Oct/2005, pp. 1, 2.

NIGERIA: DIGGING UP THE ROOTS OF PERSECUTION IN PLATEAU STATE, NIGERIA: Mere tribal land disputes, or a zealous drive to create an Islamic state?

Scroll down for the content. For some reason, the material refuses to be removed upwards--Boer

Mere tribal land disputes, or a zealous drive to create an Islamic state?

September 23, 2005 (**Compass**) – The causes of persecution of Christians in central Nigeria’s Plateau state are often similar to those in northern states, except that here Muslims strike with the added fervor of a supposedly repressed minority.

Unlike 12 northern states where the imposition of Islamic law (*sharia*) frequently sanctions hostility toward Christians, persecution in Plateau state is often rooted in the political aspirations of a Muslim minority.

For much of this Muslim minority, politics and religion are hardly distinguishable. Both Christian and Muslim leaders point to the fight for political recognition as one of the top factors in conflicts setting off religious fighting that, from 2001 to 2004, resulted in the deaths of more than 10,000 people in Plateau state. Continued mistreatment of Christians here ranges from murder to discrimination.

Christian and Muslim leaders may agree that political aims are central in the violence, but they differ sharply on how. Christians are more apt to frame the violence as a by-product of Muslim fundamentalists bent on the Islamization of Nigeria through otherwise subtle manipulation of the political process. Muslims say the infringement of their fundamental rights has led to political struggles.

Plateau state’s Committee of Rehabilitation and Reconciliation of Internally Displaced People has described the violence as rooted in land disputes between mostly Christian farmers and predominantly Muslim traders and livestock herders from northern Nigeria. If control over land is seen not only as economic but as part of the political struggle, and if the Muslim mind sees religion and politics as one, then even this component reflects a jumbled mix of motives.

Nigerian Christian Perspective

The Rt. Rev. Benjamin Kwashi of the Anglican Communion and the Rev. Alexander Lar of the Church of Christ in Nigeria (COCIN), both based in the state capital of Jos, assert that Muslims have fanned the flames of religious conflict with the sole aim of destroying the church in Plateau state, enslaving Christians politically, and working towards the Islamization of Nigeria.

Evidence of marginalization of Christians, they said, can be seen in the appointments of only Muslims from Plateau state into positions of power in the federal government, while Christians do not get appointed. Hence Rev. Kwashi, bishop of the Jos diocese of the Anglican Church, is perplexed that Muslim extremists have destroyed churches without provocation.

“Here in Plateau, the Muslims in the state are not in the majority – it baffles everybody why Christians here would be under attack,” Rev. Kwashi said. “Churches have been burned, Christians killed. The amount of destruction in Plateau has been incredible.”

Hitting the Church Hard

Statistics on the number of persons killed have remained as controversial as the conflicts themselves. Bishop Kwashi quotes press figures of more than 10,000 people, while the Committee of Rehabilitation and Reconciliation of Internally Displaced People puts it at nearly 53,800.

Bishop Kwashi believes that the rise in attacks on the church in Plateau state, as well as in northern Nigeria, is based in the desire to oppress Christians politically.

"We are trying to understand why the Muslims are bent on hitting the church hard on the Plateau, because if you talk with some of them honestly, you find the reasons for the crisis have nothing to do with the church," he said. "They will tell you the problems are equality in political sharing of offices."

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Highest Concentration of Christians in the North

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Rev. Alexander Lar, former president of the COCIN, noted that the crisis in Plateau state is based on *"a political agenda that found itself in religion, because the easy way to achieve that aim is to insulate it in religion."*

Translating political aims into religious terms helped to secure the support and popularity that sparked the 2001 crisis, he said.

"If somebody were not seeking any power, and if power had not been in the hand of somebody else, the crisis on the Plateau would not have arisen at all," Rev. Lar said. *"If someone wants to take back his power, then he'll say, 'How am I going to do it? Let me generate something religiously.' Then religion came in – that was how it started."*

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The views of a key Muslim leader in Plateau state agree at points with those of Christian leaders. Sheikh Zakariya Balarabe Dawud, chairman of the Council of Ulama in Plateau State, a Muslim umbrella organization, said political officials have manipulated religion for their causes.

"The conflicts in Plateau state have their bearings in politics and jealousy," Sheikh Dawud said. *"Politicians use religion to stir up sentiments among their followers."*

Sheikh Dawud believes that Christians have discriminated against Muslims. *"Those who are not Muslims do not want to see Muslims in leadership positions in Plateau state,"* he said. *"They do not want to see Muslims prosper economically, and that is why they have discriminated against us."*

Aggrieved Muslims recall, he said, that when British colonizers assumed power of Plateau state, they eroded Muslim leadership by appointing a Christian to take over Jos.

"Right from the beginning, Jos was under the leadership of Muslims," Sheikh Dawud said. *"The Hausa and Fulani ethnic groups had 11 leaders that ruled this city before the colonialists came to Nigeria, but the colonialist usurped us of this position and gave it to Christians. It is this that has infuriated us, the Muslims, and that is why we are demanding that this injustice be corrected."*

But Sheikh Dawud denied that Muslims aspire to turn Nigeria into an Islamic state. *"We have nothing against Christians,"* he said. *"Politicians create the impression that we Muslims don't like Christians, that we want to convert Christians into Islam, and that we want to Islamize the state. This is not true. It is politicians who are inciting Christians against Muslims."*

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"However," he added, *"we are enjoined to fight to defend Islam if we are not allowed to practice our religion."*

Sheikh Dawud concluded that Nigerian Muslims and Christians can live together peacefully only if the rights of Muslims are respected. These rights include the rights to vote and be voted for, he said, and equal representation in government. *"Our religion and culture as Muslims must be respected."*

Christians Claim Muslims Have All Rights

Pastor Dan Manjang, however, said Muslims in Plateau state enjoy all such rights and face no opposition to practicing their faith.

"Muslims here are appointed into political positions of power," he said. *"They have commissioners in the government cabinet; they have permanent secretaries in the government, their children get scholarship grants like Christian children, Muslim schools are grant-aided by the Plateau state government, and they have had contested elections and won. So what are they complaining about?"*

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Manjang concluded, *“The claim of Muslims in Plateau state that they are being discriminated against is a farce.”*

Revenge Cycles

Violent reprisals by Christians may help fuel Muslim claims that they are religiously, economically, or politically obstructed.

Certainly Christians have mounted counter-attacks on Muslims in Nigeria. COCIN’s Rev. Lar said that within his denomination, *“There has never been on our side a clear attack or an open attack on anybody, except a reprisal on our attackers, because not all of us are people who will run away. There are people who want to defend themselves, and they embark on reprisal.”*

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Rev. Kwashi said Muslim attacks have brought the church to her knees. The Anglican Church alone, he said, lost 60 congregations in 2001. *“Churches were burned, destroyed, wiped out.”*

Muslim extremists destroyed churches in Wase, Langtang North, Langtang South, and Yelwa. The entire archdeaconry in Yelwa was wiped out, as were churches in the villages of Kuka, Damshi and the surrounding villages, he said. *“We lost quite a number of churches, property and some members,”* Rev. Kwashi said. *“In Langtang we lost many churches and members, and in the city of Jos, too, we lost property, churches, and some members.”*

Violence broke out in Jos on September 7, 2001. Pastor Manjang of the NBTT said that his father, the Rev. Bitrus Manjang, was killed by Muslim extremists who attacked Rim village on December 12, 2002. *“My late father, who had*

been the vice president of COCIN before retiring, had just returned to the village from Jos when the fanatics struck – killing him, my sister-in-law Victoria Manjang, and her 6-year-old son, Doro,” Pastor Manjang said.

“Victoria was also pregnant at the time she was killed.”

Pastor Manjang said that his father had worked for peace by housing displaced Muslims and stressing forgiveness toward violent extremists.

“There are many instances of him taking the initiative to house Muslims displaced by the religious conflict in our family house in Rim village,” he said. *“This was before the village was attacked by the Muslim*

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i Pastor Manjang’s father was also instrumental in the Rim church’s initiative to accommodate displaced Muslims *c* *D*n its building, he said. *“These Muslims were cared for by the church for over two weeks,”* he said. *“Ironically, t* *o**my father and the very Christian community of Rim that assisted displaced Muslims became the target of the o* *r* *mayhem and violent orgy of the Muslims.”*

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“Somebody who is wounded and has been brought to the hospital is taken away? That’s an easy way of taking people who have done no wrong,” Rev. Lar said. *“Security personnel went to the Vom Christian Hospital and took the wounded persons and said, ‘You are the killers of those people who were killed.’ No! That to me is injustice.”*

September 23 (Compass) – The causes of persecution of Christians in central Nigeria’s Plateau state are often similar to those in northern states, except that here Muslims strike with the added fervor of a supposedly repressed minority.

Unlike 12 northern states where the imposition of Islamic law (*sharia*) frequently sanctions hostility toward Christians, persecution in Plateau state is often rooted in the political aspirations of a Muslim minority.

For much of this Muslim minority, politics and religion are hardly distinguishable. Both Christian and Muslim leaders point to the fight for political recognition as one of the top factors in conflicts setting off religious fighting that, from 2001 to 2004, resulted in the deaths of more than 10,000 people in Plateau state. Continued mistreatment of Christians here ranges from murder to discrimination.

Christian and Muslim leaders may agree that political aims are central in the violence, but they differ sharply on how. Christians are more apt to frame the violence as a by-product of Muslim fundamentalists bent on the Islamization of Nigeria through otherwise subtle manipulation of the political process. Muslims say the infringement of their fundamental rights has led to political struggles.

Plateau state’s Committee of Rehabilitation and Reconciliation of Internally Displaced People has described the violence as rooted in land disputes between mostly Christian farmers and predominantly Muslim traders and livestock herders from northern Nigeria. If control over land is seen not only as economic but as part of the political struggle, and if the Muslim mind sees religion and politics as one, then even this component reflects a jumbled mix of motives.

Nigerian Christian Perspective

The Rt. Rev. Benjamin Kwashi of the Anglican Communion and the Rev. Alexander Lar of the Church of Christ in Nigeria (COCIN), both based in the state capital of Jos, assert that Muslims have fanned the flames of religious conflict with the sole aim of destroying the church in Plateau state, enslaving Christians politically, and working towards the Islamization of Nigeria. Evidence of marginalization of Christians, they said, can be seen in the appointments of only Muslims from Plateau state into positions of power in the federal government, while Christians do not get appointed. Hence Rev. Kwashi, bishop of the Jos diocese of the Anglican Church, is perplexed that Muslim extremists have destroyed churches without provocation.

“Here in Plateau, the Muslims in the state are not in the majority – it baffles everybody why Christians here would be under attack,” Rev. Kwashi said. “Churches have been burned, Christians killed. The amount of destruction in Plateau has been incredible.”

Hitting the Church Hard

Statistics on the number of persons killed have remained as controversial as the conflicts themselves. Bishop Kwashi quotes press figures of more than 10,000 people, while the Committee of Rehabilitation and Reconciliation of Internally Displaced People puts it at nearly 53,800.

Bishop Kwashi believes that the rise in attacks on the church in Plateau state, as well as in northern Nigeria, is based in the desire to oppress Christians politically.

“We are trying to understand why the Muslims are bent on hitting the church hard on the Plateau, because if you talk with some of them honestly, you find the reasons for the crisis have nothing to do with the church,” he said. “They will tell you the problems are equality in political sharing of offices.”

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Abduction Syndicate in Bauchi

Bulus Wakili¹

Many people may conclude that this development is perhaps just another fairy-tale. How can such a thing happen in this modern age? But the reality on ground is that Bauchi State, one of the sixteen states that accepted the sharia legal practice in Northern Nigeria, is at it again. This time around, the state government through the State Sharia Commission has allegedly embarked on strategies aimed at not only frustrating the Christian minority but also making their lives unbearable.

More worrisome is the strategy employed by a syndicate allegedly involved in the abduction of women and children who are eventually converted to Islam. The Islamization process, according to some of the victims, is planned in such a way that these children are lured by wealthy Imams and subsequently taken to various locations established to accommodate the victims.

Investigations further revealed that the female victims are kept in such houses under watchful eyes of their “new parents” until they are ripe for marriage. So far, most of the female victims abducted by the syndicate have been given husbands in far away towns and villages where they will not be easily found by their biological parents.

Months back, three girls, all students of the School of Health Technology Ningi were converted in a similar manner.

Sources disclosed that Alkaleri has the highest number of married women and young girls converted to Islam and later given out in marriage to Muslims. In 2004, about six children were forcefully converted to Islam.

In Toro Local Government Area of the state, the traditional rulers were allegedly involved in the abduction of victims to be Islamised. One of such victims, Philomina Sani was abducted by unknown persons for more than a week and much later the mother was informed of her whereabouts. When the mother went to bring her back home, she refused and was later given money to sue the mother in a sharia court.

Christians in Bogoro are in the majority, but notwithstanding, the few Muslims located in the local government are involved in the abduction and conversion of Christian girls and women with the help of their fellow Muslims in the state capital. Most of the methods used to convert the victims include abduction, promotion and employment. Reports revealed that one Nadami Samuila Galla, a girl in Mwari hamlet who went to College of Education, Azare as a student, was subsequently abducted by one Sani Kafin Madaki, converted to Islam and subsequently put in purdah with no freedom of movement; she was cut off from normal interaction with her people. She was found after one year. Miss Nadib Musa Khimbarim, a girl from Buanga whose parents migrated to Lusa was abducted and subsequently converted to Islam and later married a Muslim at Lusa village.

¹LB, Jan/2006, pp. 11-12.

Presently, there are said to be secret Muslim groups that specialise in the abduction of Christian girls and accommodating them in secret buildings until such children are eventually converted to Islam; the group then instigates these children to take their parents to sharia court to inform them that they are Muslims.

According to Shamaki Gad Peter of the *League for Human Rights*, Jos, one of such cases was that of Simon Jondi's daughter. According to him, "She was in SS2 when she was abducted and after 2 months, she reappeared and sued her father in a sharia court claiming that he was not her father. The father refused to appear in the sharia law court because he didn't believe in its judgement."

According to Mr. Gad, "A secret group allegedly reported the case to the Emir of Dass and the Emir took up the case, called Mr. Simon Jondi into his palace and instructed him to forget the abducted girl and steer clear of her since she is now a Moslem and the girl does not have to consult him (the father) for anything the converted daughter wants to do. That was how the case ended up. The girl's name is Gloria Simon from Unguwan Kuka in Dass." Mr. Gad further alleged "the state government is said to be taking sides with the Moslems especially when it comes to the issues of abducting women and children. The local government had two courts-area and magistrate courts, but with the introduction of sharia law, the area court was now changed to sharia court which the Christian majority in the local government resisted. Until recently, all the judges that were posted to the court were Muslims and most often they pass their judgement in favour of Moslems and use the sharia law for judgement. These explain why the Sayawa rejected the appointment of Justice Bala Mohammed who was the chairman of the Sharia Implementation Committee as the chairman of the commission of enquiry set up by the state government to look into the problems of the people of the area."

Apart from one boy Abdulkarim Simon who was abducted and subsequently converted to Islam, Miss Rejoice (Maryam) Daniel was equally abducted and converted to Islam in Bauchi town.

Before this episode, Miss Rejoice Gwammikat Chirdap, a Taroh by tribe was a student of Command Secondary School, Bauchi. Early September 2005, one Hadiza Bappa, a classmate, went to her house to inform her that her brother, Umar, wanted to see her. The boy, who on several occasions had given Hadiza letters to give Rejoice kept on disturbing her that he intended to date her.

Despite great opposition by Rejoice's mother, Umar continued in his bid to get the attention of the girl.

On the 12th September 2005, Umar got such opportunity when Rejoice's mother, Mrs. Hannah Daniel sent her daughter to purchase a match box at the kiosk nearby. Umar blocked the girl on the way and lured her to collect maize, he offered her.

"I met Umar on the way. He offered me maize which I then refused to collect. He lured me and I later collected it and showed it to my mother. Immediately after my mother saw it, she directed me to throw it away. I refused and thereafter ate it. That was when I eventually lost control of myself. I then was unable to know what was happening to me," Rejoice later confessed.

Rejoice was taken to one Alhaji Sabo Adamu Gadau at GRA opposite Shagari Shopping Complex in Bauchi State.

Not knowing her whereabouts, the family after two days' search, eventually decided to inform the police that their daughter was missing. Investigations revealed that

the girl's mother, Mrs. Hannah Daniel became so apprehensive over the development and could not sleep over the matter. A family source disclosed that "she was so disturbed considering the fact that such a girl had never disappeared from the house without a trace and not informing us of any development."

According to the victim's sister, "Mummy was so disturbed about the issue and was left with no other option than to notify the police of the development, so we then took the matter to the police station."

Much later, the Bauchi State Shariah Commission in a letter with Ref. No. BAS/SC/GEN/S/56/Vol. 1 with the caption "*to whom it may concern*" addressed to the mother, Mrs. Daniel Chirdap, notified the family that "the bearer Maryam (Rejoice Daniel) has accepted Islam. In view of the above the Sharia Commission has handed her custody to the Council of DAALA Council." By implication, it was urging the family to steer clear of their daughter since she had been converted to Islam. On receiving the said letter, the family became very disturbed and continued praying for God's intervention." We became so worried and the family decided to arrange for a family meeting to afford them [the opportunity to] discuss the issue." Further narrated the victim's sister.

Investigations further revealed that after the meeting, the family decided to write a letter to the Christian Association of Nigeria, Bauchi State. Consequently, a letter was written on the 14th September 2005 and signed by the stepfather Ponfa Maikano.

In the letter, the stepfather alleged that "my daughter Rejoice Gwammikat Daniel Chirdap was stolen from her father's house at Yelwa Kagadama on 12/9/2005, after making every effort to trace her failed, we lodged a complaint at the police station Yelwa on 14/9/2005."

The letter further stated that "thereafter in the evening of the same day, we got a letter from Bauchi State Sharia Commission notifying us that they are in the custody of our child. Please come to our assistance to retrieve our daughter for us."

On receiving the letter, the Bauchi State Chapter of the Christian Association of Nigeria wrote a letter of complaint to the Divisional Police Officer, Nigeria Police Force, Yelwa Division, Bauchi LGA, Bauchi State.

The letter, signed by the chairman, Rev. Dauda D. Jimra explained that "The Christian Association of Nigeria (CAN) Bauchi State Branch was informed by one of its members about the disappearance of a 16 year old SS1 student Miss Rejoice Daniel. We understand that the girl's mother Mrs. Daniel Chirdap made a formal report to the Yelwa Divisional Police office on Wednesday last week 14/9/2005.

According to the letter, "the girl's parents have now reported to us that the said missing girl is presently with one Imam Yakubu of Kagadama, Yelwa. They knew of it through a letter sent to them by the Bauchi State Shariah Commission dated 14/9/2005 but delivered on 15/9/2005. The said letter, a copy of which is enclosed for your guidance, purportedly gave the "custody of the missing girl to the Imam, without the parents' consent. We provide this information to guide your office and provide you with facts that could help you trace her return to her parents."

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She further narrated that "Before I was taken to the commission, the man gave me something to drink, and also told me to deny my mother and sisters when I get to the

commission. The man also lured me to write a letter, which according to him will be given to my mother to let her know that I have changed my religion. I copied the letter with my handwriting, which I am convinced that was eventually taken to my mum. I was deceived to copy the letter they wrote because of the fact that my mum knows my handwriting.”

When they appeared in court, Rejoice acted their script thus denying her age limit. Not relenting in their efforts, the family also requested the Bauchi State Police Commissioner, Mr. Ibiyika Kayode to intervene and help release their daughter.

After intriguing moments of agony on the side of the family, Miss Rejoice Chirdap was finally released to the family and taken back to Jos.

Speaking on the issue, the mother of the victim, Mrs. Anna Daniel Chirdap, narrated that “I must tell you that this experience has taught me a great lesson. In fact, I will never allow my male child to establish a friendship with a Moslem, talk more of allowing any of my female children to do so. I have learned a great lesson of my life and I will never forget it for the rest of my life.”

According to her, “I went through hell before my daughter was released for me. Most of the victims never had the chance to come back.”

When contacted, however, the Information Officer of the Bauchi State Sharia Commission, Bala Ahmed explained that the commission has never abducted any child for eventual conversion to Islam. According to him, “converting to Islam is never forcefully done and we only entertain cases of people who on their own decided to convert to Islam.”

In his words “I think this problem is out of misconception. But we have been enlightening the public on the obligations of the sharia commission. So it will be very erroneous to conclude that the Bauchi State Sharia Commission is involved in such allegations. Our governor is a man who wants peace and justice. It will be unfair to say that the Sharia Commission is against Christians in the state. Ours is just to implement the issues of sharia laws in the state and nothing more.”

APPENDIX 21:

Islam vs. Christianity

Dr. Karl W. Kumm¹

What is Islam? What is its spirit? What is its attitude towards Christianity?

Let the following letter, newly written by a Moslem Sheikh of Bagdad reply:
He calls it: **A last word to Europe**

“Christian peoples, the hour to listen to us has come. Islam’s hatred to Europe is irremediable. After centuries of efforts to understand each other, we have come to this conclusion: we have a greater horror of you now than at any other epoch of our history. Understand then, you clever men of Europe, a Christian, whatever may be his position, because of the one fact that he is a Christian, appears to us a blinded creature, who has completely lost the dignity of mankind.

“We know perfectly well what we are. As to you, we must finally convince you of this fundamental truth, that the entire edifice of Islam rests on the doctrine of the Unity of God, who is infinite, incomparable, eternal; who has not been begotten, and does not beget.

“This article of our faith is particularly directed against Christianity. On account of this one fact, the Christian doctrine of the Trinity is the sworn enemy of the God of Islam.

“A burning and terrible test lies, for every Moslem soul, in the contrast between these two fundamental dogmas.

“You Christians, brought up from your youth in the doctrine of your Church, cannot conceive what terror, what repulsion seizes us at the mere mention of your Trinity. Consent then to grant us this indisputable truth – between us and your belief in the divinity of JESUS CHRIST there is an eternal, unbridgeable abyss. Understand, that penetrated as we are with boundless faith in the unity of our God, it is completely impossible for us to admit, endure or forgive, whoever, it may be, near or far off, who can venture in the least degree to question the absolute unity of our incomparable, eternal and infinite God. We have not forgotten the crusades. They still continue under forms a hundred-fold more accursed. You have conquered and humiliated us by every means in your power. You have forced back the frontiers of Islam in all quarters of the globe; and by your diplomats, as by your missionaries, you are constantly seeking to destroy what remains to us. Your plan is clearly defined. You follow it openly, systematically. It is the ruin of Islam. You have no other pretext than the accusation you throw at us of being rebels against your civilisation. Well, yes we are! Rebels till death! But you alone are responsible for this.

¹*K. Kumm, LB, Jan/2006, p. 20. Originally published in LB, 1907.*

“No! You diplomatic gentlemen, we have paid too dearly for our natal faith. We are perfectly aware that your civilisation, joined to and strictly solid with your churches, desires, and can only desire, one thing – the destruction of Islam.

“Without doubt, you have brought us great material advantages in India, Africa and Central [some words missing] grandeur of the God of Islam, is it possible that we should for a single moment tolerate the domination of a crucified God, who pretends to proclaim the humiliation of our infinite divinity, the Almighty Master of the world.

“Understand then, you conquering Christians, neither political schemes, nor gold, nor silver, nor miracles, will ever reconcile us to your impious government. Understand that the mere sight of your flag, floating over our country is a torment to every Moslem soul. To us, your greatest benefits are so many forms of shame, which sully our conscience; and our most ardent longing, you may be sure, is that the happy day may come on which we may efface the last vestiges of your abhorred domination.

“More than that, we have come to this today, that we thank you truly for your violence. You have taught us to know ourselves better, and we know today that we are three hundred million strong. Till now we have lacked solid organisation; you have shown us the absolute necessity of this. The unity of Islam is awaking from one end of the world to the other. We feel ourselves imperatively urged to realise our holy destiny. Do not threaten us with your arms! What do the things of this world matter to us! Our duty is to die well, and the world has had a chance of learning, during thirteen centuries, that we know how to die.

APPENDIX 22:

Plateau's Politics of Religion**How Religious Factor May Affect Plateau's Guber Poll****By Rakiya A. Muhammad¹**

Religion may not be a factor to ignore in Plateau politics as the general elections draw near. Though the tendency had been to overlook the potency of this factor in shaping the voting pattern, in this month's polls pointers are that the religious factor may have assumed strategic dimension.

As obtained in most states in North Central Nigeria, the population of Plateau State is such that some ethnic groups are predominantly Christians, some predominantly Muslims, while others include both Christians and Muslims.

In recent years, there have been complaints of marginalization and resentment on the part of the Muslims who lament that power sharing arrangement in the state government does not reflect the composition of the two major religions in the state. Influential positions, they note, have been continuously dominated by Christians. This issue was brought to the fore in the buildup to the coming elections, as some Muslims stridently call for a Christian/Muslim ticket in order to enhance religious harmony in the state.

The first salvo was from a group called "Plateau PDP Muslim Forum" when on January 23 this year, it addressed a press conference where it demanded that a Muslim be made a running mate to the

¹*Daily Trust*, 5 Apr/2007.

party's governorship candidate, retired Air Commodore David Jonah Jang.

The forum contends that it is unfair to have a Christian/Christian ticket when Muslims form 42 per cent of the population in the state. It claims that it was the same "politics of isolation" that plunged the state into the sectarian of crisis in the recent past.

The PDP Muslim Forum also draws attention to the fact that in the present administration, the top positions, including the governor, deputy governor, the speaker, deputy speaker, secretary to the state government and head of service are monopolized by Christians. It also points to the lopsidedness in the appointment at the local government level in Jos North, where they note that the chairman and secretary of the caretaker committee, education secretary, permanent secretary and commissioner from the local council are all Christians.

The Forum suggests that "in order to redress past misdeeds meted to Muslims in the current equation in the state, the position of deputy governor and at least 40 per cent of all state and federal appointments be ceded to Muslims on the basis of the proportional equity as enshrined in the Nigerian constitution."

To the PDP Muslim group, "the total victory of our party at the polls is achievable if all segments of the state religiously and tribally are fully embraced."

The same issue reared its head when the presidential candidate of the Action Congress (AC), Alhaji Atiku Abubakar, came to Jos for his rally. This time, however, the call was from the Ulama/Elders Council of Plateau State. At a meeting with the Muslims, where the AC governorship candidate, Pam Dung Gyang, was present, the council

hinged its support on the condition that a Muslim be given the deputy governorship slot.

The AC Muslim Ummah towed the line of their PDP counterpart over the same issue when it wrote a letter, titled “Marginalization of the Muslim Ummah in Action Congress Plateau State Chapter,” to the national secretariat of the party demanding, among others, the post of deputy governor.

As at that time, a running mate was yet to be announced for the party’s governorship candidate, but when it was made public, the yearning of the Muslims was not fulfilled, as the AC also came out with a Christian/Christian ticket, just as the PDP had done.

This was even as the Muslim Community in Plateau State in a seven-point conditionality, endorsed by the Ulama/Elders Council and Muslims from various political parties in the state, re-echoed the same demands and asserted that their basic requirement must be met for them to support any candidate.

But while responding to questions on this issue in an interview, the AC governorship candidate posits that bringing religion into politics was taking issues too far. “If we start sharing political positions in terms of religion, it will come to the point that many people will feel that they are there because of their religion, they are there because of their tribe, they are there because of their social background and not that they are there to work for Plateau State.”

He adds, “I believe strongly that we should be cautious about approaching issues, political issues through religious angle. I want to appeal to both Muslim and Christian communities in Plateau State that the issue of governance goes beyond just sharing positions. I think the

responsibility of government is far much more than that; we know we have to carry everybody along and we know we should have the geographical spread, but people should tread softly when it comes to religion because religion is seen more as personal, between you and God, and you are working for your own salvation. But if you concentrate on this one, then we lose track of what governance is all about and I think governance is about infrastructure; we will provide roads; there is no road for Muslims, no road for Christians and there is no road of unbelievers. If we provide a school, it is for everybody; if we provide a hospital, it is for everybody.”

On its part, the PDP is of the view that it is the pattern of voting that would determine what anybody would get. The party’s position was amplified by the running mate to the PDP governorship candidate, Mrs. Pallen Tallen, while reaction to the issue. “PDP is not promising anybody anything; it is the pattern of voting that would determine what anybody will get. Politics is all about give and take. It is what you deliver that will determine what you will get,” she declares.

But the Muslims seem determined to realize their demands and are not ready to give in this time around. They insist that the religious balancing must be there as “it is not an act of rational politics for the state not to balance key positions when states which have similarities with Plateau always ensure the other major religious group is not alienated.” They claim that “the current statistics of about 42% Muslims is very much higher than that of Christians in the following states in the northern part of the country, i.e. Kaduna with about 22%, Niger about 8%, Gombe with about 11%, Kogi with about 13%, Nassarawa with about 22% and even Borno with 3% Christian population. Yet are adequately represented in the governance of their respective states.”

There is some feeling that the Muslims in the state, irrespective of their party affiliations, may have resolved to demonstrate their discontent with the prevailing situation by voting for a party that has the Christian/Muslim ticket. Indications are that if this becomes realizable, it may work against the two major parties in the state and strengthen any of the parties with a Muslim as running mate. No fewer

than five parties have a Christian/Muslim ticket in the state. Among them are the All Nigeria People's Party (Victor Lar/Ibrahim Dakwang), Labour Party (Jimmy Cheto/Hassan Sale Hassan), the Democratic People's Party and the All Progressive Grand Alliance – APGA (John Washpam/Zakari Abdullahi).

It is not clear which of these parties may secure the overwhelming votes of the Muslims or how the Muslims would split their votes for these parties, but one of the Muslims asserts that “if we identify a strong candidate and back him up, he would win.”

But how decisive can the votes of the Muslim population in the state be? The Ulama Council which is an umbrella body for Muslims insists that Muslims in Plateau have proved to be an important voting class in the state politics. Secretary of the Council, Barrister Muhammad Ishaq Lawal, while enunciating this claim, recalls that the Muslims under the leadership of the Ulama “first demonstrated their strengths and relevance in Plateau politics during the 2003 elections in the state. At the time of that election, all the gubernatorial candidates in the state came soliciting for support of those under the Ulama. The body at that time gave that single condition for its support, i.e. pick a Muslim running mate as a guarantee that Muslims would not be marginalized again in the state.”

He continues, “The politicians in the state never took the Ulama too seriously. All the three leading governorship candidates found that demand impossible. This led to the emergence of Alhaji Bello Muhammad Abdullahi from UNPP as the candidate endorsed by the Ulama. This endorsement, albeit lately, accounted for the over 140,000 votes he got.”

Observers are of the view that the religious factor could have an impact in the forthcoming polls; but how the politicians and their parties plan to handle this remains to be seen.

APPENDIX 24:

Marriage Riddle in Bauchi State

(Sad dilemma of a girl with two husbands)¹

Today's Challenge

Number 6, 1988

January 2, 1988 ought to be Sa'adatu's most memorable day, the day she was allegedly married to the man of her dreams. She probably had looked forward with excitement and anticipation to that day. Unfortunately, that day seems to have ushered in only trouble and turmoil into her life. As at the time of writing, she has two husbands, (one a Christian, the other a Muslim) each claiming to be the rightful man; her case has been in at least four courts and the Bauchi State Social Welfare Department. She has been before top Security Chiefs and Police Officers in Bauchi State, and she has had petitions written by or about her to the Military Governor. According to her auntie and one of the husbands, she is also being held in forced custody by her father, from where she has escaped at least five times, even though she's carrying a pregnancy now about six or seven months old.

As at the time of writing, (September 1988) Sa'adatu's case is before the Bauchi High Court 5, presided over by Mr. Justice A.R.A. Sahid who is being asked to help sort out this curious situation. The court is being asked to determine whether or not Sa'adatu is actually in forced custody and if she deserves her freedom. The court will further determine who the right husband is.

Today's Challenge first heard about Sa'adatu's case February this year, and has been following the developments. Sa'adatu is the daughter of one Alhaji Gambo of Gaar village in Duguri District of Alkaleri Local Government Area of Bauchi State. According to our investigations, her father divorced her mum when Sa'adatu was still a kid. Subsequently, he gave the girl to his younger sister, Shuka Maikano to foster. Shuka, incidentally has no child of her own, but was married and living in Gaar. Sa'adatu thus grew up with her auntie, Shuka, who is a Christian. Shuka told *Today's Christian* in an interview that the girl was brought up and trained in the Christian faith. She said she lost her first husband when the girl was about ten. Subsequently, she remarried at Wurno in Buta District of Tafawa Balewa Local Government Area. She said when she was leaving for her new home, Sa'adatu's father consented for her to go with the girl, on the condition that she would be returned when she's ready for marriage.

About 1983, Sa'adatu finished her primary education and secured admission to a Junior Secondary School at Dull in Tafawa Balewa LGA. Her auntie, Shuka Maikano paid the relevant fees and got the admission letter. When Sa'a's father was told about the development however, he refused to grant consent for her to further her education. According to Madam Shuka, he ordered the girl brought back to him for marriage.

¹TC, 6/88, pp. 22-25.

This, we gather was the beginning of Sa'adatu's woes. In compliance with the father's directives, Madam Shuka returned Sa'adatu to her father in Gaar. After one week however, the girl ran back to the auntie. The dad sent one of his children to bring her back, and according to reports she ran away again after about a week, this time to an uncle at Tafawa Balewa. After about nine days, this uncle, Musa Gaar, took Sa'adatu to Madam Shuka, who in turn sent word to inform her father. The auntie said she tried to persuade the girl to stay and abide by the father's wishes. As an incentive, she accompanied her to the father's village and lived there with her for about 40 days, in order to help her adjust to her new environment.

However, after only one week of Madam Shuka's departure, Sa'adatu ran away again to meet the auntie. Because the auntie expressed displeasure over this, the girl decided to escape to Bauchi town in company of some secondary school girls returning to school. Fortunately, a relation ran into her in Bauchi, wandering about aimlessly. This relation, one Yakubu Wakili, on hearing her story, took her back to the auntie, as well as contacted the father to get an accurate picture of the situation.

At this stage, said Madam Shuka, she had an option to stick by Sa'adatu or "lose her to the world." She said she chose the former option, not minding the instructions of the father that she must not host the girl in the event of her running back to her house.

After about one month of staying with the auntie, the whole situation acquired a new complexity when the girl informed her of her desire to marry one Simon Adamu, a native of that village, Wurno. Shortly after, Simon's father also contacted her formally on the request, bringing along N100 to be taken to Sa'adatu's dad for his initial consent. On her advice, Simon's dad and Madam Shuka's husband, Maikano Maina, traveled to Gaar to meet Sa'adatu's father to seek his consent. We are reliably informed that the trip was aborted, since the father refused to see them.

Meanwhile, Sa'adatu kept up pressure on her auntie to act on her behalf, with threats that she would go her own way if no one gave her any support. According to Madam Shuka, the situation was delicate and rather than allow her to roam the streets, she decided to support her. Thus the wedding was conducted at the ECWA Church, Wurno, on January 2, 1988.

Just as the wedding was in process, a court notice came from Area Court Yashi, summoning the auntie, her husband and the prospective bridegroom to court on January 5, 1988.

On January 5 when the parties appeared before the alkali court at Yashi, the judge ordered Sa'adatu to return to the custody of her father, pending the determination of the suit, and the matter was adjourned to the 9th of January 1988 for continuation.

At this point the story acquired greater complexity. An affidavit sworn to at the Bauchi High Court by Simon Adamu, the Christian husband, says that on the 8th of January, one day before the case was scheduled to continue, Sa'adatu's father purported to give her away in marriage to one Sale Mamman, a Muslim. This marriage, according to the affidavit, was without her consent and "completely against her will and ... the said marriage was not and has never been consummated."

When on the 9th of January the suit pending before the Area Court Yashi came up for continuation, the judge refused to take cognizance of the purported marriage to Sale Mamman, and after evidence had been led, the case was adjourned to the 16th of January for further hearing.

However, according to the affidavit, when the matter came up for continuation on January 16, “we were informed in open court by the judge of the Area Court Yashi that he had received instructions from the Zonal Inspector of Area Court to terminate the hearing of the suit.” The judge however, gave no orders that Sa’adatu could return to Simon’s house where she was before the suit commenced. In the situation, she was taken back to Sale Mamman’s house, the second husband.

About three days later, she escaped from the residence of Sale Mamman and headed for Wurno, Simon’s village. A group of people were reportedly sent by the father to track her down, and caught up with her at Bayar, a village near Bauchi. On seeing them, Sa’adatu took to her heels and ran into a farm belonging to the Vice-President of the Evangelical Churches of West Africa (ECWA), Rev. Gayus Dogo. She grabbed Rev. Dogo, clinging to him and appealing that he protect her from being forced away. After some struggle and scuffle, the police was called to intervene. The case eventually got to the local area court at Tashen Babayo where Rev. Gayus Dogo was curiously charged and sentenced to two months jail for abducting the girl. There was an appeal against this ruling to the Upper Area Court Bauchi, where the lower court ruling was appropriately quashed.

The situation however assumed a fresh dimension after this verdict. Shortly after the verdict was delivered, trouble began to brew outside the premises of the Upper Area Court when people described as supporters and/or relations of Sa’adatu’s father and Sale Mamman “attempted forcibly to abduct Sa’adatu from there.” The Upper Area Court judge, on learning of the potential threat to peace, handed over all the parties to the police. The DPO, in turn handed over Sa’adatu to the Social Welfare Department to keep her in custody and also to resolve the matter. According to reliable information, on the 8th of April 1988 the day set down by the Social Welfare Department to deliver its verdict on the issue, “a large and restless mob of persons congregated at the venue (Abubakar Tafawa Balewa Tomb) and made it impossible for the proceedings to hold.” Furthermore, we are reliably informed that the mob thereafter proceeded to the headquarters of the Social Welfare Department, from where they forcibly took away Sa’adatu to her father’s house at Gaar.

However, about four days later, April 22, 1988, Sa’adatu escaped again from her father’s house into hiding. This resulted in a lot of tension as Muslims in the area stormed the village forcibly searching Christians’ houses. So high was the tension and threats that even the Sunday service of April 24, 1988 could not hold. This was because of the disruption and threats to Christians who were being accused of harbouring the girl. In fact, in view of the rising tension, one Baba Kaciciya, a Christian and uncle of Sa’adatu, was compelled to search for her, and upon discovering her, took her to the offices of the State Security Service, Bauchi.

Today’s Challenge is reliably informed that both police and security chiefs advised and insisted that the girl be returned to her father, since according to them the matter was a family, rather than a religious, problem. We also understand that Sa’adatu protested vehemently against this course of action with loud cries, and after a time, was not permitted to be in audience when decisions regarding her status were being taken. Eventually, we gathered, she was returned to the Police Station, Alkaleri and handed over to the Divisional Police Officer who along with the local government chairman, handed her back to her father.

As at June 1988 when this matter was brought to the High Court, Sa'adatu was carrying a four month-old pregnancy, which is said to be for Simon Adamu, one of the contesting husbands. We are also reliably informed that as at June, she had attempted to escape from her father's custody four times, some of them successfully, but had to be forced back from her hideouts and refuge. This was due mostly to threats of violence on the lives of Christians in Gaar and Fanti villages if she was not produced.

Among the papers filed in court attached to Simon Adamu's affidavit, is a letter purportedly written by Sa'adatu when she was in a hideout during one of the escapes. The letter is dated April 26, 1988, and addressed to the DPO Alkaleri. It says among other things:

I, Sa'adatu Simon married in Wurno in T/Balewa L.G.A. and now in a hideout in Bauchi due to the fact that I was forced from the Social Welfare at Bauchi to follow my father (to) Fanti. My religion is Christianity. I got married in accordance with Christian rites, and I am fully matured.... The trouble which my father is trying to bring is that ... he gave me out in marriage by force on the 8th of January this year despite the fact that I was already married in church. I ran back to my matrimonial house, then my father started to cause trouble. I, Sa'adatu commit my life to you the DPO and I want you to defend my fundamental human right...

This letter, originally written in Hausa, was translated at the High Court of Justice Jos by a Higher Registrar (Translations) on 12th May 1988.

Simon Adamu, the first husband, also attached to his affidavit some petitions he has written to the State Governor and the Police. He contends that the motive behind Sa'adatu's father's refusal to consent to the marriage is religious "because he has vowed never (to allow) his daughter to marry an infidel..." Apparently, because no action seemed to have been taken in respect of those petitions, he brought the matter to Bauchi High Court May 13, 1988.

When the case was first mentioned in open court June 29, Sa'adatu's father failed to produce her in court as earlier ordered by the judge, Mr. Justice A.R.A. Sahid. His reason was that the girl was sick and vomiting. The judge was however not impressed by what he described as this "flimsy excuse." He said he would have remanded him in custody for contempt if not for an understanding by his counsel, Mr. Nurudeen that the girl would be produced the following day. Said the judge: "The proper and adequate punishment is prison remand till he is purged of his contempt. His flimsy excuse that Sa'adatu is vomiting does not impress the court as a good excuse to disobey the court. It is a common ground and knowledge that Sa'adatu is pregnant and so vomiting is normal and should not hinder her from being brought without medical certificate."

When the case resumed the following day, the judge asked whether the first respondent, Alhaji Gambo, Sa'adatu's father, had complied with the instruction to bring her to court. Respondent's counsel, Mr. Nurudeen answered in the affirmative. Thereafter, the judge called Sa'adatu forward and the following brief exchange transpired:

Judge: What is your name?

Girl: Sa'adatu.

Judge: Sa'adatu What?

Girl: Sa'adatu Simon.

She was sent back to her seat and thereafter, counsel for the applicant, Mr. J. Pam from Jos, desired to proceed with the case, but counsel for respondents brought some preliminary objections, arguing that the case has not been properly filed. The counsel insisted that what was before the court was an application and not an affidavit, and that it contained no prayers, or request etc. "No matter how good the case of the other side may be, we ought to be heard too. But there's nothing to reply to," he contended.

Applicant's counsel in his reply said they were not suing the father, but merely seeking for determination of certain issues. He said if the court determines that Sa'adatu has a right to choose who her life partner should be, then the course of action becomes obvious.

After some arguments back and forth, the judge gave the following ruling on the application:

The court has taken cognizance of the fact that this is an application for habeas corpus (fundamental human rights) with a difference. It is not a case where the government is holding someone in confinement. It is a case where a citizen is alleged to hold another citizen in illegal confinement. The first respondent is the father of the subject. The application involves her present status. It also involves first applicant and second respondent, said to be her husband. Application involves who the rightful husband is. In the circumstances and in the interest of justice, it is necessary to have all the facts of the matter. In that wise, the application of Nurudeen is justified.

The court adjourned for two weeks to enable applicants to file affidavit and prayers and for the respondents to file counter-affidavit.

The case could, however, not continue on July 19 because the court had not taken proper records of the affidavits. Furthermore, when it resumed hearing on August 9, the court was informed by the respondents that the girl escaped from their custody that morning and all efforts to locate her had proved abortive. After examining both the father and a police inspector, counsel for the applicants said he was convinced that the girl had actually escaped. He urged the court that "in view of the incessant escapes by the detainee, if and when she is found, I humbly ask the court to give her in custody to a neutral party till the case is concluded." The judge in his ruling said he is satisfied that the girl had escaped, and therefore issued a bench warrant for her immediate arrest. He however, said that the escape should not in any way stop or delay the hearing of the suit.

But the applicant's counsel, Mr. Pam told the court that he has strict instruction from the girl's auntie that her continuing with the suit depended entirely on the girl's inclination. If the girl was willing to obey her father, then the suit would be immediately withdrawn. Based on this instruction, he said, it was the intention of the applicants to call Sa'adatu as the first witness. For that reason, he said they could not continue with the case. He requested for a two-week tentative adjournment till August 23, hoping the girl may have been found by then. The court granted this application.

By August 23, Sa'adatu had still not been found and the court ruled that it will not sit on the case until the girl is located. Some people interviewed, expressed concern over her health and safety, more so since she is pregnant. They hoped the court will determine the matter speedily when she is located. Other people were, however, unhappy about the manner in which police and security officials handled the matter before it got to the High Court. They wonder, for example, if it is true the girl was forced away from the Social Welfare Department by one of the parties, and if so why no action was taken by government against those people.