

## CHAPTER THIRTEEN



# Religious Freedom for National Development in a Pluralistic Age: The Nigeria Example

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### Introduction

Man is destined to operate in a pluralistic society and environment; he himself is a complex being operating pluralistically in a pluralistic manner. Pluralism therefore, is a common phenomenon of human life. Pluralism implies multiplicity of human nature or rather the existence of many groups of people by nature of their tribe, ethno-religious and political affiliation. The *Oxford Advanced English Dictionary* defines it as the existence in one society of a number of groups that belong to different races or have different political or religious beliefs... the principle that these different groups can live together in peace in one society.

Many theories have been propounded to ensure unity of human race despite its pluralism. Oladosu 2011 identifies some of these theories to have included the theory of racialism which Islam believes cannot achieve the expected result of binding the universe together.<sup>1</sup> The Qur'an explicitly identifies the main reason of creating mankind in races and tribes when it reads: "O mankind! We have created you from a male and a female, and made you into nations and tribes, that you may know one another. Verily, the most honourable of you with Allah is that (believer) who is most pious..." (Q 49: 13). In clear and succinct words, the Prophet rejected racial factor as a source of unity when he called the attention of the universe to the fact that the whole mankind emanated from the same source. He said:

All mankind is from Adam and Eve; an Arab has no superiority over a non-Arab nor a non-Arab has any superiority over an Arab; also a white has no superiority over



black nor does a black have any superiority over white except by piety and good action. Learn that every Muslim is a brother to every Muslim and that the Muslims constitute one brotherhood.<sup>2</sup>

Closely related to the above is the theory of language which is considered by some as a factor which can foster the desired unity in the pluralistic society. Although the fact that a group of people speak the same language can be a binding force, just like Arabic as the language of Islamic acts of worship, the failure of the Muslims to use the language factor for the promotion of socio-economic and technological development of the *ummah* has made the factor a non-issue. To further fault the linguistic factor in the promotion of unity among human race, Oladosu 2011 writes:

It would be false when it is tested against the experiences of the European Union and the United States of America. Whereas Europe essays a linguistic polyglot including French, English, German, Russian, Portuguese, politicians in the United States of America would claim, even if this may rile and anger the Ultra-white element within its society like the Ku Klux Klan, the US has no official or national language. In the latter, while English language enjoys the position of the official language, authorities in the country recognize the popularity of such mutually exclusive linguistic preferences as Spanish, French and Arabic among elements within its polity. Given this argument, the West can be said to be, in reality, in search of a unifying language. To give a totalitarian patronage to the linguistic factor in the discourse of unity might, therefore, be tantamount to dancing on a slippery terrain; to purblind oneself to the fact that, according to Allah, differences in human speech is nothing but a sign from Him; that the multiplex of the human speech are like the colours one beholds in a rainbow.<sup>3</sup>

Because of differences inherent in the pluralistic age and in the pluralistic society, communal polarization becomes a main feature of the human society which at times leads to communal tensions. This explains why the Creator of pluralism in His mercy had concluded to be sending His Guidance from time to time so that



those who operate in the pluralistic society would not be wandering aimlessly while struggling for survival and so that they do not take undue advantage of their freedom as well as their pluralistic nature to create unnecessary tension in the community. This Celestial guidance in the name of religion could be seen as a veritable measure to check the excesses of the pluralistic society. Man is therefore a religious being who hardly does anything without religion. His coming to life has religious intonation. His sojourn in life is greatly guided by religion; in fact, at the point of his exit from this world, he cannot do without religion. So, man is intrinsically religious to the core. That notwithstanding, the pluralistic nature of man makes him to pluralize religion. Religion was one at inception in the eyes of the Creator. Ideological and other preferences of human beings made them to dichotomise and introduce sentiments and with this, it becomes a divisive instrument in the pluralistic age.

That the pluralistic nature of man has made him invent different religions is not new to Allah. He (Allah) therefore rules that while carrying out any religious activities or rituals, such should not be done at the expense of other people's right. Not this alone, no adherent of any religion should force his religion on the throat of another, as there should be no compulsion in religion (Q.2:256) and that individual should carry out his religious tenets without hurting the feeling of others (Q.109:6). This forms the basis of religious freedom in the pluralistic age and in a pluralistic society.

### **The Concept of National Development**

The concept of national development is multi-dimensional and multi-faceted in nature and this makes it an ambiguous concept. An economist sees development in the sphere of growth on the investment in per capita income, while increase in agricultural output is considered a development by an agriculturist. It is observed that attempts to define development as a concept by different scholars have complicated the issue. For instance, in his attempt to extend the scope of development beyond agricultural output or increase in per capital incomes, Mabogunje cited by Awoniyi 2006, is quoted to have defined development as



"involving not only economic growth but also conditions in which people in a country have adequate food and jobs and the income inequality among them is greatly reduced."<sup>4</sup> To us, this definition has added no value to the former ones, as it sees development in the lens of absence of poverty, unemployment and inequality. In his own definition, another scholar, Awoniyi 2006 sees it as a situation where the relative position of the masses *vis-à-vis* that of the elite is improved. The deprived masses in this definition include the minors, the aged and the uneducated citizens in the society.<sup>5</sup>

Zango 2002 extends the scope of development to the usage of available resources to solve the problem of poverty, unemployment and inequality.<sup>6</sup> In other words, a nation may be naturally endowed with resources, yet it may remain undeveloped. This is true of Nigeria whose about 75% of her land is suitable for agriculture but only 14% is actually under cultivation. Thanks to our self-delusion in concentrating on this theory in most of the things we do. Not this alone, the country is naturally endowed with petroleum and gas, yet, her citizens suffer from acute shortage of these resources that she has to import the products. Also, it has the potential of being rich in limestone, coal, tin, columbite, gold, silver, lead, zinc, gypsum, glass sands, clay, asbestos, graphite, iron ore, stone and zircon but which she fails to tap and develop to desirable level.<sup>7</sup> In the same vein, Oyeshola quoted the *Echoes* to have extended the definition of development in terms of the ability and capability of the people to make effective use of the natural resources within their reach. He therefore sees development as ability to "procure sufficient natural resources to meet the basic needs of all in a self-reliant manner; adjust to adverse environmental changes with minimal disastrous consequences; have a stable, democratic and independent system of government; and maintain harmony within the human community and between human and the rest of the environment."<sup>8</sup>

Zango 2002 gives the summary of these numerous definitions by itemising three important basic issues related to development namely:



- i. increasing the availability and widening the distribution of basic needs for life sustenance such as food, shelter and protection;
- ii. raising the level of living in addition to higher income, provision of jobs, better education and greater attention to cultural and humanitarian values, all of which serve to enhance material well-being, but also to generate greater individual and national self-esteem, and;
- iii. expanding the range of economic and social choice to individuals and nations by freeing them from servitude and dependence.<sup>9</sup>

If all the above are things to go by, national development is seen as the ability of a country to improve the social welfare of the people. In most cases, it is understood in purely materialistic terms like building of skyscrapers, gigantic factories, Hilton hotels, provision of social amenities like good education, pipe-borne water, roads, bridges, factories, etc. The development of a nation is also measured by the total output of the economy termed Gross Domestic Product (GDP); the improved standard of living in terms of availability and accessibility to essential requirements of life by the majority of the population like decent accommodation, improved nutritional standards and qualitative health care and education; life expectancy; reduction of poverty; more employment opportunity and increased literacy level.

As much as the above could be considered as elements of development and improvement in the human condition, many other forms of social degeneration are attached to them, such that it is difficult to believe the level of such development. Abuse of drugs, power, authority and wealth; the alarming rate of murder and other forms of crime; self-abasement through suicide and euthanasia, as well as legalization of such unnatural acts as homosexuality, are common phenomena in the developed nations. Not this alone, incessant wars, genocide, persecution, human trafficking, kidnapping, etc. have become the order of the day in many developing nations. The irony of it is that the developed countries tactfully involved in these acts by igniting crises, supplying arms,



and tacitly supporting abuses of human rights.

It is expedient to consider the definition of development given by Al-Buraey 1990 that it is the

ability of decision-makers to shape and reshape their total environment (political, social, economic, administrative, educational, etc.) through the mobilization of national resources and guided by an ideology in which they strongly believe.<sup>10</sup>

The shortcoming of this definition is the composition of the decision-makers and the means through which they became members. It is no more news that election into political offices has become a matter of do or die, as elections are often manipulated to suit the desires of the few elites who rigged themselves into the offices. This explains why some scholars of politics assert that government may be of the people and for the people but never be by the people, but rather by the few elites. This shortcoming might probably be the reason for Al-Buraey's 1990 option of the definition of development in the context of Islam, as "the ability to attain Islamic ideals in the individual, family, social and the *Ummah's* lives as well as in the running of the state."<sup>11</sup>

The crux of the matter is that viable development of a nation should not only ensure general welfare of mankind, but should as well take care of her spiritual advancement. Any development which fails to consider spiritual development is hardly worth the trouble. So, a comprehensive conception of development should cover all aspects of human life – social, economic, spiritual, and material. A developed nation which considers spiritual development as irrelevant would not hesitate to use its so-called super-power to suppress and exploit other nations. This is true of the America's invasion of Iraq based on false allegation of stock piling illegal chemical and biological weapons and sponsoring terrorism.

### **The Islamic Basis of National Development**

The premise upon which the concept of national development rests in Islam is *Tawhid*. It is the foundation of everything in Islam. *Tawhid* demonstrates the unity of Allah, life and the universe. It



therefore transcends the material world into the moral and spiritual realm of earning the pleasure of Allah. Sincere adherence to absolute *tawhid* guides against contradictions whether in one's personality, family and social life, professional dealings or international relations. In the words of Anis 2005:

It stands for unity in cosmos, unity in society, unity in humankind, as well as unity in the life of the individual. Consequently, coherence and order is (sic) realized with a clear vision of meaning and purpose of life and without a dichotomy or conflict between the individual benefit and the collective good.<sup>12</sup>

The spirit of *tawhid* had seen the Muslim empire through, during the period of the rightly-guided caliphs. With this spirit they were able to make indelible achievements, not only in Arabia, but also in Europe where in Andalusia and Cordova Muslim scientists were able to make Europe, an under-developed continent to become a well-developed one through numerous inventions. Not only this, the spirit of *tawhid* had made the early Muslims to be as hard as a mountain in their pursuance of what they felt was beneficial to them on earth and in the hereafter. They were however guided by the spirit of *tawhid*, to conduct their affairs with sense of justice and without violating the rules of their Creator. While discussing the effect of *tawhid* in their dealings with their opponents, Mawdudi 1997 has this to say:

This belief produces in man a very strong degree of determination, patient perseverance, and trust in God. When he makes up his mind and devotes his resources to fulfil the Divine Commands in order to secure God's pleasure, he is sure that he has the support and backing of the Lord of the universe. This certainly makes him firm and strong like a mountain and no amount of difficulties, impediments and hostile opposition can make him give up his resolution.<sup>13</sup>

Two important points relevant to development could be raised from that statement. Firstly, steadfastness in pursuing developmental issues that would improve not only the material well-being of the citizens, but also insisting on upholding the truth



to ensure spiritual well-being of the citizens. In this wise, vices such as corruption, injustice, embezzlement of public funds, adultery and all that promote such are stumbling blocks to attaining material and spiritual development, hence, no stone would be left unturned in fighting them. Secondly, while pursuing and fighting injustice and other vices, care needs to be taken so that in an attempt to kill a bird, one does not set a whole house ablaze. The level of development of a nation can therefore be measured by the way it handles issues involving other nations which do not share the same ideological principles. Muslim rulers of yore were praised by some western historians in the way they handled non-Muslims in their domains and those they had to wage war with. Al-Faruq 2003 cites an historian thus:

At no time did Muslim leaders engage in religious oppression that even approached the lawful agony of death by burning at stake and boiling in oil as inflicted against non-believers during the Christian Inquisition and the wholesale slaughter of Muslims in the Middle East by swords wielded by Christian Crusaders. There was no such thing as ecclesiastical Muslim authority examining one's faith in ridiculous details such as the Inquisitors presumed to do. Muslim leaders ordered no banishment, excommunication, or burning at the stake as retribution for straying from established dogma. The reason for such restraint must be found in the relatively liberal attitude of the Muslim scholars towards dissent.<sup>14</sup>

The above demonstrates the spirit of human unity and humaneness as portrayed by Islam. Where there is any rancour and misunderstanding, the spirit guides Muslims to realise that they are dealing with fellow human beings who originated from the same source. It was this spirit that guided Abu Bakr, the first caliph, to advise the commanders of the Muslim troops with regard to the ethics or conducts of war. It is instructive to cite his instruction to Yazid ibn Abu Sufyan when he led an expedition to Syria. He said:

... do not kill their children, old people and women. Do not go even closer to their date palms, nor burn their harvest, nor cut the fruit bearing trees. Do not break the promise, once you



have made it, and do not break the terms of treaty, once you have entered into it....<sup>15</sup>

The fact that Allah did not create mankind to live in adversity could be appreciated in His creating everything man needed for him to live comfortably on earth. In order to maintain peace with human beings, His messages started coming to them to guide them on how to conduct their affairs on earth for them to meet Him happily on the Day of Reckoning. However, rather than realising the guidance of Allah and appreciating Him for His sustenance, man started growing wings, becoming proud and arrogant by depending on his whims and caprices, jettisoning Allah's mercy. He therefore loses the security he enjoyed from Allah. This episode is better explained in the Qur'an thus:

Whenever We sent a prophet to a town, We took up its people in suffering and adversity, in order that they might call in humility. Then We change their suffering into prosperity, until they grew and multiplied, and began to say: "Our fathers (too) were touched by suffering and affluence." Behold! We took them to account of a sudden, while they realised not (their peril) (Q.7:94-95).

Another related parable of this kind is told in the Qur'an thus:

Allah sets forth a parable, a city enjoying security and quiet, abundantly supplied with sustenance from every place; yet was it ungrateful for the favours of Allah. So Allah made it taste of hunger and terror (in extremes) (closing in on it) like a garment (from every side), because of the (evil) which (its people) wrought. (Q.16:112).

From the above, it could be seen that for any viable development to take place, absolute peace with Allah is needed. A nation which does not include this in her developmental programme will not have meaningful development and if it had developed, such a development is deceitful. Maintaining peace with Allah means conducting every affair of the nation in line with His dictates, as taught by His prophets. The beginning of development and its sustainability lie in absolute *Iman* and fear of



Allah. The Qur'an says:

If the people of the towns had but believed and feared Allah, We should indeed have opened out to them (all kind of) blessings from heaven and earth; but they rejected (the truth), and We brought them to book for their misdeeds (Q.7:96).

Another aspect of this point is maintenance of peace with fellow beings. For centuries, nations had been engaging in activities that are inimical to peaceful existence among them. The trans-Atlantic slave trade from Africa to America, the colonization and exploitation of African and Asian countries and the genocide of the indigenous Americans and Australians are instances of this. The bombing and killing in Northern Ireland, the massacres of the Hutu and Tutsi populations in Rwanda, the Mafia criminal organizations of Italy and America, the Apartheid system of South Africa are other instances.

In Nigeria, the alarming rate of insecurity due to incessant ethno-religious crises has threatened the peace of the nation to a state of coma. Hardly can a week pass without report of Boko Haram crises in the north, cases of kidnapping in the South-east, South-south, and South-west and religious and political mayhem in virtually all the regions of the nation. During such crises, innocent souls who could have contributed meaningfully to the development of the nation had been mercilessly killed, maimed or rendered handicapped. Instances of religious and political crises in the nation have impacted negatively on the Nigerian economy due to incessant curfew mounted to checkmate them by the authority.

More than 100,000 Chenchen civilians were said to have been killed by Russia in the first Chenchen war of 1994-1996. The war razed much of the small countries, and in an act of monumental terrorism, scattered anti-personnel land mines across the tiny nation.<sup>16</sup> No one can tell the actual number of casualties in the Iran-Iraq war, Palestine/Arab-Israel Conflict, and Bosnia-Herzegovina where pregnant women and young girls of six years were said to have been raped and put to death in the presence of their husbands and parents. What is sure is that no meaningful development could take place in such an atmosphere of chaos, crisis and mayhem.



Youths who are the hope of the nation suffer most in such a situation.

Another aspect of Islamic ethics relevant to national development is *'adl* (justice). The comprehensive nature of justice that breeds desirable development is given in the following Qur'anic passage:

O you who believe, stand out firmly for justice, as witnesses to God even as against yourselves, or your parents or your kin, and whether it be against rich or poor, for God can best protect both for not the lusts (of your hearts), least you swerve and if you distort (justice) or decline to do justice, verily God is well-acquainted with all that you do (Q.4:135).

Justice is a prerequisite virtue for peaceful co-existence between the privileged and less-privileged, rich and poor, ruler and the ruled, Muslims and non-Muslims. In a society that condones injustice, the less-privileged will be unduly oppressed and this will pave way for resistance, violence, riot and terrorism. The crisis in the Niger Delta region of Nigeria has been attributed to the down play of justice, where the area, being the source of Nigeria's treasure has little or nothing to write home about in terms of infrastructure, amenities and employment opportunity. The feeling of not receiving a just distribution of the country's wealth consequently bred destruction of pipelines, kidnapping and other forms of violence in the region.

By extension, justice has no discrimination, as all human beings are expected to enjoy it. Little wonder then that the Qur'an instructs the believers on it in the following words:

O you who believe, be steadfast witnesses for Allah in equity, and let not hatred of any people divert you from justice that you deal not justly. Deal justly that is near to your duty (taqwa). Observe your duty to Allah. Lo Allah is informed of what you do. (Q.5:8).

Speaking in line with the above Qur'anic passage, Anis 2005 says:

To benefit and enjoy justice (*'adl*) in society one does not have necessarily to be a Muslim. It is a universal ethical value



to be realized in human personality irrespective of one's colour, denomination, culture, or economic and political status. Social justice, fairness and equity (not equality) culminates in creation of an unbiased, honest, open, and reasonable global human community.<sup>17</sup>

The implication of injustice was stressed by the Prophet (SAW) on an occasion when one of the respectable companions Usman ibn Zaid attempted to pervert the course of justice by interceding on behalf of a woman from the tribe of Makhzum who was found guilty of theft. The Prophet reacted to this plea saying:

Verily what destroyed those who came before you was that when the noble among them stole, they granted them pardon; but when the weak stole, they amputated their hands. I swear by Him in Whose hands is my soul, if it were to be Fatimah, daughter of Muhammad who steals, I would cut her hand.<sup>18</sup>

### **Justification for Religious Freedom: The Need for Pluralistic Unity**

Every religion preaches virtues. Kamaruzaman 2010 precisely identifies some of the virtues common to all religions and which should serve as bases for religious freedom and peaceful co-existence among adherents of religions. Such virtues include "love, affection, compassion, benevolence, kindness, modesty, humility, politeness, generosity, graciousness, care for the weak, respect and consideration for others, patience, forgiveness, and fairness." Others are care and concern for aged parents, young children, poor, needy, orphans, widows and the handicapped.<sup>19</sup> It is also interesting to note that the spirit of justice has no geographical boundary, religious affiliation, societal influence or status as it is supposed to be administered even if it be against oneself.

Apart from the above, all religions have a long list of vices which are condemned and strictly forbidden. A consideration of the Biblical Ten Commandments will prove this better. The Bible lists them thus:

1. You shall not have other gods than me
2. You shall not make any images



3. You shall not take the name of your Lord in vain
4. Remember the Sabbath to keep it holy
5. Honour your father and mother
6. You shall not kill
7. You shall not commit adultery
8. You shall not steal
9. You shall not bear false witness
10. You shall not covet or desire what belong to others.

In the same vein, the Qur'an has a list of the vices which are punishable under the Islamic law as *hadd* and *qisas*. They are theft, robbery or banditry, adultery, slanders on adultery, intoxication, apostasy and murder.

It needs to be mentioned that right from the time of the Prophet, the room for freedom of religion had been made widely open. It is on record that a delegation from the Christians of Najran went to visit Prophet Muhammad in Madinah while the Jews residing in Madinah joined their Christian counterparts in a public debate resulting in a tripartite dialogue between Judaism, Christianity and Islam. The three scriptural religions thus confronted one another in Madinah. Haykal 1982 documents what transpired at the public debate forum in the following statement:

The Jews were obstinately denying the prophethood of Jesus as well as Muhammad, ... The Christians were defending trinitarianism and the divinity of Jesus. Muhammad was calling men to recognize the unity of God and the spiritual unity of mankind. Most Jews and Christians asked Muhammad which prophets he believed in. He answered: "We believe in God, in what has been revealed to us, to Ibrahim, Isma'il, Ishaq, Ya'qub, and his children. We believe in what has been revealed to Moses, to Jesus, as well as in all the revelations which the prophets have received from their Lord. We do not differentiate between them. And we have submitted ourselves to God."<sup>20</sup>

The above submission of the Prophet was said to have summoned Jews and Christians alike; the latter thus resolved neither to oppose Muhammad nor the missionary activity of his



followers. What an excellent sense of freedom of religion during the period! The recognition accorded the *ahl al-kitab* in the Qur'an serves as a living testimony of freedom of religion in Islam. To substantiate this recognition, Islam approves the consumption of the food of *ahl al-kitab* and marrying of their daughters as well (Q.5:5). The Prophet himself threatened anyone who disrupts the freedom of the *Dhimmis* (non-Muslims residents in an Islamic state) with the wrath and punishment of Allah when he said:

On the Day of Resurrection, I shall dispute with anyone who oppresses a person from among the people of Covenant, or infringes on his right, or puts a responsibility on him which is beyond his strength, or takes something from him against his will.<sup>21</sup>

At this juncture, it is pertinent to observe that religion has come to foster unity among mankind despite its pluralistic nature. The fact that man operates in a pluralistic age does not imply that he cannot still operate in unity and under atmosphere conducive for peaceful living.

### **Religious Freedom in a Pluralistic Nigerian Society**

African Religion was noted to have maintained and demonstrated a deep sense of religious freedom when it came in contact with Islam and Christianity which were alien to the Africans. It is on record that Ifa oracle had advised the people of Osogbo to host Muslim clerics who would be coming to the town and possibly convinced them to stay permanently in the town. Ifa oracle was also said to have advised Egba leaders to allow their children to adopt Islam. It also encouraged marriage relations with the Muslim cleric and to even build a house for the Muslim cleric on the war route leading to Abeokuta.<sup>22</sup> This same Ifa oracle was said to have predicted the coming of the Christian missionaries in 1846 and encouraged the Egba people to allow them to freely practise their religion. In other words, the African Religion had prepared free ground for Islam and Christianity to operate in some towns in Nigeria ever before the coming of the adherents of the two religions. This spirit portrayed the fact that the new religions were coming to benefit the



people and this could only be attained in an environment where the religions were allowed to be freely practised. However, it is sad to note that contrary to the spirit of freedom exhibited by African religionists, Muslims and Christians do occasionally for personal interest antagonise each other for any innovative thing that can better the lots of the society. For instance, the then Zamfara State Governor, Sani Yerima observed that his State was ravaged by the evils of prostitution, alcoholism, brigandage and gambling and that introduction of full implementation of Shari'ah in the State was capable of ridding the society of the immorality and obscenities. However, no sooner than the Shari'ah was inaugurated in Zamfara State that the media started their campaign against the step "depicting it as unprogressive and against the unity of the country."<sup>23</sup> Interestingly, the bulk of the condemnation came from the southern part of the country and non indigenes of Zamfara State.

Another good example is the numerous campaigns against non-interest banking model in Nigeria. The step of the Central Bank of Nigeria (CBN) to come up with a regulatory framework on non-interest banking system in Nigeria was taken by the former Governor of the CBN, Professor Charles Soludo. Soludo's successor who is now the Emir of Kano, Sanusi Lamido Sanusi however became the object of attack while his previous achievements in the office were no more acknowledged simply because he proffered Islamic banking as solution to the prevailing global economic meltdown.

The multi-religious nature of Nigeria could not be seen as a negative development, in view of the multi-faceted nature of human environment itself and the nation's constitution which allows for freedom of worship. The 1999 Nigeria Constitution, Section 38(1) for instance, clearly spells out that "every person shall be entitled to freedom of thought, conscience and religion, including freedom to change his religion or belief, and freedom (either alone or in community with others, and in public or in private) to manifest and propagate his religion or belief in worship, teaching, practice and observance." Another section of the Constitution section 4(4)(7) reads: "The House of Assembly of a



state shall have power to make laws for the peace, order and good government of the state or any part thereof" and this was used by some of the northern state governors to re-introduce the Shari'ah legal system in their respective states. This provision of the constitution has made twelve out of the nineteen northern states in Nigeria to re-introduce the application of Islamic criminal law in the shari'ah courts. This step was championed by Zamfara State which inaugurated her Shari'ah in 1999 while others followed suit and expanded the jurisdiction of the respective state's shari'ah courts to hear, among others, matters of Islamic criminal law according to the Maliki school of law. The shari'ah penal codes are subsequently enacted in some of the concerned states to provide for offences that attract *hadd* (deterrent punishments), *Qisās* (retaliatory punishments) and *ta'zir* (discretionary punishments).

One serious factor hampering the effective utilization of religion for the purpose it is meant to achieve in the society is ethnicity. The preponderance of Christianity in Eastern and Islam in Northern Nigeria shows to what extent each region was identified with each religion. This explains why religion was considered a major factor in the 1966-70 Nigerian civil crises. The Christian missionaries were therefore accused of leaving missionary works to become mercenaries. Due to these crises, the "Biafran" Christians declared their loyalty to the secular authority, while Biblical analogies were drawn to justify Biafra's stand. The spate of ethnicity in the country is so serious that it may take a Hausa Muslim a decade or more to secure a job in a government department in a predominantly eastern Christian city. In the same vein, it will be a nightmare for a number of Christian groups to apply for a parcel of land to build churches in the predominantly northern Muslim city. With this analysis, Anis 2005 sees discrimination on the basis of ethnicity or religion as a common phenomenon in Nigeria despite the fact that the country's constitutional provision frowns at it and embraces unity in diversity.<sup>24</sup>



### Dividends of Religious Freedom in Nigeria

The foremost important experience of religion in Nigeria is its introduction of the art of reading and writing to the nation and its consequent adoption by Nigerians. With particular reference to Islam, the religion came to liberate Nigeria from being a dark country by preserving the nation's history through introduction of Arabic education. In actual fact, Arabic became a common language in Nigeria with which many works were written and documented. Many of these manuscripts are now kept in libraries, archives and in private collections.

In addition to the above, it is not an over statement to say that there were official correspondences in Arabic between the Bornu court and the British government; the Sokoto jihadists and the Bornu scholars and between the Sultan of Sokoto and the Iwo community of the present Osun State. It could therefore be seen that religion then was used as a unifying factor across the ethnic groups in Nigeria. Not this alone, Arabic language, which is the language of Islam, could also be regarded as a donor of words to many Nigeria languages. Just as the Hausas would refer to scissors and thumb as *Almakashi* and *ibhami* respectively, the equivalent words of these are *Al-Miqass* and *Ibham* in Arabic. *Laluuri* and *Riba* are two Yoruba words which connote necessity and usury respectively. They have their origin in *Dharuri* and *Riba* in Arabic.

Practically, religious groups and individuals have contributed immensely to issues of national and international understanding. The area of this positive contribution that quickly comes to mind is education. Right from the colonial era, religious bodies have risen to the task of establishing schools for the purpose of educating the masses. Though, the intention of establishing such schools might be for evangelization, it later became a useful weapon to fight colonialism. The provision of personnel for different nations was therefore facilitated through educational opportunities provided by these religious bodies.

Further still, it has been observed that government alone could not meet the educational demands of the entire citizens of a country. Religious bodies and individuals have therefore come to the aid of government by establishing schools, colleges and



universities. It is interesting to note that majority of the private universities in Nigeria are established by religious bodies, and in so doing, the yearning for university education by secondary school graduates is a little bit solved.

Another dimension to religious experience in Nigeria is in the field of Special Education. The role of religion especially the Christian missionaries in taking care of the physically handicapped is acknowledged in this regard. As far back as 1914, Rev Brown of the Baptist Mission and Rev. Olubi of CMS Church founded the Iberekodo Leprosy Settlement in Abeokuta. In 1956, the first institution for the deaf – the Wesley School, was established in Surulere, Lagos by a group of humanitarians, though with little success. The intervention of the Anglican Mission, Ibadan Diocese helped in sustaining the school at Ijokodo Ibadan. The Pacelli School for the Blind was conceived by Archbishop Leo Taylor, the then Catholic Bishop of Lagos in the late 50s with the assistance of the Irish Sisters of Charity and other experts in the education of the blind. Apart from this, a number of orphanage centres have been opened by different religious bodies to take care of the orphans and motherless children in the society.

- The influence of freedom of religion could also be felt in the aspect of provision of health care for the society irrespective of religious affiliation. In the history of Islam in some Yoruba towns, many people embraced the new religion by virtue of the efficacy of the prayers and spiritual assistance rendered by Muslim clerics to some towns. This is true of Ede, Osogbo and Ikire in Osun State. Apart from spiritual assistance rendered by religionists to solve personal and national problems, some religious bodies have risen to the task of establishing health centres to take care of the health of the people. The first ever Mission hospital in Nigeria was a 60-bed hospital by the RCM in the Kingdom of Kororofa in 1705. Adiele 1988 has it that the first Christian Mission Hospital in Igboland is the CMS Hospital at Iyi-Enu near Onitsha which was built in 1905.<sup>25</sup> Through these mission hospitals, such dangerous diseases which proved to be stubborn to the traditional healers like yaws, hernia, small pox and leprosy were not only treated, but were also prevented. In short, the wasting of lives of



innocent animals and those of human beings at times in the name of sacrifice to appease gods to ward off the spirit of the small pox became a thing of the past. One can confidently say as well that religion through the establishment of hospitals has played commendable role in the control of communicable diseases by giving mass inoculation against diseases like small-pox, rabbis, tuberculosis, measles and polio among others.

Religious freedom in Nigeria has also assisted in the economic progress of the nation. A summary of this is expressed by Adiele 1988 when he writes:

Religion also functions as a vehicle of economic growth by being a massive employer of labour. In the African continent, one readily thinks of traditional and Christian priests and the religious (Rev. Brothers and Sisters), Muslim Malams/Imams; traditional magico-religious healers, their Muslim counterparts and the elaborate medical systems of Christian missions as well as the vast number of people employed by religious organisations in various educational institutions at various levels – all ever developing, ever multiplying. A fraction of the value of religion in the national or global labour market appears in bolder relief when we imagine a situation in which the millions of people that earn their livelihood in the religious sector were to join the swelling crowd of the unemployed ... with all the natural socio-economic stress for governments and their societies ... Here again, religion is making a significant contribution.<sup>26</sup>

The sense of freedom of religion has culminated in the close relationship between leaders of the two major faith communities in Nigeria, namely the Supreme Council for Islamic Affairs and the Christian Association of Nigeria for the purpose of promoting inter-religious dialogue and to ensure peaceful co-existence in the nation. The Nigerian Inter-Religious Council (NIREC) which started in 1999 has created forum for inter-religious dialogue and has intervened in many socio-political and religious crises. It has also tried to address some inter and intra religious crises that are capable of destroying the nation.

Freedom of religion in a pluralistic society fosters healthy



rivalry among adherents of religions. This is true of Nigeria where religion has influenced some social decisions and has attracted agitations from adherents of other religion. It is a fact that the weekly Saturday and Sunday holidays were designed to allow for Christians to observe their religious rites. Some Muslims are now agitating for declaration of Friday as work free day as well claiming that what is good for the goose should equally be made good for the gander forgetting that their scripture stipulates that they should go back to their places of work after the conclusion of their Friday worship. In the same vein, pilgrimage to Jerusalem could not be said to be a core principle of Christianity. It was introduced to emulate the Muslims' annual pilgrimage to Makkah and Madinah which is the fifth pillar of Islam. Buttressing this point, Onaiyekan 2010 writes:

As for Christianity, the situation is quite clear. No one is obliged to go on pilgrimage but those who want to go will be blessed by God especially when they go at great expense to themselves. Considering the level of poverty in the land, and the difficulty of government serving the needs of the people, there will continue to be many who will be asking whether indeed government ought to spend money on pilgrimages rather than on other areas of social welfare. Indeed, I would strongly suggest that the money government wishes to spend on pilgrimages should be made available to religious organizations to carry out their social services to the people so that the poor may be assisted. The rich can go on pilgrimage and maybe also sponsor the poor to go with them. Those who cannot will pray at home and God will hear the prayers of all who are faithful to Him.<sup>27</sup>

In the field of politics, freedom of religion has also influenced some political decisions. In the pre-independence era of Nigeria, as soon as the country was formally handed over to the British government by the para-missionary-commercial body called the Royal Niger Company in 1900, the flavour of religious influence started to be smelled on political decisions. Various missionary bodies were given free hand constitutionally to establish, manage and fund their own mission schools and colleges. A sort of healthy



rivalry was later observed in the establishment of schools and colleges by Muslim bodies who felt that the Christian schools were established for the purpose of converting Muslim children to Christianity. The emergence of such religious bodies as the Ansar-Ud-Deen, Nawairu-Deen, and Ansarul-Islam witnessed the establishment of primary and secondary institutions where western education was received by Muslim pupils without any fear of losing their religious identity. The approval of the Federal Government of Nigeria of involving private individuals and organizations in the establishment of universities has yielded results, as many religious organizations are now actively involved in the establishment of universities.

Soon after independence in Nigeria, a lot of political decisions were made that was beset by religious considerations. A particular issue that comes to mind was that of diplomatic ties with Israel. The provisions of the Independence/Republican Constitution gave regional governments nullifying power over the implementation of certain treaties and endowed both the Federal and regional governments with concurrent jurisdiction over industrial development. The provisions suited the various regional and religious interests of the constituent units of the Federation. The opportunity was used by the Federal government to permit the Israel government to open an embassy in Lagos as early as mid-October 1960.

The mutual cooperation of Nigeria and Israel was beneficial to Nigeria, as the Coker Commission of Inquiry later revealed that the Federal Government entered into an agreement with the Israeli government for a technical assistance loan of two million pounds. Not this alone, the Israeli government also promised to assist Nigeria in the implementation of Nigeria's six-year development plan. Although, these developments were able to be attained through mutual relationship between the two countries, one cannot rule out the fact that religion was a major factor for the possibility of such relationship. The fear of this relationship was mainly the reason for the objection of the NPC-controlled Northern region government which it saw as a way of luring Nigeria into the Israel-Arab conflict. In the same vein the issue of Nigeria's membership



of Organization of Islamic Conference has its economic significance but which has not been judiciously tapped by the government possibly for fear of being accused of one-sidedness and possible condemnation by non-Muslims. Whatever the case may be, if countries like Gabon, Cameroon, Benin, Sierra Leone and other African countries are members of the Organization without becoming Muslim or Islamic countries, one wonders why Nigeria should not come out to say her stand on her membership of the organization and as well reap the fruit of her membership.

### **Religious Freedom in Nigeria: The Other Side of the Coin**

From all indications, the Nigeria constitution gives room for freedom of religion. This provision of the constitution is however being abused by adherents of religions. There had been instances of clash and violence consequent upon such misuse and abuse of freedom of religion in Nigeria. Freedom of religion is being misused when adherents of a particular religion decide to tramp upon the rights of others when carrying out their religious activities. This is mostly true of African traditionalists who impose broad-day-light curfews on communities, and at times especially on women all in the name of sacrifices or traditional rites which could not be seen by all. The reactions of those who felt being cheated by this step have normally been bloody. Several litigations are also in courts of law consequent upon such clashes. Instances of abuse of freedom of religion seem to have beaten the imagination of Onaiyekan 2010 when he asked and answered some pertinent questions thus:

... is there no limit to this freedom? Obviously, every freedom has limits because my freedom stops where your own begins and here I believe there is still a lot of work to do. Let us raise some practical cases. Does freedom of religion include the freedom to disturb the sleep of everyone throughout the night under the guise of revival or general preaching and doing that every day of the year? At times, freedom of religion seems to clash with the freedom of citizens to use the highways. Spiritual revival is very good, especially for those taking part in it. But when it blocks the highway for several hours, and



even traps people in their cars and buses for a whole night, then there is need for some effective state intervention. Does freedom of religion allow anyone to preach whatever he likes, including inciting people to violence? I think the law enforcement agencies of the land should be effective enough to ensure that every citizen has a minimum of right atmosphere to live his/her life while guaranteeing the basic freedom to practise one's faith and to propagate it to others as well as the freedom to change one's religion or retain it.<sup>28</sup>

One needs not look far before realizing that religious freedom has been misused in the context of Nigeria. Many religious men have been religiously intoxicated to the extent that they command their followers to commit suicide. Many have also been religiously indoctrinated to the extent that they are ready to do anything they are commanded to do by their religious leaders. The case of one Madam Bosede, a member of the Celestial Church of Christ (CCC) in Abule-Egba, Lagos is relevant here. Bosede surrendered herself to be burnt beyond recognition with her belief in the claim of the prophet of his church that God whispered to him that with the presence of God in their midst, the woman would not burn if she was set ablaze. She therefore surrendered herself to be wetted with kerosene and was set ablaze. The woman was burnt beyond recognition before she could be rescued from her 'excessive' obedience to the command of the prophet who himself felt disappointed at the happening as he failed to distinguish between the voice of God and that of the devil.<sup>29</sup>

In addition to the above, it is a fact that religion is a major force of mobilization for the society. Rather than preaching the mind of God to people, some religious leaders are using the opportunity to exploit people for their personal aggrandizement, using the congregation as source of money and other financial benefits. What we are trying to emphasize here is that spiritualism has been downplayed to materialism in the contemporary Nigeria to the extent that the General Overseer of a particular church publicly declared that "true worship of the Lord is not complete if it has not touched our pockets." One wonders what the preacher was actually trying to preach to his people – that a committed



worshipper who is not rich has not been worshipping God, or that the main reason of worshipping God is to become rich. Commercialization of religion is therefore a gross abuse of religion. The so called anointed ones are now sunk in materialism that it is difficult for them to move out of it. The case is no better than the sale of indulgences in the Papal age when the church was pursuing means of financing its burgeoning bureaucracy and other activities and therefore became worldly and material-conscious to the extent that the work of God became secondary to it. The proliferation of places of worship; the littering of our roundabouts and every conspicuous place with posters, and signposts, as well as various religious advertisements on electronic and print media indicate the extent of freedom of religion as well as the level of religiosity of Nigerians. However, one doubts the spiritual seriousness of some so called 'men of God', as their calls are commercially motivated.

While talking of the hi-tech commercialization of religion, it is expedient to mention the small scale exploitation of the masses through street begging using religion as basis for their action. Such religious sayings like *fi sabilillah* (spend for the cause of Allah), Du Allah Du Annabi (for Allah's sake and for the Prophet sake) and recitation of part of the Qur'an in the lips of street beggars clearly indicate that these beggars are hiding under Islamic teaching of charity to exploit the public losing sight of the Shari'ah's injunction on who should beg for alms and when should one beg for it. It has been confirmed that some of these street beggars have bank accounts with thousands if not millions of naira savings.

One important development in the abuse of freedom of religion in Nigeria is the name the country has made in the aspect of child abuse, religion being a contributory factor. A UNICEF report confirms that Nigeria is being rated high in accusation of children of witchcraft. Instances of this abound in our dailies. Of recent, an eight-year old Uduk was accused of possessing supernatural powers and was thus declared a witch by a prophetess at a vigil in Eket, Akwa Ibom State. The allegation made the mother to disown him while the father was as merciless to him as to splash acid at his



face leaving him with blisters and also chased him out of the family's home. The ugly incidences of making our churches centres for detecting and declaration of children as witches have no doubt dented the image of Nigeria internationally. A multi-part documentary on Briton's Channel 4 "Saving Africa's Witch Children" shows shocking cadres of children in Nigeria accused of being witches. A girl narrated how a pastor told her mother she was a witch and the mother believed and burned her with fire. Another girl was declared a witch, then beaten and forced to identify the other witches in the village all of whom were then tortured. Gary Foxcroft, the Programme Director of Stepping Stones Nigeria, a non-profit organization that helps alleged witch children in the region confessed that children accused of witchcraft are often incarcerated in churches for weeks, beaten, starved and tortured in order to extract a confession. Our little knowledge of the Bible does not show an instance where Jesus resorted to torture, starving and beating as means of healing any ailment or detecting witchcraft. So, the claim by some pastors to have possessed spiritual power to identify witches and their consequent ill-treatment of children is serious misuse of religion in the contemporary Nigeria.

Finally, there is the need to mention that religion is being dragged into communal feud, political favouritism and some other ideological misconceptions. The October 1991 Tiv-Jukun ethnic crisis; the incessant crises between the Seyawas and the Fulani in Bauchi State; the communal feud between the Katafs and the Hausas in Kaduna State; the Jos crisis of 2008 and the July, 2009 Boko Haram crisis which emanated from Dutsen Tenshin in Bauchi State and later spread to Kano, Yobe and Borno States and is still raising its ugly head up till now, are all examples of crises which have been given religious coloration. Such a misuse of religion to foment trouble is a great bane to religious harmony amongst adherents of religions in the country. During such crises, innocent souls who could have contributed meaningfully to the development of the nation have been mercilessly killed, maimed or rendered handicap. Instances of religious and political crises in the nation have impacted negatively on its economy due to incessant



curfew mounted to checkmate them by the authority. In the words of Onaiyekan 2010 "when religion is dragged into conflicts that have other causes, it has the negative and unfortunate consequence that the real force and positive power of religion to bring about peace and reconciliation are compromised, jeopardized and subverted."<sup>30</sup> It however needs to be mentioned that this ugly incidence has become a characteristic of the pluralistic society.

To look at it from a global perspective, one observes that for centuries, nations had been engaging on activities that are inimical to peaceful co-existence among them. The trans-Atlantic slave trade from Africa to America, the colonization and exploitation of African and Asian countries and the genocide of the indigenous Americans and Australians are instances of this. The bombing and killing in Northern Ireland, the massacres of the Hutu and Tutsi populations in Rwanda, the Mafia criminal organizations of Italy and America and the Apartheid system of South Africa are other instances.

### **Conclusion**

The summary of our discussion so far is that religion itself is a unifying force capable of bridging the gap of differences in a pluralized society. It however becomes an instrument of polarization in the process of translating religious theories into practice due to ethno-political and economic intervention. In the same vein, attempt has been made to look at perceptions on national development and that of Islam on it. We therefore conclude that measuring the level of development of a nation in the lens of material achievements is grossly inadequate, as events abound that most of the developed nations still face many trials and shortcomings in their developmental attainments. The relegation of spiritual development in their developmental scheme has rendered the so-called development to nothing but pseudo-development. It therefore becomes imperative that religion be made more meaningful in the society; and this can be attained when adherents of religions prove their religious worth by demonstrating the virtues of these religions. In order to do this effectively, dialogue needs to be promoted to enhance mutual



understanding and global peace. Inter and intra-religious spirit of togetherness should be developed by adherents of religions especially Muslims and Christians so that the virtues of the two religions would not be jeopardised for selfish interest.

While it is worthwhile to mention that religion has been positively utilised to enhance national development in Nigeria, religion at the same time is being used negatively as an instrument of exploitation. Decorum therefore needs to be introduced into the operating system of religion in the country. This can be in the form of inaugurating Ministry of Religious Affairs at local, state and federal levels of government, with the task of moderating the activities of religious operators and checkmating their excesses. If this is done, we hope religion will continue to be a virile instrument for national development in the pluralistic Nigeria environment.

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