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MILITARY GOVERNMENTS AND ASSAULTS ON NIGERIA'S SECULARITY

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Introduction

(a) Background

Nigeria today is a nation in crisis. Apart from the problems of political instability, depressed economy with the attendant widespread hunger and hardship, there is the mounting tension produced more by religious manipulations than by religious intolerance. Nigeria like many other nations of the world is a country with a multiplicity of religions with the outstanding ones being Christianity, Islam, and the African Traditional religion, which have all been in conflict especially since the Organization of Islamic Conference controversy of 1986.

In the United States of America, the Supreme Court overruled in June 1985, a statute of the state of Alabama which authorised public schools there "to observe a one-minute silence for meditation or voluntary prayer". The supreme Court of the United States gave as reasoning behind the decision the point that the statute of Alabama State represented an establishment of religion which action violated the First Amendment to the United States Constitution stating that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof"¹. Again Turkey in December 1984 jailed 23 members of some religious sects for violating the country's law on proselyting because of their door to door preaching and pamphleteering.²

Many Nigerians will wonder at the two actions taken in the USA and Turkey. They will ask how a minute's silence in a classroom of noisy students will endanger the religious liberty of American people. Nigerians who are used to the door-to-door preaching of Jehovah's Witnesses men and women, the blaring of loudspeakers mounted on roof-tops calling Muslim faithful, and daily religious preachings in public buses and taxis will think the government leaders in Turkey are mad for jailing door-to-door pamphleteers.

However the point must be made, that the United States of America and Turkey are secular states and it is the duty of the governments to religiously maintain, and promote that secular status, and also protect the religious liberties of the citizens. Such effective maintenance and promotion of the secularity of the nation and protection of the religious liberties of the citizens have not existed in Nigeria partly because governments, especially military governments as this study shows have been party to the assaults on Nigeria's secularity.

(b) The Concepts of Secularism and Secularity

Before going into analysis of the role of military governments in the erosion of Nigeria's secular status, we wish to discuss first the concepts of secular, secularism, and secularity, and highlight the relevance of secularity in a multi-religious society like Nigeria. The word "secular" comes from the Latin word "secularis" which means "temporal"; and it is taking to mean "of or relating to worldly as opposed to sacred things", or "having no particular religious affinities".³ Secularism is a doctrine that rejects religion. It represents the attitude that religion should have no place in civil affairs, and civil rulers should have no interest in religion. In this situation, the society is said to be secular in status or condition. This condition of being secular is referred to as secularity. Secularism and secularity however have a subtle distinction between them.

Secularism began as a movement in society directed away from "other worldliness to this worldliness". It began as a result of the situation stemming from the medieval period in which religious authorities despised human affairs and concentrated on God and the after-life. The humane thinkers of the Renaissance time took to secularism with emphasis on humanism. This meant that leaders should show proper interest in human affairs and pursue the fulfilment of man in this world and not just focusing only on divine matters. We must emphasise the point that secularism "has been in progress during the entire course of modern history, and has often been viewed as being . . . anti-religious",⁴ whether Christianity, Islam, Judaism, or Taoism etc. Secularism is based on the "principles of natural morality and independent of revealed religion or supernaturalism".⁵ Its first tenet is "freedom of thought" which most Christians have accepted today unlike the strong opposition it faced from Christians when secularism was promulgated about the year 1846 by George Holyoake in England. This freedom of thought implied the right to hold different opinions on all subjects of thought including the "foundations of moral obligation, the existence of God, the immortality of the soul, the authority of conscience" and others. However, it is important to note that secularism does not combat the pretensions of religions; and does not say there is no God. It aims at finding "that material condition in which it shall be impossible for man to be deprived or to be poor"; and maintains that "there is light and guidance in secular truth, whose conditions and sanctions exist independently, act independently and act for ever".⁶

We are aware of the distinction made by some writers and thinkers between secularism and secularity to the extent that the former is seen in pejorative terms while the latter is seen in positive terms. For example, White interpretes secularism in terms of "worldliness", or "an exclusive concentration on the things of this world".⁷ Our concern in this paper is secularity which is a positive value, for while prescribing the separation

of the state and religion, it, unlike secularism, allows religion to render services to men and restrain government when it tries to over-step its limits. Our discussion of secularism is simply meant to enhance a comprehensive view of the evolution of the concept of secularity which is our focus. Kambasaya brings out the positive value of secularity when he writes:

"Secularity" on the other hand, while being described as belief in secularism, can more appropriately be seen as a state of being neutral in religious affairs —neither opposing nor promoting religion. Far from being totally uninterested in religion, it acknowledges the existence of religion, appreciates the fact that members of its "secular community" are at the same time adherents to diverse religious beliefs. As such it respects those beliefs while at the same time keeping an eye on religion, so that religion does not overstep its boundaries to infringe in matters of public interest thereby jeopardizing public peace.⁸

From the above, the relevance of secularity for a nation especially a multi-religious nation like Nigeria can be perceived clearly. It will enable the government enforce national laws on religious freedom freely, firmly, and fairly; and ensure that public policies, programmes, and actions of government are not dictated by any particular religion's regulations or doctrine. Secularity does not mean that people should not worship God/Allah in churches, mosques, or shrines, or that people should not behave morally. In Nigeria's context, it is useful in the sense that since there are many religions, none one of which can not be imposed on all the citizens without precipitating religious war and national disintegration, the best way out is to prevent government from adopting or being affiliated to any one religion, thus enabling the government regulate all religions as an impartial umpire and conduct national policies and programmes without introducing a religious element.

(c) Is Nigeria a Secular State?

From the above discussions on secularism, a secular state can be referred to as a country which does not conduct its affairs on the basis of a divine doctrine, but on secular principles as laid down in its laws at least. The question as to whether Nigeria is a secular state arises here for two reasons mainly. The first reason is that we have to show that Nigeria is a secular state before we can talk of assaults against her secular status. Secondly, in the heat of religious controversy, some people in the past have said that Nigeria is not a secular state. To answer the question, we wish to recite some references. First, let us examine the fundamental laws of Nigeria. The 1960 Independence Constitution of Nigeria provided in Chapter three, section 23 (1) for freedoms of thought, conscience and religion, and prohibited enforced religious education. The 1963 Republican constitution repeated these provisions in section 24.

It was on the basis of such constitutional provisions that Sir Abubakar Tafawa Balewa refused to register Nigeria as a member of the World Muslim League at the request of Sir Ahmadu Bello, the Sardauna of Sokoto in the First Republic. Sir Bello having been made the Vice-Chairman of the World Muslim League, demanded that the Prime Minister (Sir Balewa) register Nigeria as a Member. As recorded by Ogunsanwo:

Balewa... insisted that Nigeria was a secular state and could not as the Sardauna demanded join the World Muslim League as a state...⁹

The 1979 Constitution of the Federal Republic of Nigeria also made provisions for Nigeria's secularity. Section 10 clearly prohibited government affiliation to any religion by stating that "The Government of the Federation or of a state shall not adopt any religion as state religion". Section 35 (1) goes further to emphasise individual religious rights by stating 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.

Section 35 (2) went further to state that:

No person attending any place of education shall be required to receive religious instruction or to take part in or attend any religious ceremony or observance if such instruction, ceremony or observance relates to a religion other than his own, or a religion not approved by his parent or guardian.

In Section 35(3), the constitution also provided that:

No religious community or denomination shall be prevented from providing religious instructions for pupils of that community or denomination in any place of education maintained wholly by that community or denomination.

Section 202(b) of the 1979 constitution in addition to the above provisions prohibited the formation of political parties on religious platform by stating that:

No association by whatever name called shall function as a political party unless the membership of the association is open to every citizen of Nigeria irrespective of his place of origin, sex, religion or ethnic grouping.¹⁰

These legal provisions are meant to ensure that citizens enjoy religious freedom, and that the state or government does not affiliate itself or show partiality to any one religion.

In his public lecture titled "Law as an Instrument of National Unity" delivered at Benin on 24 April 1987 as part of the Public Service Forum Lecture series, Dr. Akinola Aguda, then Director General of the Nigerian Institute of Advanced Legal Studies, University of Lagos declared:

People have sometimes argued as to whether we have a secular state or a religious state. I usually marvel at such people. That dichotomy appears to me unwarranted and unhelpful... The Constitution is quite clear. It means precisely what it says. It prohibits all the 20 governments from turning themselves to religious states... Section 10 of the Constitution says that "The Government of the Federation or of a state shall not adopt any religion as a state religion... And that provision must be read along with Section 35... The position today is that the citizens of this country can be grouped into three: Christians, Moslems, and Traditional Religionists. The fourth group consists of those who do not believe in the existence of any God however called or described... In these circumstances the law can do no more than wash its hand off giving support to any group if its intention is to forge the desired national unity. In my view that is precisely what the 1979 Constitution has done."¹¹

The OIC Panel set up by President Babangida to investigate the implications of Nigeria's full membership of the OIC in January 1986 made a statement read by the then Minister of External Affairs, Prof. Bolaji Akinyemi in Abuja indicating the 24 member Committee's agreement advising that "the nation's secular status be preserved". The Committee also "resolved that Nigeria remains a multi-religious nation, and that nothing be done to infringe on Section 10 of the 1979 Constitution."¹²

We also recall that at the Kuru All-Nigeria national conference on foreign policy organised by the Ministry of External Affairs in April 1986, both the Political Committee and the Social and Cultural Committee of which the author was a member recommended, and the Conference adopted the recommendation at the general session considering Committees' reports, that the constitutional provisions making Nigeria a secular state be upheld; and that Nigeria is a secular state and should not belong to or have diplomatic relations with any international religious organisation. From these positions, it is clear and we wish to emphasise here that Nigeria is a secular state.

(d) The Evolution of Nigeria's Secularity

There were days when some other races saw Africa as a jungle of superstitious and paganistic practices, and doubted the ability of the "untutored African to conceive of God", whom these races said was

"a philosophical concept which savages are incapable of framing".¹³ But Africans despite their numerous deities like the Ala (Land goddess of the Igbo), Sango, Ogun etc (god of thunder & Lightning, and god of iron respectively of the Yoruba) knew of Almighty God even before the coming of Islam and Christianity, hence Chineke in Igbo means God the Creator, whom the Yorubas call Olorun. The different traditional societies that make up what is now called Nigeria were in fact theocracies in the period before Islam, Christianity and colonialism; and political leaders were in most societies religious leaders and chief celebrants in religious worships. As Ade-Ajayi wrote about that period:

Some rulers were essentially priests presiding over the community shrine. . . Others were ritual rulers whose persons were sacred. . .¹⁴

Islam was the first foreign religion to come to these societies, with the first innocent contact with the North being made in the 9th century through the trade expeditions of Berber muslim merchants in the Kanem-Bornu.¹⁵ It was the Jihad (holy war) of Usman dan Fodio that destroyed the traditional religions of the Hausas in the early 19th century and set up the caliphate system, and spread south west-wards till it was halted by the Ibadan people in 1843. Christianity was the next foreign religion to come through the South, with the first contact being through the Portuguese traders who came to Benin Kingdom in late 15th century.¹⁶ It was later spread by Missionaries. British colonial rule began in the Lagos colony in 1861, in the Northern Provinces in 1900, and for the amalgamated Nigeria on January 1, 1914.

The colonial masters thus met three religions in Nigeria—Islam, Christianity and Traditional Religion; and since the colonial Governors were not "fishers of men", they left the Alhajis, Reverends and Shrine Chief Priests to fish for men and their souls, while they (colonial masters) fished for political powers and economic resources needed badly in Britain. Alarmed by the speed with which Christianity was spreading northwards, the Emirs and Sultans complained to Lugard who helped to slow down the speed. The Emirs' and Sultans' fear of colonial clamp-down on Islam made Lord Lugard promise them that:

Government would in no way interfere with the Mohammedan religion. All men are free to worship God as they please.

With that promise, Lugard did not allow Christian missionaries to penetrate core Muslim areas in the North, as he interpreted such penetration and allowance as government interference. This statement or promise by Lugard can be regarded as the foundation stone of Nigeria's present day secularity, (though the christians can argue that Lugard's action limited the spread of Christianity and constituted interference) as subsequent colonial administrators upheld the policy, and thus did not

impose any one religion on Nigerians, not even the Christian religion of the colonialists. They preferred religious tolerance, harmony and, peaceful coexistence. This spirit of secularity was at Independence transformed into legal provisions in the 1960 Independence Constitution, 1963 Republican Constitution, and 1979 Constitution.

It is however important to mention here that there were policies inherited by the Balewa government at independence from the colonial administration of Governor Robertson. These include the celebration of the commencement of the legal year in the Anglican Church, public holidays at Christmas and Easter, school curricula, school year, removal of cap in the court, resting from work on Saturday and Sunday etc. Most of these policies were no doubt influenced by Christian values, and later became targets of complaint by Muslims. But critics may ask why the Muslims did not iron these issues out with the colonial masters, or during the days of Constitutional Conferences instead of coming now to blame Nigerian Christians for them! These policies were imposed on all Nigerians by the colonial masters not as Christians but as conquerors ruling with the policies and practices they knew from home, just as they imposed their hegemony, tax, indirect rule, etc on us. Secularity from the beginning was based on the need to remove government from all religions, promote religious tolerance and harmony, and protect individual religious freedom.

(e) Objective and Significance of Study

The task of this modest piece is to examine the role military governments have played with regard to the secularity of Nigeria. Studies as this have become relevant in the present times because available data tend to show that assaults on Nigerian's security have occurred under military rule especially from citizens via utterances and religious riotings, and government actions and policies. Also, of recent (November 1988), the Babangida administration stopped the Constituent Assembly members sitting at Abuja from further debating the issue of the Sharia, reserving the final decision on the matter for the Armed Forces Ruling Council. While we do not intent here to doubt the patriotism of the AFRC members it is still important to indicate the danger of further military assault on Nigeria's secularity.

A critic may ask why pick on the Military alone? What of the civilian governments? The answer is not far fetched given the explanations above.

The Analyst recently stated and rightly too, in an editorial comment that:

Since the palaver over Nigeria's role in the Organisation of Islamic Conference in 1986, political tension over religion has been heightening.¹⁸

Not only these, this country has witnessed only two civilian governments in its 29 years of independent existence: the Balewa government (1960—1966), and the Shagari government (1979—1983), both totalling 10 years, out of 29 years. The Balewa government respected and protected the secular status of Nigeria, especially when one considers its blunt refusal to drag Nigeria into the World Moslem League. Alhaji Shagari during his campaign in 1978—79 promised not to raise the issue of Sharia if he was elected President. He kept to his promise, though he later attempted to create a Department of Islamic Affairs under his Presidency. Again Shagari dragged the Federal Government into religion by donating ₦10 million and a parcel of land to build a mosque at Abuja, and promising Christians the same thing though the promise was not redeemed before his overthrow. Again in 1982, Shagari, thinking probably that his government was displaying religious tolerance, but more in terms of political campaign strategy, invited the Pope and Arch-bishop Runcie of Canterbury to Nigeria to some extent at public expense. The question many of us asked was why Nigerian tax payers' money should be used to promote religion in a secular state. All the government needed to do if the Pope wanted to visit Nigeria was to welcome him at the airport as a Head of State and hand him over to the Christian Community. Admittedly, the Pope came to Nigeria at his own expense and that of the Catholic Church, but public money was spent to welcome him. He is Head of state, but he is also a religious Head.

However, these later acts of the civilian government can not be compared to the foundation and later assaults especially in the legal fora on the nation's secularity by the military governments as discussed in the next section.

Nigeria's Secularity and Military Governments

Nigeria has suffered or enjoyed the services of five different military governments since independence in 1960: the Ironsi regime (January—July 1966), Gowon (July 1966—July 1975), Mohammed/Obasanjo (July 1975—October 1979), Buhari/Idiagbon (Dec. 1983—Aug. 1985), Babangida (Aug. 1985 to present). The Ironsi government lasted only six months and had no time for religion as it was weighed down by the fallouts of the January 15, 1966 coup led by major Nzeogwu which his government quelled. He was soon removed in a counter-coup led by Col. Gowon.

The first major problem related to religion that faced Nigeria under Gowon was the Biafran propaganda that the civil war (July 6, 1967—Jan. 15, 1970) was an attempt by Nigerian Muslims to wipe out Christian Easterners and achieve the long cherished dream of dipping the Quran in the sea. While this war raged on, Arab (Muslim) nations assembled in 1969 in Morocco to put finishing touches to the formation of the

Organisation of Islamic Conference (OIC) which was later inaugurated in 1971. Encouraged by the then Sultan of Sokoto, Abubakar III, a Nigerian Muslim delegation led by Alhaji A. M. Gumi went to Morocco. Gowon, fearing that the delegation from Nigeria may be interpreted as representing the Nigerian state, had to write to the King of Morocco clarifying the status of the delegation, saying it was on its own, and not representing the Government. But observer status was approved by government for Nigeria in the OIC. This to us was a wrong decision. Nigeria as a state should not have been put even in Observer position in a purely religious organisation, but Muslims in Nigeria should be given support for participation in the Organisation.

The second move of Nigeria into the dangerous realm of religious land-mines was the involvement of the Federal government in Pilgrim operations. The first Hajj Agency in Nigeria was established in the 1950s by Alhaji Mahmud Dantata in Kano, and was called the West African Pilgrim Agency. This was followed in April 1958 by the establishment by the Northern Region Government of Sir Ahmadu Bello of the Northern Nigerian Pilgrim Licensing Board. In May of the same year, the Western Region Government of Chief Awolowo established the Western Region Pilgrims Welfare Board. All these Boards recruited and collected fees from Muslim Pilgrims with the help of agents. With the creation of 12 states by Gowon in May 1966, 10 states later established their own pilgrims boards, minus Eastern and Southern Eastern States. In 1972, Gowon moved the Federal government into the Pilgrims business by the creation of a section in the Ministry of External Affairs called the Nigerian Pilgrims Commission serving as Liaison for states' Boards. In 1973, the Federal Military Government for the first time organised the Islamic scholars conference in Kaduna for generating useful ideas, advice, and policy data on hajj operations. Part of the guidelines from the conference was the fixing of Muslim pilgrims' number at 50,000 a year, and the disqualification from hajj performance of sick persons, children, pregnant women, unaccompanied women, persons who have gone on Hajj in the last five years etc. On May 16, 1975, the Federal Military Government became fully involved in Hajj operations, establishing by Decree the Nigerian Pilgrims Board, which became the sole authority to arrange transport, fix travelling costs, etc. In 1977, about 104,000 muslims performed the hajj, and about 50,000 in 1978 and 1979. The Christians soon joined in the pilgrimage performance by going to Rome, Jerusalem, etc. though their number has been low (about 1,400). Christians were not enjoined by the Bible to go to pilgrimages as the Quran laid down for the muslims. They (Christians) were probably spurred by the boom in hajj performance of mid 1970s, and either jealousy or spirit of competition. For both muslim and christian pilgrimages, government spends huge public funds on administration even though pilgrims pay their way. But the fact remains that the military government instead of discouraging the involvement

of state governments in religion, threw the Federal government into a purely religious affair. The government should have stopped at creating the favourable atmosphere for autonomous Agencies to organise pilgrimages while it concerns itself with security and diplomatic aspects of pilgrimages.

The Mohammed/Obasanjo government faced pressure from some members of the muslim community to declare Nigeria an Islamic state.¹¹ This pressure came in the period of the Sharia controversy in the Constitution Drafting Committee (set up in Sept. 1976), and Constituent Assembly (1978) when religion became a major political issue. The government ignored the calls for Nigeria's Islamisation but could not ward off the pressure for the insertion of provisions for Sharia courts in the 1979 Constitution, though the move to insert the Sharia Court of Appeal of the status of the Federal Supreme Court of Appeal was not successful. We recognise the fact that General Obasanjo had to intervene in the Constituent Assembly to halt the controversy that may have degenerated into national violence. However, some Nigerians wondered why a secular state should incorporate provisions for religious courts in its (1979) Constitution (Section 6 and 223), and even called for the complete removal of Sharia Courts from the Constitution. Christian leaders in particular argued that Ecclesiastical courts do not exist in Nigeria to enforce Cononical laws for Christians, and thus saw no justification for Sharia courts in the constitution. Eventually, the military government for the first time approved the 1979 constitution with its provision for Sharia Courts for the Second Republic. Section 6 providing for Sharia courts in states (where they have existed in the North) and section 223 providing for Sharia Court of Appeal of a state from which appeals will flow to the Federal Court of Appeal:

An appeal shall lie from decisions of the Sharia Court of Appeal of a state to the Federal Court of Appeal as of right in any civil proceedings before the Sharia court of Appeal with respect to any question of Islamic personal law which the Sharia Court of Appeal is competent to decide.

The demand of the muslims to extend Sharia Courts to other states of the Federation (especially those with reasonably muslim population) was rejected on the ground that Sharia Courts have not existed in them before, there is no guarantee that these courts will not be used to oppress non-muslims, and there is still the question of why public funds should be spent on religious courts in a secular state.

The Mohammed/Obasanjo government also introduced a new element in Nigerian government, and that is religious considerations or balancing in the appointment of the number 1 and number 2 political leaders in addition to the north-south balancing of the past. While Mohammed (Northern and Moslem) was the Head of the Military government,

Obasanjo (Southern and Christian) was next in Command. After Mohammed was assassinated on Feb. 13 1976, Obasanjo became the Head of state while Yar'Adua (Northern and Muslim) was made the second in Command. Most Nigerians welcomed this religious mixture though its implications for a secular state remained.

The Mohammed/Obasanjo government voluntarily relinquished power to civilian President Shagari (on Oct. 1, 1979) who was overthrown by the military teamled by Major Generals Buhari and Idiagbon on Dec. 31, 1983. The first source of disquiet during the Buhari time was the religious and geographical imbalance in his government. In the first place, he broke the tradition of religious balancing for number 1 and 2 position by deliberately making Idiagbon (Northern and Muslim) the Second in Command while he himself (Head of state) was also Northern and Muslim. Again his Supreme military Council was dominated in number by persons of Northern origin though not all were muslims. This act of imbalance violated section 14 (1) of the 1979 Constitution which states:

The Composition of the government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such manner as to reflect the Federal character of Nigeria and the need to promote national unity, and also to command national loyalty, thereby ensuring that there shall be NO PRE-DOMINANCE OF PERSONS FROM A FEW STATES OR FROM A FEW ETHNIC OR OTHER SECTIONAL GROUPS in that government or in any of its agencies.

Though this imbalance in governmental setting did not make Nigeria an Islamic state, it however encouraged further assaults on Nigeria's secularity, and generated fear and discontent among non-muslims as the clamour for Sharia law arose again with greater force.

The second assault on the secular status of the country by the Buhari government was its move to forcefully and secretly amend section 10 of the 1979 Constitution to insert Sharia law as Federal law in 1984. The Buhari government instructed the Governors of the ten Northern states to champion the struggle to incorporate this Sharia law. The ten governors met a few times without agreeing, and eventually a few "faithful" governors wrote and sent a secret memorandum to the Federal Military government for Sharia law. The Buhari government then got some government officials to draft an amendment to section 10 of the 1979 Constitution to allow for Sharia law. The draft was awaiting its recommendation to the Supreme Military Council by the Judicial Advisory Council when the Buhari government was overthrown on Aug. 27 1985. While these secret moves were being made to incorporate Sharia law, some christian leaders who got wind of it went to complain to Buhari but "he refused to listen to their objections".²⁰ The Buhari government also overruled the opposition of the Federal Attorney General

and Minister of Justice, Mr. Ofodile over the secret deal. Had the government plan succeeded, it would have been a major offensive to capture and caponate Nigerian legal system, and force it to accommodate the religious laws of muslims. That would have spelt the end of secularity in Nigeria, for after it the Christians might have started their own battle openly and/or secretly to get their Canonical law incorporated in the Constitution (though this would not serve any useful purpose, as the best thing is to call for "one nation, one law"). They would probably have been followed by the Traditional religionists who may even threaten to invoke Sango (the god of thunder and lightning) to burn the Constitution if their own laws were not also incorporated. Finally, those who did not believe in any religion or God might have formed guerrilla groups to fight their secession from theocratic Nigeria.

The Buhari government also planned to register Nigeria as a full-fledged member of the OIC. According to *Newswatch* publication of Feb. 24 1986: the Magazine was:

...reliably informed that ex-Supreme Headquarters Chief of Staff, Tunde Idiagbon's pilgrimage to Mecca last year, ... was connected in part with the decision of Nigeria to enrol as a *bona-fide* member of the OIC.

The OIC moves were still on when the Buhari team was overthrown by the Babangida group on August 27, 1985. The Babangida administration came on a tide of high popularity, dismantling Buhari's obnoxious decrees (especially Decree 4 that chained freedom of expression and the press), promised to respect human rights, and restoring the religious and geographical balance in government. The popularity of the government reached its apogee when General Babangida rejected the IMF Loan. However, the net of religious manipulations soon got to the government as pressures rose again from the Islamic end. As *Newswatch* wrote:

The subterranean but carefully orchestrated plans to advance the cause of Islam in Nigeria suffered a temporary set back, but pressure on President Babangida to conclude the initial arrangements continued. Late last year, an Arab diplomat came to Nigeria and complained to an associate that there were fears in Arab circles that Babangida was not "a good muslim". However, he was reported as saying that a powerful delegation from the Arab world would soon be sent to him before the upcoming OIC meeting which eventually took place in the first week of this year.²¹

In December 1985, the OIC sent an invitation to Nigeria as usual, but this time, the invitation moved to the Dodan Barracks (Seat of Federal Government), and on New Year's day, "the External Affairs Ministry was instructed for the first time in the history of the effort to get Nigeria to join the OIC, to give diplomatic cover to the Nigerian delegation".²²

The diplomatic cover meant that the delegation represented the Nigerian government.²³ This all muslim official delegation was led by Rilwanu Lukman, and included Abukakar Aliaji, (then Federal Permanent Secretary Ministry of National Planning), Abdulkadir Ahmed (Governor of Central Bank of Nigeria), Ibrahim Dasuki (then Secretary General of the Supreme Council for Islamic Affairs, and now the Sultan of Sokoto), Abubakar Gumi etc. This delegation attended the OIC meeting at Fez, Morocco where Nigeria was secretly and illegally admitted as the 46th Member in January 1986. The secret deal was blown open by the Agence France Press abroad, and relayed home by *The Guardian* (Lagos), and religious crisis arose in the country forcing the Federal government to set up a Panel with Col. John Shagaya as Chairman to examine the implications of Nigeria's full membership of the OIC. Thus, the Observer status approved by the Military government of General Gowon about 1969 was transformed into full membership by the military government of General Babangida in 1986. As at today, most Nigerians do not know whether Nigeria is still a full member of the OIC or not but since the government publicly announced Nigeria's membership and has not publicly announced her pulling out, we still believe that Nigeria is a full member. We have shown elsewhere²⁴ that Nigeria is an odd member in the OIC, given a detailed analysis of the proportions of the different religions of all the 46 OIC member nations. (see Appendix). The application and admission of Nigeria into the OIC were acts of illegality for not only did they violate section 10 of the 1979 Constitution but also for not having been debated and approved by the law making body of the country (AFRC) many of whose members, including Ebitu Ukiwe (then Second in Command to the President), and the then Minister of Information, Col. Ukpo, publicly claimed complete ignorance of the whole deal.

Part of the fall-outs of the OIC crisis were the unprecedented heightening of religious tension in Nigeria, generation of bitterness between muslims and christians, the ambushing of christian procession celebrating Palm Sunday at Ilorin on March 26, 1986, attempted burning of the Chapel of the Resurrection at the University of Ibadan on May 5, 1986, the Kaduna state religious riots of March 1987 which led to the death of at least 19 people, and destruction of 152 private houses, 155 Churches, 165 hotels, 95 Vehicles, 24 Motorcycles, and 5 Mosques.²⁵ Many Nigerians, including some muslims, opposed Nigeria's full membership of the OIC for the sake of national survival and unity and because it violated section 10 of the Constitution. But non-muslims particularly saw the move as promotion of Islam by government, adoption by state and the final act in the process of islamising Nigeria.

The Babangida government also made moves to register Nigeria as a member of the Islamic Development Bank that offers financial assistance to members. By September 29, 1987, the Chief of Staff, Major General Sani Abacha had met officials of the IDB with a Nigerian delegation,

and series of meetings had been held on the matter. Many Nigerians again opposed the move because the basic conditions for joining the IDB is that "prospective countries should be members of OIC" according to the IDB President, and the IDB was interpreted as a "backdoor road to OIC"²⁶. As of now, this matter's position is yet uncertain.

There is also the controversial Decree 26 which was promulgated by the Babangida government at a time the OIC matter was still buring. This Decree was argued by Christians to clearly promote the Islamic religion at the expense of other religions. The same government has also set up by Decree a Nigerian Pilgrims Commission which Christians also argue promotes Islam at the expense of other religions. On this matter, the Christian Association of Nigeria (CAN) at a Press Conference in Lagos in March 1989, threatened to drag the Federal Military Government to Court if the Decree was not amended or abrogated because the Commission caters only for the interest of Muslims. The President of CAN, A. O. Okogie said at the Conference that "Since Nigeria is said to be a secular state, it should not have a pilgrims commission", instead, "pilgrimages should be organised by individual religious groups without involving the government."²⁷ All these acts of several military governments are assaults on Nigeria's secularity.

III. Conclusion

We have tried to examine the various actions and policies of military governments which tended to assault Nigeria's secular status. These however, have not meant that the governments were unpatriotic. Our efforts do not also mean that civilian governments have been angels. We have only shown that the deadly assaults have come from military governments, and therefore hope to warn that the past mistakes should not be repeated. It is too late for anyone to impose one religion on Nigerians. What the colonial masters did not do cannot be possible today in this direction.

Governments must strive not only to protect constitutional provisions but to promote them and the spirit behind the provisions. Nigeria must not be destroyed due to selfish pressures of the moment mounted by paid agents of imperialism, Western or Arab.

There is clear evidence in the world today that given the increasing materialism and desire for political power, all religions have been corrupted though there are still some sincere religious leaders and officers. There is need for a national rethinking in Nigeria. There are practices in this country that need to be addressed preferably in an All-Nigerian Conference on Religion. These include swearing in courts with the Bible or Quran, the distribution of Holy Bibles to Hotels (if this is guided by government policy), the preaching in buses and door to door, government involvement in pilgrimages, public expenditures on religious courts, schools, visits, buildings or celebrations etc. Also the celebration of

the legal year should be moved away from Churches and Mosques to Court premises. We regard the establishment of the National Council on Religious Affairs as a necessary evil, and this Council should be used to explain to the citizens the differences between English common law operated in Nigerian secular Courts and which does not have roots in Christian religion, the Sharia law (for Muslims) enforced by Islamic Sharia Courts in some parts of Nigeria, and Canon laws (for Christians) enforced by Ecclesiastical Courts.

If some muslims do not appreciate the need for respecting and promoting a secular Nigeria, we understand and sympathise with them because we know that in theocratic Islamic states the tenets of Islam do not allow the separation of state and religions. But we also expect such muslims to understand that Nigeria since 1914 has never been a theocracy and is not an Islamic state. Nigeria is a multi religious state and the best policy in her situation is secularity. Those who doubt this assertion should collect passport and visa and go on fact finding tours of Northern Ireland, Sudan, Lebanon, and India. The military government under General Obasanjo made the mistake of enshrining (religious) Sharia Courts in the 1979 Constitution of a supposed secular state which should have a rational legal constitution not subjective legal constitution. To go back (i.e. removal of Sharia completely from the new constitution) though the best thing, may be unpleasant, but going above the level in 1979 Constitution is obviously not only inviting trouble but also an insult on most Nigerians, and may result in cataclysm. They are all part of the consequences of military assaults on Nigeria's secularity. For peace and unity in this country, governments must henceforth in word and actions respect the secular status of Nigeria. Religion is a private affair, and it will be criminal for any ruler to allow selfish and paid agents of Arab imperialism to use religion to weaken or destroy this country.

We wish to point out that we have not set out in this paper to advertise secularity as a great positive value. We are aware of the reservations some citizens have about secularity which they see as one of the decadent features of Western culture. Our major point is that, in our own (Nigerian) situation, with at least three different religions of large followership competing for the Souls of men and women, and with the ever-present fear of domination, it is better to embrace secularity as a tool for guaranteeing freedom, justice, equality, and peaceful co-existence.

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18. *The Analyst*, Dansa Publications Ltd., Jos Vol. 3, No. 5 Sept—October 1988, p. 5.
19. See J. Obameata, "Is Nigeria becoming an Islamic State?", Ibadan *Daily Sketch*, Sketch Press Ltd. Jan. 24 1986, p. 12.
20. For more details of these secret efforts to amend section 10 of the Constitution, see *Newswatch*, Ikeja, Newswatch Communications, Feb. 24 1986. The quotation is on page 13.

21. *Ibid.*

22. *Ibid.*

23. *Ibid.*

24. O.B.C. Nwolise, "Awolowo and Religion in Nigeria", in O. Oyelaran et al (ed), *Obafemi Awolowo; The end of An Era?* Ile-Ife, OAU Press Ltd., 1988, pp. 851—855.

25. The figures of the Kaduna state riots destruction were announced at the close of public sitting by the Mrs. H. Donly Administrative Panel that investigated the riots. See *Daily Sketch*, Ibadan, Sketch Press Ltd., April 17 1987, p. 3 for more details.

26. See *The Guardian*, Lagos Lagos, Guardian Newspapers, Sept. 29 1978, p. 8.

27. See J. Obameata, "Pilgrims Commission, CAN—for Court Action", *Independent*, The Diocese of Ibadan, Ibadan March 12, 1989, p. 1.

28. We are not saying that Moslems should not have Sharia Courts, the issue is whether provisions for such courts of religious nature should be enshrined in the constitution of a secular state, and the proper answer should be No!

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