LEGAL FRAMEWORK FOR FREEDOM OF RELIGION AND THE RIGHTS OF RELIGIOUS MINORITIES IN NIGERIA*

Abstract
This paper examines the additional benefits of developing a democratic rule of law and fundamental rights-based system vis a vis the protection of minorities in Nigerian from an ‘intersectional’ viewpoint. The constitution and other legal enactments provide for establishment of mechanisms for the promotion and enforcement of the rights of religious minorities. It brings into focus the state of play regarding the main challenges depicting the protection of ethnic, religious minorities in the country in light of existing international and regional legal standards. Minority protection is a major concern in enlargement processes as a conditional criterion to accede to international community. A glance at the accession reveals that the dream is yet to be realised. The diversity of religions has influence the distribution of political positions, infrastructure, and economic opportunities as well as the minorities’ rights. Hence, the paper proposes several policy options to address this gap. It also suggests specific ways in which democracy, the rule of law and fundamental rights, could effectively impacted on minority protection.

Keywords: Freedom, Religion, Rights, Minorities and Nigeria

1. Introduction
This article focuses on freedom of religion and rights of religious minorities in Nigeria. It will necessary require a consideration of the scope and content of the provisions of country’s extant constitution and other legal enactments that guarantee these freedoms and rights for all. Under the Nigerian legal system, it will also involve a discourse of the various institutions established by law for the purpose of ensuring the actualization of the guaranteed freedoms and rights. This will provide the background against which we will be able to evaluate the level of enjoyment of these rights as against the legal guarantees, as well as the performance of the various institutions and agencies that are charged with the responsibility of ensuring the promotion and actualization of these rights. The primary focus of this article will therefore be a discourse on the legal frame work for freedom of religion and the rights of religious minorities in Nigeria.

Section 38(1) of the Constitution of the Federal Republic of Nigeria 1999 (as amended), hereinafter referred to as the 1999 Constitution and guarantees the right to freedom of thought, conscience and religion in the following words:

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 or propagates his religion or belief in worship, teaching, practice and observance.1

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1Section 38 (1) of the 1999 constitution of the Federal Republic of Nigeria
The salient facets of this provision include the right to think in any manner, to act in accordance with one’s conscience, to change one’s religion or belief, and the right to publicly or privately ‘manifest or propagate (one’s) religion or belief in worship, teaching practice and observance,’ in other words of the provision, alone or with others.2

3. The Right to Adopt and Practise a Religion or Belief of One’s Choice

Section 38(1) of the 1999 Constitution guarantees the right to adopt a religion or belief of one’s choice. It has been observed that the scope of this right would, in effect, include the right to think freely and such thinking is not to be tied to control or restrictions by any person or authority.3 It also includes the right to act in accordance with one’s conscience, which means that no one should be compelled to act contrary to his conscience. In other words, the provision protects conscientious objection to compulsion to act contrary to one’s belief or religious convictions. The provision also protects the citizen’s right to practice his religion alone or with others, publicly or privately in worship, teaching, practice and observance.4 In Nigeria, the common areas of concern in respect of the right to adopt and practice the religion of one’s choice are not to be compelled to act contrary of one’s choice conscience include, in no particular order, military service, education, dress code, and medical treatment.5

4. Conscientious Objection to Military Service

Section 38(1) of the 1999 Constitution protects the right to conscientiously objection to military service by guaranteeing freedom of conscience and the right to adopt and practice a religion of one’s choice. Under this provision, a person may object to compulsory military service on the ground that it is contrary to his conscience or religious belief. However, Section 34(1) of the same constitution requires anyone who objects to military service to provide alternative service in lieu thereof. As Gamaliel observes, this provision ‘is deleterious of the rights to conscientious objection [to military service],' in the sense that it


obligates the conscientious objector to provide alternative service to that military service which he considers to be public service that other Nigerians are not compelled to provide, simply because those others have provided military service which is not incompatible with their conscience or religious beliefs.

5. The Rights of a Religious Organization to Establish and Operate Educational Institutions
The 1999 Constitution protects the right of a religious organization to establish and operate an educational institution. Section 39(1) of the Constitution provides that ‘every person shall be entitled to freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference.’ This provision is similarly worded as Section 36(1) of the 1979 Constitution which was considered in the case of Okogie & Others v The Attorney General of Lagos State, in that case, Lagos State Government, by a circular purported to abolish all private primary and secondary schools in the state in order to pave way for it to provide free education at that level and thereby fulfill its obligation under the constitutional directive of state policy on education. The plaintiffs challenged the state’s action on the ground that it violated their right to freedom of expression, because the schools were established such that the proprietor can impart and disseminate knowledge, information and ideas to the pupils. The Court of Appeal held that a school is a medium of disseminating ideas, knowledge and information and that the constitutional guarantee of the right to freedom of expression covers all persons and organizations. Therefore, every person or organization, including religious organizations is entitled under this provision to establish and operate a school through which they may disseminate ideas, information and knowledge. The court concluded that proprietors, teachers and students alike must be protected in their exercise of this right to freedom of expression.

In the same case, the Court of Appeal also considered the provisions of Section 16(1) (c) and (d) of the 1979 Constitution, replicated as Section 16(1) (c) and (d) of the 1999 Constitution. The court found that the provision of educational services by private citizens or organizations is outside the major sectors of the economy and held therefore, that the state should not stop or inhibit its enjoyment by private citizens or organizations. In other words, Section 16 allows private citizens or organizations including religious organizations to engage in the establishment and operation of schools as an economic activity as well.

Section 38(2) of the 1999 Constitution protects the religious conviction of parents of person attending places of education. In other words, ‘the provision attests to the fact that the right of a child to the religion...’


of his parent or guardian is ultimately guaranteed and therefore protected.’11 The provision prohibits proprietors of places of education from compelling pupils or students attending their places of education to receive instruction or partake in or attend religious ceremonies or observance other than those of their religion or the religion approved by their parents or guardians.12 Worthy of note is the fact that the subsection does not state any age limit of the children permitted to determine the religious instructions may be permitted to determine the religious instructions or practices which such children or wards may attend or participate in their places of education. We are of the view that such parents or guardians may only exercise the right of approval or determination to attained the age of majority or do not have sufficient understanding to make such personally.13 It needs to be noted that the Child Rights Act, 2003 (CRA) has also made far reaching provisions protecting the rights of a child to freedom of religion 14, although, it has been observed that ‘the provisions of the CRA only accentuate the provisions of the 1999 Constitutions (regarding a child’s right to freedom of thought, conscience and religion.’15 We are of the view that the provisions of the CRA on a child’s freedom of religion are even more far reaching than those of the 1999 Constitution.

7. Conscientious Objection to Medical Treatment
This raises the question whether or not a parent’s conscientious objection to life-saving medical treatment for his child may be sustained. The Court of Appeal was confronted with this question in the case of Esabunor v Faweya16. There, the court held that a mother had no rights to determine whether or not her child should live or die, on account of the mother’s belief. In the words of Galinje JCA, ‘although the second appellant had absolute right to choose a course for her life, she has not got that corresponding right to determine whether her son should live or die on account of her religious belief.’17 In another words, in the circumstance, the mother’s freedom of religion was suppressed by the interest of the state in the protection of her child’s right to live.18 By this decision of the Court of Appeal, it may be understood that

13See Section 38(3) of the 1999 Constitution (as amended).
15Ibid at Olaniyan.
17Ibid at P810.
the law would not protect conscientious objection to life-saving blood transfusion to a child patient, because the right to life of the patient would override the objector’s freedom of conscience. However, an adult patient’s conscientious objection to medical treatment could be upheld in full, where public interest would not be endangered thereby19.

8. Conscientious Objection to Certain Dress Codes

The issue of dress codes in schools and workplaces has also drawn considerable attention in Nigeria20. Some Christians or Muslims have, at various points in time, objected to certain dress codes on the ground of conscience.21 In many instances, such cases are handled administratively, and do not get to the courts. For instance, a Christian woman Miss TolulopeDamilolaEkuwendayo vehemently refused to wear trousers, which is part of the (National Youth Service Corps) scheme’s uniform on account of her religious beliefs.”22 As far as she was concerned, ‘wearing of trousers negated her Christian beliefs and valued’23. On the other hand, the Muslim Rights Concern (MURIC) a Muslim non-governmental organization in Nigeria, has insisted that Muslim women must be allowed to wear the Hijab on top of their NYSC uniform because ‘Hijab is an integral, and, the most vital part of a female Muslim’s dress’24 and that ‘female Muslim corpers feel as if they are naked when disallowed from using the Hijab.’25 The Director-General of the NYSC had on the November 2426 2015 announced a ban on the use of the long Hijab by female corps members, on the

19Ibid.


22 The Editor, the Citizen, March 29th, 2013 Google search on April 29th, 2018.


ground of security concerns. Both cases were handled administratively, however, the issue of dress code has begun to garner so much attention that some citizens have started approaching the courts for judicial intervention by way of constitutional interpretation.

9. Religious Holidays and Festivals
The observance of certain days as holidays by some religious groups has generally not been a matter of serious concern in Nigeria. Although some religious groups have tried to assert their right to observe such holidays, government has neither taken them seriously nor granted their request. For instance, when a delegate to the 2014 National Conference proposed that Friday of every week be made work-free for Muslims in Nigeria as Sunday is for Christians, his proposal was rejected, and nothing more was heard of it. Moreover, when in the year 2003, the then Governor of Zamfara State declared Friday as a work-free day for Civil Servants in the state in order to enable them attend Special Muslims Friday Prayers, no eye brows were raised; it passed virtually unnoticed. Still on religious holidays, the matter received judicial attention in the case of Dickson Ojeigbe and Another v Marcus Usani and Another, the Supreme Court held that having participated in the election it was too late for him to complain. However, the court did not decide on the issue of the right of the appellant and his fellow sharia members not to be compelled to work (vote) on Saturday, a day they considered sacred and inviolable. Although, there are Nigerians, like the appellant in that case, who regard Saturday as a holy day, there is no legal instrument that recognizes this fact or exempts them from participating in secular public obligations on that day on the ground of its being their holy day.

10. Limitations to the Right to Practice or Manifest one’s Religion under the 1999 Constitution
Section 45 of the 1999 Constitution subjects it to limitations which may be prescribed by a law that is ‘reasonably justifiable in a democratic society in the interest of defence, public order, safety or public health or the protection of the rights of others’. The Supreme Court had course to make a pronouncement on this provision in Medical and Dental Practitioners’ Disciplinary Tribunal vs Okonkwo. Thus, if the defence, public order, public health, security or safety of the country or some part of it is at stake or threatened, such as during war or during a state of emergency, the state could prescribe limitations to freedom of religion by a law that is considered ‘reasonably justifiable in a democratic society’. Section 45

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26 Ibid.
30(1961) ALL NLR 277.
31 See also ‘The Hijab Controversy’ The Politico Vol.8 No.8 December 31st, 2018 P12-15.
32(2001) 3 SCNJ 186 at 224.
also received the attention of the Court of Appeal in *Abdulkareem v Lagos State Government*\(^{33}\), where the court held thus:

> It is beyond dispute that the Fundamental Human Right enshrined in Section 38 is not absolute, as its enjoyment or even existence is subject to certain exceptions stipulated in Section 45. According to Section 45 the right in Section 38 is not meant to invalidate any law that is reasonably justifiable in a democratic society.

It is imperative to note that Section 45(1)(a) and (b) of the 1999 Constitution creates a situation which in our view, is rather special. Under these provisions, a law may nevertheless be valid although it limits, varies or derogates from a constitutional provision that guarantees a fundamental right, provided that such a law is ‘reasonably justifiable in a democratic society’, inter alia ordinarily, the constitution being supreme, any law that is inconsistent with any of its provisions would be void to the extent of the inconsistency\(^{34}\). It is in line with the provisions of Section 45(1)(b) that the Court of Appeal in the case of *Esabunar v Faweya*\(^{35}\) upheld the child’s right to life over the mother’s freedom of religion\(^{36}\).

### 11. Freedom to Change one’s Religion under the 1999 Constitution

The 1999 Constitution in Section 38(1) specifically guarantees the right to change one’s religion. However, Islam prohibits conversion from it to any other religion. Such conversion is referred to as Riddah\(^{37}\), and is a capital offence in Islam. The principle is inconsistent with the provisions of Section 38(1) of the 1999 Constitution, and to the extent of such inconsistency, should be regarded as null and void, by virtue of the supremacy of the Constitution\(^{38}\). In the words of Bello, CJN:

> There is yet another obstacle to full application of Sharia Law as has been advocated. Section 38(1) of the 1999 Constitution ensures for every person the right to freedom of thought, conscience and religion, including freedom to change religion or belief, whereas under Sharia, Riddah (apostasy) is a capital offence. Consequently, the offence of Riddah is inconsistent with Section 38(1) and by virtue of Section 1, unconstitutional\(^{39}\).

The distinction between Islamic Law and 1999 Constitution in respect of conversion from Islam to other religion seldom comes up some time in some parts of the country, often in hustled or subdued tones. However, none of the Sharia Penal Codes in the country specifically criminalizes apostasy\(^{40}\). Our understanding of the apparent contradiction between this teaching and the prohibition of apostasy or

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\(^{33}\) (2016) 15 NWLR (Pt 1535) 177 at 224.
\(^{34}\) Section 1(3) of the 1999 Constitution (as amended)
\(^{35}\) Ibid.
\(^{36}\) Ibid.
\(^{38}\) Ibid.
\(^{40}\) Ibrahim Ibid.
Riddah is that while ‘(Muslims) do not force anybody to become a Muslim’, a person who voluntarily becomes a Muslim commits a capital offence if he chooses to become a non-Muslim thereafter.

12. Prohibition of Intolerance and Discrimination in Nigeria

Religious intolerance may be defined in many different ways. It is said to be similar to and manifest itself in the form of religious fundamentalism and extremism, and that it encompasses bigotry. In Balogun’s view, religious intolerance is ‘hostility towards other religion, as well as the inability of religious adherents to harmonize between theories and other aspects of religion’. In our opinion, in practical terms, it would be difficult to differentiate between religious fundamentalism and extremism and religious intolerance.


Section 10 of the 1999 Constitution prohibits the adoption of an official religion by state. It states: ‘The government of the federation or of a state shall not adopt any religion as a state religion’. This provision substantially limits the possibility of the commission of religious intolerance by the state. The adoption of a religion by the state could put the non-official religions in a disadvantaged and vulnerable position and enhance the capacity of state to propagate religious intolerance against those other religions. In a multi-religious country like Nigeria the tendency to discriminate against other religions, especially, the non-dominant ones would be real and palpable. In order to prevent this, Section 42 of the 1999 Constitution prohibits discrimination on the ground of religion, among other things. Discrimination on the ground of religion is capable of leading to or being expressed in the form of violation of such other rights as the right to freedom of expression and the press, freedom of assembly, freedom of movement, and the right to acquire and own immovable property. The impairment of these rights would in turn impair the enjoyment of the religion. The combined effect of Sections 10 and 42 would minimize the possibility of religious intolerance by the state.

14. Offences Relating to Religion

In Nigeria, some Penal Laws criminalize certain behaviours relating to and affecting religion under the heading ‘Offences Relating to Religious Worship’. Also worthy of consideration, in this respect are the provisions of Chapter vi of the Penal Code Law, the provisions of which also border on prohibition of religious intolerance. Section 210 prohibits insulting or inciting contempt of a religious creed. Blasphemy

42. Ibid.
48. CAP-P3, Laws of Federation of Nigeria 2004
has been defined as ‘contemptuous or irreverent speech about God or things regarded as sacred’. It has also been defined as ‘insulting God or any religious or holy person or thing’. According to An-Na’im, Blasphemy is the use of foul language primarily about Prophet Muhammad (SAW), known as insulting the Prophet (Sallal-Rasul), God or any of the Prophets and is punishable with death. These definitions include blasphemy within the purview of sections 204 and 210 of the Criminal Code Act and the Penal Code respectively. Therefore, any person who commits blasphemy within the meaning ascribed to it by the foregoing definitions, could be dealt with under these laws.

15. Freedom of Religion under the African Charter on Human and People’s Rights (Ratification and Enforcement) Act

The African Charter on Human and People’s Rights has been domesticated in Nigeria as the African Charter on Human and People’s Rights (Ratification and Enforcement) Act, hereinafter referred to as African Charter. By virtue of Section 12 of the 1999 Constitution, this domestication was necessary in order to give the African Charter the weight of law. Thus, the provisions of the African Charter became law in Nigeria, upon the commencement of the Act in 1983 and became mandatory in order to give effect to it like all laws falling within judicial powers of the courts. In Abacha v Fawehinmi, the status of the African Charter in the Nigerian Legal System was considered and pronounced upon by the Supreme Court. Although, the African Charter, being an Act of the National Assembly, is subordinate to the Constitution, the Supreme Court held that in view of its regional or international flavor, the African Charter is superior to other Acts of the National Assembly and all other status. Consequently, the African Charter, having been domesticated as an Act of the National Assembly, is superior to laws or statutes enacted by Houses of Assembly. The African Charter possesses greater vigour and strength than any other domestic statute.

16. Freedom of Religion and the Right to Practice one’s Religion under the African Charter on Human and People’s Rights

Article 8 of the African Charter guarantees Freedom of Conscience and Religion in the following words: ‘Freedom of conscience, the profession and free exercise of religion shall be guaranteed. No one may, subject to law and order, be submitted to measures restricting the exercise of these freedoms’. To the extent that this Article guarantees freedom of conscience and the freedom to profess and freely practice a religion of one’s choice, it is similar to Section 38(1) of the 1999 Constitution. Unlike the 1999 Constitution, however, it does not expressly protect the right to private and public practice of religion or the right to change one’s religion. These, however, maybe found, by inference, from Article 8 itself or some other provisions of the African Charter.

17. Prohibition of Intolerance under the African Charter

52Abacha v Fawehinmi (2001) 1 CHR 20 at 41-42 Para H.A.
53Ibid Abacha’s case.
Apart from guaranteeing freedom of conscience and the right to free practice of religion, the African Charter also prohibits intolerance. Article 3 guarantees equally before the law, for all individuals. This implied reinforces the prohibition of discrimination contained in Section 42 of the 1999 Constitution. Article 28 of the African Charter prohibits discrimination and intolerance, while promoting mutual respect. A careful consideration of the provisions of Articles 3, 19 and 28 of the African Charter would reveal the far reaching scope their provisions aimed at dealing with issue of intolerance for any reason, including religion. In any society where there is equality before the law, equality of individuals and peoples, as well as mutual respect amongst persons and groups, without intolerance, discrimination or domination of one by the other, surely, incidents of mistrust, conflict and violence would be reduced to the minimum.

18. Limitations to the Right to Freedom of Religion under the African Charter
The guarantee for freedom of religion under the African Charter, as is the position under the 1999 Constitution is not absolute. The charter limits the freedom by providing that a person’s exercise of this freedom maybe subjected to restrictions by law and order. The scope of limitation here is even more fluid than as provided for under the 1999 Constitution, it qualifies the laws that can limit the exercise of the right to freedom of religion, among other rights, as laws that must be reasonably justifiable in a democratic society, the limitation under Article 18 of the African Charter does not contain any qualifications, suggesting thereby that just any law or order could impose measure restricting the exercise of the guaranteed rights.

19. State of the Protection of Religious Minorities under the Nigerian Legal System
There are different kinds and shades of minorities in Nigeria; these include ethnic, linguistic, religious, denominational and sexual minorities. The majority/minority spread is neither nor definite. It varies from place to place, sometimes also from time to time, and fluctuates, in pockets of locations, with periodic geo-political restructuring of the entity, such as when new states or Local Government Areas are created. In such instances, a majority group in a particular part of the country may be reduced to minority status as one of the entities in the new arrangement, and vice versa. For instance, when Jos East, Jos South and Jos North Local Government Areas were created out of the then Jos Local Government Area, the Hausa Fulani Ethno-Religious group that used to be a small minority in the old Jos Local Government become a significantly major group in the new Jos North Local Government Area, arguably the largest single ethno-religious group in the locality, competing for numerical superiority with the indigenous Afizere, Anaguta and Berom ethno-religious groups. In the words of Dakas, ‘failure to accord the issue of minority rights a treatment commensurate with the urgency it deserves is a perilous omission or procrastination’.

20. Absence of Specific Protection of Minority Rights Under the Nigerian Legal System
Since its inception as a country with Amalgamation of the Northern and Southern Protectorate in 1914, none of Nigeria’s many constitutions has made any specific provision for the protection of minority

56 The Pre-Independence Constitutions Included the Clifford’s (1922), Richard’s (1946), Macpherson’s (1951), Littleton’s (1954) Constitutions.
rights. In the period preceding the attainment of political independence from British Colonialism on the 1st October, 1960, minority groups in the country became palpably apprehensive of domination and marginalization by the majority Christian Igbo, Muslim Hausa-Fulani and traditionalist Christian/Muslim Yoruba Ethno-religious groups. Consequently, during the pre-independence constitutional conference, they made a case for the creation of states that would satisfy their demand for self-determination and allay their fear of domination. At the end of its proceedings the commission recommended the inclusion of a Bill of Rights in the Constitution that was then in the words, instead of accepting the suggestion of the minorities that states be created as a means of addressing their flight.

21. The National Human Rights Commission
The National Human Rights Commission (Amendment) Act provides for the establishment of the National Human Rights Commission, hereinafter referred to as ‘the commission’ as an institutional mechanism for promoting Human Rights in Nigeria. The commission is mandated to receive complaints of human rights violations from any person acting in his or her own interest, any person acting on behalf of another person who cannot act in his or her own name, any person acting as a member of or in the interest of a group or class of persons or from an association acting in the interest of its members. In the discharge of its duties as spelt out in the Act, the commission has investigated several cases of alleged human rights violations at various levels of government and in different parts of the country, such as the alleged killing of eight persons in Zamfara State on allegations of having committed blasphemy and the alleged police killing of workers in Nasarawa State.

22. The Federal Character Commission
Both Section 13 and 14 of the Constitution came under Chapter 11 which provides for fundamental objectives and directive principles of state policy. These have been adjudged non-justifiable, and to that extent, it would be impossible to secure the enforcement of any provisions of the entire chapter. However, as regards Section 14(3) and (4), the matter does not end there; Section 153 of the Constitution mandates the creation of the Federal Character Commission to be charged, under Paragraph 8(1) of Part 1 of the Third Schedule to the 1999 Constitution. Consequently, Federal Character Commission (Establishment etc) hereinafter called ‘Federal Character Act’, with responsibility to promote, monitor and enforce compliance with the principles of the proportional sharing of all bureaucratic, economic, media and political posts at all levels of governments. From the foregoing, it may indeed be stated that ‘in effect it (the Federal

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57 Ibid at Dakas P47.
58 Section (C2) National Human Right Commission Act.
63 See the Preamble to the Federal Character Act.
Character Commission) has a duty to enforce compliance with provisions relating to the concept of Federal Character enshrined in the Constitutions.\(^{64}\)

Nasir also observes that Muslims and Christians are the two dominant religious groups in Nigeria and that ‘almost the entire gamut of social, political and economic relations revolves around these two identity formations.’ Religion is therefore an important identity marker in the country. It is pertinent to take into account the diverse religious formations of the country in the distribution of political positions, infrastructure, and economic opportunities. It is then that it could be said that ‘there is no predominance of persons from a few states or from a few ethnic or other sectional groups in that government or in any of its agencies’\(^{65}\), and this would promote national unity and command national loyalty as required by the Act. It would be noted that from time to time observations and protests have been made to the effect that the Federal Character Concept has ‘been misused and continued to be abused’\(^{66}\), mainly on the ground that ‘the concept provides mediocrity at the expense of excellent’\(^{67}\).

It is hereby submitted however, that if the Federal Character Commission performs its functions and exercises its power properly, and if ‘all organs of government, and if all authorities and persons exercising legislative, executive or judicial powers’ conform to, observe and apply the Federal Character provisions of Section 14(3) and (4) of the 1999 Constitution, the fear and complaints of deprivation, discrimination and marginalization in the country would be significantly minimized, and causes of conflict and violence drastically reduced.

23. Conclusion

Chapter four (iv) of the 1999 Constitution contains the guaranteed for Fundamental Human Rights in Nigeria. Other enactments in the country, such as the African Charter and the Federal Character Commission Act, among others, also guaranteed or reinforce some of human rights and freedoms. These rights and freedoms would not make much meaning without an appropriate framework for their actualization. Consequently, the constitution and other legal enactments provide for establishment of mechanisms for the promotion and enforcement of mechanisms for the promotion and enforcement of the rights. The constitution confers special jurisdiction on the High Court to enforce the Fundamental Rights provisions contained in its Chapter four (iv), the National Human Rights Commission Act empowers the National Human Rights Commission to carry out certain functions that will promote the enjoyment of the human rights guaranteed by the constitution, the Federal Character Commission Act mandate the Federal Character Commission to ensure compliance with the Federal Character principles contained in the 1999 Constitution. We are of the view that the legal framework for the promotion and enforcement of fundamental right in Nigeria is elaborate enough to ensure their promotion, actualization and enjoyment, so far as legal injunctions and postulations are concerned.


\(^{65}\)Section 14(3) of the 1999 Constitution (as amended).

\(^{66}\)Babawale Ibid.

\(^{67}\)Ibid.