



Research Article



## Examining Human Rights Abuses on Religious, Cultural, and Political Intolerance in Nigeria

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**Abstract:** Over the years the concept of human rights has gained global recognition and both the international community and Nigeria have taken necessary legal steps to secure the rights of every individual from any form of abuse. However, despite this measure, there seems to be a high rate of human rights abuse in Nigeria often necessitated by several factors. Hence, the need for this study to examine the factors often resulting in high levels of human rights abuse in Nigeria. The study adopts a doctrinal method of study relying on primary and secondary sources of research material such as laws and scholarly literature. The data obtained were analysed through descriptive and analytical methods of research. The study found that there are laws in Nigeria that tend to prohibit human rights abuse, however, there seems to be a high level of human rights intolerance resulting in human rights abuse. The study further found that religious, cultural, and political intolerance are the major causes of human rights intolerance resulting in human rights abuse. The study further concludes and recommends that resolving the issues of human rights intolerance resulting in human rights abuse requires enhanced public awareness through advocacy and education, religious and cultural reorientation on the need to respect human rights. Furthermore, there is a need to ensure political accountability, and transparency, curtail the incidence of corruption, and the establishment of independent monitoring bodies to safeguard human rights.

**Keywords:** Human Rights; Intolerance; Legal Framework; Nigeria;



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## INTRODUCTION

Intolerance is the unwillingness or refusal to accept those beliefs, opinions, and behaviors that are considered alien and not beneficial to social and cultural practice. particularly those that are not a part of the mainstream culture, and deviate from the social norm<sup>1</sup>. Intolerance in its various forms remains a major hindrance to the implementation, enforcement, and protection of human rights around the world and Nigeria is no exception<sup>2</sup>. Nigeria, a country with high levels of intolerance, one which includes a very broad range of human rights such as freedom of expression or even the right to assemble peacefully and exercise one cultural and religious belief is often

<sup>1</sup> Devries, Kurt, C. Watts, Moses Yoshihama, Larry Kiss, L. Schraiber, N. Braibe, N. Deyessa, and C. Garcia-Moreno, 'Violence Against Women is Strongly Associated with Suicide Attempts: Evidence from the WHO Multi-Country Study on Women's Health and Domestic Violence Against Women', *Social Science & Medicine*, 7.3 (2014), 79–86 <http://doi.org/10.1016/j.socscimed.2011.05.006>

<sup>2</sup> Saygi, Muhammet, 'The Predominant Christian Interpretation of Religious Faith in the Middle Ages: Augustine of Hippo and Thomas Aquinas', *Darulfunun Ilahiya*, 34.1 (2023), 211–42 <https://doi.org/10.26650/di.2023.34.1.1230415>



under siege<sup>3</sup>. Sectors of society include social, ethnic, religious, and political intolerance, and such intolerance, exacerbates, and in some cases, leads to practices such as discrimination, harassment, and exclusion which are contrary to the very tenets of universal human rights<sup>4</sup>. In this regard, it suffices to state that intolerance not only affects the capability of the people to enjoy their rights but also erodes the sociocultural cohesion of Nigerian politics and society which translates to delays in development<sup>5</sup>.

However, Nigeria's problem with tolerance can be historically traced to policies during the colonial period which were designed to encourage people to separate themselves along particular ethnic or religious lines<sup>6</sup>, laying the ground for suspicion to exist among various groups for a long time<sup>7</sup>. The country has gone through military regimes, to which there have been civil wars and various forms of political instability, and has also contributed to internal divisions that are still evident today, making it difficult to realize the protection of human rights<sup>8</sup>. In this regard, it is apt to state that, these menaces have led to pernicious stereotypes which are a hindrance to the government's efforts to maintain a human rights culture, leaving minorities, women, and opponents of ruling parties at risk of violations<sup>9</sup>.

Within the purview of Nigeria and human rights, intolerance is often practiced in the form of discrimination directed towards certain ethnic, religious groups, or political parties, and this includes the minority voice<sup>10</sup>. Tolerance can also be reflected in the issues of freedom of speech, religion, and gender equality. In this sense, intolerance poses great challenges to the realization of human rights implementation

<sup>3</sup> Aidonojie, Paul Atagamen, Anne Oyemwosa Odojor, and Patience Omohoste Agbale, 'The Legal Impact of Plea Bargain in Settlement of High Profile Financial Criminal Cases in Nigeria', *Sriwijaya Law Review*, 5.2 (2021), 161–74 <https://doi.org/10.28946/slrev.Vol5.Iss2.852.pp161-174>

<sup>4</sup> Muhammad Mutawalli Mukhlis, Paul Atagamen Aidonojie, Zuhilmi Paidi, and Muhammad Saleh Tajuddin, 'Democratic State Governance: The Urgency of Implementing Conventions in Constitutional Practices in Indonesia', *Fenomena*, 23.1 (2024), 1–14. <https://doi.org/10.35719/fenomena.v23i1.155>

<sup>5</sup> AChinweobo-Onuoha, Blessing, Elif Asude Tunca, Felix Olajide Talabi, Ayodeji Boluwatife Aiyesimoju, Victor Oluwole Adefemi, and Verlumun Celestine Gever, 'Modelling Journalists' Coping Strategies for Occupational Hazards in Their Coverage of Protests Against Police Brutality (ENDSARS Protests) in Nigeria', *International Journal of Occupational Safety and Ergonomics* (2021) <https://doi.org/10.1080/10803548.2021.1999651>

<sup>6</sup> Adambo, Tamar Haruna, Metin Ersoy, Ahmad Muhammad Auwal, Victor Oluwafemi Olorunsola, and Mehmet Bahri Saydam, 'Office of the Citizen: A Qualitative Analysis of Twitter Activity During the Lekki Shooting in Nigeria's #EndSARS Protests', *Information, Communication & Society* (2021) <https://doi.org/10.1080/1369118X.2021.1934063>

<sup>7</sup> Evans, Malcom D., and Raymond Murray, 'The African Charter on Human and Peoples' Rights: The System in Practice, 1986–2000', Cambridge University Press (2020) <https://doi.org/10.1017/S0165070X03210834>

<sup>8</sup> Aidonojie, Paul Atagamen, Godswill Owoche Antai, Damina Joshua John, Success Ibeh, and Adesoji Kolawole Adebayo, 'Curtailling Male Rape in Nigeria: Legal Issues and Challenges', *Journal of Sustainable Development and Regulatory Issues (JSDERI)*, 2.3 (2024), 287–303. <https://doi.org/10.53955/jsderi.v2i3.43>

<sup>9</sup> Lankarani, Bagheri K., et al., 'Domestic Violence and Associated Factors During COVID-19 Epidemic: An Online Population-Based Study in Iran', *BMC Public Health*, 22 (2022), 774 <https://doi.org/10.1186/s12889-022-12536-y>

<sup>10</sup> Himani Lodhi and Ujjwal Singh, 'Exploring the Intersection of Cultural Attitudes and Legal Protection for Children from Sexual Offences in India', *International Journal of Human Rights and Constitutional Studies*, 12.1 (2024), 34–43 <https://doi.org/10.1504/IJHRC5.2025.142865>



in Nigeria given the diverse nature of the country's ethnic, religious, and cultural background<sup>11</sup>. This intolerance presents itself in ethnic, religious, political, and social ways. Such forms of intolerance hamper the protection of human rights and pose challenges to equality, freedom, and justice which in turn hampers the critical human rights freedom, and progress of any society<sup>12</sup>.

It is in regard, to the above that this study tends to adopt a doctrinal method in examining the Incidence of intolerance as a major obstacle in the enforcement of human rights in Nigeria. The study will also examine the legal framework as it concerns human rights enforcement and a major cause of intolerance resulting in human rights abuse.

## METHOD

Given the peculiar nature of the study which focuses on religious, cultural, and political intolerance resulting in human rights abuse. The study employs a doctrinal method of study in examining the causes and drivers of intolerance resulting to human rights abuse in Nigeria. In this regard, reliance on primary and secondary sources of research material such as laws, textbooks, and other relevant research materials was examined and investigated. The data obtained were analysed relying on analytical and descriptive methods. The essence of adopting a doctrinal method of study is aimed at effectively theorising, comptualising and detailly analyse various existing research materials as it concerns the study focus and scope.

## RESULT AND DISCUSSION

### *Legal Frameworks for Protecting Human Rights Against Abuses*

Given the peculiar nature of the study which focuses on religious, cultural, and political intolerance resulting in human rights abuse. The study employs a doctrinal method of study in examining the causes and drivers of intolerance resulting to human rights abuse in Nigeria. In this regard, reliance on primary and secondary sources of research material such as laws, textbooks, and other relevant research materials was examined and investigated. The data obtained were analysed relying on analytical and descriptive methods. The essence of adopting a doctrinal method of study is aimed at effectively theorising, comptualising and detailly analyse various existing research materials as it concerns the study focus and scope.

The concept of human rights has over time gained global recognition, in this regard, to continue to uphold and respect human rights, the international community has through several laws and agreements sought to outline, protect, and secure some of these rights that are considered fundamental and relevant to the human existence<sup>13</sup>. In this regard, Nigeria being one of the countries that are signatories has also

<sup>11</sup> Aidonojie, Paul Atagamen, W. Saminu Abacha, and Ayuba David, 'Effectiveness of the Administration of Justice in Nigeria Under the Development of Digital Technologies', *Journal of Digital Technologies and Law*, 1.4 (2023), 1105–31 <https://doi.org/10.21202/jdtl.2023.48>

<sup>12</sup> Heller, Kevin, and Markus Dubber, eds, *The Handbook of Comparative Criminal Law* (Stanford: Stanford Law Books, 2019).

<sup>13</sup> Aidonojie, Paul Atagamen, Ikubanni O. Oluwaseye, Okoughae Nosa, and Ayoedeji A. Ifeoluwa, 'The Challenges and Relevance of Technology in Administration of Justice and Human Security in Nigeria: Amidst the Covid-19 Pandemic', *Cogito Multidisciplinary Journal*, 13.3 (2021), 149–70. <http://dx.doi.org/10.31000/jhr.v11i1.7552>



incorporated some of these rights into its local legislation<sup>14</sup>. Some of this international and local legislation as it concerns the protection and promotion of human rights in Nigeria are therefore examined as follows:

One of the foremost documents that tend to recognise and promote human rights globally is the Universal Declaration of Human Rights which came into the limelight in 1948. This document tends to provide for a broad spectrum of human rights and regards them as fundamental and sacrosanct rights that all governments within their territory must protect and secure against any form of violation and abuse. Furthermore, these documents frown against any act of intolerance from the government or individual that seems to violate the intendment and spirit of the letter contained in the document. This concerns the fact that the Article of UDHR stipulates that human beings are considered equal and born free men and women. Given this, article 2 further reiterates that considering all human beings are born free and equal, any form of discrimination by race, colour, religion, nationality, or status is prohibited. Also, by Article 3 of the UDHR, every individual's life, liberty, and security is a right that must be protected from any fragrant abuse. Articles 5 and 7 of the UDHR further require that on no account should anyone be treated inhuman, treated in torture, degrading punishment, and discriminated against. In the practice of religion and freedom of thought which is often curtailed and abused by most governments, articles seem to protect and secure these rights as fundamental and cogent to every individual.

Concerning the above, it must be noted that the International Covenant on Civil and Political Rights (ICCPR) which came into adoption in 1966 has similar provisions to the UDHR<sup>15</sup>. This is concerning the fact that Articles 6 and 7 protect the right to life, and prohibit any form of cruelty, torture, and inhuman treatment, similar to articles 3 and 5 of the UDHR. Also, articles 18, 20, and 26 stipulate that everyone has the right to religion, and freedom of thought, and that the government must ensure to protection of every individual from discrimination. However, it is relevant to state that prohibits any arbitrary arrest and detention, hence, everyone has the right to personal liberty and everyone must be treated with respect and dignity<sup>16</sup>. The relevance of this convention is that it tends to focus on first-generation rights which involve the civil and political rights of every given individual, which must be protected by the government and its human rights institutions<sup>17</sup>.

However, one of the generational human rights that seem not to be absolute in most countries and are often subjected to abuse is the economic, cultural, and social rights. These rights are known as second-generation rights and they include, rights to quality healthcare, rights to occupation, rights to education, rights to a clean and

<sup>14</sup> Fakunmoju, Sunday B., and Funmi O. Bammeke, 'Gender-Based Violence Beliefs and Stereotypes: Cross-Cultural Comparison Across Three Countries', *International Journal of Asian Social Science*, 7.9 (2017), 738–53 <https://doi.org/10.18488/JOURNAL.1.2017.79.738.753>

<sup>15</sup> Viljoen, Frans, 'Application of the African Charter on Human and Peoples' Rights by Domestic Courts in Africa', *Journal of African Law*, 43.1 (1999), 1–17 <https://doi.org/10.1017/S002185530000869X>

<sup>16</sup> Gunawan Yordan, Amarta Yasyhini Ilka Haque, and Aidonojie Paul Atagamen, 'Police Brutality as Human Rights Violation: A Study Case of Black Lives Matter', *Varia Justicia*, 19.1 (2023), 19–32 <https://doi.org/10.31603/variajusticia.v19i1.6588>

<sup>17</sup> Lähtenmäki-Uutela, Anu, and others, 'Legal Rights of Private Property Owners vs. Sustainability Transitions?', *Journal of Cleaner Production*, 323.September (2021) <https://doi.org/10.1016/j.jclepro.2021.129179>



healthy environment, and rights to social and cultural life. Given the relevance of these rights to all other rights, the international community has sought to uphold and protect these rights through international legal instruments. This is concerning the fact that Article 11 of the International Covenant on Economic, Cultural, and Social Rights also known as ICESCR adopted in 1966, stipulates that the government must endeavor to recognise and secure the rights to standards of living in ensuring quality living, housing, and clothing. Article 12 of the ICESCR further stipulates that in the attainment of mental and physical well-being, everyone has a right to quality healthcare. Furthermore, article 13 of the convention stipulates the right to education for everyone and no one should be deprived of the right to be educated. Hence, with quality education, the government and individuals could be able to accede to human rights tolerance. Also, by article 15 the ICESCR emphasize the rights of an individual to own and practice any culture, provided it is not barbaric.

It must be noted that some other specialized treaties and conventions tend to also secure the rights of every individual and curtail the incidence of intolerance mitigating the enforcement of human rights. These specialized treaties and conventions include the International Covenant on the Elimination of All Forms of Racial Discrimination, the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, the Convention on Elimination of Discrimination Against Women, the African Charter on Human and Peoples rights. These international laws have aided in shaping most laws in several countries in the realization and promotion of human rights against any form of intolerance and abuse. It must be noted that Nigeria is a signatory to the above international human rights laws and several others that tend to provide for and recognise the rights of man, but these international laws if not domesticated and ratified by the Nigeria Legislation, by section 6(6)(c) of the Nigeria Constitution it has no effect within the Nigeria jurisdiction. Furthermore, to give effective implementation of these international human rights laws, these laws have also been localise and incorporated into local laws such as the Nigeria Constitution, the Child Rights Act 2003, African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act, 1983, Violence Against Persons (Prohibition) Act, 2015 (VAPP Act), Anti-Torture Act, 2017, Freedom of Information Act, 2011 (FOI Act) and the National Human Rights Commission (NHRC) Act, 1995 (as amended). However, it suffices to state that despite the numerous international and local laws, there seems to be flagrant human rights abuse and intolerance often resulting in and leading to an obstacle or challenges in the realization of human rights in Nigeria. Hence, it will be relevant to consider some incidences and some of the factors often necessitating human rights intolerance and its impacts.

### ***Examining Human Rights Abuses in Nigeria***

Human rights are a universal concept emphasizing that everyone possesses inalienable and inherent rights<sup>18</sup>. These rights include freedom of association and speech, freedom of religion and cultural practice, right to protest, and quality education among others. In this regard, it is required that the international community and governments in various countries protect and safeguard Although

<sup>18</sup> Aidonojie, Paul Atagamen, Agbale O. Patient, Odojor O. Ann, and Ikubanni O. Oluwaseye, 'Human Rights: Between Universalism and Cultural Relativism', *African Journal of Law and Human Rights*, 5.1 (2021), 97–109. <https://journals.ezenwaohaetorc.org/index.php/AJLHR/article/view/1605>



there have been international and local laws that tend to secure and enforce these rights of man in Nigeria, there seems to be some high level of human rights intolerance<sup>19</sup>.

Human rights intolerance can be defined as the refusal or unwillingness to accept and respect the practices, beliefs, and identities rooted in the recognise rights of an individual or a group of individuals in a society. Intolerance can also be referred to as an uncompromising and rigid attitudinal behavior resulting in the outright dismissal, reprisal, prejudices, and rejection of individual rights given their status, which may include religion, colour or race, ethnic background, etc<sup>20</sup>. Human rights intolerance often results. Hostility and division within societies, most especially in diverse societies, thereby discouraging mutual respect and empathy among different communities. Human rights intolerance is a major issue and challenge in the enforcement and realization of human rights in Nigeria. This is a result of In fact that Nigeria is a country that operates on a vast ethnic, religious, political, and cultural diversity<sup>21</sup>. Concerning this, it suffices to state that there are several factors resulting in human rights intolerance in Nigeria and often result in the mitigation of human rights enforcement. Some of these factors resulting in human rights intolerance in Nigeria as follows.

Over the years, one major challenge in the realization and enforcement of human rights in Nigeria has been fuelled by religious intolerance. This is concerning the fact that Nigerian citizens are predominantly Christian and Islamic religious groups<sup>22</sup>. Although, there is an indigenous belief that is widely practiced, however with the introduction of Islam and Christianity in Nigeria, the majority of its citizens found themselves in this dominant religious fate. Given this religious divide among Nigerian citizens, there are often several conflicts and clashes between the Islamic and Christian fateful in Nigeria<sup>23</sup>. These conflicts often result in undermining the rights of the individual, loss of life and property, displacement of several individuals, rendering them homeless and with lots of hardship. Some of these incidences of religious clashes in Nigeria that have resulted in human rights abuse are;

Since 2009 till date there has been a Boko Haram insurgency regarded as an extremist whose aim is against Western ideologies and requesting that Nigeria should

<sup>19</sup> Adogu, Paul Oduwu, Adinma, E. Daniel, Onyiaorah, V. Innocent and Ubajaka, C. Fredrick "Perception, Prevalence and Predictors of Rape among Female Students in a Tertiary Institution South East Nigeria" *International Journal of Clinical Medicine*, 5, (2014), 819-828. <http://dx.doi.org/10.4236/ijcm.2014.514110>

<sup>20</sup> Ekator, Eghosa Osas, 'The Impact of the African Charter on Human and Peoples' Rights on Domestic Law: A Case Study of Nigeria', *Commonwealth Law Bulletin*, 41.2 (2015), 253-70 <https://doi.org/10.1080/03050718.2015.1049633>

<sup>21</sup> Aidonojie Paul Atagamen, Majekodunmi Toyin Afolabi, Ikubanni, O. Oluseye and Ibrahim Nathan, the causes of the Rising incidence of domestic violence in Nigeria: Proposing Judicial Separation as a Panacea, *Jurnal Hukum UNISSULA*, 38(2), (2020), 61-80, <https://doi.org/10.26532/jh.v38i2.21592>

<sup>22</sup> Aidonojie, Paul Atagamen, Abacha, W. Saminu, & David, Ayuba, Effectiveness of the Administration of Justice in Nigeria Under the Development of Digital Technologies. *Journal of Digital Technologies and Law*, 1(4), (2023), 1105-1131. <https://doi.org/10.21202/jdtl.2023.48>

<sup>23</sup> Aniche, Ernest Tooichi, and Victor Chidubem Iwuoha, 'Beyond Police Brutality: Interrogating the Political, Economic and Social Undercurrents of the #EndSARS Protest in Nigeria', *Journal of Asian and African Studies*, 7.1 (2022) <https://doi.org/10.1177/00219096221097673>



be a fully Islamic state<sup>24</sup>. In this regard, their major target has been Christians and Muslims whom they regarded as moderate and infidel. The activities of these Boko Haram groups have rendered severe havoc on Nigerian citizens leading to several bombings, kidnappings, burning of churches, and displacing several individuals from their homes. In April year 2014, it was reported that 276 Girls in Chibok Secondary School were kidnapped by this Boko Haram group since then just 160 have been returned to their families while others are missing<sup>25</sup>. Furthermore, religious tension has always been a major challenge to human rights abuse, for example in the year 2009 there was a serious religious conflict between Christian and Muslim groups. This religious conflict resulted in the death of several hundred of both religious groups. There was also the destruction of property and distrust among this group to date. Furthermore, in 2022, there was a gruesome murder of a Christian believer named Deborah Yakubu by her peers who are Muslims<sup>26</sup>. The incidence occurred in Sokoto state in Nigeria. She is a student of Shehu Shagari College of Education in Sokoto State wherein she commented on a religious post on a WhatsApp group that is supposed to be for their class group. Her Muslim peer considered the statement as blasphemy because the post was related to the Islamic religion. In this regard, some mob of students who were also Muslim attacked her stoning her to death, and burnt her body within the University premises<sup>27</sup>. Although the suspect where arrested, however, there was a protest requesting the release of the suspect, thereby undermining the rights to freedom of speech and encouraging jungle justice.

The issue of the Hijab is and has always been a major issue in Nigeria, which has generated a lot of controversies as it concerns the respect and recognition of the right to practice one's religious belief. For example, in 2013 the governor of Osun State Rauf Aregbesola gave a directive for Muslim students to be allowed to put on hijab in school by the government. This directive was widely protested against by the Christians on the basis that violate the circular nature of education. This incident resulted in the disruption of academic activities for a longer period in Nigeria<sup>28</sup>. Furthermore, in 2014 the Lagos State Government in Nigeria banned the use of Hijab in schools but was later ruled out by the Supreme Court in Nigeria in 2018 allowing students who are Muslim to put on hijab in schools. Furthermore, a similar incidence

<sup>24</sup> Safi', Safi', Aidonojie Paul Atagamen, Muwaffiq Jufri, and Garunja Edun, 'Bhag-Rembhag Sabhala'an as a Method of Resolving Religious Conflicts in the Madura Legal Tradition', *El-Mashlahah*, 14.1 (2024), 95–126. <https://doi.org/10.23971/el-mashlahah.v14i1.7819>

<sup>25</sup> Aidonojie, Paul Atagamen, Aidonojie Esther Chetachukwu, Oaihimire Idemudia Edetalehn, Oluwaseye Oluwayomi Ikubanni and Alade Adeniyi Oyebade, (2022), A Facile Study concerning the Legal Issues and Challenges of Herbal Medicine in Nigeria, *The Indonesian Journal of International Clinical Legal Education*, Vol. 4(4), <https://doi.org/10.15294/ijicle.v4i4.61641>

<sup>26</sup> Anietie Ewang, "Student in Nigeria Murdered Over Blasphemy Allegation" <https://www.hrw.org/news/2022/05/16/student-nigeria-murdered-over-blasphemy-allegation>

<sup>27</sup> Dowdle, Michael W. "Do We Really Need A 'Pluralist Jurisprudence'?" *Transnational Legal Theory* 8, no. 4 (October 2017): 381–90. <https://doi.org/10.1080/20414005.2017.1446416>

<sup>28</sup> Benda-Beckmann, Keebet von, and Bertram Turner. "Legal Pluralism, Social Theory, and The State." *The Journal of Legal Pluralism and Unofficial Law* 50, no. 3 (September 2018): 255–74. <https://doi.org/10.1080/07329113.2018.1532674>.



of refusing Muslim female students to put on a Hijab in Nigeria occurred in Ogun State in 2022, Kwara State in 2021, and Oyo in 2023 State<sup>29</sup>.

The concept of human rights does not hinge on ethnicity, culture, or specific. This concerns the fact that it is inalienable and accrues to everyone irrespective of race, color, and tribe. In this regard, the international community and various stakeholders of the concept of human rights will frown at any form of discrimination and violation of the rights of individuals based on ethnicity<sup>30</sup>. However, the scenario in Nigeria which has over 250 ethnic groups and with different cultural and traditional practices is quite different. Concerning this, Nigeria still learning the trade of upholding the rights of man within its territory this is because it has always been faced with stiff challenges as it concerns ethnic intolerance<sup>31</sup>.

This is concerning the fact that Nigeria has always recognized the Yoruba, Hausa, and Igbo as the dominant tribes and with other minority tribes. This has always been a basis for determining employment, election, and several other opportunities. This has often fuelled a high level of discrimination and intolerance given the unequal treatment and respect of human rights. Hence, this act of giving ethnicity priority over merit and rights often results in ethnic intolerance and chaos, thereby leading to tribal war and ethnic clashes that often result in human rights violations. In 2021, there was a serious clash between the Hausa and Yoruba Communities at Shasha Market located in Ibadan, Oyo State, western Nigeria<sup>32</sup>. The incident occurred as a minor argument between a Yoruba pregnant woman and a claimed Hausa who is actually from Niger Republic, on the intervention of a Yoruba man who slap the Hausa man, there was retaliation from the Hausa man which left the Yoruba paralyse. Hence this triggered a widespread ethnic and communal clash between the Yoruba and Hausa. Several houses, shops, and buildings were burnt. According to Vanguard, over 3000 individuals were displaced from their homes and several lives were lost in the incident<sup>33</sup>.

Furthermore, it suffices to state that since Nigeria's independence in 1960 and 1966, there has always been clamoring by some Igbo set known as the Indigenous People of Biafra in Eastern Nigeria advocating for Biafra State. This ethnic group's grievance is that they have been marginalized, not recognised, and treated as true citizens of Nigeria like every other group. In this regard, in 1967, Emeka Odumegwu-Ojukwu

<sup>29</sup>Natamiharja, Rudi, Heni Siswanto, Desia Rakhma Banjarani, and Ikhsan Setiawan. "Criminal Law Policy in Blasphemy Enforcement Based on Restorative Justice." *Jurnal Bina Mulia Hukum* 8, no. 1 (September 2023): 1–20. <https://doi.org/10.23920/jbmh.v8i1.1178>

<sup>30</sup>Ramdan, Ajie. "The Urgency of Religious-Blasphemy Case Arrangement in the Frame of Diversity towards National Criminal Law Reform." *Padjadjaran Jurnal Ilmu Hukum* 5, no. 3 (2018): 464–84. <https://doi.org/10.22304/pjih.v5n3.a4>

<sup>31</sup>Emegwa, Okenwa L., Stephanie Paillard-Borg, Inger Wallin Lundell, Anna Stålberg, Maria Åling, Gabriella Ahlenius, and Henrik Eriksson, 'Dare to Ask! A Model for Teaching Nursing Students About Identifying and Responding to Violence Against Women and Domestic Violence', *Nursing Reports*, 14.1 (2024), 603–15 <https://doi.org/10.3390/nursrep14010046>.

<sup>32</sup>Ola Ajayi, "Untold story of Shasha market clash" <https://www.vanguardngr.com/2021/02/oyo-untold-story-of-shasha-market-clash/>

<sup>33</sup>Aidonojie, Paul Atagamen, Muwaffiq Jufri, Mundu Mustafa, Obieshi Eregbuonye, and Saminu Wakili Abacha, 'Menace of Internet Fraud on Nigeria Youth: Lesson from the Indonesia Experience', *Jurnal Mengkaji Indonesia*, 3.2 (2024), 1–16. <https://doi.org/10.59066/jmi.v3i2.807>



the then military governor of the eastern part of Nigeria declared eastern Nigeria as an independent state given the accusation that the federal government under the leadership of General Yakubu Gowon a northern was killing the Igbo living in the northern regions<sup>34</sup>. To restore the separation of the Biafran from Nigeria, the Federal Government declared war against the Biafran agitator and the eastern people of Nigeria. Within the 2 and half years, the war lasted millions of Nigeria who died lost their life as a result of fighting, starvation, and disease<sup>35</sup>. The human rights concepts were abruptly abused and neglected. To date, there is still agitation of the BIAFRAN group to separate from Nigeria given the continuous marginalization and unfair treatment. The Igbo group being one of the major tribes in Nigeria has never in history produced a president of Nigeria, unlike other major tribes who had several tastes of power of the presidency. Furthermore, in 2022 what seem to be a movement and agitation after the civil war that erupted in 1967, soon turned into violent attacks on other ethnic group and their business.

In 2022 it was recorded that there was an ethnic clash in the cross river between the Agbokim Waterfall area between the neighbouring Ejagham and Efik communities over land disputes. Also, the Taraba and Benue border crisis occurred in 2023, wherein the Jukun and Tiv ethnic groups grappled over a land dispute. Hence, this incident resulted in serious human rights abuse leaving several individuals dead and injured. Houses, shops, and buildings were raised down on fire, leaving several individual homes<sup>36</sup>. In this regard, the Shasha Market Crisis, the IPOB in Eastern Nigeria, and other ethnic clashes further reveal the state of ethnic intolerance and prejudices that often mitigate the effective implementation and realisation of human rights in Nigeria. Hence, the need to take appropriate measures in curtailing the incidence of ethnicity profiling and prejudices, to promote and effectively observe and respect the rights of every individual in Nigeria<sup>37</sup>.

Although Nigeria had a long history of military coups which also contributed to several abuses of human rights. However, it suffices to state that after the long race of military rule in Nigeria, power was handed over to a democratic civilian government. In this regard, several political parties were formed given the fact that Nigeria operates a multi-party system<sup>38</sup>. Hence, given the tribal, ethnic, and religious nature of Nigeria, its political system is often fraud with political factions controlling power oppressing opposition parties, oppressing and suppressing protesters, and curtailing

<sup>34</sup> Mukhlis, Mukhlis, Raphael D. Jackson-Ortiz, Muwaffiq Jufri, Evis Garunja, and Aidonojie Paul Atagamen, 'Rejection of Former Shia Community in Sampang Perspective on Human Rights Law: Discourse of Religious Rights and Freedom in Indonesia', *Lex Scientia Law Review*, 7.2 (2023), 959–94 <https://doi.org/10.15294/lesrev.v7i2.72156>

<sup>35</sup> Fidelis Mbah, "Nigerians mark 50 years of end of the bloody civil war", <https://www.aljazeera.com/features/2020/1/15/nigerians-mark-50-years-of-end-of-bloody-civil-war> accessed 15th November, 2024

<sup>36</sup> Aidonojie, Paul Atagamen, Odojor, Anne Oyemwosa, and Agbale, Patience Omohoste, 'The Legal Impact of Plea Bargain in Settlement of High Profile Financial Criminal Cases in Nigeria', *Sriwijaya Law Review*, 5(2), 2021, 161-174 <https://doi.org/10.28946/slrev.Vol5.Iss2.852.pp161-174>

<sup>37</sup> Aidonojie, Paul Atagamen, Ikubanni O.Oluwaseye and Oyebade A. Adeniyi (2022), 'Legality of EndSARS Protest: A Quest for Democracy in Nigeria' *Journal of Human Rights, Culture and Legal System*, Vol. 2(3), 209-224, <https://doi.org/10.53955/jhcls.v2i3.40>

<sup>38</sup> Whaley, Joachim. *The Thirty Years War 1618–1648; Germany and the Holy Roman Empire*. Oxford: Oxford University Press, 2012. <https://doi.org/10.1093/acprof:oso/9780198731016.003.0008>



and controlling freedom of speech. In several cases, there have been extreme incidents of arbitrary abuse, detention, harassment, and killings of innocent voters and opposition<sup>39</sup>. This is evidence from the Nigeria 2023 general election several political party members and candidates complained of harassment, intimidation, and threats of arrest. For example, during the 2023 general election, the Labour Party Vice President candidate Alhaji Datti Baba-Ahmed raised an alarm of intimidation and threat to his life. Furthermore, during the 2023 general election it was reported by Fortune Eromosele in the Vanguard Newspaper<sup>40</sup> that the 2023 general election recorded 137 persons were killed, 57 abducted and several others sustaining injuries as a result of electoral violence executed by political parties in quest for powers.

Furthermore, it suffices to state that the press and activities that should be the watchdog and the fourth rem of governance have always been circumscribed, curtailed, and silent by political parties in power. Hence, where there are incidents of human rights abuse, they have always faced stiff challenges in championing the course of human rights. One of the notable cases of harassment and detention of journalists and activists involves the arrest of Omoleye Sowore. His arrest was based on the fact that he championed and organize a protest criticizing bad governance and corruption perpetrated by the ruling parties. This singular act of arrest of these activists and journalists sends a message of threat to other journalists and activists which automatically silent them from speaking against the bad governance and violation of human rights.

Furthermore, the EndSARS protest is a pointer to the fact of how political intolerance could result in the ineffective enforcement of human rights. The EndSARS protest was sparked off by bad political leadership and social unrest emanating from the Nigerian police abusing and harassing young Nigerian youth. During the protest, all political wings were said to have taken advantage of the situation leading to the shooting and killing of innocent civilians protesting against bad leadership and police harassment<sup>41</sup>. It was also reported that during the protest several individuals suffered severe injuries, and there was looting of shops and homes. Nigeria almost degenerated into a war zone and lawless society where both the weak and vulnerable were gruesomely abused and their rights violated by several individuals who took advantage of the situation<sup>42</sup>. Apart from the above incidences and factors necessitating human rights intolerance being mentioned, several others include; gender-based intolerance and Class and economic Discrimination. In this regard, given the incidence of the Boko Haram set and other religious conflict in Nigeria, it has

<sup>39</sup> Wildhan Ichza Maulana. "Walisongo's Concept of Religious Moderation in the History of Islamization of Java in the 15th Century AD." *Fuaduna: Jurnal Kajian Keagamaan Dan Kemasyarakatan* 6, no. 1 (2022): 30–44. <https://dx.doi.org/10.30983/fuaduna.v6i1.5521>

<sup>40</sup> Fortune Eromosele "137 killed, 57 abducted during 2023 elections", <https://www.vanguardngr.com/2023/05/137-killed-57-abducted-during-2023-elections-report/> accessed 15th November

<sup>41</sup>Akintayo Olamide Ogunwale, Frederick Olore Oshiname and Folakemi O. Ajagunna, "A Review of the Conceptual Issues, Social Epidemiology, Prevention and Control Efforts Relating to Rape in Nigeria" *African Journal of Reproductive Health* December 2019; 23 (4):109 <https://doi.org/10.29063/ajrh2019/v23i4.13>

<sup>42</sup>Fakunmoju Sunday, Abrefa-Gyan Tina and Maphosa Ntandoyenkosi, "Confirmatory factor analysis and gender invariance of the Revised Illinois Rape Myth Acceptance (IRMA) Scale in Nigeria". *Journal of Women and Social Work*, 34(1), (2019) 83–98. <https://doi.org/10.1177/0886109918803645>



resulted in widespread violent human rights abuse in Nigeria given the high level of religious intolerance, thereby making a mockery of the legal and institutional framework in the enforcement of human rights in Nigeria. In this regard, religious intolerance has led to widespread violations of the rights to life, security, freedom of religion, and freedom of movement.

### ***Obstacle to Enforcement of Human Rights Resulting to Intolerance***

The human rights concept has gained global recognition, and several laws and mechanisms over the years have been put in place to secure the rights of man. In Nigeria, international rules and local laws seem to place restrictions against any violation of human rights. Furthermore, there are several mechanisms and institutional frameworks such as the Human Rights Commission, the police, and the court that have been put in place to ensure the smooth enforcement and protection of the rights of man. However, despite these legal and institutional mechanisms there seems to be a high rate of human rights intolerance resulting in the violation and abuse of the rights of the individual, given the continuous existence of some obstacles which involve constitutional clause restriction. In Nigeria, it suffices to state the constitution gives recognition of the first-generation rights as fundamental rights that could be enforced in a court of law. However, other rights such as the second-generation and third-generation rights as contained in chapter 2 of the Nigeria constitution are considered not enforceable by section 6(6)(c) of the Nigeria constitution. Hence, this tends to place limitations on the rights of the individual in Nigeria. In this regard, due to the non-recognition of these rights such as rights to occupation, a healthy environment, quality healthcare, education, security, and several others, often results in stiff human rights challenges and intolerance. Furthermore, though Nigeria is a signatory to several international human rights laws, there seem to be restrictions placed on the enforcement and implementation. This is concerning the fact that section 12 of the Nigerian constitution requires that all international must be ratified and domesticated before they can have effect in Nigeria. Hence, this limitation makes a mockery and caricature of these laws that would have been relevant in securing and curtailing human intolerance towards the rights of an individual in Nigeria.

One cannot rule out the fact that there are good judicial officers who in all honesty execute their duties according to their oath and are the last home of the common man<sup>43</sup>. Nigeria has produced a quality and dedicated judicial officer advancing and upholding justice at all costs. However, there have been incidences where some judicial officers have been appointed for political reasons. Some of these judges are often utilized to satisfy political leaders' desires and corruption when the need arises<sup>44</sup>. That is the main reason why Dino Melaye a popular senator of the Peoples Democratic Parties complained of the irregularity during the collation of the presidential election of 2023, however, instead of the INEC Chairman to address the

<sup>43</sup> Ager, Richard D., 'A Qualitative Study of Intimate Partner Violence from a Cognitive Behavioral Perspective', *Journal of Interpersonal Violence*, 35.23–24 (2020), 5198–5227 <https://doi.org/10.1177/0886260517719902>

<sup>44</sup> Michael O. Ogunlana, Ifeoma B. Nwosu, Abiola Fafolahan, Bose F. Ogunsola, Toluwatomi M. Sodeke, Opeyemi Mercy Adegoke, Nse A. Odunaiya & Pragashnie Govender (2021) Pattern of rape and femicide during COVID-19 lockdown: content and discourse analysis of digital media reports in Nigeria, *Journal of Gender Studies*, <https://doi.org/10.1080/09589236.2021.2012134>



issues, he replied “Go To Court”. Hence the phrase goes to court, when the public has little or no faith in the court system will often result in jungle justice like the killings of the Kaduna students and community clashes. This incident ought to be resolved by the court.

Another significant challenge to protecting human rights in Nigeria stems from various systemic and societal obstacles. First, there are lapses in the implementation of human rights laws, where existing legal provisions are often poorly enforced, leaving victims without justice. Second, ineffective human rights institutions lack the resources, independence, and authority necessary to address violations effectively. Third, corruption remains a pervasive issue, with cases such as the #EndSARS protests highlighting the misuse of power by authorities and the suppression of dissent. Fourth, bureaucracy poses a hurdle, as lengthy and inefficient administrative processes often delay or obstruct justice for victims of abuse. Fifth, religious fanaticism exacerbates intolerance, fostering violence and discrimination against minority groups. Lastly, cultural barriers, such as entrenched traditional practices, often conflict with human rights principles, especially in areas like gender equality and child rights. Addressing these obstacles requires a multi-faceted approach, including institutional reforms, anti-corruption measures, public education, and collaboration between government and civil society to build a stronger foundation for human rights protection.

## CONCLUSION

Concerning the above, it is apt to state that Nigeria has set up commendable legal frameworks for the promotion of human rights; however, religious, cultural, and political intolerance usually have setbacks for these rights, which lead to open violations of these rights. These violate the rights of citizens, causing discrimination and marginalization with possible systemic violations that may not allow them access to equality and justice. The study findings make it clear that any understanding of addressing human rights abuse in Nigeria should incorporate these root causes holistically, along with their socio-political implications. In this regard, these challenges are met with the need for much stronger public education campaigns to inform the citizens about the importance of upholding human rights. Religiously and culturally focused re-orientations must be prioritized if mutual understanding and tolerance are realized amongst the Nigerians. Strengthening the transparency and accountability of political machinery will also help fight corruption and restore justice immensely. Establishing independent monitoring agencies that will keep track of human rights compliance is also crucial for implementing the strategies effectively. If these principles are adequately employed, Nigeria will be well on its way to creating an inclusive society where human rights are at the center of national development.

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