



## **GNOSI: An Interdisciplinary Journal of Human Theory and Praxis**

Volume 6, Issue 1, January - June, 2023

ISSN (Online): 2714-2485

### **Nigerian Government and Religion**

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**(Received: January -2022; Accepted: June-2023; Available Online: June -2023)**



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#### **ABSTRACT**

The Nigerian constitution does not explicitly mention that Nigeria is a secular State and the phrase “Secular State” is not used anywhere in the constitution. It is in the light of this constitutional provision that Nigerians are divided over the interpretation of section 10 of the constitution. Which state’s that; “The Government of the Federation or of a State shall not adopt any religion as State religion”. Instead of the Nigeria government preserving and promoting the secular status of a multi-religious and multi-ethnic society, the Nigerian government and politicians have adopted Christianity and Islam as state religions as against the even ambiguous section 10 of the constitution. Nigerian government policies practices and some official pronouncements make the Nigerian government the patron of Christianity and Islam. The Nigerian government at various times or the other has been seen to have pitched tents with Christianity and Islam at the expense of other religions in the country. Religion has become a tool in the hands of the government and the ruling class to divert attention and gain support from the electorates this paper seeks to examine the undue romance between the Nigerian government and Religion which has caused more harm than good. The Nigerian state for some time now has become an active participant in religious affairs and incapacitated itself in maintaining fairness and equity in its relation with Religions. Amongst others, the paper recommends that the role of the Nigerian government in religious matters is not healthy for peace and development. There is an urgent need for the Nigerian government to maintain a neutral posture with regard to all religions in Nigeria. The methodology adopted is historical and phenomenological, using secondary data collection and analysis done qualitatively.

**Keywords:** Religion; Secular; Nigerian government; Constitution; Freedom.

#### **INTRODUCTION**

The Nigerian constitution does not explicitly mention that Nigeria is a secular state. As a matter of fact, the phrase, “secular state” is not used anywhere in the constitution. It is

in the light of this constitutional provision that Nigerians are divided over the interpretation of section 10 of the constitution. Some people opine that Nigeria is a secular state while others object to the secularity of the Nigerian state (Udofia & Uduigwomen, 2022). Nigerians interpret the section differently. The constitution according to Femi (2013) does not recognize the secular nature of the state. It has merely prohibited the adoption of any religion as a state religion.

To ensure that religion is not exploited by political leaders as a divisive issue, Usman and Segun (1987) in their minority report proposed that: “The Federal Republic of Nigeria is a secular state and the state shall not be associated with any religion but shall actively protect the fundamental right of all citizens to hold and practice the religious beliefs of their choice” (p. 37). However, in order to allow political leaders and the Nigerian government to openly associate with religion and continue to cause problems and divide the country along religious lines, the ambiguous recommendation of the Rotimi Williams-led majority report, according to Femi (2013), was adopted by the Constituent Assembly and the Obasanjo military regime which promulgated the 1979 constitution. Thus, section 10 thereof provides that, “The Government of the federation or of a state shall not adopt any religion as state religion”. This was re-enacted as section 10 of the 1999 constitution.

The issue of religion is a private affair of an individual in a secular state. A secular state does not mean a state where religions are not recognized but where the choice to believe in a religion or not to believe is entirely an individual’s prerogative. Instead of the Nigerian government preserving the secular status of a multi-religious and multi-ethnic society, the government and politicians have adopted Christianity and Islam as state religions as against the even ambiguous section 10 of the constitution.

According to Kehinde (2014), apart from the clear wording of the provision of section 10 of the Nigerian constitution, the margin note to the section reads, “Prohibition of state religions”. Therefore, with the aid of the margin note, it becomes much easier to infer the intention of the drafters of the Constitution which is to separate the state from religion. This is to ensure religion as a private matter does not stray into public affairs. The state must not adopt any religion as one to influence its official decisions or as one being promoted with state funds.

By reason of section 10 and assuming the dedication to be drawn from the clear wordings of the section, according to Kehinde (2014), Nigeria can be regarded as a secular state. However, in practice, the country is not a secular state and it is also not a religious state, since it has not by the constitution adopted any religion as the country’s official creed. A non-secular state is “A state where religion is experienced in many everyday events on civil life and where it is part of the government” (p. 2). On a superficial level, Nigeria appears a non-secular state but on a more circumspective consideration, it will be seen that Nigeria is not a religious state like Saudi Arabia, Afghanistan, or Vatican City.

It is always common for the opponents of Nigeria’s secular status to argue that Nigeria is a multi-religious state. The truth is that, whether secular or non-secular or multi-religious, the constitution is very clear on the prohibition of the state religion. By implication, the Nigerian government has no business to support any religion. Though in contemporary Nigeria, Christianity, and Islam predominate, despite the fact that there are people of other faith as well in the Nigerian state that is multi-cultural and multi-religious.

The issue of the secularity of the Nigerian state will continue to pose important challenges to the cause of national cohesion. Although in the opinion of some, the country is secular in spite of the government's legitimization of religion in public affairs, others continue to oppose such secular status of the state. Davies (1995) opines that Nigeria is *de jure* a secular state. However, he observes that with the state policies, practices, and some official pronouncements, it appears that the Nigerian government is a patron of Christianity and Islam. Having selected these two religions for recognition by the Nigerian government, it becomes impossible for the Nigerian state to be neutral in matters relating to religion.

### **GOVERNMENT INVOLVEMENT WITH RELIGION IN NIGERIA**

The Nigerian government at various times or the other has been seen to have pitched tents with Christianity and Islam at the expense of other religions in the country. In fact, the constitutional provisions have been viewed as mere rhetoric in Nigeria. Religion has become a tool in the hands of the government and the ruling class to divert attention and gain support from the electorates. The practice of secularism in Nigeria is usually centred on the consideration of what values to be allowed, depending on whether it is not a Christian-religious doctrine or Islamic. Yet, successive Nigerian governments have fallen into traps of religious affairs at different times, beginning with the opening sentences of the 1979 and the 1999 constitutions which state that they were decided upon "under God." Nigerian public officeholders swear on the Quran or on the Bible to be faithful and bear true allegiance and conclude with the very deeply religious statement, "So help me God". To dispel any false notion of being secular and thus utterly unconcerned with God or religion, in whatever form, the Nigerian government recognizes religion especially Christianity and Islam (Muhammad, 1999).

The second stanza of the Nigerian national anthem and the national pledge, all point to the religious nature of the Nigerian state. The second stanza of the anthem begins with God and the national pledge concludes with God, thus:

Oh God of creation, direct our noble cause,  
 Guide thou our leaders right.  
 Help our youths the truth to know  
 In love and honesty to grow  
 And living just and true  
 Great lofty heights attain  
 To build a nation  
 Where peace and justice shall reign.  
 The national pledge reads thus:  
 I pledge to Nigeria my country  
 To be faithful, loyal and honest  
 To serve Nigeria with all my strength  
 To defend her unity  
 And uphold her honour and glory  
 So help me God. (Ngbea, 2011, p. 188)

Below is the list of government activities which have strayed into one religious stream or the other. These include the following:

1. Allowance of public preaching in public places by Islam and Christianity.
2. The admission of Nigeria on the 9th of January, 1986 into the Organization of Islamic Conference (OIC). Construction of chapels and mosques with public funds. Observance of religious public holidays for Christians and Muslims. The adoption of the Shariah Penal Code by some states in the North i.e. Islam as a state religion in some Northern states. State-sponsored interdenominational services and state-sponsored carols. Subventions on Jerusalem and Hajj pilgrimage.
3. Imposition of the Gregorian calendar on Nigerian currencies.
4. Official recognition of some denominations' insignia.
5. The use of the Islamic Arabic language by the Nigerian Army.
6. Blocking major federal highways and streets on Fridays and Sundays by Muslims and Christians for worship.
7. Prayers offered by Muslims and Christians during state functions.
8. Allowances and bonuses to facilitate religious festivals celebrated by Muslims and Christians.
9. Closure of Nigerian seaports during celebrations of Christian and Muslim festivals.
10. Official decorations of government public institutions during Christmas.
11. Government radio and television stations are filled with special religious sponsored or not sponsored programmes.
12. Taking of oath by public servants reserved to swear on the Bible and Quran respectively. In Nigerian courts of law, there is a provision for swearing either on the Bible or Quran before giving testimony in court or before holding positions in public offices.
13. Construction of churches and mosques with government money in schools, barracks, etc.
14. Imposition of the Gregorian calendar and Arabic language on Nigerian currencies, etc.
15. The teaching of Khadis (Muslim judges) by the government.
16. States, whether dominated by Christians or Muslims, lean toward the faith practised by the majority of residents and government officials routinely give out public revenue to religious organizations during public fundraising.
17. Government-owned media stations start and end their broadcasts with Islamic and/or Christian prayers.
18. Sunday is a work-free day for all public officers.
19. Friday is unofficially a half-working day in Nigeria because of Friday prayers for the Muslims.
20. The government is involved in the regulation and funding of mandatory religious instruction in public schools where Muslims are taught Islamic Religious Knowledge and Christians are taught Christian Religious Studies.
21. The state supports the funding of schools owned by religious bodies and does not interfere with their curriculums.
22. Politicians use government resources at their disposal to support religious activities and also use religion to access political power.

### **PRAYERS DURING GOVERNMENT FUNCTIONS IN NIGERIA**

Generally, Nigerians' national life indeed is very much characterized by religious beliefs and practices. In addition to the national anthem, government functions in Nigeria are usually preceded and concluded with prayers led exclusively by a Muslim and a

Christian or vice versa, not minding the sensitivity of adherents of other religions which is against the constitutional requirements of government taking side with Islam and Christianity as state religions in Nigeria.

Apart from prayers by Muslims and Christians during public functions, it is shocking that the government of Adamawa State in 2015 voted for ~200 million to pay prayer warriors and Vigilante Group for their services in the fight against Boko Haram. Abdulrahman Jimeta, Chief of Staff to the Governor, explained that the action was necessary since divine intervention was desirable toward ending the security challenges facing the state (Akanmode, 2015). It is not clear if the money was meant for Christian or Muslim prayer warriors, but it is strange that government can spend such a huge amount of money on prayers. Who were the prayer warriors? What made them prayer warriors? Was the money meant for prayer warriors of all religions in Adamawa State or particular religions? If the government really needed divine intervention, it would have only called on the citizens of the state for prayers irrespective of their religious affiliations, and not the so-called prayer warriors. Even though the Secretary to the Adamawa State Government, Umar Bidir, later denied that ~200 million was earmarked to prosecute the war against Boko Haram (Molomo, 2015).

Many Nigerians have argued against the issue of prayers during government functions by Muslims and Christians. In Osun State, according to Falana (2013), the Governor of the state has added traditional religion to the two official religions that enjoy government patronage i.e., Islam and Christianity. In addition to prayers said by Christian and Islamic clerics, an Ifa priest is also allowed to say prayers in official programmes of the state. Although, the traditional religion is secretly patronized by many political and religious leaders, the then Osun Governor was accused by the leaders of both Christian and Islamic faiths of promoting “Idol worshipping” which ordinarily is the right step to check-mate government patronage of Islam and Christianity in Nigeria.

Demola (2011) gives an instance of how he was maltreated for raising his voice against prayers by Muslims and Christians on the parade ground in Borno State where he served. According to him, the National Youths Service Corps (NYSC) PRO and the Camp Commandant were fond of calling a Christian from Platoon 1 and a Muslim from Platoon 2 to come out and lead prayers. In his words:

I went to the camp office to confront them over the injustice. What about people of traditional faith? I said. They burst out laughing at me. The following day, it was the turn of a Christian from platoon 3 and a Muslim from platoon 4. I walked calmly out and took the microphone. I was not even allowed to finish chanting my Oturupon Meji remix, when soldiers came bringing fiery blows and booted kicks. I was dragged by one leg from the podium, all across the parade ground straight into the cell for the rest of the day. The following morning, I was ready to do the same thing. However, my tenacity had begun to attract other adherents, Christians and Muslims alike to my ad-hoc faith/cause. The administration did not want to risk a full-scale religious uprising, so, they changed the format; instead of calling for a Christian from platoon 5 and a Muslim from platoon 6 to lead the prayers, what we had was everyone should bow down silently and pray to their respective Gods (p. 2).

Demola’s experience is a victory for secularism and it is a good example of how the issue of religion ought to be treated in a truly multi-religious society like Nigeria when it

comes to the issue of prayer during government functions: TO BOW DOWN SILENTLY. Secularism is not atheism; it is just the condition where piety pertains to a private subjective universe not a dominant reference in public space.

A day after the inauguration of the then National Conference by president Jonathan, religion struck a sensitive nerve on the issue of prayers and places of worship. On their first day of deliberations, some of the delegates protested the attempt by the conference management to promote religion. The decision followed the rejection of a call by the conference Chairman, Idris Legbo Kutigi, for closing prayers by Islamic and Christian adherents. Also, Pastor Tunde Bakare, a delegate complained about the greeting by the Chairman, who prefaced his opening remarks with “*Asalamalaikun*” (Peace be unto you in Arabic). He accused the Chairman of using a religious phrase alien to many of the delegates. He said, “The Chairman spoke in some language we did not understand, the Chairman needs to be fair and stick to a language we all understand. We must not bring religion here” (Nwoso and Itua, 2014, p. 50).

Bakare described it as foreign and wondered what would have happened if Christian delegates commenced deliberations by shouting, “praise God”. The delegates protested the call by Kutigi for Muslims and Christians to say the closing prayers and requested that the lyrics as contained in the national anthem should be adopted. Based on the unanimous decision of the delegates, the lyrics in the national anthem, which was observed when the President inaugurated the conference, was offered. With the decision, the prayer during the conference shall be:

Oh God of creation, direct our noble cause, Guide thou our leaders right.  
 Help our youths the truth to know In love and honesty to grow  
 And living just and true Great lofty heights attain To build a nation  
 Where peace and justice shall reign.  
 (Okocha, Soniyi and Ezeigbo, 2014, p. 8)

Making further explanations on the activities that will shape the conference, the Secretary of the Conference, according to Nwosu and Itua (2014), stated that “arrangements are being made to enable Muslims have their prayers everyday” (p. 50). The Muslims were informed that there was a mosque within the National Judicial Institute (NJI), the venue of the conference for their prayers. No prayer ground was made available for the Christians. The Secretary of the Conference promised that a place would be provided for the Christians later. Immediately, Mike Ozekhome, a delegate from Edo State and a constitutional lawyer challenged the provision of prayer venue for Muslims and the exclusion of Christians. He demanded for the provision of a praying ground for Christians too, especially for those observing the Lenten season to say their prayers. He asked, “Some of us are in our lent period. Since you have provided a place for the Muslims to pray, are you going to do the same for Christians?” (Okocha, Soniyi and Ezeigbo, 2014, p. 8.) Closely related to the issue of prayer during the National Conference which was a clear case of government patronage of Islam and Christianity with the exclusion of other religions in a multi-religious society like Nigeria, was also the protest that was embarked upon by the practitioners of African Traditional Religion in the country for their exclusion by the Federal Government from the National Conference.

According to Olorok (2014), the African Traditional Religion (ATR) practitioners hinted that their exclusion from the dialogue would “Haunt the country in many years to come” (p. 1). At a press conference in Abuja, the President of International Council of Ifa (Africa) Religion, Idowu Odeyemi, demanded for at least three slots for the indigenous religion practitioners. He lamented that, “Most disturbing and perplexing of this arrangement is the representation of the religious groups. In the listing, six “Muslim” leaders and six “Christian” leaders, each representing each of the six geo-political zones in Nigeria were invited for the conference with the exclusion of ATR practitioners.

A major flaw in this, according to Idowu, is that Nigeria, acting in accordance with the dictates of the foreign media, gives the impression that Nigeria is made up of only Christians and Muslims. African Religion does not exist in Africa’s largest nation. Both ingested and imbibed impressions are plain off course, clearly false, patently self-demeaning and self-abnegating. To consciously alienate and ignore this massive African religious class is therefore totally unacceptable. Ignoring African Traditional Religion now or else, will come back to haunt our country Nigeria for several decades to come.

Idowu regretted that the Nigerian government accorded respect and recognition to other religions, which came to Nigeria long after the full establishment of traditional religion, to participate in the conference. He said, the Federal Government should have a rethink of its decisions of excluding the traditional worshippers from the conference, adding that he had been receiving series of complaints from traditional religion adherents from all over the world for explanations on the reasons for the government’s decision to exclude ATR from the conference.

### **GOVERNMENT’S CONSTRUCTION OF WORSHIPPING PLACES FOR CHRISTIANS AND MUSLIMS IN NIGERIA**

Section 10 (adopted provision) states that “The government of the federation or of a state shall not adopt any religion as state religion.” The adopted provision warns against government establishment of religion. There is no other suitable legal interpretation of this section than the word “separation.” The section requires strictly that government and religion should separate. The government should be as much as possible secular; religion should be entirely in the private realm of the society. By this, civil authority is forbidden in every form of public aid or support for religion.

Nigeria is supposed to be a secular state which allows the right of religion. Contrarily, in Nigeria, the government has chosen to patronize two religions at the expense of others in a multi-religious country like ours. The Federal Government has used public funds to build a National Mosque and Ecumenical Centre in the Federal Capital for Christians and Muslims. There is a mosque and a church in the State House at Abuja, with Imams and Chaplains being sponsored with government fund which are clear indications of adoption of religion contrary to the adopted provision.

Contrary to the secular nature of the Nigerian state, Christianity and Islam have been adopted as state religions in Nigeria. Before the erection of churches and mosques in the Presidential Villa to State Government Houses, the president and the state governors were worshipping with other people in public churches and mosques located in federal and state capitals where they listened to uncensored sermons from Pastors and Imams. Since, Olusegun Obasanjo built a church in the Presidential Villa, churches and mosques have adorned Government Houses where political leaders worship with their family members, top public officers and government contractors (Udofia, 2021; Udofia

& Uduigwomen, 2022). Politicians now appoint their own Chaplains and Imams who sing their praises on daily basis and tell them what they want to hear, sometimes the politicians themselves turn priests, pastors and imams in those churches and mosques and conduct the worship sessions with their wives and children allotted different roles.

The government has sponsored the building of mosques and chaplaincies for Muslims and Christians not only within the armed forces, but also in all government institutions all over the country. Chapels and mosques are built in almost all the State Government Houses in Nigeria with public funds. Building of mosques and churches by the Nigerian government with public funds is one of the ways through which government has become justifiably involved in religion.

In Katsina State, according to Sheniqua (2015), the State Government awarded a ~359.4 million contract for the construction of 34 Juma'at mosques in the state. Presenting certificate of contract to the executors, the Governor said, each mosque would cost the government ~10.5 million, and that they would be spread across the 34 local government areas of the state. Prior to the award of the above contract, Special Adviser to the Governor on Community Development, Abubakar Yusuf Bindawa, said that the administration had constructed 306 *Islamiyyah* schools and mosques. Bindawa added that 12 new Juma'at mosques were earlier constructed by the government at the cost of ~200 million.

Also, the Federal Government awarded a contract of ~24 billion National Houses scope of work, according to Ezech (2014) which included the residences of the Senate President with banquet hall; Speaker of the House of Representatives with a banquet hall; Deputy President of the Senate and Deputy Speaker of the House of Representatives. The then Minister of the Federal Capital Territory, Bala Mohammed, revealed that each residential compound comprised, a 5-bedroom main building with a swimming pool and lawn tennis court, 3-bedroom residence for ADC, 3-bedroom guest house, 4-bedroom staff quarters and a guest house. Also, there would be provision for common facilities such as chapel, mosque, general guest house and utilities.

In a similar vein, according to Adeniyi (2014), who was the Chairman, Federal Capital Territory Chapter of the Christian Association of Nigeria CAN, Akanji Israel, speaking during the commissioning and dedication of the Christian Staff Fellowship Chapel at the Federal Ministry of Water Resources in Abuja, called on all government ministries in the FCT to have chapels where Christian Staff can worship. Akanji explained that, "Having such chapels would lead to the transformation of the nation" (p. 46), describing it as a means to also transform the civil service. Speaking at the commissioning of the chapel within the ministry's premises at Area 1, Abuja, the then Minister of Water Resources, Sarah Ocheke, identified total service to God as a panacea to the transformation of the ministry and the country at large. If we dedicate ourselves to God, He is a faithful God; I believe if we are not ashamed of the gospel and we stand firm, the ministry will not only be transformed but would come out as light to other ministries and other people who are in civil service (p. 46).

While commending the contributions of the staff to the construction, she also urged them to encourage their colleagues in other ministries to follow suit. In the editorial of *Daily Trust* of 3rd June, 2003 regarding the publicity and the use of Aso Villa Chapel by Obasanjo, the editor accused Obasanjo's presidency of manipulating religion to the height that had never been witnessed before, that apart from having a resident ministering priest on government pay roll, the Sunday services at the Villa



Chapel had become weekly on public television, an event which was unprecedented in the country's national life. The comment of Kabiru (2003) deserves attention here, thus:

We are used to television clips recorded from Mosques and Churches during the significant religious festivals such as Eid, Easter or Christmas, showing the religious devotion of our leaders. However, to endure a weekly barrage from the presidency is a new departure in our rulers' political and manipulative use of religion on the nation's leading public television medium, the NTA. Knowing the way the minds of our rulers work, a new set, who are Muslims might of course take a cue from what Obasanjo and his over-zealous Information Minister, Jerry Gana, have commenced, by wishing that they also broadcast live, from their Juma'at service every Friday, thus further deepening mutual suspicious amongst adherents of the religious faiths in the country (p. 58).

Kabiru (2003) then left strong words that, we believed that Obasanjo, Gana and other habitués of the Villa Chapel, had the right to worship as fervently as they did each Sunday. However, they could not continue to inflict their worship on Nigerians through the National Television Authority. The medium of television is a national patrimony, which Obasanjo, Jerry Gana and the authorities of NTA had absolutely no right to use for a cynical manipulative and divisive religious agenda. The religious worship of President Obasanjo was a communion between him and God, and should be left where it belonged (in the holy sanctuary of the Aso Villa chapel). It is really hard to explain that despite the constitutional proclamation of separation of the state and religion, there are both a mosque and a chapel in the Nigerian State House, where a Muslim or Christian president holds religious services. Similarly, according to Tar and Shettima (2010), Sunday Gabriel Ehindero, Nigeria's former Inspector General of Police, who supervised the fraudulent 2007 general elections, was quoted as saying that, when he was still on the post as Inspector General of Police in Nigeria, he "brought" God closer to the policemen. "I established the chaplaincies in Nigeria Police and they are there for everyone to see..." (p. 12). It is entirely another issue whether the chaplaincies have truly brought God closer to the policemen by making them more professional in their discharge of duty, or it has minimized collection of bribe by policemen at checkpoints across the country and in their other places of work.

Apparently, in Nigeria's sectarian polity, even the Police Force measures its achievement not in terms of its ability to police the society effectively and the ability to combat crime but by the number of its chaplaincies aimed at bringing the Force "closer to God." Whatever that means, only the Police and the Nigerian government know best. As usual, those chaplaincies are only for the Muslims and Christians without other religions in a multi-religious society like Nigeria. Building of mosques and chapels by the Nigerian government with public funds is one way that the Nigerian government has endorsed Islam and Christianity against other religions in violation of the Nigerian constitution. The constitutional provisions should be interpreted to forbid government actions that will cause excessive entanglement with religion. The Nigerian government needs to be as much as possible, secular while religion should be entirely a private affair. Nigeria is a multi-religious society; it would be unfair for government to sponsor religious beliefs of some citizens at the expense of non-religious believers in the country.

## **RELIGIOUS PUBLIC HOLIDAYS IN NIGERIA**

Public holiday refers to work-free hours extending over a whole day. Its observance protects every person from engaging in any activity which the person would not be compellable to do on a Sunday. Public holidays are important for citizens of every country, because a nation has the duty of care for the physical and mental wellbeing of its citizens, and to promote healthy family relations. Public holidays afford opportunities for busy people to plan and enjoy their favourite activities with families and loved ones, while for employees who opt to work on those days have the chance to make extra money. It also serves as a drive for big retail businesses tied to the peculiar social activities that people associate with the celebration or enjoyment of the holiday. Negatively, it is a means of loss of earnings for the government and certain types of businesses with implications for both private and public revenue. However, like every component of public leadership, it is imperative that the Nigerian government should approach public holiday(s) from the constitutional point of view, with its legal or other implications (Public Holiday Act).

According to Opeolu and Eleanya (2015), it could come as a surprise to many Nigerians that there exists a Public Holiday Act (PHA), a law regulating the declaration and operation of holidays in Nigeria. In the second schedule of the constitution, item 51, part 1 of the Exclusive Legislative List, the law gives only the Federal Government power to make laws regarding the declaration of public holidays in any part of Nigeria. In other words, none of the 36 state governments has power to declare a public holiday except under a power given to it by the law made by the Federal Government through the National Assembly. This understanding is especially important in considering the PHA – specifically section 2(2) – which empowers a governor of a state in Nigeria to declare a public holiday over the whole or any part of the state. Thus, the constitution creates equal opportunities and equal treatments for all Nigerians, when it comes to public holidays – no matter their state of residence or religion.

In recent years, the public holiday culture in Nigeria has received greater boost with the habit of the Federal Government ensuring patronage of religious holidays exclusively for Muslims and Christians and also ensuring that every declared public holiday takes, at least, one working day off the normal work week. In other words, even where a public holiday coincides with Saturday or Sunday, it is now the practice to officially declare the very next working day as a “bonus” public holiday. Owing from the constitutional requirements of PHA, where does the Federal Government derive the power to justify the practice of giving religious holidays for only Islam and Christianity and of giving bonus holidays to Nigerians anytime a declared general public holiday coincides with a weekend, like Saturday or Sunday?

Religious public holidays in Nigeria are also one of the ways that the Nigerian government has deliberately chosen to patronize Islam and Christianity as against the constitution by making the two religions state religions. According to Ukoima (2015), it is the imposition of Christian religious holidays on the entire nation during the colonial era that provoked the Muslim backlash after independence. As a result, Nigeria today has far too many religious holidays not minding the economic implications of those holidays on the Nigerian economy and other citizens that are not adherents of Islam and Christianity. Below is the time and date of religious holidays in Nigeria in 2023 as approved by the Ministry of Interior (Holidays in Nigeria in 2023).

January 2	New Year's Day
April 7	Good Friday
April 10	Easter Monday
April 21	Eid al-Fitr
June 29	Eid al-Adha
September 27	Prophets Birthday
December 25	Christmas Day
December 27	Boxing Day

Looking at the above table, there is no single religious holiday for other adherents, apart from Islam and Christianity in a multi-religious society like Nigeria. Apart from the numerous religious public holidays approved by the Federal Government exclusively for Islam and Christianity, other state governments in Nigeria have gone ahead and approved more religious holidays in their states.

According to Adebajo (2013), Sokoto, Kano, Zamfara, Niger and Osun states declared public holidays in their states to mark the first day of Islamic calendar year, *Muharrm 1* (New Year), *Hijrah* 1435 A.H. The Sultan of Sokoto and President-General, Nigerian Supreme Council for Islamic Affairs (NSCIA), Muhammad Sa'ad Abubakar, praised the governors who declared public holidays to mark the Islamic New Year and urged other governors to emulate their colleagues in the interest of unity, peace and justice. A statement by NSCIA's Acting Director of Publicity, Muhammad Kabir Qasim, said that, "The gesture enables Muslims in the states to have an equal opportunity as their Christian counterparts to mark the New Islamic Year (p. 53). According to Muhammad (2014), Nigerian Supreme Council of Islamic Affairs (NSCIA), while congratulating the Nigerian Muslim Ummah and their counterparts all over the world, called on the Nigerian government to make the holiday a national one. He added further that, "Now that the 1999 constitution is being amended, it will be apt, and deserving, to insert Muharram 1 as a national public holiday, as par with January 1. That will be justice. That will be equity" (p. 64).

According to Udobata (2012), Nigeria as a country will soon collapse if the government succumbed to the pressure by many religious groups to grant them the freedom to do what they want. For instance, the Sabbatherians (all who worship on Saturday) want the election days and end of the month sanitation days to be shifted from Saturday to ordinary working days of the week. Another group of Muslims want Friday to be declared work-free day just like Sunday. In many government offices at all levels, no office is opened again after the *Juma'at* prayers at 1:00 pm on Fridays. Can we calculate the number of hours and the financial equivalent that the country loses on public holidays? The number of public holidays in Nigeria, because of one religious festival or the other, are more than what any country with a viable economy allows in a year. Such frivolous work-free days are not in the best interest of national growth, development and economic security (Anthony et al., 2019).

## **ALLOWANCES AND BONUSES TO CELEBRATE RELIGIOUS FESTIVALS IN NIGERIA**

Apart from the public holidays to mark religious festivals, the government spends public funds to aid the celebration of religious festivals for Islam and Christianity. For instance, in Kano State, according to Shuaibu (2015), there is a provision by law for the payment

of ram and Ramadan bonuses to all public and civil servants which was signed in 2005. The administration of Kwankwaso in an attempt to amend the law, seeking an absolute power of the Kano State Governor to use his discretion in the payment of Ramadan and ram bonuses to civil servants in the state once in a year was rejected by the lawmakers.

According to Khalid (2012), the Assembly members while rejecting the amendment bill urged the Governor to pay all the outstanding allowances owed civil servants in the state, including that of ram. The resolution followed the adoption of the recommendations made by the House Committee on Public Service. Addressing newsmen on the Committee report after the sitting, Gwarmai explained that:

The decision to compel the government to pay the allowances was consistent with a law that was made by the assembly in 2005. The law made it mandatory for the government to provide each of its workers with a ram and Ramadan allowance every year in order to keep them motivated (p. 26).

The question one may ask is, is Kano State a Muslim state without adherents of other religions? If the civil servants in the state are being paid their salaries and wages, is there any reason for such bonuses? This is a clear case of making Islam a state religion in Kano State against the provision of the Nigerian constitution. Why not use such funds to develop crumbling infrastructure in the state instead of giving it to individuals in the name of religion? At the same time, the Kano State Governor finally succeeded in signing into law, the state amended version of the Ramadan and Ram bonuses into law, making it optional for the government to pay bonuses to its workers during festive periods and not mandatory as it was previously done. The governor after signing the bill said the amendment became necessary so as to allow the government to pay bonuses to its employees within limits of the available resources (Khalid, 2012).

During the 2012 month of Ramadan, the Niger State Government, according to Oladesu (2012), earmarked ~47 million of public funds on Ramadan feeding in the state as part of its social responsibility. ~40 million would be used in feeding *Almajirai* in 23 cluster groups across the state during the period, while ~7 million would be spent on other less-privileged Muslims at designated mosques across the state. President Jonathan in 2012 ordered an expedited salary payment in view of *Sallah* holidays. Quite often salaries are paid early to civil servants by government to enable Muslims and Christian faithful's to celebrate religious festivals in Nigeria.

Even with the hardship that was being experienced by workers across the country because of non-payment of salaries by some state governors between 2013-2015, the Kebbi State Government used ~14 million naira of taxpayers' money meant for the citizens of the state irrespective of religion, bought food items and other materials and distributed to the less privileged to support them during the Ramadan period. The wife of the Deputy Governor, Hajiya Halima Yombe, who flagged off the distribution in Birnin Kebbi posited that the said food items and materials were to cushion the hardship faced by beneficiaries during the fasting period (Okoekei, 2015).

In a shocking revelation, the Sokoto State government had been exposed of having religious leaders on government pay roll, making Islam a state religion. According to Omolehin (2015), more than 32 Imams and their deputies of *Jama'at* mosques from Isa Local Government Area of Sokoto State staged a peaceful demonstration to protest unpaid ~114 million monthly allowances. The allowances, it

was alleged, were diverted by the former Chairman of the Council, Umar Muhammad Wali.

The protesting clergymen drawn from the 96 Juma'at mosques of the council arrived Sokoto in a motorcade and stopped over at the office of the Independent Corrupt Practices Commission (ICPC) where they had earlier submitted a petition. The officials of the ICPC held a closed-door meeting with their leaders before they headed to the Sultan of Sokoto's palace where they promised to also submit a copy of the petition to the Sultan. The Imams said the state government through the Ministry of Local Government and Community Development had, in 2011, directed that all Imams, their deputies and *Muezzins* (aides) be paid monthly allowances. Given the breakdown as contained in the original petition, Kurawa, the spokesman of the group noted that four Imams, their deputies and *Muezzins* (aides) serving in the local government municipal were to be paid ~20,000, ~15,000 and ~10,000 respectively every month.

Apart from the Muslim governors, their Christian counterparts too are not left out in terms of allowances and bonuses to aid the celebration of religious festivals. According to Ude (2015), the then Imo State Governor, Owelle Rochas Okorochoa, treated Imo workers to a rousing 2014 Christmas dinner party. Speaking at the occasion, Okorochoa argued that the event was packaged to express his immense love for the public servants whom he described as partners in progress (para. 2). To further appreciate the workers, the governor declared two weeks work-free days from Friday, 20th December, 2013 to Sunday, 5th January, 2014, and announced a Christmas bonus of twelve thousand naira (~12,000) to all public servants in the state establishments while workers in federal establishments got ten thousand naira (~10,000) each.

Similarly, the Ekiti Democratic Coalition Alliance (EDCA), according to Bisi (2008), berated the members of the House of Representatives over the ~3 million each of them allegedly collected as *Eid-el-fitri* bonus. The group asked the lawmakers to return the Sallah bonus to the treasury or face recall from their various constituencies. It however commended the senators for not collecting the money. The group advised the anti-corruption commissions to immediately probe the payment. ECDA also described the bonus as an insult to the intelligence of Nigerians, after the lawmakers had earlier awarded themselves jumbo wardrobe, car, constituency, stationary and other allowances on assumption of office. It noted that each senator had been taking home not less than ~20 million monthly, with each member of the House collecting ~12 million every month. The ECDA noted that,

These people in the House of Representatives are rich enough to take their legitimate income to celebrate *Eid-el-fitri* or any other religious festival. Religion is a personal matter. State funds that are supposed to be used to cater for the welfare of the masses, should not be wasted on the celebration of religious festivals (para. 6).

All levels of government in Nigeria, including their institutions and parastatals, always use government funds to aid the celebration of Islamic and Christian religious festivals in Nigeria without considering the feelings of other citizens who are neither Christians nor Muslims in a country that is supposed to be secular by nature due to the multi-religious and multi-ethnic nature of Nigeria as a country.

## CONCLUSION

It is very clear that Nigerians are divided on their interpretation of section 10 of the constitution. The truth is that, whether secular or multi-religious, considering the fragile nature of our religious landscape in Nigeria as a pluralistic society that is multi-religious and multi-ethnic, there is every reason for the Nigerian government at all levels to avoid patronizing the two major religions that is, Islam and Christianity at the expense of other religions. With the manner in which religion has become a sensitive issue in Nigeria, it is not likely that anyone will legislate against religion in this country and live to tell the story since everything we do revolves around religion and ethnicity.

Those who claim to be more of the non-religious persuasion always argue that Nigeria is a secular state. However, the ambiguity of the concept of such secularity still remains problematic. The draft copy of the Nigerian constitution during the constitutional conference as mentioned earlier specifically states that, Nigeria shall be a secular state, namely, that Nigeria shall not be ruled in terms of any particular religion. Nonetheless, many of the members of the constitutional conference objected to the expression “secular” because in their opinion, it could be interpreted to mean that the government of Nigeria would be Godless and as a matter of compromise, the sentence was removed from the constitution and replaced with section 10 of the present constitution which contains the spirit of what was meant by a secular state without mentioning the word ‘secular’.

Our problem as Nigerians is not the interpretation of section 10 of the constitution as to whether Nigeria is a secular or non-secular state. There are many states in the world right now that are secular but recognize God. They either simply tolerate or they indeed encourage religion but there is no provision for a state religion like Nigeria adopting Islam or Christianity. America is often quoted as a secular state where the constitution clearly makes a distinction between religion and government. Yet, religion is highly promoted not only among the people but also, the United States Armed Forces has huge and well-organized chaplaincies and mosques for Protestants, Catholics, Jews and Muslims. On the American dollars, the motto of the nation is “in God we trust”, but this is a nation which claims to be secular. By implication, there are many ways of being a secular state with or without the mention of the word ‘secular’ in the constitution.

The Nigerian problem is to define the place of religion in the political and constitutional framework of the country—a definition based not on any presumed ideal situation, but how to maintain neutrality on issues of religion and a fair treatment for all Nigerians, irrespective of their religious affiliations. Nigerians should always enjoy their full rights as human beings in every part of the country no matter their religious affiliation or non-affiliation to any religion. Most Nigerians will reject the idea of a “Godless state”, at the same time, there is no need for the Nigerian government to patronize and favour Islam and Christianity against other religions in Nigeria which is tantamount to giving Islam and Christianity official status as state religions contrary to the provisions of the constitution. The role of the Nigerian government in religious matters is not healthy for peace and development (Eyo, & Udofia, 2011; Eyo et al., 2011). There is urgent need for the Nigerian government to maintain a neutral posture with regard to all religions in Nigeria.

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