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## RELIGION AND HUMAN RIGHTS VIOLATION IN NIGERIA

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### **Abstract**

Human right means natural possessions that are enjoyed by man. It has become worrisome that irrespective of religion's claim to protect human rights, there are violation of right to life, freedom of speech, freedom of movement, freedom of worship, right to dignity, fair hearing and so on in the country. The paper examined the attitudes of two imported religions (Islam and Christianity) to human rights violation in the country with the aim of awakening human rights consciousness among the votaries of these religions. The approach was phenomenological. It was descriptive and analytical. It was discovered that the religions showed nonchalant attitude to human rights violation in the country. This partly accounts for the incessant human rights violation that had continued unabated in the country. Human rights violation has caused ethnic violence, loss of lives and property, political tensions, marginalization, religious crisis, inequality, insecurity and so on. The violence in the country stems from the inability of the government to protect human rights.

### **Introduction**

It is pertinent to note that human rights violation is still found in Nigeria. Nwanaju (2005:273-274) maintained that the former president of Nigeria, Olusegun Obasanjo having been aware of the incessant violation of human rights in the country set up Human Rights violation's investigation commission to make inquiry on the violation of human rights from 1960 to 29<sup>th</sup> May, 1999. According to Nwanaju (2005:274), the Chairman of the Commission, Chukwudifu Oputa who was also the former Justice of the Supreme Court of Nigeria observed that human rights violation was caused by religion and communal clashes.

Ehusani (2003:26) asserted various ways the government that supposes to protect human rights has turned to cause breach of human rights. Shortly, after the Inauguration of democracy in 1999, the Nigerian Army acting by the directive of the federal government almost wiped the entire village of Odi in the Niger Delta region for killing some policemen on duty. Again, in 2001, the military killed many inhabitants of Zaki-Biam for killing soldiers sent to restore peace between Tiv and Jukun in Benue state. Ehusani (2003:32) maintained that in 1995, a six Inch nail was driven inside the head of Bosede, a three year-old girl at Ibadan. It was in April 1995 that an Irish nun was murdered at warri. The murder of Alfred Rewane, a 79-year old politician took place in September 1995. In October 1995, Bamidele Bandipo, a professor of medicine and chief medical Director of the Ahmadu Bello University Teaching Hospital was beaten to death. Unfortunately, all these human rights violation happened and have continued to happen in the presence of these religions. The

paper examined the attitudes of two imported religions (Islam and Christianity) to human rights violation in the country with the aim of awakening human rights consciousness among the votaries of these religions. The approach was phenomenological. It was descriptive and analytical. There were human rights violation which has rendered the country restive.

### **Religion as a Concept.**

The ambiguity of the term religion necessitates its definition to enable people understand religion. Muller in Idowu (1973:70) averred that religion “is a perception of the infinite”. Apart from the fact that religion is reduced to human perception of the infinite, it also stresses the possibility of adherents perceiving their object of worship erroneously. Geisler (1976:73) opined that Rudolf Otto described the object of religion as *mysterium Tremendum* who radiates a sense of awe or dread. The transcendent being exhibits overpoweringness which is showcased in his unapproachable majesty. Nmah (2008:190) described religion as an institution that legitimizes oppression instead of defending human rights and social justice. In collaboration with the view that religion has caused human rights violation, Karl Marx stated that religion is the opium of the masses. Marx insisted that religion arose in the society due to the poor who were alienated from the works of their hands in the capitalist society invented an imaginary god who they thought will deliver them from oppression (Omogbe 1999:10). Consequently, it has prevented people from protesting when their rights are infringed upon, demonstrate to obliterate inhuman government policies, going on strike when their working condition is grossly violated, embarking on legal action at the threat to human rights. Audu (2011:2) averred that “Karl Marx spoke of religion as a means devised by the privileged to subjugate the less privileged under perpetual hegemony in order to exploit them spiritually, physically, psychologically and sexually”. Religion has been perceived by many people as an obstacle to human rights protection.

### **Conceptualization of Human Rights**

Human rights are natural endowments. Okon (2011:2) collaborated with this view when he explicitly pointed out that United Nations declared that human rights constitute “those rights, which are inherent in our nature and without which we cannot live as human beings”. Human rights are those things that are exclusively reserved for humans which distinguish them from lower animals. Therefore, if these rights are violated, it then means that the victims have lost their dignity and essential attributes that make them human.

It should be stated here that human beings need no qualification or criterion for enjoying these rights other than they are humans, hence human rights. Omogbe (1993:111) made it clear that the natural origin of human rights makes these rights fundamental, basic and universal. These rights are meant for all persons irrespective of sex, creed, race, tribe and nationality. Orakwue (2011:17) averred that fundamental rights were not created by the society or state, rather they are external and above the state which necessitates that the state is under obligation to enshrine human rights in the constitution as founded in the natural laws. Ferguson and Wright (1988:594) stated that Locke and Kant were prominent exponents of human rights protection by the state. In a liberal state, it is the responsibility of the state to protect rights of citizens.

### **Origin of Human Rights**

The divine theory of human rights affirms that human rights are not the products of civilization and modernity, rather human rights owe their origin to God who created human

beings and endowed them with rights in the creation. It is based on this assertion that Stott (1984) aptly stated that:

The origin of human rights is creation. Man has never 'acquired' them. Nor has any government or other authority conferred them. Man has had them from the beginning. He received them with his life from the hand of his maker. They are inherent in his creation. They have been bestowed on him by his creator (p.143-144).

Man was created in the image of God which places him above lower animals. There is no doubt that human beings share some of the attributes of God. Ferguson and Wright (1988: 594) argued that human beings are the bearers of God's image which gives them guarantee of dignity and worth by their creator (Genesis 9:6; James 3:9). Opponents of divine origin of human rights insist that human beings lost their natural rights during the fall, therefore they have no right to claim such rights. But, they have lost sight of the fact that what human beings lost after the fall was the likeness of God not the image of God that endows them with dignity and worth. Human rights predated the universal declaration of human rights. Uka (nd:19) asserted that English magna carta (1215) was one of the earliest human rights' document. It was king John lackland who signed the document into law to ensure that the fundamental rights of citizens were not violated by the ruler. The human rights document sought to destroy the divine rights of king. It must be stated that England was one of the countries that influenced the world to know and demand their rights. Izibili (2004:6) opined that Thomas Paine was a major proponent of human rights and he wrote a book on human rights which was titled "the rights of man in 1791-1792. Uka (nd:21) insisted that French Declaration of rights of man and the citizen was born out of the people's desire to be liberated from oppression, despotism and Feudalism. The tyrannical rule of French king Louis XIV and the subsequent French revolution launched French people into the new era of human rights. It was not the human rights' documents that ignited the universal declaration of human rights, rather it was the gross violation of human rights in the second world war that attracted the attention of united Nations to the necessity of protecting human rights.

The high rate of human rights violation in the Second World War cannot be over emphasized. Stott (1984:144) recalled how the horrific genocide of the Jews by Adolf Hitler who murdered six million Jews in his concentration camp and the brutality of the people of Japan brought human rights to the core of world's Agenda. The recognition of human rights culminated to the universal declaration of human rights which was adopted by the United Nations in Paris on 10<sup>th</sup> December, 1948. The main goal of this universal declaration of human rights was to protect inherent dignity, equality and inalienable rights of all human beings. There are obvious lapses in the implementation of the United Nations human rights declaration which is evidenced in their inability to nip human rights violation in the bud.

#### **Human Rights Violation in Nigeria.**

It must be noted that the era of military regime in the country was marked by human rights violation. Iroegbu (2004:108-109) asserted that Babangida's regime had zero tolerance for freedom of the press. It was during the regime of Babangida that the courageous Editor of Newswatch magazine, Dele Giwa was assassinated by letter bomb for his criticisms on the government. As if that was not enough, the Newswatch magazine was banned for six months. Political intimidation of the press and suppression of freedom of expression can

produce political leaders who exercise absolute powers with their attendant autocracy, tyranny, disregard of rule of law, oppression, injustice and violence. The government has in one time or the other banned Association of Nigerian Students and Nigerian medical Association, thereby violating freedom of Association.

The electoral system has suffered setbacks since the adjudged free and fair election won by M.K.O. Abiola was annulled in June 12, 1993. The then military head of state, Ibrahim Babangida truncated the mandate given to Abiola by the majority of Nigerians. It must be stated that the annulment of the election no matter whatever reason was an attack on the right to vote and be voted for. The cancellation of the election has resulted to the controversy that surrounds the democracy day. However, majority of people prefer June 12, 1993 to 29<sup>th</sup> may, 1999 as the democracy day (Adebaya, 2000:35). The annulment of the presidential election of June 12, 1993 attracted public criticisms on the grounds of injustice, partiality, self perpetuation in power that characterized the cancellation. In a bid to justify the annulment, M.K.O Abiola was detained and he finally died in the prison during the regime of Abdulsalami Abubakar (Okwueze and Kanu, 2003:31).

There are cases of assassinations, political thuggery, electoral malpractices and fraud that feature in electoral process in the country. The violence supported by electoral tensions and crisis has led to loss of lives and property. Iroegbu (2004:110) opined that the murder of Justice minister and Attorney General, Bola Ige is still unresolved. It is sad that security Agencies in the country are yet to disclose those who were behind this dastardly act. In Anambra state, the people who attempted to oust the former Governor of the state, Chris Ngige have gone scot free. The implication of these anomalies is that security of lives and property are no longer guaranteed.

Despite the fact that the country is predominantly Christians and Muslims who reject abortion, Obatayo Ogunkoya who was a member of the National House of Assembly moved the motion for the legalization of abortion (Odey, 1999:41). Even though, the motion did not see the light of the day, there are still agitations by some states to legalize abortion. It has become pertinent for both Christians and Muslims to resist every move to legalize abortion considering the fact that it is a major threat to life of the unborn children.

The people of Ogoni in particular and Rivers state in general cannot forget the incidence that led to the suppression of protest embarked upon by the Ogoni people under the auspices of movement for the survival of the Ogoni people (MOSOP) against the federal government and the oil companies over the negligence of the area (Okwueze and Kanu, 2003:52). This accounts for lack of freedom of speech and listening ears to the obvious abuses of human rights suffered by the people of Ogoni. To worsen the matter, the former military head of state, Sani Abacha hanged Ken Saro Wiwa (the leader of the movement) and eight others which include S. Dobe, D. Gboko, B. Kiobe, N. Felix, B. Bera, P. Levura, N. Eawa and John Kpunlem (Iroegbu, 2004:109).

It must be stated that Ken Saro Wiwa protested among other things against oil spillage that rendered the environment unproductive. Adeyemo, Oladinni, Ololade and Ola (2000:36) described the situation when they affirmed that there was the site of 30-year old spill at Ejama-Ebubu in Ogoni land, Rivers state. It was the largest and oldest in Africa. The oil spill at Ejama-Ebubu covered about 1.5 hectares. It was since 1970 that the spill occurred as a result of burst pipeline owned by Shell petroleum Development Company (SPDC) established in the area.

The people are exposed to health hazards occasioned by poisonous content of the crude oil. It must be noted that crude oil contains largely hydrocarbons that releases a lot of carbon dioxide, nitrogen dioxide and sulphur dioxide. The combustion of hydrocarbons causes acid rains that produce adverse effects on plants, roofs, walls and animals due to its corrosive nature. Similarly, the toxic gases from hydrocarbons such as methane, ethane, hydrogen sulphide and carbon monoxide can cause respiratory problems (Tell July 17, 2000:57). There is a high rate of human rights violation in the Niger delta. It is unfair to observe that Niger delta that produces oil which constitutes the main source of Nigerian economy is lacking basic amenities which include electricity, pipe-borne water, good roads, bridges, schools and hospitals. This ugly situation has led the youths (Niger delta avengers) to take up arms in order to avenge for the injustices done to them (Obinna, 1999:106-107). The country loses large number of barrels of crude oil daily which has affected the economy adversely. Many innocent people have lost their lives since the beginning of the renewed vengeance in the Niger delta. Apart from that, sufferings and hardship in the land have become unbearable.

The country has experienced revolts, secessions, crisis, violence as a result of violation of human rights. Chukwumba and Mbah (1999:25) asserted thus;

Nigerians have been in open revolt from the dawn of Independence in 1960. The west, dominated by the Yorubas, revolted in 1964. The Tivs of the middle Belt, led by Joseph Tarka, equally revolted. Isaac Adaka Boro led the minority nations of the Niger Delta into rebellion against the state. In 1966, following widespread killing of Igbos in parts of the North, the Igbos declared secession.

The revolts by ethnic militias have continued to the present time. There are protests against marginalization by almost all the ethnic groups. There are movements that are meant to agitate for the rights of the ethnic groups. Iroegbu (2004:127) asserted that almost all the ethnic groups appeared before Justice Oputa panel seeking redress for violation of their rights by the former political leaders. The ethnic groups have become sophisticated while others have turned into paramilitary organizations. He further quipped that the ethnic groups are Arewa consultative Forum (ACF), Ohaneze Ndi Igbo, Afenifere, Middle Belt Forum, Oodua People's Congress (OPC), Arewa People's Congress (APC), Ijaw People's Congress (IPC), movement for the survival of Ogoni People (MOSSOP), movement for the Actualisation of a sovereign state of Biafra (MASSOB). The leader of the movement, Nnamdi Kanu is in detention for allegedly agitating for the actualization of sovereign state of Biafra. It is said that the movement (MASSOB) has almost all the instruments of sovereign state like Radio, National flag, currency, coat of arms, military, National Anthem and so on.

#### **Church and Human Rights Violation**

The Church should rise up to the challenge of fighting against human rights violation as the voice of the voiceless. Oji (2004:21) maintained that the nonchalant attitude of the Church toward human rights protection stems from the position of early church fathers like Thomas Aquinas and Tertullian who insisted that the responsibility of the Church is to cater for the spiritual sphere and not the physical or secular sphere. Oji (2004:22-23) argued that the teaching of the early church fathers coupled with the poor articulation of theology of human rights render the church Dormant in the midst of human rights violation. For Dike (2015:33)

that the Church does not address human rights issues of today does not mean that human rights are not incorporated in the tenets of Christian faith. The major challenge that confronts the church is its inability to utilize its human rights resources to address the socio-political and economic problems that encourage human rights violation in the country.

It is unacceptable to note that the Church is adamant in the face of human rights violation. The Church is doing little or nothing to settle ethnic violence that claims lives and property, restricts freedom of movement in the country. According to Dike (2015:52) the ethnic crisis that ravaged the country include Aguleri and Umuleri in Anambra state, Ijaw and Ilaje in Ondo state, Ijaw, Itshekiri and urhobo in Delta state, Ezza and Eziulo in Ebonyi state, Jukun and Kuteb, Kuteb and Tiv in Taraba and Benue states, Tiv and Fulani in Nassarawa state, Eggon and Tiv in Nassarawa state, Izii and cross River, Izii and Ezza in Ebonyi state and so on. It is observed that the aforementioned areas are predominantly Christians. Therefore, it seems that Christians took sides in the misunderstandings that latter degenerated into ethnic crisis.

It must be noted that one of the objectives of founding Christian Association of Nigeria (CAN) was to address social issues that confront the country (Adiele, 2001:3-5). There is no doubt that the Christian Association of Nigeria (CAN) has failed to solve the problem of human rights violation in the country. The incessant violation of human rights in the country attests to this truth. Christians pass through human rights violation in the North more than in other geographical zones. Itua (2016:13) maintained that the crisis in the Christian Association of Nigeria has degenerated to the Northern Christian Association threatening to pull out from the Christian Association of Nigeria with the motive of forming a different association. The crisis may not be unconnected with the inability of Christian Association of Nigeria to protect the interest of Northern Christians. Boer (2004:250) enumerated some of the areas where human rights of Christians are abused like

1. The right to plots to build places of worship in some states.
2. The right to religious education for their children in states like Kano, Sokoto, Borno and others.
3. The right to freedom of religion. Schools which the government took over from the churches have been given Islamic names and now operate as Islamiya schools.
4. He maintained that apart from the fact that public preaching is banned in some states in the North, Christians are directed to restrict their movements on Fridays due to Jumat prayers. Inequality between Christians and Muslims are demonstrated during the annual procession embarked by Christians on Palm Sunday which is not accorded respect by Muslims in the North. In the North, Muslims are not required to tender certificate of occupancy before mosques are erected in conspicuous areas like ministries, parastatals, schools, unlike Christians who are deprived of such opportunities.

#### **Islam and Human Rights Violation**

It seems that Islam is not compatible with human rights. For some people Islam and human rights are two strange bed fellows that cannot agree. Hassan (2015:4) insisted that Islam is incompatible with human rights. Islam is inherently against human rights. Hassan (2015:4-5) opined that there is a routine portrayal of Islam as a religion spread by the sword

and characterized by “Holy war”, and of Muslims as barbarous and backward, frenzied and fanatic, volatile and violent...”. Muslims refer to many sources as the basis of implementing the Jihad which has promoted violation of human rights both in the local and global levels. According to Hassan (2015:5) the sources that are drawn to support Jihad, terrorism, insurgency include the Qur’an that was revealed to Muhammed through Angel Gabriel, Sunna and Hadith which comprise the traditions and sayings of prophet Muhammed respectively. Other sources include Fiqh (jurisprudence) or Madahib (school of law) and sharia which is a code of conduct that regulates the daily lives of Muslims.

### **Sharia: A Threat to Human Rights**

The introduction of Sharia in the Northern part of Nigeria has been a great obstacle to the advancement of human rights in the country. Gwamna (2010:103) averred that Sharia laws have affected the fundamental human rights as enshrined in the constitution of the country. Sharia laws have adversely affected the rights of non Muslims who are living in the affected states of Northern Nigeria. According to Gwamna (2010:104-105), in the Sharia affected states, Muslims have adopted the Islamic concept of *dhimmi* that confers second class status to non Muslims living in the states. There is no doubt that non Muslims in the states that have implemented sharia will be confronted with violation of their fundamental human rights. Gwamna (2010:108) posited that in Zamfara state as a result of sharia, separate bus system was introduced in the specialist Hospital which was aimed at separating male and female workers.

The human rights watch has discovered that there is violation of human rights in the twelve states that have implemented sharia law in Northern Nigeria since 2000. It must be stated that the application of sharia law in criminal cases has resulted to amputations, floggings, death penalty (especially by stoning), discrimination against women and disregard of due process. Human rights watch further stated that since the implementation of Sharia in Northern Nigeria in 2000, about 10 people have been sentenced to death, dozens of people have been sentenced to amputations and floggings have become daily occurrence in the affected states in the North. Among the cases of death sentences were cases of two women Safiya Hussaini and Amina Lawal who were sentenced to death by stoning for committing adultery. These are few examples of how Islam has contributed to human rights violation.

It is unfortunate that the citizens of the country have passed through nightmares occasioned by insecurity of lives and property. Anyacho (2009:110) observed that murder is a violation of right to life. There are incessant religious conflicts that have resulted to loss of lives and property in the country. Boer (2003:97) opined “religious riots have become a routine event in Nigeria. Burning houses, destroying property, maiming and killing innocent people have become a ‘normal’ way of religious life”. Security of lives and property have become a mirage owing to religious and political tensions witnessed in the country. Occasionally, the state governments impose curfew that restricts movements in crisis ridden states in the North, especially, Kaduna, Jos, Adamawa and Borno.

The menace of *Boko Haram* has caused nightmares to the Northerners and the entire country at large. *Boko Haram’s* insurgency in the country has led to the adoption of chibok girls, killing of innocent citizens, burning of churches and mosques, destruction of property, suicide bombings and so on. Unfortunately, the menace of *Boko Haram* has

inflicted untold hardship to the citizens of the country, who are brutalized, abused and killed on daily basis, particularly, in the Northern part of the country.

Islam poses great obstacle to freedom of movement of Muslim women. Muslim women are confined in purdah. They were not allowed to see strangers except their husbands (Okon 2011:190-191). Islam encourages gender Inequality among Muslims. Challen (2006:160-161) quipped that what purda was to the old Muslim women is what hijab is to the modern Muslim women. Hijab literally means screen, veil, curtain, partition and concealment. For the muslims, hijab is meant to segregate between males and females. Hijab represents an ancient practice in which Muslim women were restricted behind the curtain of the Bedouin tent. He insisted that Islamic women are expected to observe the custom by putting on hijab. The two types of hijab are burqa and chador. Chador is a black veil that covers their heads to toes with slits for their eyes. Burqa is a simple cloth that covers their faces from below their eyes. It is mandatory for Muslim women to put on burqa or chador every time they want to go to the public.

Divorce is common among Muslims owing to the simplicity that is associated with divorce of Muslim women. In Islam, married women are divorced by their husbands if they pronounce talaq for three times. The word talaq is an Arabic word for divorce (Challen 2006:165). Muslim women pass through ordeals caused by divorce.

### **Conclusion**

The government has relented in enforcing human rights as enshrined in the 1999 constitution. It is the responsibility of government to address ethnic violence by ensuring justice and fair play in the distribution of national “cake”. Religious uprisings have contributed a lot in human rights violation in the world. There are incessant violation of human rights such as deprivation of right to life, freedom of movement, freedom of speech and freedom of religion due to religious masterminded sharia, wars, insurgency, terrorism, suicide bombings that have ravaged the country. The world is restless as a result of fanatics who go to the extreme in realizing their ulterior motives at the expense of the universal declaration of human rights. Religions in the country should enforce the preservation of human rights in order to usher in peace and unity.

### **Recommendations**

- i. Adherents of various religions should respect rights of one another.
- ii. Religious leaders should rise up to the challenge of being watch dogs of the society.
- iii. It is high time the religions should respect the plural nature of the country.
- iv. Those that violate human rights should be brought to book.
- v. There should be press freedom in the country.
- vi. The Government at all levels should sensitize the citizens through civic education so that they will be aware of their rights.
- vii. Countries that have enshrined freedom of worship should enforce it.

- viii. The United Nations should sanction countries where human rights are violated for failing to protect the rights of citizens.

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