

# المجلس الأعلى للشؤون الإسلامية في نيجيريا

IN THE NAME OF ALLAH, THE BENEFICIENT, THE MOST MERCIFUL  
**NIGERIAN SUPREME COUNCIL FOR ISLAMIC AFFAIRS**

**(NSCIA)**

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## **PRESS RELEASE**

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### **STOP PRESS! HIJAB IS CONSTITUTIONAL**

On the 13<sup>th</sup> of December, 2017, a young female Nigerian graduate of Law, Miss Abdulsalam Firdaus Amosa, was prevented from joining her colleagues for the momentous call to bar ceremony at the International Conference Centre, Abuja. Her only offence was that she wore a hijab under her wig. For this unpardonable 'crime', as it was deemed, she was wrongfully denied the opportunity of being called to the Nigerian bar as Barrister and Solicitor of the Supreme Court of Nigeria with her colleagues though she had passed all her exams both at the University and the Nigerian Law School.

The Nigerian Supreme Council for Islamic Affairs (NSCIA) views this unsavoury development with grave concern. It is the height of Islamophobia displayed by the authorities of the Nigerian Law School, the Body of Benchers and the Council for Legal Education who now willfully break the law. This is very unfortunate and shameful because those who are supposed to be teaching justice and fairness now fail woefully to be just and fair. With or without sentiments, by refusing to expose her hair in public contrary to her religious injunctions, Miss Abdulsalam has not broken any law. No law is superior to the Nigerian Constitution which is the grundnorm of Nigeria.

Basically, the Constitution of the Federal Republic of Nigeria guarantees Nigerians their freedom of religion. There is a constitutional basis that holds and upholds the use of hijab as a fundamental and constitutional right of Muslims in this country. According to Section 38, Subsection 1 of the Nigerian Constitution (as amended in 2011), "Every person shall be entitled to freedom of thought, conscience and religion...(either alone or in community with others, and in public or in private) to manifest and propagate his religion or belief in worship, teaching, practice and observance". Therefore, without equivocation, the constitutionality of hijab is incontrovertible.

Besides, there are many instances of judicial pronouncements on the unconstitutionality of denying Muslim ladies the right of using hijab. For instance, in suit no ID/424M/20004 concerning Abidemi Rasq & ors V. Commissioner of Health, Lagos State, the Lagos State High Court ruled that a circular of the Lagos State School of Health Technology banning students from wearing hijab is unconstitutional. Similarly, in suit no CA/IL/49/2009 involving the Provost Kwara State College of Education Ilorin V. Basirat Saliu, the Appellate Court ruled that the use of hijab by female Muslims qualifies as a fundamental right under Section 38 of the Constitution.

It beggars belief that the Islamophobic posturing of the Nigerian Christian establishment is legendary even if this dates back to the Christian colonial past and its vestiges. The hatred for Muslims and Islam appears to be a virulent cancer that has spread across the body of those who use religion to oppress and deprive others of their religious rights. For a country that has a majority Muslim population that is fully conscious of the grounds it had lost due to the Christian colonial rule and cultural imposition of the past, taking a lot of infractions against Muslims is not borne out of docility. The dignified taciturnity of Muslims in the face of oppression in Nigeria is borne out of the premium Islam places on mutual co-existence and peaceful living.

Those who make false appeals to the “secular” nature of Nigeria when the issue of Muslim rights is raised are guilty of paranoia, hypocrisy and myopia. We have maintained that Nigeria is a multi-religious country and that cannot be controverted. Those who are quick to drop the “secular” verbiage can afford to be flippant because the Christian system violently imposed on Nigeria by the colonial masters adequately provides for and serves their interests, certainly not the interest of Muslims.

While religious rights are being granted without any ado in countries where Muslims constitute negligible minorities in America, Europe and other parts of Africa, it is unspeakably ludicrous that Muslims are being denied, debased and violated in a country where they constitute a sizeable chunk of the population. It is the height of intolerance that rational and objective Nigerians know that any time Muslims demand their constitutional rights which the Christian colonial system had stripped them of, the infantile, reactionary and vociferous elements within the Nigerian elite and their brainwashed followers always cry wolf where none exists.

In the United States, female Muslim attorneys are granted their use of hijab as a piece of scarf on the head of a person doesn't harm anyone. In Britain, where the Nigeria legal system originates from, the English lawyers and judges since July this year have started to break away from the centuries-old tradition of horse-air wigs that many consider anachronistic, uncomfortable and expensive. While the rest of the world is becoming



progressive and pluralistic, the Nigerian religious bigots remain dogmatic, vicious and vindictive when issues concerning Islam arise.

By the way, there is even no sense in the obduracy of the wigs just like other costumes or uniforms that Nigerians willfully use to oppress one another in certain professions. Writing on the wigs, the *Independent* newspaper of the United Kingdom in a report published on September 18, 2017 noted that “they are so old-fashioned, and so uncomfortable that even British barristers have stopped wearing them.” Our Nigerian Law School would rather be glued to the archaic tradition of the colonial past being jettisoned by the British themselves and punish a second upper graduate for wearing a headscarf that the Nigerian Constitution guarantees her than toe the path of rationality. Who legislated on professional attires that we cannot question when such attires are inconsistent with our values?

There is no doubt that Abdulsalam Firdaos Amosa has been victimized, humiliated and traumatised by the Nigerian Law School, the Body of Benchers and the Council for Legal Education on account of her faith. She has been denied of rightfully joining her professional colleagues just because of her religion. She has been exposed to ridicule and opprobrium by standing for her religious rights. It begs the question that she is not the only Muslim lady among those concerned as no one will stand for her when she appears before her Creator to defend the correctness and otherwise of her actions. We reiterate that she has not violated any law.

The NSCIA demands that the Federal Government, through the Ministry of Justice, call the Council for Legal Education and the Nigerian Law School to order so that they will not stoke religious crisis in the country. Our Council patiently waits for what the Ministry will do as it puts other options on the table including litigation and nation-wide protests. Those who think they can ride roughshod on the rights of Muslims just because their co-Christian colonialists did it successfully will have to wake up and realise that Muslims are equal stakeholders in this country.

That the United States of America allows even female military personnel to use hijab and male Muslims to grow their beard as part of their religious rights is worthy of note. If Muslim female police officers in Britain that so desire use hijab without let or hindrance, what is the problem in Nigeria? What is wrong with the Islamophobic Nigerians who assume that Muslims must abandon their religion to co-exist with them in the Nigerian space? How does wearing hijab infringe on anybody's right in Nigeria? Enough is enough of this chronic hatred and bigoted intolerance! Yours is your religion and ours is ours.

For long, the Council has maintained its calm on issues concerning Muslims even when the victims are presented as oppressors. Some Christian leaders in this country misinformed President Muhammadu Buhari that his appointments were lopsided against them. We join them to call on Mr. President to urgently examine the religious composition of his cabinet and other appointees with a view to determining the religious affiliations and rectifying the obvious imbalance against Islam. We insist that the assessment should also cover staff members of Ministries, Departments and Agencies, with Permanent Secretaries, Chief Executives, Board Members and Directors religiously profiled as they are now so that the picture of those who dominate others will be seen. We demand that this should be done with the result of the findings published. Muslims are neither blind nor unconscious of the undue advantage being accorded Christianity in public space but are alarmed that Islam is being falsely accused of domination.

Muslims have been groaning quietly in this country under the suffocating domination of our intolerant partners. The capacity to endure pains however has a limit. We endure a skewed and unbalanced system that grants Christians the right of worship without any hindrance on Sunday whereas some bigots would not grant their subordinates the concession to pray for just one hour on Friday. We condone the systematic subjugation of Muslims in the South, where Governors build big churches and cathedrals with public funds and air their banality on the television without any noise from the media. Yet, when a Muslim Governor is sighted in the mosque, the hypocrites would scream as if the unusual has happened.

When Nigerians chose to adopt the Red Cross, there was no whimper from Muslims but joining the Organisation of Islamic Conference (OIC) has been turned to a big issue by our noisy fellow Nigerians. Muslims remained calm when Nigeria sent an ambassador to the Vatican, even if the one in Italy could have been sufficient. The mosques in the South are being demolished within and outside institutions of higher learning while Muslim minorities in the North like those of Tafawa Balewa in Bauchi State (just because the name will ring a bell) are banished from their communities by Christian militias. The Court of Appeal granted the rights of Muslim students to build a mosque in the River State University of Science and Technology (RSUST) but they are denied till today while the vibrant Press remains silent. Yet, Christians who make deliberate incursions into the heart of the North and dominate the socio-economic space there are quick to shout marginalisation just for the sake of attention. Crying wolf where none exists or raising a storm in a tea cup has been the official stance of CAN just because the media they use grew from the Church and are largely within their control.

This is the last straw to break the camel's back and it will be difficult for the Council to persuade Nigerian Muslims from taking these serial injustices against them again! Those whose stock-in-trade is to provoke Muslims by denying them of their God-given and constitutionally guaranteed rights should turn a new leaf. We are all Nigerians and we say enough is enough of Islamophobia and anti-Islamic bigotry!

We stand behind Abdulsalam Firdaos Amosa who acted within her constitutional rights and we insist that she must be called to the Bar and adequately compensated for the humiliation she was subjected to. Enough is enough!



**Prof. Salisu Shehu**  
**Deputy Secretary-General**