

Introduction

In most of Nigeria's *Shari'a* states, and particularly although not exclusively in rural areas, the education of Christian schoolgirls is frequently curtailed by abduction, forcible conversion and marriage without parental consent. Parents seeking the release of their abducted daughters are generally informed they have converted and "married," or are in the custody of Muslim traditional rulers or *Shari'a* Commissions and have no desire to return home. Appeals to law enforcement agencies for assistance generally prove fruitless amid false claims by abductors that the girls are not minors, and fear on the part of the police of provoking largescale social unrest, highlighting an unfortunate inequality before the law in this multi-religious and multi-ethnic nation.

Abductions by factions of the terrorist group Boko Haram have, rightly, received sustained headlines. However, this source of abduction, which is undertaken by ordinary members of society, substantially predates those by terrorist factions, but receives scant coverage. The only difference between the two forms of abduction is that instead of trafficking girls and women to ungoverned spaces, these abductors tend to hide behind traditional authorities and religious institutions, which may or may not have condoned or encouraged their actions.

CSW has been documenting cases of child abductions since 2004, and in 2010 made a submission to the United Nations Committee on the Rights of the Child that highlighted this ongoing phenomenon. In early May 2020 the Hausa Christian Foundation (HACFO) reported that between 23 March and 6 May, eight Christian girls had been abducted and subjected to forcible conversion and marriage. Three of these abductions occurred in Kaduna State; four in Katsina State, and one in Kano State.¹

Legal Stipulations

According to domestic law, anyone below the age of 18 is a minor. They cannot convert or marry without parental consent as they are deemed under Section 38(ii) of the constitution to be adherents of their parents' religion until they reach the age of majority and can make an informed choice. The penal code punishes child abduction and carnal knowledge of minors with jail terms, and there are also penalties for anyone implicated in child betrothal and child marriage. Nigeria's Child Rights Act (CRA) stipulates

a fine of NGN500,000 (approximately GBP1,056) or a five-year prison sentence or both, for anyone involved in child betrothal and child marriage. The Act also specifies a ten-year sentence for abducting a child from lawful custody if the abductee remains in Nigeria, and a maximum life term for sexual relations (defilement) with children.

Although strong, these legal provisions are rarely enforced, engendering impunity as abducted children remain in the hands of their captors despite their parents' best efforts to retrieve them.

Cases

Ese Oruru

In March 2016 the plight of a minor who had been abducted from southern Nigeria, trafficked over 800 miles away from her home and subjected to forced conversion and marriage, shone a spotlight on an issue that goes largely unremarked outside of that region.

Ese Rita Oruru from Bayelsa State in the south of the country, was abducted on 12 August 2015 by a man called Yunusa Dahiru, also known as "Yellow." A regular customer at her mother's food store, he transported Ms Oruru, then aged 13, to Kano State in the predominantly Muslim north of the country, where she was obliged to change her religion and name, and was "married" to him.

Multiple attempts by Ms Oruru's family to secure her freedom were unsuccessful. In the days following her daughter's disappearance, her mother Rose Oruru, made a perilous journey to Dahiru's home area in Kano State to get her back but was insulted and threatened by the village chief. He told her that her daughter had converted to Islam, changed her name to Aisha, and was now "married" and in the custody of the former Emir of Kano, Sanusi Lamido Sanusi II.

Despite warnings not to go to the Emir's palace, Mrs Oruru went to petition for her daughter's release. On at least two occasions she was insulted and assaulted by irate youth. Even when accompanied by police officers, she was refused direct access to her daughter and eventually had to return home. Efforts by her father, who also travelled to Kano, also ended in failure.

It was only after a social media campaign went viral that Ms Oruru was released on 29 February 2016. The turning

¹ For more recent cases visit the Hausa Christians Foundation website: <https://www.hacfo.org/blog/>

point came 24 hours after local newspaper *Punch* launched a #FreeEse campaign that resonated with Nigerians across social media both at home and abroad. Ms Oruru was finally reunited with her mother in the capital Abuja on 2 March. Her father later revealed that she was five months pregnant and she eventually gave birth to a baby girl.

On 8 March 2016 court proceedings were initiated against Mr Dahiru in Yenagoa, who pleaded not guilty. He was eventually freed on bail after an unnamed benefactor met the conditions, but was rearrested for failing to appear before the court on several occasions. He was charged with conspiracy to commit abduction, trafficking, illicit intercourse, sexual exploitation and unlawful carnal knowledge of a minor under the 2015 Trafficking in Persons (prohibition) Enforcement and Administration Act. In an extremely rare development on 21 May 2020, a Federal Court in Yenagoa, Bayelsa State, acquitted him on the first count, but sentenced him to five years on count two, and seven years each on counts three, four and five. The sentences are to run concurrently.

Apart from the fact that it ended in a rare conviction, what was particularly striking about Ms Oruru's case was the boldness with which she was effectively trafficked north from a southern state. Many question whether her plight would have made headlines if the entire event had occurred solely in the north of the country, where such abductions are shrouded by impunity.

The attention received by the case emboldened several other parents, who had despaired of seeing their daughters again, to renew their search for redress. Six came forward in the immediate aftermath of the initial publicity surrounding Ms Oruru's plight, each demanding assistance to ensure the release of their daughters, one of whom was 12 years old at the time of her abduction.²

Patience Paul

Another 14-year-old girl had also been abducted on 12 August 2015, but in Sokoto State, northern Nigeria. Patience Paul was allegedly taken by two neighbours who were accompanied by the *Hisba* (*Shari'a* enforcement) group, and taken to the palace of the Sultan of Sokoto, the foremost Muslim traditional ruler in Nigeria and the spiritual leader of the Sunni faith community. Her brother raised the alarm about her abduction on Facebook, but

her case only gained traction after the campaign for Ms Oruru went viral. As publicity grew, the Sokoto State Human Rights Commission initiated an investigation into Ms Paul's disappearance and discovered that she had been "married" to a man who had taken her to Bauchi State. She was traced to the home of a man named Malam Ibrahim, also known as the "king of strangers", on the evening of 4 March, and was returned to her family.

Blessing Gotep

On 15 March Blessing Gotep, Linda Christopher and Progress Jacob were handed over to the Assistant Inspector General of Police, Zone 12, Bauchi by the Bauchi State *Shari'a* Commission, after the campaign for Ms Oruru galvanised former Inspector General of Police (IGP) Solomon Arase into demanding progress reports on cases of abducted girls from the Bauchi and Zamfara Police Commands.

In August 2015, 12 and a half year old Ms Gotep and her friend Mary were about to return to her home in Jos after visiting family in Bauchi State, when two men, identified by the names Iliya and Umaru arrived at the motor park where they had boarded a vehicle bound for Jos and abducted her. In a later interview with *Punch* Ms Gotep described how Iliya, who she states she did not know, took her to his parents' house and forced her to stay there, saying he would marry her when she was older. Ms Gotep was forced to remain indoors "*like a prisoner.*" She was beaten every time she attempted to escape and was informed that if she were ever to succeed, she would be killed once caught.

Ms Gotep was forced to wear a hijab, to convert to Islam, and to take Arabic classes at an Islamic school. When her father made efforts to retrieve her, including holding a meeting with her abductors in the presence of the Commissioner of Police for Bauchi State, the abductors arrived with a mob and refused to return Ms Gotep, claiming, falsely, that she was 17 and could make her own decisions. They added that she was now a Muslim and her name would be changed. They also mentioned that she was in the hands of the *Shari'a* Commission, but when contacted later, the Commission denied all knowledge of the case. Her father had eventually been forced to flee the police station after the crowd started chanting and issuing threats and Ms Gotep, who attended the meeting wearing a hijab, wept throughout the entire encounter. When

² The Punch Nigeria, 'We want our stolen girls freed like Ese Oruru - Parents', 6 March 2016 <http://punchng.com/progress-jacob-13-stolen-held-by-bauchi-shariah-commission/>

interviewed later she said that while in captivity she was afraid “*most of the time,*” would cry herself to sleep, and found it hard to sleep “*most days.*”

Linda Christopher

Sixteen-year-old Linda Christopher had been staying with family members in Enugu, eastern Nigeria but decided to visit her parents, who lived in Katanga Giwa in Bauchi State. She boarded a bus to Jos in Plateau State on or around 19 November 2015, where she intended to change to a bus for Bauchi. The man who abducted her saw her at the motor park and told her to enter his car. When she refused, he bundled her into the car and drove her to Tarsha Durumi village, where the Bauchi *Shari’a* Commission sent her to the home of a man named Mallam Shagari who, it later transpired, was an agent of the *Shari’a* Commission. Unlike others, Ms Christopher was not sent to school. Instead she was forced to stay inside the house and wash plates. She was fed only once a day and was told to forget about her parents. She was also informed that she was going to convert to Islam and marry Mallam Shagari, who already had two wives and six children.

Unknown to her captors, Ms Christopher had been spotted in the area by a friend of the family. As the search for her intensified, around week later her parents received a letter from the Bauchi *Shari’a* Commission stating that their daughter had converted to Islam, had changed her name to Aisha and would be handed over to the custody of the Bauchi *Da’awah* Council. Her parents visited the *Shari’a* Commission on several occasions, but were only allowed to see their daughter once, and Ms Christopher wept throughout the entire meeting.

Ms Christopher informed the *Punch* newspaper that she had attempted to escape but was caught by one of the wives. After that incident, Mallam Shagari instructed his wives to keep her locked indoors. She cried constantly for her parents and was mocked by her captors for doing so.

Progress Jacob

13-year-old Progress Jacob was abducted on her way to church on 3 January 2016. Three days after her family had reported her missing, her older sister Blessing Jacob, who was a teacher, was informed by a young girl that she had seen Ms Jacob in the home of a girl named Hadiza, wearing a hijab. Blessing Jacob ran to the house and knocked on the door repeatedly, but no one answered. When she attempted to speak to the children playing outside the

house, Hadiza’s father, Mallam Musa, came out of the house and informed her in an aggressive manner that there was no girl in his house. Blessing Jacob informed her mother what had occurred, and they went to the police office together to report the matter. Mallam Musa was arrested but was bailed the same night and told to return the next morning.

The next day two men delivered a letter to the police station that claimed Ms Jacob had converted to Islam and that her name was now Aishat. The family sought the assistance of a local NGO, which drafted a complaint to the National Human Rights Commission against the *Shari’a* Commission, *Da’wah* Islamic Education Council and Mallam Musa.

In an interview with *Punch* newspaper following her release, Ms Jacob described how she was abducted. On the way to church a man on a motorcycle stopped and asked where she was going. When she told him he initially appeared to leave, but returned, seized her, and took her to the *Shari’a* Commission in Yelwa. When asked by the journalist why she was taken there she responded, “*I think it is because that is the place they keep girls like me.*” Once there her name was registered, and she was taken to where she would be staying. Ms Jacob said she was sent to a school where she was obliged to take classes in Arabic and Islamic Religious Knowledge (IRK), and to pray at appropriate times. When asked if other abducted children attended the school, which according to her was a Government Junior Secondary School, she answered in the affirmative. When informed that her abductors said she had gone with them of her own volition, Ms Jacob responded, “*It is not true. They forced me to change my religion.*” She concluded the interview by stating her desire to become “*a Reverend Sister.*”

Lucy Ejeh

On 31 October 2009 15-year-old Lucy Ejeh, who lived in Talata Mafara LGA in Zamfara State, was abducted. Her parents reported her disappearance to the police, who stated, dismissively, that Ms Ejeh must have gone off with a boyfriend. They went on to report it to the *Galadima*³ of the town, who told them to return the next day. When her father returned, he was informed that Ms Ejeh was in the home of an imam named Alhaji Awaisu and was told to go to the Emir’s palace. When he arrived at the palace, he was told the Emir had travelled, and he met with his second in command. Ms Ejeh was also there, dressed in a hijab. Mr Ejeh was informed she had recently converted to Islam,

³ A Galadima is a traditional authority denoting an administrator.

and that according to tradition, new converts had to be taken to the Emir.

After the people at the palace prevented Mr Ejeh from taking his daughter, her parents reported the incident to the police, who, according to her mother, told them they never wanted to see them again. Her parents continued their efforts to secure Ms Ejeh's return and even took the case to the Commissioner of Police in the Zamfara State capital, Gusau, who eventually told her father never to return to his office since he had refused to heed the warning that the family should drop the case. According to Mr Ejeh, later the Commissioner's successor invited him to Gusau and apologised for the behaviour of his predecessor, who he said should have acted more forcefully to ensure Ms Ejeh's return. However, he also added there was little he could do to assist at that stage.

The family increasingly began to receive death threats, which were also directed at their other children. In 2010 they were advised to leave the area and Mr Ejeh's concerned employers initially redeployed him to Lafia in Nasarawa State for their safety, but by 2012 he was asked to resign due to his persistence in travelling to Zamfara State to demand the release of his daughter.

From time to time Ms Ejeh was allowed to call her parents using the imam's mobile phone. On one occasion she informed her mother she was unhappy and wanted to return home. However, in 2016 her mother and father received separate calls from her abductor informing them he intended to marry Ms Ejeh, who was then aged 20. When her mother objected, Alhaji Awaisu reportedly told both parents independently to "*do your worst*," in a stark illustration of the impunity perpetrators enjoy. On 1 March the imam called Mr Ejeh to say a marriage had taken place on 27 February. "*It was painful*."

Habiba Isiyaku

In 2016 the Christian Association of Nigeria (CAN) raised the alarm over the abduction of 14-year-old Habiba Isiyaku from Wawar Kaza village in Kankara Local Government Area (LGA), Katsina State. At the time of her disappearance Ms Isiyaku had just passed her Junior Secondary School Certificate Examination (JSSCE) "*with flying colours*" and was starting Senior Secondary School (SSS1).

According to Ms Isiyaku's parents, she was abducted on her way home from school on 16 August 2016. Subsequently, she was forcibly converted and obliged to marry her abductor, Jamilu Lawal, with the endorsement of the Emir of Katsina, Alhaji Abdulmumuni Usman, who

allegedly received NGN50,000 (approximately GBP106) in dowry for her.

When Ms Isiyaku's father went to the Emir's palace to try to retrieve his daughter, he was made to sit on the bare floor and humiliated. Eventually the Emir sent an aide to inform him that Habiba could not be released to him because she had converted voluntarily and had left home willingly. At a court hearing that took place in January 2017 after a suit had been filed on her behalf, a paper was presented, ostensibly from Ms Isiyaku, in which she claimed to be 18 years of age. The case continues.

Aisha Bala

On 19 July 2017 Aisha Mazadu Bala, a 14-year-old Hausa Christian from Gidan Mato Sambirni in the Maigana Soba LGA, Kaduna State, who had been abducted, forcibly converted and forced to marry her abductor, was released at the Kaduna State Police Headquarters under the supervision of the Voice For The Emancipation Of Hausa Christians In Nigeria (VEHCIN), an NGO, and the National Human Right Commission.

Ms Bala had been abducted on 25 June 2017 as she returned home from Gidan Mato, where she had gone to purchase medicine. A man named Bello Chiroma, who had reportedly threatened to force her into marriage, kidnapped her, allegedly with the support of the District Head of Sambirni, Sarki Haruna, and Islamic clerics. Ms Bala was taken to the palace of the Hakimi of Maigana, and four days later her parents were sent for. When they arrived, they had found their daughter in Islamic attire, and the Hakimi had informed them she was a Muslim, adding that she would be marrying her abductor on 6 July 2017.

Hauwa Dadi

On 5 November 2017 13-year-old Hauwa Dadi was returned to her parents five days after being abducted. Ms Dadi, who was in her First Senior Year at Brighter Academy Secondary School in Gashua, Yobe State, disappeared from her home on 1 November 2017. She is thought to have been targeted because her father was a former CAN Secretary.

Ms Dadi's mother, who has been caring for her sick husband for several years, said her daughter had returned from school, changed and gone out to help her twin brother push a cart carrying water for the home, but had not returned. After inquiring around the neighbourhood, she was informed Ms Dadi had been abducted by a neighbour and taken to an imam named Babu Alkali

Mamman, before being transported to the palace of Alhaji Abubakar Suleman, the Emir of Gashua.

Ms Dadi's mother reported the details of her daughter's disappearance to the Inspector at the Gashua Police Command, who invited the imam to the Police Command for a meeting. Imam Alkali demanded that he be allowed to take the *Jumma'at* prayers prior to coming, but never arrived. Instead his lawyer went to the police station and informed Mrs Dadi her presence was required at the Emir's palace. She proceeded to the Emir's palace thinking her daughter would be released to her, only to find the Divisional Police Officer (DPO), Abdulkadir Aljamel, already seated with the Emir. She was interrogated, dismissed, and told to come back later, but was never allowed to see the Emir again.

Jireh David Ma'aji

On 6 May 2019 Ms Jireh David Ma'aji, who had turned 19 days earlier and had graduated from Government Girls Secondary School (GGSS) Gadaka, left her parents' house in the Bogaru ward of Gadaka town in Fika LGA, Yobe state and went to a non-governmental organisation run by Hajia Hauwa Maina Bukar, where she had been learning how to sew. When she arrived, she discovered that the centre was locked and decided to ask a friend who lived nearby about the situation. Her friend, named Maryam, informed her that a decision had been taken during a week when Jireh had not attended to temporarily close the centre for the Ramadan period. Maryam then escorted her home, and along the way she reportedly gave her some chewing gum, explaining that it was for an upcoming wedding.

When Ms Ma'aji failed to return home later, her father, Pastor David Ma'aji, attempted to contact her but her mobile line did not connect. He then went to the office of the Department of State Security (DSS) in Fika to report his daughter missing and made preparations to travel to the state capital, Damaturu, the next day (7 May 2019) to again report the issue to the police and the DSS. As he was on his way to Damaturu, he received a call from someone at his home informing him that the palace guards of the District Head of Fika had sent a message stating he should return because his daughter had been located. He returned home and went to see the District Head but was informed that he had travelled to Potiskum. He was also unable to secure the telephone number of the palace guard who visited his house. The pastor then decided to go to the police station in Fika to find out if there had been any progress in locating the whereabouts of his daughter. At the police station, he was assigned two policemen to accompany him to Potiskum to meet the District Head, who informed them

that his palace guard had the details of the person who brought the information.

The palace guard stated that Alhaji Yakubu, who was the chairman of the Fika LGA *Shari'a* Committee at the time and is currently a member of the Yobe State House of Assembly representing the Fika constituency, was at the Ministry of Religious Affairs in Damaturu when Ms Ma'aji arrived there to convert to Islam, accompanied by a man named Samaila Alhaji. Alhaji Yakubu was then tasked with informing Ms Ma'aji's parents that she wanted to convert to Islam. The Divisional Crime Officer (DCO) asked the palace guard and Alhaji Yakubu to write down their statements, and then told Alhaji Yakubu to inform the Ministry to bring Ms Ma'aji back to Fika the next day. However, the police asked Pastor Ma'aji to come to Damaturu the next day, saying that it was no longer possible to bring his daughter back.

Pastor Ma'aji then travelled to Damaturu but decided that going to the Ministry for Religious Affairs would not prove fruitful. He opted instead to further report the entire issue to the DSS office in Damaturu. Everything was taken down in writing, but nothing was done.

After spending the night in Damaturu, Pastor Ma'aji returned to Fika as no progress was being made on the issue. The family then went back to the police office in Fika, where they were informed that a message had been received stating that their daughter would be brought back to Fika on Friday 10 May to see her parents.

When the family met with Ms Ma'aji at the police station she was dressed in full hijab and accompanied by a policeman, a lawyer and an official from the Ministry for Religious Affairs. When she saw her twin brother, she said that she wanted to have a word with him, and her brother requested that she remove the hijab so they can talk. Assisted by her brother, she removed it and the lawyer said that this was an insult. The lawyer put the hijab back on Ms Ma'aji, but her brother removed it once again. The lawyer then stated that the atmosphere was not conducive for any dialogue and the case should be transferred from Fika. The case was transferred immediately to the Area Command, then to the State Criminal Investigation Department (CID) in Damaturu that same day. The family went to Damaturu the next day, where they wrote a statement at around 4.00pm and then left for home.

Ms Ma'aji's family was asked to return to Damaturu on Monday 13 May, where they met Ms Ma'aji, accompanied by Samaila Alhaji and others, at the CID office. A Deputy Commissioner of Police interrogated all the attendees. Samaila Alhaji was asked if he is in love with Ms Ma'aji, and

he responded “no.” Ms Ma’aji was asked if she loves Samaila Alhaji and she responded that she did not. Her father was asked what he wanted, and he replied that he simply wanted to take his daughter home, adding that even if she wanted to practise Islam, she should do so in his house. The Deputy Commissioner then said that Ms Ma’aji should be returned to her house in Fika; however, the lawyer that came with her insisted that the decision was not acceptable to him as her lawyer. He said that the correct thing to do is to take the matter to court. The Deputy Commissioner agreed and immediately began making plans for a court appearance, and the attendees were asked again to return to the CID office several days later.

The family returned to Damaturu and, after some deliberations, it was agreed that, as an adult, Ms Ma’aji should be allowed to speak for herself. Ms Ma’aji was then asked whether she wanted to return to her parents, and she responded that she would go back home on 27 May after the *Sallah* celebration, since she was still fasting. Everyone agreed to this and signed a document to that effect. However, prior to that date, her father was informed Ms Ma’aji would be coming to Fika and had been insisting on seeing her parents. She was accompanied by a lawyer, a director in the Ministry of Religious Affairs, a Divisional Police Officer (DPO) and others. Ms Ma’aji informed her father that someone from the Ministry of Religious Affairs had said that he wanted to marry her. The next day, the family went to Damaturu to report the new development to the police.

On 27 May Pastor Ma’aji travelled to Damaturu to bring his daughter home but ran into different officials from the Ministry of Religious Affairs, who informed him that they were new and were not entirely aware of what the issue involved. Ms Ma’aji subsequently told her father that she would return on 7 June, and that anyone who wanted to marry her should go to her father’s house to request her hand in marriage. This was also agreed upon. However, on 2 June, Ms Ma’aji’s father received a call while he was returning home, informing him that a delegation from the palace of the Emir of Fika wanted to see him. The delegation came to his home and notified him that his daughter had been “married.”

Nothing was heard from Ms Ma’aji for months afterwards. However, one day she was able to escape to the house of her uncle, Rev. Musa Zakka, after calling him to say that she was on her way. She arrived at the house, but her “husband” located her whereabouts, and soon Rev Zakka’s home was surrounded by policemen. The reverend was transported to Damaturu, accused of forceful kidnapping, and was detained. He was later released on bail; however, his mobile phone was seized. Nothing has been heard of Ms Ma’aji since that time.

Summary and conclusions

The rights of untold numbers of women and girls have been, and continue to be, violated comprehensively in Nigeria’s *Shari’a* states. The use of such euphemisms as “marriage” must not be allowed to obscure the reality that minors, whose rights to freedom of religion or belief, education, parental care and liberty and security of person, among others, are being violated comprehensively, are subjected to gender specific abuse with little or no recourse to justice on account of their religious belief.

The Nigerian government must therefore, as a matter of urgency, address the abduction, conversion and forcible marriage of non-Muslim girls in Shari’a states, and erode the impunity surrounding these crimes by:

- Ensuring individual states facilitate the swift return of abductees to their families in accordance with Article 8:1-3 of the CRA;⁴
- Penalising officers of the law who impede or fail to assist parents or legal guardians in securing the release of their children;
- Enforcing maximum legal punishments on perpetrators in cases involving the defilement of a minor;
- Ensuring the safety of released abductees and their families, including facilitating relocation if this is deemed necessary;
- Assisting in the psychological and social rehabilitation of victims, including their return to education;
- Bringing to justice individuals and organisations implicated in these enforced disappearances, regardless of social standing and creed;

Nothing in the provision of subsections (1) and (2) of this section shall affect the rights of parents and, where applicable, legal guardians, to exercise supervision and control over the conduct of their children and wards.

⁴ 8. (1) Every child is entitled to his privacy, family life, home, correspondence, telephone conversation and telegraphic communications, except as provided in subsection (3) of this section. (2) No child shall be subjected to any interference with his right in subsection (1) of this section, except as provided in subsection (3) of this section. (3)

- Ensuring prosecutions under the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act of 2003 (as amended in 2005) in cases where an abducted woman or girl has been transported to another state;
- Increasing public awareness through workshops, publications, media programmes and other means that abduction of minors will no longer be tolerated, and of its legal consequences.

About CSW

CSW is a human rights organisation advocating for freedom of religion or belief, and as Christians we stand with everyone facing injustice because of their religion or belief.