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HUMAN RIGHTS — The African Perspective

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CONTENTS

Foreword

Human Rights —
The African Perspective ....................................................... 3

O.C. Eze

Nigeria and Human Rights —
Prospects and Problems .......................................................... 5

L. Hurbon

The Slave Trade and Black Slavery
in America .................................................................................. 19

C.I. Ejizu

Human Rights in African Indigenous Religion .................................. 31

I.M. Ahmadu

The Rights of Christians in Islamic States of Nigeria ......................... 46

B. Muoneke

Women Discipleship and Evangelization
(Luke 8:1-3) ................................................................................. 59

O.U. Kalu

The Protestants’ Protest for Human Rights ........................................ 70

M. Nkinda

The Particular Juridical Order of African Churches:
Application of the Principle of Subsidiarity and Decentralization ........ 89

E.E. Uzukwu

Human Rights in Africa —
Contextual Theological Reflection ................................................. 99

I.R.A. Ozigboh

The Definitive Rehabilitation of Bishop Shanahan:
A Review Article ........................................................................ 121

Book Review

a. N.I. Omenka: The School in the Service of Evangelization:
The Catholic Educational Impact in Eastern Nigeria 1886-1950. Leiden:
Reviewer: Peter Ik. Okonkwo, CMF .............................................. 140

b. J.I. Ibegbu: Nationalisation of Schools in Nigeria,
Reviewer: Francis Njoku, CMF ...................................................... 143

c. D. Regan: Church for Liberation — A pastoral portrait
Reviewer: Jojo Obu-Mends, C.S.Sp. ............................................. 146

d. B. Frost: The Politics of Peace. London, Darton,
Reviewer: Breifne Walker, C.S.Sp. ................................................. 149

e. P. Vallely: Bad Samaritans: First World Ethics and
Third World Debt. Maryknoll, New York: Orbis, 1990,
ix +374 pages.
Reviewer: E.E. Uzukwu, C.S.Sp. ............................................... 152
FOREWORD

The pro-democracy movements sweeping through Africa today may not be taken in isolation from the birth of a new world which emerged in less than a decade. Since Gorbachev initiated glasnost and perestroika in 1985, the world has not been the same: the Berlin wall fell and German unity became a reality (1989-1990), the Soviet block along with the Soviet empire collapsed (1989-1991). With only one super-power left in the ring (the U.S.A.) a radical shift necessarily occurred in the ideological struggle. America and its allies (the First World) no longer have an alibi in a doctrinaire Marxist opponent to keep on propping African dictators; and with the pathological messianism of the Soviets burnt out, Marxist regimes in Africa crumbled like their mentor. Ethiopia, Somalia, Kenya, Zaire, Mozambique, Angola, Benin, Togo, etc — all being borne by the sweeping wind of change! But how much humanity will this wind bring to Africans? Will absolute poverty and hunger disappear at the end of the tunnel or will it be, alas!, misery without end? These are the kinds of questions raised in this combined issue of our Bulletin: Human Rights — The African Perspective.

We publish four articles presented as conference papers at the Symposium on Human Rights held in November 1990 at the Spiritan International School of Theology Attakwu, Enugu (articles of Eze, Kalu, Ahmadu, and Uzukwu); two of these (by Ahmadu and Uzukwu) have been completely reworked for publication. Four other articles address our topic from different perspectives: slavery (Hurbon), women (Muoneke), indigenous religion (Ejizu), and Church law (Nkinda). And a review article (Ozigboh) scrutinizes critically the posthumous restoration of human rights to the intrepid Bishop Shanahan.

All our authors are in agreement that the dehumanizing condition in which the majority of Africans live must be rejected — an inhuman condition which is produced by structural evil;
there is also a consensus among our contributors that human rights for Africa must imply that the masses take hold of their destiny, control what they produce to be totally empowered in order to transform the world in which they live. Thus the struggle for human rights in Africa merges with the Third World’s struggle for survival. And, predictably, the irruption of Third World realities into the arena of world Church concerns had effectively thrown “into reverse with an almighty jerk ... the powerful institutional mechanisms which for so long had been placed at the disposal of the status quo”. In other words, the World Council of Churches as from its Third Assembly in Delhi (1961) and the Roman Catholic Church as from Vatican II (1962—1965) underwent a radical shift in their perception of man’s stewardship in this world. Thus, as an ecumenical association of Nigerian theologians, we feel that we are making a contribution to the present struggle for freedom in Africa by presenting to our readers reflections which analyse critically the African condition and which propose integral (and Christian) patterns for the transformation of the context which would ensure deeper humanity to Africans.

(Editor-in-chief)

1. **Introduction:**

Human rights, however, conceived, are ultimately a function of the nature of the dominant socio-economic system whether it is slave owning, feudal, capitalist or socialist. They cannot therefore be divorced from the social context in which they operate or the social forces or classes which function or dominate a given polity. History amply informs us that the nature and scope of human rights protected have differed and been further developed as we move from one stage to the other. Thus the right to own slaves which previously guaranteed the right of the slave owner to the detriment of the slave has since been outlawed.

Human rights evolution and development, in the entities that now form Nigeria through colonization, are better appreciated if they are examined from a historical perspective, from the pre-colonial through the colonial to post-colonial periods. While an attempt will be made to give an overview of human rights during the pre-colonial and colonial periods, the paper will lay more emphasis on post-independence human rights and in particular the impact of military rule that has tended to undermine the evolution of a democratic culture that is the foundation of effective enjoyment of human rights.

2. **Meaning of Human Rights and Methodology:**

That we may not be misunderstood, we consider it appropriate, as a preliminary issue, to indicate our conception of human rights and the methodology we intend to adopt. This, in our view, minimizes the danger of semantic circumlocution and distortions that may arise if our premises are not clearly articulated.

Accordingly we intend to start this part of the paper by stating
our preference from the various philosophies of human rights and the relevant methodology.

2.1. Meaning of:

Any inquiry into the concept of human rights is bound to generate controversy as to its exact meaning, its material scope and its relevance to social organization and social change. To some, it simply implies a set of rights guaranteed under a given legal system which is activated either when there is a threat to or actual infringement of a right; even when, underlying this 'objectivity', is some inarticulate ideology. ¹ This approach which is positivistic or technistic is supposedly not concerned with meta-legal factors such as economic, political, social, cultural and religious factors that shape the content of human rights and give them their substance. To the naturalist or idealist human rights signify, for the most part, the 'right' that should attach to the individual. He might erroneously distinguish between rights of man which attach to the man *qua* man and rights of citizen which he possesses as a citizen.²

Yet to another school (the socialist) law and human rights cannot be conceived outside the frame-work of a given society. Not only is it accepted that human rights are those protected by law, but it is also taken as given that the essence and the character of law and human rights protected there-under are ultimately determined by the prevailing mode of production: whether it is slave owning, feudal, capitalist or socialist.³ Thus under slave society, the slave was the property of his master, under feudalism the serf was exploited for the benefit of his lord, under capitalism we pretentiously talk about equal rights of the employer and workers. It is also the dominant mode of production that determines whether emphasis should be placed on *civil and political* rights on the one hand or *socio-economic* rights on the other and whether pre-eminence should be given to private property or social property and whether in the realm of relations with the world system, which may have serious impact on national human rights' regime an approach accommodative or antagonistic to imperialism should be adopted.

Since human rights are associated with the concept of justice, it becomes evident that justice must mean different things in different phases of socio-economic formations. The meaning of
justice is invariably determined by those who control the political economy on criteria which accord with their objective interests. And since human rights and justice are dispensed within the context of society-state, we assume that those who control the apparatus of state - legislative, executive and judiciary - will make and enforce laws and protect interests primarily promotional of their class position. We are saying in effect that in a class society, such as Nigeria has been since before colonial imposition: (some have tried spuriously to deny the existence of classes in Nigeria) that the state is not neutral, that it is not over and above classes, and that it does not necessarily seek to moderate conflicts or eliminate inequalities and contradictions between classes and that in so far as it continues to use the instruments of coercion and manipulation available to it to impose basic inequalities which are a negation of what people consider as their human rights there is likely to continue to persist denial of human rights, injustice, tension and instability.

It is with these considerations in mind that I shall examine in time and space Nigeria’s human rights performance, separate rhetoric from concrete achievement, and proffer options as to how human rights - which touch essentially on how society should be governed, who governs, with what powers and restraints, in whose interest, the relation between the governor and the governed - could play a more dynamic role in ensuring overall material and spiritual development of the majority of the population, thus laying the foundation for a more rational stable human social order.

3. Human Rights In Nigeria in Historical Perspective:

3.1. General: In this section we shall deal with the development of structures of entities that now form Nigeria, from before colonial period through the colonial period. This is not intended to be a mere academic exercise. It is intended to examine how these entities evolved and how they came to be what they are. The purpose is of course to ascertain the degree of human rights consciousness and protection and, whether the nostalgia often expressed with respect to our ‘traditional’ democratic practice are justifiable and could provide a useful point of reference.

Except for entities with Islamic tradition, the rest of the entities that now form Nigeria depended mostly on oral tradition
until at least the colonial period. This in itself creates a problem of an accurate assessment of human rights performance in those entities that relied essentially on oral tradition. A lot of historical, anthropological and sociological works now exist to inform us of precolonial societies.

Legal research in the field of human rights during the same period has been scanty and one would have to depend on scanty materials available in the field, deduce from the non-legal materials that depict the level of socio-economic formation and consequently the level of evolution of the various legal systems and derive the degree and actual content of human rights by looking at and analysing colonial legislations and practices that either confirmed or abrogated practices that existed before and during colonial domination of the entities that now form Nigeria.5

3.2. Pre-Colonial: It suffices, to examine the social structure of three major ‘nationalities’ the Hausa/Fulani, Igbo and Yoruba.6 The Emirates were ruled by hereditary rulers (Emirs); the socio-economic system was both slave owning and feudal even when the feudal structure was not of the classical pattern depending primarily on allegiance, tributes and taxes paid to the Emirs. Koranic laws applied, reflected the feudal nature of the society and pretensions as to its egalitarian character can be amply refuted. That society could not be said to be democratic or concerned with human rights except in the context of feudalism or the slave system, which meant that for the majority there could not have been much in the way of human rights protection. In effect there already emerged during the pre-colonial days class differentiation and antagonistic relations in Hausa/Fulani societies.

The Yoruba system like the Hausa/Fulani system was based on hereditary rulership and was hierachical since succession to the throne of the Alafin was limited to a number of royal families. The socio-economic system was, like that of the North, feudal depending mostly on relationship of allegiance, taxes and dues. The laws were made and enforced by this ruling class essentially for their benefit. Even if the Alafin and other subordinate rulers were subject to control, it was controlled by the same ruling class which did not say much for the interest of the ruled.
With the Igbo, a somewhat romantic picture has been painted. Igbo societies were said to be Republican (not having hereditary rulership) atomized and more egalitarian. Perhaps because of ecological and other factors the Igbo remained longer at the stage of primitive communalism than the two other groups. At this stage, because of the low development of productive forces, the basic economic law was that of subsistence and since there was not enough to allow for private appropriation there was no class antagonism (the so called primitive communalism or African socialism). Since we maintain that the state and law emerged with the existence of private property it would be technically inaccurate to talk about human rights in the strict legal sense during this period. This position changed, however, before colonial imposition as family heads and clan heads who exploited the labour of the family and the clan to which they were entitled became richer, took titles and assumed leadership roles leading to class differentiation.

Thus among the three major nationalities, there already emerged a leadership which was in a position to appropriate more than the rest. It was these leaders who traded with Europeans before the slave trade. It was they who were slave traders. It was they who subsequently became agents of colonial predators under the so called dual mandate. In Igbo land where ‘traditional’ rulers did not exist or had a precarious existence the colonialists ‘invented’ them.

3.3. Colonial Period:

We have tried to demonstrate that one should take with caution the nostalgia about the democratic character of our traditional institutions, how participation was assured and excesses of the governors checked while ignoring the structural limitations imposed by the nature of the socio-economic and political systems and the very limited and negligible role played by the majority in governance not to talk about their inability to satisfy their material and spiritual needs in the context of scarcity and inequality.

By the time the British commenced the colonisation of Nigeria by the annexation of Lagos in 1861, the entities that now form Nigeria had been, through a gradual but ‘violent’ process in contact with Europeans through unequal trade and slave trade and
finally conquest, all of which led to the incorporation of Nigeria into the world capitalist system as a junior partner, introducing yet another dimension to the evolution of human rights concept and protection.

The imperatives of colonialism were predominantly economic. The Europeans were no longer interested in dealing with the middlemen (rulers). It became necessary because of the demands and consequences of the industrial revolution and the nascent capitalism to take direct control. From then on the capacity of the rulers to make laws for their own people passed into the hands of the colonialis who not only began to establish a rudimentary dependent capitalist structure but imposed for their legitimation a corresponding legal superstructure that increasingly emphasized private property and representative government even when the elite were belatedly incorporated into the machinery of government. The foundation was already laid for the contradictory pre-eminence given to private property side by side with civil and political rights, even when the basic material and political inequality between the colonialists and locals ensured that there was discrimination in the manner in which the laws were applied.

Thenceforth, the pervasive and dominant influence of Judaeo-Graeco jurisprudence gained ground. Even when native law and custom as well as Islamic law could generally be enforced, it could not be observed or enforced if it was repugnant to natural justice, equity and good conscience, or incompatible, either in form or by necessary implication, with any ordinance or any rule, regulation, order, proclamation or bye-law made under any Ordinance for the time being in force in the Territory. But the standards of natural justice, equity and good conscience and the laws, orders etc. by which they were to be judged were of colonial origin. It was under this provision that the Osu system, the killing of twins, and human sacrifice were abolished.7

Despite these apparent gains and the nostalgia expressed in some quarters that even the colonial constitutions contained provisions on human rights, it was clear that alien rule was a negation of fundamental human rights of self-determination and that the colonial system which inspite of declarations to the contrary was racist and authoritarian.8 It encouraged ethnic and class differentiation, and even if it could be construed as a higher level of
development than the feudal-slave systems with which it co-existed, it was essentially inegalitarian and antithetical to human rights. The colonial economy was primarily intended to serve colonial interests. No serious foundations were laid for national development. The basis was already laid for dependent underdevelopment of the post-colonial era, a condition inherited and sustained by and large by the post-colonial ruling class.

Having set the stage, it remains to examine what progress if any has been made in human rights protection since independence and the prospects for further development of human rights in Nigeria.

From Independence:

At independence, the socio-economic system was both underdeveloped and dependent and for the years before the civil war tended to rely a great deal on foreign private investment. It was a market economy of the neo-colonial type and partly because of the structures left by the colonial power and partly and primarily resulting from the inability of the post-colonial leadership to come to grips with a national liberation strategy, it remained incapable of satisfying the basic needs of the majority—feeding, housing, education, water, health care etc. The ruling elite, now comprising the traditional rulers, the political elite, the bureaucracy and the top echelons of the military (the military taking over power in 1966), assumed control of state apparatus with all its instruments of coercion; and by appearing nationalistic, and pretending that state power was to be exercised in the interest of national security and broad national interest, proceeded to ack like the colonialists that they replaced.

The progressive wing of the N.C.N.C., the Zikist movement, and the radical faction of labour which had fought for independence became increasingly marginalised as the elite-tribal parties battled for control of state machinery and political power. Imperialism found allies in the crop of politicians who had graduated from apprenticeship under it, and businessmen who at least before the war were not prepared to compromise the sanctity of private foreign capital.

It is in this context that we shall examine human rights protec-
tion in post colonial Nigeria. In doing so we intend to dramatize our point by examining human rights that have more direct bearing on the relationship between the ruling class and the exploited classes.

On the whole all our post-independent constitutions have tended to guarantee civil and political rights to the exclusion of socio-economic rights except the right to property and the right to form and join trade unions. The civil and political rights include the right to life, to the dignity of the human person, to personal liberty, to fair hearing, to private life, to freedom of thought, conscience and religion, to freedom of expression, to freedom of movement and to freedom from discrimination. They do not guarantee socio-economic rights, except as stated above, such as the right to work, to health, social security, education etc. without which civil and political rights are of limited utility. Their inclusion in the Fundamental Objectives and Directive Principles of state Policy are of limited utility since being non-justiciable, they offer no basis for legal action. At best they provide the basis for the further development of positive law in the field of human rights.

It is accepted in all our constitutions, 1960, 1963 and 1979 as modified and amended by Military Decrees, as well as the 1989 Constitution that is yet to come into force that the right to life is fundamental. Without life it makes little sense to talk about society or politics let alone political stability. Yet in each case right to life is treated in a technical and negative way. One may not lose one’s life except in accordance with a decision of a court of law. Life may, however, be taken in self defence or defence of property even if the force used is to be determined by law. Whose law? It never occurred to the ruling class that, without food and water one may not only suffer mental and physical disability but may indeed perish. It is of no consequence that without access to clean water, healthcare, housing and education that life may be meaningless. In the dictionary of the ruling class, these rights are separate and it is apparently sufficient once they guarantee the legal right to life even if they do not provide the means to sustain it.

Concessions made in this regard in the 1979 and 1989 constitutions in the Fundamental Objectives and Directive Principles of State Policy as already indicated are mere guidelines, not
justiciable and therefore not rights; their implementation depending on available resources and the discretion of the current ruling class!\(^\text{12}\)

Even this bourgeois pretension is, as in the 1963 and 1979 constitutions as amended, negated by the foundations of the socio-economic system. All emphasized the pre-eminence of private property, the mixed economy policy embodied in the 1979 and 1989 constitutions being simply a euphemism for capitalism, of the primitive accumulation type. Even after the experiences of the civil war there emerged the spirit of bourgeois nationalism, and the state intervened actively in the economy. It did so primarily to promote and protect private property, in which those who controlled the state machinery, had a vested interest, and not to undermine it. It is estimated that since the seventies fewer and fewer Nigerians control more and more of the national wealth while more and more Nigerians are not only controlling less and less but are getting poorer in the absolute sense. When the law gives pre-eminence to private property and its protection we know whose class interest is primarily served.

Appropriation by the private sector is primarily utilized for non-social use, while appropriation by the Nigerian state is primarily used to create and service this class. In the absence of social welfare is it any wonder that most Nigerians (over 60\% are illiterate) have no access to health care, no water, housing etc and these are the masses whose rights the government claims to protect. Increasingly the ruling class has demanded and seems to have succeeded in persuading the governments to privatise public enterprises because they are a drain on public resources; and this based on the unproven claim that the private sector is more efficient. Yet their efficiency has not extended to the development of national productive forces which have remained primitive and overwhelmingly dependent, and even if it is glossed over that because of the community public sector, the former has unduly profited from a wide range of malpractices and abuses manifested in the management of the latter and it is doubtful whether it could have survived without its patronage. This in our view is a basic negation of the human rights of the peasants and workers who produce most of the wealth and
whose mandate is not sought even when it is clear that their objective interest is threatened. It negates the principles of social justice and the sovereignty of the people posited in the Fundamental Objectives and Directive Principles of State Policy to which this government has reaffirmed its commitment.

What about a basic right needed to sustain life and procure basic needs - the right to work - which is anathema for a capitalist economy that thrives on maintaining a reasonable level of unemployment, even when in the developed countries some social security is provided? How can retrenchment and contraction of economic activity fuelled by the desire of government to play goalkeeper for the private sector be reconciled with the apparent concern for human rights?

We may rejoice that the constitutions have all guaranteed the right to vote and be voted for and therefore the right to participate directly or indirectly in one’s government. Yet we know from past and even current experiences, despite the government’s aversion to it, that politics remains a domain reserved for the ruling class which uses the ethnic base and is increasingly relying on religion for rallying support. Votes, offices, and positions are bought and sold. The majority is kept ignorant being kept out of the mainstream of educational facilities and the ‘irrationalization’ of the educational system in order to save expenditure or achieve some other primordial objectives; and unless the Babanginda regime’s effort to promote self-reliant education works, it is likely to perpetuate rather than redress the situation. Those who are elected to represent, end up representing interests opposed to the interests of the majority. And we may find to our chagrin that our faith in the ‘new politicians’ is misplaced. What is needed is to ensure that representation is based on class and that workers and peasants who are in the majority should have a proportionate representation in any new dispensation and that tiers of governments should transcend the centre, state and local government to village or town ‘governments’. What is needed is participation at the grassroots and not perverted elite representation, which has been the result of periodic elections that are erroneously regarded as a hall-mark of democracy.

Once we realize the ultimate determinant impact of the socio-economic system and the prevailing ideology on human rights
we can literally question the assertions that our constitutions have sought to protect and promote human rights for all. For example the press is supposed to be the Fourth Estate, yet it is part and parcel of our national problem being mostly owned and manipulated by the bourgeois public and private sectors. Occasionally they may appear to be concerned with the condition of the urban poor and rural peasantry, but this is not consistent and is only pushed to the extent that is dictated by the need for the survival of the system.

What about the judiciary? We are told that the judiciary is the last hope of the 'Common man' a term used in some quarters to mean any person not in public employment! Yet we know the judiciary is obliged to apply the laws passed by the ruling class through their law-making organs and which as we have indicated serve primarily their interests. We also know that the professed equality of all before the law is a facade and the judiciary is not common to most. It serves the interests of the ruling class, it appears to protect civil and political rights even when it is clear that they lack substance without being anchored on socio-economic rights. Under the circumstance, the independence and impartiality of the judiciary which are intended to ensure justice, do nothing of the sort. They apply bourgeois law which as we have demonstrated is far from being just at least from the point of view of the majority. What about allegations of corruption which have tainted the image of the judiciary as impartial?

What about the facade that the separation of powers between the three arms of government - the legislature, the judiciary, and the executive - prevents or at least minimizes the possibility of arbitrary exercise of power? With respect to intra-ruling class conflict this may be so; but with respect to the majority - the ruled - the whole legal system is mostly arbitrary and so is its implementation.

What is the position of the military with respect to human rights? The military just like their civilian counterparts emphasize civil and political rights to the detriment of socio-economic rights. They both, give pre-eminence to private property. The military however, by their recurrent interventions have retarded the development of a democratic culture that should provide the environment for the promotion of human rights and peoples’ empowerment. They have invariably declared their commitment
to human rights but they have equally, by passing retroactive legislations and ousting the jurisdiction of the courts etc., tended to negate the supremacy of the rule of law and human rights guaranteed in the civilian constitutions.\(^{15}\)

In the end what is important is which social groups are willing and are in a position to transform the system so as to ensure majority participation and control of the polity as well as the satisfaction of basic needs of the majority. Is such a change possible in the objective interest of the ruling class? In effect, it is the substance of the programme, rather than the form it takes that is at issue.

5. SUMMARY AND RECOMMENDATIONS:

a. Human Rights have to be seen beyond their technist or technojuristic characterisation. They permeate the very essence of society and cover human aspirations in the civil, political, cultural, social and economic fields.

b. Emphasis on the category of rights protected is not a matter of accident. It depends on the prevailing mode of production the dominant ideology, the character of the state and the nature of the ruling class. Thus in capitalist societies, human rights and justice, despite pretensions to the contrary, might even demand moderated principle of the survival of the fittest requiring the exploitation of the majority by emphasizing the pre-eminence of the private ownership of property. While in socialist states, since it is believed that private property is a major obstacle to the full materialization of human aspirations, decisive action is taken to ensure the dominance of the undivided social ownership of means of production.

c. So far, Nigeria has operated an underdeveloped version of private enterprise system and the ruling class has been unable to make any qualitative change in the social and material living conditions of the majority which has continued to worsen; a situation further complicated by the incapacity of the ruling class to adopt policies antagonistic of imperialism and conducive to autocentric development or even patriotism.
d. If the Nigerian masses have to benefit from the national and world movements in the field of human rights, they must control what they produce - they must control the state apparatus, decide what laws are to be made, which institutions are to implement them and the essential character and function of the military in the new dispensation. In effect, a determined but progressive negation of what exists will conduce to peoples' parliament, peoples' laws, government and courts which approximate more to peoples' democracy and justice rather than democracy for a few, and peoples' power which is a negation of elite monopoly and manipulation of power. The urgent task is how to begin. It cannot begin without effective mobilization of the people around an ideology that exposes the inequities and humiliations of the present system and that places at the centre of the national agenda a programme for a post-colonial NATIONAL LIBERATION.

NOTES


3. Ibid: also M. Fawovsky, Soviet Political Thought, cited in Lloyd, op. cit. p. 672


10. Chapter II of both the 1979 and 1989 Constitutions.


13. See Supra


2. THE SLAVE TRADE AND BLACK SLAVERY IN AMERICA**

Laënnec Hurbon

Slavery in the New World: a running cost of modern civilization

From Greco-Roman antiquity to the European Middle Ages, slavery did not change its nature in the regions of Asia or Africa and in the New World. Often perceived as an archaic form of exploitation (or even over-exploitation) of human beings by human beings, the phenomenon has proved susceptible to trivialization when it is measured only by its effects (the social degradation of the individual, racism, economic profitability, and so on ...). But slavery raises a basic question about law and the history of freedom. Philosophy and theology have certainly had intuitions, but most of the time they have simply kept slavery as a metaphor for the domination of human beings by human beings, when they do not evacuate its specific content.

However, the history of the slave trade and the slavery of the Blacks which began with the discovery of the New World is still part of our modern world and of Western civilization, and is even the background without which neither anti-black racism nor the present under-development of the African continent would be comprehensible. There is a great temptation, which originates in the very nature of slavery - where it is practised - to dilute the event in universal history and thus to excuse the modern Western world a confrontation with what in fact is part of its own memory. Perhaps it is because Europe failed to consider the specific nature and the novelty of slavery in the Americas that it was so little prepared to recognize the possibility - inscribed at the very heart of its development - that it would

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produce other catastrophes like Auschwitz or the Gulags. In fact from the sixteenth century onwards, in slavery we see the relaunching of a system which, while remaining in continuity with the Middle Ages, extends over three continents, over a long period (four centuries), and sees itself aimed solely at economic profitability. Far from being a mishap for modern civilization or a simple historical accident, slavery in America bears witness to the foundation of this civilization and is even part of its running costs.

Within the limits of this short article, I plan to recall the basic facts of the Black slave trade and its consequences for the whole of the Black Continent; then the practice of slavery in the three Americas with its organization and its justification; and finally the struggles of the slaves which led to emancipation. However, the most important thing is not to engage ourselves in the task of the historian, but to try to begin with the memory of slavery still fresh, and to go on raising questions of the most burning relevance about law and universality, asking whether slavery has not always been the institution which outlaws part of humanity at the very time when reason and the Enlightenment in the West are decking themselves out in fine array.

**From Indian slavery to the Black slave trade**

At the beginning of the sixteenth century, theologians, jurists and canon lawyers argued violently over the right of Spain to reduce the Indians to slavery. However, the practice of slavery was already well advanced. In 1495, 500 Indians were captured and sent as slaves to Spain. On 2 August 1530, it was all very well for Charles V to proclaim the illegality of Indian slavery, as a result of the stubborn and tenacious defence of the rights of the Indians put up by de las Casas, but it was all up for the Indian. The encomienda as a system of forced labour used to develop the gold mines meant certain genocide for the newly-conquered people. The Indians were also thought to be unsuitable for slavery. But there was never any debate, whether legal or theological over the Blacks of Africa. We know that. The myth of the son of Ham, who was under a curse, was in circulation at the end of the Middle Ages, and this authorized first Portugal, and then Spain, to draw slaves freely from the 'Black Continent'. In 1434 the Portuguese bought cargoes of slaves from
the North Africans in Africa for domestic work and agriculture generally, and for the sugar cane plantations on the island of Sao Thome. And in the New World, while there was tearing of hair over the barbarism or the idolatry of the Indians, in 1503 'negro' slaves were working alongside the Indians and were now ready to fill the gap when the Indians disappeared. It was all very well for Las Casas, having indicated the suitability of the Blacks for slavery, to regret having been an accomplice in the slave trade, but by then the damage had been done. The powerful interests of the crown and the church presided over a practice of conquest in the face of which the very question of legality slowly disappeared.

Through 'l'asiento' (the monopoly granted by the crown to a company to trade in Black slaves), Portugal was in the vanguard of the slave trade throughout the sixteenth century. But Spain disputed Portugal's possession of the new lands of the New World and appealed to the pope to arbitrate. So it was that in 1517 4000 slaves were sold and deported to Hispaniola and Cuba. In the footsteps of Spain, Holland, France and England vied with one another to take part in the trade. Chartered companies were created in a headlong rush. In 1635 the Compagnie des Indes de l'Amérique was instructed by Richelieu to provide slaves for the Caribbean islands. In 1651 England in turn founded the Guinea Company, and later, in 1672, the Company of Royal Adventurers; in the eighteenth century the country ended up by dominating the triangular trade through Liverpool, the greatest port for shipping negroes in Europe.

But how did people get slaves? First of all by establishing forts and bases all along the African coasts. At that time Africa, called the Gold Coast, the Slave Coast, the Pepper Coast, the Ivory Coast, was simply an immense depot of ebony and slaves, who were captured on the raids carried out in the interior or through the wars encouraged between the tribes by the slavers. Local potentates reinforced their power and sold prisoners of war and subjects whom they considered to be delinquent. Any means of responding to the European demand for slaves was legitimate. In exchange the Europeans brought fabrics, copper, glass and above all finery and firearms for the African kings. Little by Little real negro states were founded and consolidated: Dahomey, Congo, Ashanti South Africa. Guinea, from where the slaves
often came is the region along the coast between the River Senegal and Sierra Leone, extending further to the Gold Coast and the kingdom of Angola.

The consequences of the slave trade were catastrophic for the African continent, if only because of the great hole which it made in the population. It is now reckoned that over four centuries, around 11,700,000 slaves were deported to the three Americas; some writers talk of thirteen, even fifteen, million. At all events, we have to add those who died during the wars of captivity and during the crossing. According to C. Coquery-Vidrovitch, the average mortality rate was 13%. During the eighteenth century, England alone provided between two and three million slaves for its colonies, for those of France and Spain, and for Virginia. In the same period France transported around one million slaves on 3321 ships. In 1774, black slaves in the southern United States numbered 500,000. And it is reckoned that around two million slaves were at work in Brazil in 1798. There was not a single English, French, Spanish, Dutch or Danish colony which was not provided with slaves. In 1788 Jamaica was the most prosperous of the English colonies with 256,000 slaves, while St Dominique was the greatest source of wealth for France with 405,828. These impressive figures indicate that the African continent must have undergone a real cataclysm at a demographic level. The young (male and female) were captured in the largest numbers. Slaves over forty were usually rejected by the traders though their demand for negroes was never completely satisfied. So Africa must have undergone an acceleration in its decline. Craftsmanship, weaving, metalwork, agriculture, dropped into second place in the face of a trade which led to the domination of a slave system in the majority of states, with the result that at the very moment when Europe finally agreed to give up slavery, at the end of the nineteenth century, by a strange irony of history Africa seemed devastatingly crippled, since by then one in four Africans were slaves.4

We must pay particular attention to the calvary of the Atlantic crossing. It took around forty days, in ships in which sometimes between 400 and 500 slaves were chained two by two at the feet and stacked up in the holds (like lines of books). Hunger, diseases like scurvy, dysentery and so-called ‘putrid fever’ made the slave ships floating tombs. Even in the eighteenth century,
on a single ship (the Iris) 131 slaves died out of 966; there are other examples of 110 out of 442 or even 193 out of 401. And what about ill-treatment? That is the wrong way to put the question, since by definition the slave, a piece of livestock, was open to any excess on the part of his or her proprietor. That is the first thing to be noted about the everyday life of the slave.

The institution of slavery

As the negation of the protection of law and of rights to a human being, the slavery of the New World was an institution the justification for which was provided by positive laws laid down by the modern state that arose in the sixteenth and seventeenth centuries. What were the motives for this institution? What objectives and what interests did it serve? What contradictions does it reveal in the modern Western world, but also in Christianity, which, as we shall see, would prove to be a keystone in the ideological justification of slavery? We can only really explore these questions if we pay careful attention to the specific conditions of the everyday life of the slave on the ground in the New World.

An abundant literature has already taken stock of these conditions, and here I need only sum up their essential features. The slave was a slave for life, and any children were destined to slavery. That already indicates the degree to which slavery was the very empire of death. However, this was a slow death, even if the life-span of the slave—virtually throughout the Americas—was estimated at seven years. Work under the supervision of a taskmaster was from sunrise to sunset and was enforced by the discipline of the whip—about which it is necessary to be more specific: between 50 and 200 strokes were the penalty for the least negligence. To be a slave was to be a beaten body which in this state had to make its full contribution. Any interpretation of the attitude of the masters in paternalistic terms is deprived of its foundation here. For the master had to work rigorously— for the degradation of the slaves, for their complete and utter downfall, so as better to reduce them to what was considered to be their natural condition. In charge of feeding, clothing and housing the slaves, the master contrived to carry out these duties under a regime of pure favour and yet could not avoid parsimony. In 1666 Fr. Dutertre tells us that
adult slaves had a few rags for clothing, while the children were completely naked. The condition of the slave had to be made visible right up to death. Full of commiseration, the same Fr. Dutertre, slaver though he was, reports that 'of fifty who die one buries only two in a shroud; people bring them covered with their own filthy rags or wrapped in a few canna leaves'.

The tortures reserved for the rebellious or lazy slave are not evidence of the particular cruelty of some masters, but are part of the structure of the daily practice of slavery. To apply a red-hot iron to the tender parts of the slave, to tie him to stakes so that insects gnawed him to death, to burn him alive, to chain him, to set dogs or snakes at his heels, to rape negresses, and many such tortures, served above all to express absolute domination. And it was absolute, or rather it claimed to be: in the act of branding slaves, changing their names, mixing the races, making them lose all kinship, in short producing among them a cultural amnesia from which they emerged zombies, living dead totally subjected to the caprices and humours of their masters. But—and this is not at all paradoxical—the modern state did its utmost to relieve the master of the burden of having to think about this absolute domination for himself and assume responsibility for it. The scandal of slavery was in fact dissolved, or at least defused by reasons of state and mercantile interests. How could one take account of the situation other than by questioning the legal and ideological system set up around slavery?

From the beginning, as we have seen, the slave trade presupposes a general accord within the European nations between the church, the state, the nobility and public opinion. Certainly the slave was already seen as a slave or a prisoner whose death penalty had been commuted into a social and legal death. From this perspective, slavery no longer provoked any questioning. Still practised in Europe in the twelfth and thirteenth centuries, and later in the fifteenth century, it had an arsenal of justifications to back it up. But as a result of the new experience of the slave trade in the New World, the modern European states put to the test not only their expansionist capacities but also their internal efficacy as an authority which could subordinate religion to itself and give it the pedagogical task of producing human beings.

Numerous disciplinary regulations, decrees, ordinances came
from the great cities: they demonstrate their sustained interest in the survival of the institution of slavery. But among the legal frameworks that one can find in all the slave colonies of the New World, the French Black Code, the *Code Noir* of 1685, deserves special attention. Since it is impossible to give a detailed analysis of the text here, I must content myself with stressing that the objective of this code was not to relax the living conditions of the slave nor to contribute to limiting the power of the master, but to establish the order of slavery and reinforce it through the apparatus of the state. Republished in France in a new edition by Louis Sala-Molins, who describes it as ‘the most monstrous legal text produced in modern times’, the *Code Noir* was seldom mentioned by the philosophers of the Enlightenment; it even fell into oblivion, though for two centuries it gave French slavery its essential structure.

What the *Code Noir* states is paradoxically that the slave has no rights and the master alone has any. None of the articles which describe the slave as a chattel, property and thus as a ‘thing’ (in the sense that Roman law gives to the term) is embarrassed by the contradiction of submitting the slave to the royal tenderness and piety of the master who is to feed him, clothe him, support him, provide for his religious instruction, dispose of his offspring and avoid ‘barbarous and inhumane treatment’ (art. 26). But where the *Code Noir* pretends to protect the slave, at the same time it declares that the slave cannot in any instance bear witness or complain in person before the courts against the excesses of the master (art. 30). So on the one hand the slave is a thing or animal, and on the other a human being, but deprived (legally) of all rights. This situation is not at all, however, that defined by Roman law; it passes over that law from the precise perspective of the service which the modern state claims to be offering graciously to a whole continent, and to what is already being called a ‘race’.

The objective of the institution of slavery is in fact to convert to Christianity infidels or pagans living under the empire of Satan. ‘All the slaves in our islands shall be baptized and instructed in the Catholic religion...’ (art 2). Christianity does not develop the activity and defend the body of the slave; it serves the state by proclaiming to the slave his state duty, which is obedience to his master. Already slaves and captives on their conti-
nent, but also idolaters, the Blacks can only give thanks to providence for their deportation to America. "Their servitude', writes Fr Dutertre in the seventeenth century, 'is the principle of their happiness, and their disgrace is the cause of their salvation'.8 This was to be echoed a century later, in 1776, by a disciplinary rule: 'Public security, the interest of the masters, the salvation of their soul, are the motives which must prompt the missionary to work at it (the religious instruction of the negroes) with all the greater zeal'.9 Conversely, meetings of slaves who attempt to go back to their African religious system are forbidden. They are regarded as occasions of rebellion. The maintenance of the ideological cover of slavery, i.e. forced conversion, also seems to have been an obsession with the administrators. Generally speaking, the clergy performed their role well enough; in fact they themselves owned slaves.10 Granted, some priests who protected runaway slaves or were too zealous in their instruction were rapidly deported and put on ships home.

As far as the state was concerned, the most important thing remained its complete hold over the life of the slave. Christianity, dedicated to barring possibilities of revolt among the slaves, had at the same time to perform a civilizing work, to serve as a palce of access to Western culture, the parameters of which claimed to define humanity. However, for slavery to be maintained, the necessary logic was that slaves were unsuited to Christianity, that they were sorcerers and barbarians and basically flawed. How? By the inscription of these 'blemishes' on their biological constitution. If social prejudice was not the principle of slavery, it came to take its place and develop at the heart of the practice of slave-owning. The 'negroes' were suitable for slavery because they were a degraded species. To the myth of Ham was gradually grafted on an anthropology of the 'negro': savage and barbarous, cannibalistic, lazy, polygamous, prone to human sacrifices and with no taste whatsoever for freedom. A vast literature circulated in the eighteenth and nineteenth centuries11 disseminating in Europe such an image of the Black as to render Western public opinion insensitive to the hell of slavery. To tell the truth, it was a hell given for a time of purgatory to the 'negro' who, for having forcibly been put in touch with 'civilization' (Western civilization), would one
day deserve the quality of a human being—provided that that day was as far off as possible.

From slave resistance to abolition

Slavery in the New World was a tightly-knit system. To make itself that, it had to recapture the experience of ancient and mediaeval slavery and develop it to the full. The slaves had two primary ways out of it. Either they could leave their bodies to their masters and rejoin Africa symbolically or spiritually: suicide, abortion, the refusal of care or food, and infanticide, are the first expressions of a great rejection. Or, as an alternative, they could flee individually or collectively ('marooning'). The cause of flight has often been sought in hunger or ill-treatment; in fact to run away was a gesture affirming freedom. Wherever possible, slaves tried to escape the power of their masters. Real slave republics were formed in Brazil, in Jamaica and in Guyana. And without any doubt, from the seventeenth century onwards, every regulation coming from the administrations or the capitals was aimed at the systematic repression of marooning. Some articles in the Code Noir are simply lists of a panoply of punishments to be imposed on the runaway slave.

Rumours of poisoning, revolts accompanied by burning of the plantations and sugar factories, haunted the sleep of the masters throughout the eighteenth century, especially in the islands. Soon, in the wake of the events of the French Revolution, St Dominique, France's most popular colony, with more than 400,000 slaves, offered the spectacle of the first major successful slave revolt. An insurrection sparked off during the night of 15 August 1791 was the inauguration of a long struggle lasting thirteen years, in the course of which the political genius of Toussaint Louverture emerged.

From the depths of their dereliction, the slaves were able to find within themselves the resources to express their dignity. Little by little they undertook the underground construction of a new culture in which they could recognize themselves. Thus for example Voodoo in Haiti, Santeria in Cuba and Candomble in Brazil, trance-cults inherited from Africa, form a regional creation with rich mythologies in which one can see a reinterpretation of lost Africa, and also of missionary Christianity. And the blues and negro spirituals still bear witness to a will to life and hope at
the heart of imprisonment in slavery. Perhaps, too, the Black Americans have written a new page in the history of Christianity, by having been able to make the churches places of struggle for the recognition of their human rights.\footnote{13}

However, the march towards the abolition of slavery was one of extreme slowness. The abolitionist ideals expressed cautiously in the eighteenth century by the Enlightenment and supported boldly in England by William Pitt, Wilberforce and then by Clarkson, met with no success. Almost everywhere in Europe, the most radical philanthropic writings leant solely towards the suppression of the slave trade and proposed a gradual emancipation. In Paris in 1788 the \textit{Société des amis des Noirs} was from the start interested in the civic inequality between mulattos and whites in the French colonies, but not at all in an immediate abolition of slavery. News of the bloody revolution of slaves which broke out in 1791 had to reach Paris for people at last to become aware of the horror represented by Black slavery. But here again, the general freedom proclaimed on St Dominique in 1793 was not ratified by the Convention until 1794, and was then put in question again by Napoleon Bonaparte in 1802. The exceptional case of the new independent state of Haiti served as a foil to any immediate abolition, since it was said that abolition brought with it the risk of the loss of the colonies. While England succeeded in declaring the slave trade illegal in 1807, under the pressure of its Parliament and Protestant petitions, France followed, reluctantly, only at the Congress of Vienna in 1815. From this date until 1845, no less than twenty Franco-English treaties were signed before the achievement of the official cessation of traffic in slaves and abolition in France (1848). But illicit trading continued strongly with the southern states of the United States, with Brazil and Cuba, until 1870—1880. In fact Cuba was the last colony to proclaim abolition, in 1880.

The vicissitudes of abolition show the degree to which the slave trade and slavery were bound up with the economic interests of the great powers and what can well be called reasons of state. The vigorous polemic launched by Clarkson and the English Protestants, particularly the Quakers, and then by Abbé Gregoire and Victor Schoelcher in France against the anti-abolitionists, in fact came up not only against widespread prejudice against the Blacks in public opinion but above all against
the European concern for expansionism. Abolition was only achieved at the point when it was possible to keep the prosperity of the colonists intact, and the riches brought to Europe by the slave colonies.

Certainly, with the theories of natural law developed in the seventeenth century, with Enlightenment philosophies like those of Kant or Rousseau, and with the Declaration of the Rights of Man in in 1789, slavery was shown to be a scandal and a crime against humanity. But if we are to understand its long duration, two factors need to be taken into consideration: the tendency to sacralize the state through reasons of state, which has the virtue of undermining the universality of the principles of equality and freedom; and the tendency to make Europe the judge of all the other cultures, as a result of which a racist ideology with pretensions to being scientific underwent a spectacular rise, especially in the nineteenth century.

Are not the freed Blacks, having become poor peasants, workers, unemployed living in the shanty towns, household servants or migrant workers, still victims of racism? Yet again, the quest for equality and freedom is the order of the day, and remains the task which will open the horizon on which the humanity of humankind can appear. To achieve this, should we not detect in the movements of rebellion set off by slaves both a practical implementation of inalienable human rights and also the indication of a dream which has yet to be fulfilled, a dream which, in the midst of the many varied contemporary struggles for freedom, should be regarded as the duty of humankind?

Translated by John Bowden

Notes


2. For the demographic facts of the slave trade see recent works like Serge Daget (ed), De la traite à l'esclavage, Actes du Colloque international sur la Traite des Noirs (two volumes), Paris 1988; L. Crete, La Traite des nègres sous l'Ancien regime, Paris 1989; and the classic work by P.D. Curtin, The Atlantic Slave: A Census, Madison, Wisconsin 1969, which is now getting rather dated. For the importance of the slave trade in the industrial development of England see E. Williams, Capitalism and Slavery, London 1964; finally, for the figures put forward in the nineteenth century, before abolition, see Alex Moreau de Jonnes, Recherches statistiques sur l'esclavage colonial et sur les moyens de le supprimer, Paris 1842.

3. C.C. Vidrovitch, "Traite nègri!re et démographie. les effects de la traite atlantique. Un essai de bilan des acquis actuels de la recherche', in De la Traite à l'esclavage (n.2), 57—70.

4. Ibid. 68.


9. Quoted by Gisler, Esclavage (n.7), 185.

10. Ibid., 193ff. In this work Gisler shows beyond even the established fact that clergy owned slaves, that the church sought more to alleviate the lot of slaves (though with rather feeble results) than to contest the institution itself.

11. For the image of the Black in France in particular see the exhaustive study by W.B. Cohen, Français et Africains, Les Noirs dans le regard des Blancs, 1530—1880 Paris 1980; see also L.F Hoffmann, Le Nègre romantique, Paris 1972; in his article 'L'origine du racisme en Europe. Quelques hypotheses', De La Traite à l'esclavage (above, n. 2), 535—47, P.H. Boulle argues that racist talk develops with the appearance of the abolitionist movement.


13. See the excellent discussion by E.D. Genovese, Roll, Jordan, Roll: The World the Slaves Made (above, n. 1), above all 168.
3. HUMAN RIGHTS IN AFRICAN INDIGENOUS RELIGION

Christopher I. Ejizu

INTRODUCTION

Traditional Africa is widely stigmatized by outsiders as a ‘dark’ continent that is ruled by barbarism and savagery. Early travellers’ reports which as E. Evans-Pritchards rightly noted were concocted according to a standard “recipe”1 greatly contributed in creating such an impression. Hence, many of the colonial governments do not still even today have much difficulty in absolving themselves from many of their questionable activities in Africa on the pretext that they were on “a civilising mission”.

The same early travellers’ accounts “made African religions appear to be a morass of bizarre beliefs and practices”.2 References to human sacrifices, cannibalism, slavery and taboos like the killing of twins, litter the pages of their publications. Missionary hagiography rather than help matters continues to blur the picture even further. By excessively eulogising the humanitarian activities of expatriate Christian agents, it implicitly leaves the impression that generally life in traditional African societies is highly precarious and devalued.

Be that as it may. We do not intend to get bogged down by wild tales of people whose main interest in Africa was to provide a catalogue of the curious and who wrote primarily to tickle the fancy of a credulous audience back home. Such tales, as it is well known, are largely a product of racial and cultural prejudice. They are highly exaggerated and distorted.

Our intention is rather to take a holistic view of African indigenous religion with the aim of finding out to what extent human life is esteemed, enhanced and protected in traditional societies. Specifically, we shall be examining traditional African myths, folktales, beliefs and values to discover the level of consciousness there is about certain fundamental rights of people.
Finally, we shall be interested in finding out what definite institutions and systems that were evolved to ensure that such rights were upheld and that life was made meaningful in society. We shall rely largely on our knowledge of Igbo indigenous religious culture and society for a greater part of our illustrations.

II: EXPLANATION OF CONCEPTS

Human rights may be relatively a recent expression. But some of its central ideas have in one way or another been recognised in various societies including those of traditional Africa, for a long time. As defined by Osita Eze,

human rights represent demands or claims which individuals or groups make on society, some of which are protected by law and have become part of ex lata while others remain aspirations to be attained in the future.

He groups such rights under five sub-headings: civil, political, social, economic and cultural. Chris Nwodo insists that there is more to human rights than the fact of its legal status. The human and the moral aspects are much more fundamental. He maintains that a legitimate claim to certain rights is based on the concept of the human being as a “person”. Only persons have rights. We do not, strictly speaking, talk about the rights of animals, except in so far as they belong to persons. He rightly concludes that:

the fundamental assumptions of human rights arguments therefore rest upon the fact that human beings are persons who by virtue of their very nature have legal and moral claims that are intrinsic to them.

Traditional Africans clearly recognise the unique nature and individual personality of human beings. Although their patterns of social organisation and political economy prior to the advent of colonialism might have differed from those of modern Western society, traditional African people had evolved and lived by legal systems and customs which paid “particular attention to the human being and to all that appertains to him, particularly his rights”.

African indigenous religion refers to the rich corpus of beliefs, myths, practices, ritual symbols and institutions, which various
African groups cultivated as a result of their experience of the mystery of the universe. These differ from one group to another in accordance with the varying socio-ecological environments and historical circumstances. But the underlying outlook, values and attitudes are very similar indeed.

Religion, as it is widely accepted, is a major factor in human rights considerations. This is very much the case in the African traditional background given its pre-eminent position in the cultural and socio-political life. African indigenous religion is clearly "a religion of structure". It permeates and pervades most aspects of life as well as depends on oral rather than literary sources for its preservation and transmission. We will therefore, need to examine some of the prominent oral vehicles in order to grasp the extent of its influence on such issues as the right to life, to marry and found a family, freedom of thought, conscience and religion, equality before the law; the right to work, to property, to education, etc.

III: LIFE (NDU/EMI) AS A PRIMARY VALUE

The indigenous Igbo word for a human being mmadu or mma-ndu, translated as "the beauty of life", appears to sum up as well as provide a clue to the rich traditional African perception of the uniqueness of human beings, their life and place in creation. No doubt, the traditional cosmology of the different groups posits the spirit-world as superior to and more powerful than the human-world. However, it is man and his world that are the focal centre of the traditional African vision of reality. O.U. Kalu amplifies:

in spite of the remarkable awareness of spiritual forces, the African places man at the centre of the universe. He is a noble, rational creature.8

African traditional cosmology is ostensibly this world-affirming and life-centred. J.S. Mbiti puts it this way; "it is as if God exists for the sake of them".8

Various versions of the myth of origin found in different parts of Africa narrate that each individual human life proceeds from the Supreme Being, at times through the intermediary of
tutelary deities. They further characterise man as a microcosm with the different constitutive elements interrelating the individual to various aspects of reality both visible and invisible realms. According to the Nri, *Chukwu* simply sent down the first man and his wife, *Eri* and *Namaku*, directly from heaven. The Bambuti Pygmies of the Central African region depict God as a skilled Potter who formed man from clay. God made the body of the first man by kneading, and then covered him with a skin and poured blood into his lifeless body. Then the first man breathed and lived.

Many groups further distinguish a number of principles making up the individual person. The Igbo, for example, speak of six elements namely: *Ahu* (physical body) *onyinyo* (shadow), *Obi* (heart), *Eke* (ancestral link), *Muo* (personality spirit) and *Ndu* (life principle) while the Yoruba have about five: *Ara* (Body) *Ojiji* (shadow), *Okon* (heart), *Ori* (Personality spirit) and *Emi* (life principle). These elements are believed to interlink each individual to the different spheres of reality. The idea of a personal spiritual double or creative essence known as *Chi* among the Igbo, *Ikeji* among the Yoruba and *Nuoryin* by the Tallensi, is also widespread in the West African sub-region. Every individual, man or woman, is believed to have a *Chi* which is directly linked to one's destiny and creation. Commenting on the implication of this important belief, Chinua Achebe remarks that:

The idea of individualism is sometimes traced to the Christian principle that God created all men and consequently every one of them is presumed worthy in His sight. The Igbo do better than that. They postulate the concept of every man as both a unique creation and the work of a unique creator (*Chi*) which is as far as individualism and uniqueness can possibly go.

No doubt, the sense of community is a strong traditional African value. But it is not supposed to contradict or cancel out the individuality of each person. Rather both values complement each other.

The right to life, property and basic justice of the weak, the helpless and the poor (*Nw' ogbenye*), as well as the orphan (*Nwa enwe nne enwe nna*) are upheld and anchored in religion. The fortunes of this category of people are believed to be particularly dear to suprasensible beings. And numerous
folktales and legends repeatedly emphasise the prompt manner in which spiritual beings intervene on the side of such people. Against such a rich conceptual background human life, which is essentially sacred, is a primary value and highly esteemed. And the individual right to life is generally protected. The traditional Igbo have such personal names as Ndubuisi (life is the primary value), Nduka (life is the greatest thing). They further advise that one should swallow his/her life rather than surrender it to any adversary - Ndukaaku, Onye apubalu nkeya, ya nyoya n’abo. Furthermore, tutelary deities like Ala and ancestral spirits are directly linked with people’s life. They are believed to serve as protectors and sustainers. Various African groups equally evolved different kinds of measures and customs which are firmly anchored in their religious traditions for the protection of the life of people, including the unborn baby. In many places pregnant women and their husbands are required to offer occasional sacrifices to tutelary deities and ancestral spirits for the protection of the life of babies yet to be born. Pregnant women are shielded by numerous taboos mainly to ensure that the babies’ life is safe. Mbiti records that “among the Akamba and Gikuyu, for example, all weapons and all irons are removed from the house of the expectant mother before the birth takes place. People believe that iron articles attract lightning”. The Ingassana, on the other hand, require the expectant mother and her husband to keep away from fire prior to the birth of the child. “These and similar prohibitions”, Mbiti concludes, “illustrate the care and protection which both mother and child should and do receive”.13

From infancy through puberty, adulthood to grand old age, there are various kinds of religious rituals in different societies made by parents, relations and individuals themselves aimed at fostering life. Included in such rituals are those connected with initiations, the enshrining of one’s personal guiding spirit and patron deities. Prayers (private or public, individual or communal), remain however the watershed in the expression of the vital place of religion in the promotion of human life. I had stated in another context that,

As a key motif, life is rarely absent in any indigenous African prayer. In fact, one of the Igbo expressions for prayer is Igo Ndu (blessing for life) ... All thoughts, all actions should be directed to fostering the in-
indidual as well as community life. No one should jeopardise either his life or that of the other members.\textsuperscript{14} 

The shedding of blood, except perhaps in the extreme case of warfare, is always a very grave and abhorrent act. It is the greatest abomination among the Igbo, particularly against the earth-deity \( \text{Ala} \), which is believed to be the ‘owner’ and ‘sustainer’ of all lives.\textsuperscript{15} The death of a pregnant woman is particularly abhorred. To emphasize the identity of the child, such a woman had to be first operated upon, the baby pulled out and given a separate burial from the mother. So highly esteemed and sacred is human life among traditional Africans that no extent of physical disability, infirmity or pain is allowed as a sufficient reason to warrant its termination. Neither is the individual free to take his life. Suicide is always a very grave abomination that is believed to pollute the affected family, community and the earth as well as destabilise the cosmic equilibrium. As a clear demonstration of its detestable nature, such a person is normally neither buried nor mourned.

IV: THE IMPLICATIONS OF LIFE-ENHANCEMENT

Life-enhancement is without doubt, the overriding concern of traditional African experience. A life that is fully enhanced is one that realises the key values and ideals recognised in one’s society. Not unexpectedly, these vary from one society to another as a result of the differing ecological and historical experiences of people. But generally in most traditional societies, they include such things as good health, success in one’s occupation or trade, prosperity, successful initiation into title positions, raising a sizeable family, attaining old age usually marked by wisdom.

The implications for human rights of the ideal of life-enhancement are far-reaching. This is particularly the case with the group of rights bearing on individuals. Certainly, the right to work and to earn a living is highly appreciated and promoted. Even in societies that had evolved chiefdoms and empires, or those that practised feudalism, Eze rightly points out that they “were more or less ‘democratic’ in the sense that rarely did the will of one man whether chief or king, determine the fate of those societies”.\textsuperscript{16} For most part, traditional African societies are
remarkable for their societist and humanitarian features, giving rise to what Ifemesia refers to as "traditional humane living".\textsuperscript{17}

The right to marry is particularly cherished and encouraged among traditional Africans as a core feature of life-enhancement. As J.S. Mbiti clearly noted, for African peoples, "marriage is the focus of existence ... marriage is a duty, a requirement of life in which everyone must participate. Otherwise, he who does not participate in it is a curse to the community, he is a rebel and a law-breaker, he is not only abnormal but 'under-human'.\textsuperscript{18} Without getting married and raising a sizeable family one's earthly existence will not only be seen as futile, such a fellow is not eligible for full funerary rites nor fit for ancestorhood.\textsuperscript{19} The high premium placed on marriage and procreation strongly accents the great value of life and continuity of one's blood-line among traditional Africans. The indigenous Igbo, for example, enshrine these ideas in such aspirations/personal names as Afamefuna (may my name never be lost), Obiefuna/Obiechina (may the kindred lineage never cease).

The rights to work and to own property are equally implied in the life-enhancement ideal. People are expected to work hard and to acquire the reasonable wealth with which to set up and maintain their individual families. In areas where age-set association and title-taking prevail, people are greatly encouraged to accumulate sufficient wealth and property to be able to meet their obligations to their age-sets as well as procure titles which often involve considerable expenditure. In any case, African societies, even chiefdoms, were, comparatively speaking, largely small-scale in nature. Specialisation and role differentiation were limited. And depending on the ecology, most members of a community engage, more or less, in the same occupation, like farming, fishing and cattle rearing, to earn a living. Even in feudalistic societies, the right to work and to own property by the generality of the people was still upheld though chiefs might demand tribute from those under their jurisdiction. Neither does the common ownership of such things as land and economic trees, which is a feature of life in some traditional African communities, preclude the rights of individuals in other respects.

No doubt, the full meaning and significance of life-enancement with all the implied rights lie clearly embedded in
the religious cosmology of the different African groups. It should be recalled that traditional Africans perceive reality as fundamentally organically integrated with religion playing the crucial role of anchoring life-experiences in the transcendental centre of ultimate meaning. There is no dichotomy between the spirit world and the human world. On the contrary, spirit beings and nature forces are believed to underpin various life-interests and impinge on the affairs of people. And as Ikenga-Metuh rightly observed, "man's life is enhanced as long as he lives in harmony with divinity, humanity and with nature".20

The deities and suprasensible beings which traditional Africans worship are essentially linked to one vital aspect of life or another. Since life is perceived as fundamentally precarious, or as a spiritual combat between the forces of good and the forces of evil, man needs the constant assistance of benevolent deities and spiris to achieve success and to realise the ideal of a fully enhanced existence. Among the traditional Igbo, for example, the deity of knowledge Agwu, is the patron deity of craftspeople while Ahajioku is the nature force that underpins yam crop, the prince of Igbo traditional agricultural products. And in the event of tangible achievement in one's profession or occupation, an Ikenga symbol of commensurate size is expected to be carved by the individual or group in recognition of the vital assistance of the spirit force of achievement.21 The indigenous religion, therefore, both directly and indirectly validates and encourages the rights implied in life-enhancement among the different traditional groups.

V: RELIGION AND HUMAN RIGHTS PROTECTION

In addition to encouraging certain fundamental rights of people African indigenous religion equally plays the vital role of ensuring that the rights were duly upheld and protected. As a typical "religion of structure", it legitimises and empowers all worthwhile events and institutions. The characteristic holistic vision which it articulates as well as the vital features of sacredness and cosmic power which it introduces into life and human affairs readily make it the most crucial factor of social control in the traditional African background. It is in this connection that O.U. Kalu suggests that the traditional gods serve as 'policemen'.22
Moral norms, like human life itself, have their meaning and significance in religion. The gods and cosmic forces may be invisible. But they are very powerful, oftentimes aggressive and keenly interested in the activities of men. Moral norms and the customary code of conduct are hallowed and explained as ordinances of the gods and founding ancestors. Human behaviour is so crucial in the maintenance of the delicately balanced equilibrium existing between the spirit world and the human world. Any grave misconduct or infringement of the accepted code would upset the balance and thereby imperil the fortunes of men. Hence, as Kalu rightly commented, "This perception of human existence meant that the moral order must be maintained so that men can live in peace and have abundant life". A number of controls had to be constructed. And a great value is placed on character which is neither beauty nor wealth. Rather, it "referred to moral uprightness, peace with gods and peace with men. Purity was essential in blocking the anger of gods or the ruin of evil spirits".

More specifically, the belief in deities and patron spirits proves a potent instrument for human rights protection. Individuals and groups dedicated themselves, their property and profession to certain powerful deities and tutelary spirits. This serves to deter people from inflicting harm on such persons, groups or property. This is not yet the case of the untouchables (Osu). Rather, there are such groups as the Umunri and the Aro groups among the Igbo, for example, who, even in the hey-days of trans-Atlantic slave traffic, travelled far and wide unharmed. Similar immunity was enjoyed by individuals and groups who were known to enjoy special relationship with powerful deities in many parts of traditional Africa. As for property and profession, the idea of deities who served as protectors, was very widespread and effective. Some deities like Akpa and Amadioha among the traditional Igbo were believed to be particularly effective in ensuring the safety of property. And, generally, misplaced things were more often than not left untouched since people were very mindful of the vengeful role of tutelary deities to whom such items might be dedicated. And without undergoing full initiation into the cult of spirit beings who were believed to underpin such specialised professions like black-smithing, medicine-making and divination, it was thought
extremely perilous to engage in the practice.

Furthermore, the idea of power and authority which those in leadership positions in traditional societies wield derive their legitimacy ultimately from religion. Many traditional African groups have concrete symbolic representation of this conception. This includes the *Ofo* ritual symbol of ancestral authority among the Igbo and the golden stool of the Akan people of Ghana. In some traditional monarchies, power is so structured that there are special cult groups that act as a good check on the rulers. The *Ogboni* society among the traditional Yoruba makes a good case. Leaders are highly respected as mouthpiece of the gods. But, by the same token, they are expected to be the embodiment of customary values and norms. They have to adhere strictly to the traditional norms, otherwise the gods whom they are supposed to represent would promptly mete out terrible punishment on them. Among the traditional Igbo such leaders are required to attest to their sense of justice and moral uprightness by holding in their hand the sacred symbol object *Ofo*, before making any serious decision or pronouncement. The Tiv, on the other hand, traditionally have four cosmological principles that form part of the socio-political economy: *Akombo, Tsav, Swem* and *Tor*. *Tsav* and *Akombo* are ritual symbols that define the locus of authority, while *Swem* and *Tor* are forces that provide checks and balances to it. *Swem* is particularly useful for oath-taking and covenant-making.

Finally, it should be remembered that the various masquerade societies and age-group associations that flourished in traditional African communities had as one of their main objectives the maintenance of social order. They wielded the protection of the rights of people. Masquerade groups in particular in many and varied ways contributed to a large extent to ensure that people kept within the law. They were supposed to be incarnations of ancestral spirits, “the dead among the living”. Supported, therefore, by the sacred ancestral power and authority, they readily and promptly discharged such duties as promoted justice and social harmony in traditional African societies.

VI: LIMITATIONS

But it is not all positive attitudes and features that promoted human rights. There are negative elements as well. There are a
number of institutionalised derogations from fundamental elements of human rights in many societies. Differences abound in customary practices and norms. But some features are widespread and common to the vast majority of traditional African groups. We shall briefly discuss such issues as the status of women, twin-births, human sacrifice and outcastes (Osu).

Patrilineage is the principal factor of social integration in most African societies. More often than not, the status of women in such a background is considered subordinate to that of men. Even though the right of women to life is not at all in question, the right of women to property and certain basic freedoms are often uncertain. The position of men as heads of families is generally over-stressed even in such small things as dietary habits and family etiquettes to the disadvantage of women. It is known that in some traditional African societies women are prohibited from eating such things as eggs and certain parts of meat as mark of respect to men.

Among the traditional Igbo for instance, right from infancy, the pattern of socialisation of the two sexes is different. And invariably the superiority of males over females is emphasized. A small boy has rights over such symbolic (male) plants like kolanut and palm tree which are denied his mother. A boy could climb the kola and palm trees as well as pick up and break kola nuts while his mother may not. Menstruation is construed as polluting. And as such women in their menstrual cycle are tabooed from free movement and from handling many things. In certain parts they are not allowed to cook for their titled husbands.

A woman who has no male issue is greatly disadvantaged as inheritance is reckoned only through the male line. Widows suffer various types of treatment which their male counterparts are not usually subjected to. In some places they are not allowed to take their bath. If they do, they may not use any kind of cosmetics on their body. Their movement is greatly restricted as they are considered ritually impure. They undergo longer periods of mourning than their male counterparts. the traditional religion underpins and encourages these and other discriminatory norms against women. Any infringement is considered an abomination against the earth-deity (nso-ala).
Twin-birth was considered a bad omen in many traditional African societies. Multiple births, as far as the people understood them, were a feature of animals rather than human beings. Twins among human beings were therefore, construed as a radical perversion of and a terrible threat to the basic order and harmony, which if not promptly contained would certainly precipitate catastrophic consequences on the community. In some traditional societies both mother and twins were killed, while in some only the latter were. It is pertinent to point out that even though the taboo against twins amounted to a serious infringement of the basic right to life, it was a matter of erroneous perception of the reality by the people than non-appreciation of the worth of life or cruelty on their part.

Similarly, human sacrifice was practised in many traditional African societies. But it was, for most part, a case of in extremis extrema tendenda sunt (in extreme circumstances extreme measures are adopted), rather than a lack of sensitivity to the value of life (as many denigrators of African traditional culture have suggested). African traditional religion allowed human sacrifice in rare and extreme circumstances like cases of severe epidemic, drought, warfare when every other normal means of appeasing the gods appeared to have failed.

Fortunately enough, African traditional religious culture has been rid of the serious aberrations and contraventions of human rights entailed in the taboos against multiple births. And the practice of human sacrifice has been stopped as part of the result of the interaction with other cultures and religious systems. The discriminatory taboos against women in different African societies are gradually being relativised and minimised as more and more women get educated and exposed to appreciate and assert their basic rights in society.

The outcaste system is equally a limitation of the basic right of people which is encouraged by the traditional religion in different parts of Africa. It has wide ramifications from one place to another.

The Osu among the Igbo is one classical type. It involves a wide range of rituals culminating in the total dedication of human beings to a deity. Oftentimes, the persons are treated more or less as sacrificial animals. But they are not killed. They are consecrated and let to live around the shrine of the deity as
its property. They may serve as shrine attendants. They are considered tabooed persons and their status is generally inferior to that of di-ala, free-born.

The caste system is highly discriminatory and dehumanising. It is however, to be commended that many communities are trying to confront the phenomenon in a bid to abolish the terrible social stigma that is usually associated with the system. In many parts of Africa the rituals have long been discontinued. But the attitude towards known members of the group persists; ‘the case of old habits die hard’.

VII: CONCLUSION

The holistic approach we adopted in this essay has enabled us to get beyond the surface to what constitutes the central orientation of African traditional religion. The religion underpins an indigenous cosmology that basically postulates a two-tier structure; the invisible but real world of spirit beings and cosmic forces, and the physical world of human beings and palpable phenomena. Both worlds shed into each other as the universe is perceived as an organically integrated whole. Spirit beings, cosmic and nature forces are believed to be very active and powerful, much more powerful than men. However, the traditional African cosmology clearly accents the human world as the all-important theatre in which the universe, converge. Human life is the ultimate reality. And its enhancement is the supreme goal of all endeavours. (This has led some scholars to characterise African traditional religion as ‘heavily anthropocentric’ as well as ‘this world-affirming’, rather than theocentric and eschatological).

The implications of this (especially in terms of core values and attitudes which the traditional religion emphasizes) for human rights, are far-reaching. Certainly, by introducing the vital elements of sacredness into various facets of life, including social norms and institutions for the maintenance of order, and anchoring all important space-time events in the legitimating transcendental centre of ultimate meaning, African traditional religion plays a very crucial role in the promotion and protection of people’s fundamental rights, particularly those pertaining directly to life, property and family.
There were, no doubt, derogations of certain aspects of fundamental human rights. These are some of the inherent limitations of the indigenous religion. Such perversions, however, are not exclusive to African traditional religion. Christianity, Isalm and other religions of mankind have their track records of crusades, holy wars, etc. The negative features undeniably blur the focus. But they should not be confused with the central orientation of a system.

With the radical transformation of African societies by the forces released by colonialism, Western science and technology as well as foreign religious systems, African traditional religion has been considerably relativised in most parts of the continent. The role of the traditional gods as agents of socialisation has been greatly diminished. However, in many rural areas where the impact of the new socio-political dispensation has not been significantly felt, the traditional religion continues to serve as a major factor in fostering values and attitudes that promote people's fundamental rights to life, property and family. And even in most of the people who have converted to one or the other of the foreign religions, e.g. Christianity and Isalm, the fundamental beliefs and values that shape their outlook on life remain, to a large extent, those inherited from the traditional religion.

REFERENCES


25. See A.E. Afigbo Ropes of Sand ... Chapters 2, 6 and 7 for a detailed treatment of both the Umunri and Aro groups.


29. Onwuejeogwu, M.A. *The Social Anthropology of Africa ... p. 117.*

30. This is the title of a recent monograph on Masquerades see A. Onyeneke, *The Dead among the Living: Masquerades in Igbo Society* (Nimo, Nigeria; Holy Ghost Congregation Province of Nigeria and Asele Institute, 1987).
4. THE RIGHTS OF CHRISTIANS IN ISLAMIC STATES OF NIGERIA

Ibrahim Musa Ahmadu

The provision of human rights in the Constitution of the Federal Republic of Nigeria is an abridgement of the United Nations' universal declaration on human rights of 1948. This global proclamation on the rights of men to life, liberty and property was necessary in view of the cruelties to which nations with imperialist propensities have subjected their victims. Such acts of barbarism have not only led to senseless use of force in which millions of lives were lost but still a larger number had been deprived of their liberty, self esteem and means of livelihood.

The ethical consideration undergirding this declaration was that mankind irrespective of their pigmentation, domicile and circumstances of birth have inherent dignity and equal inalienable rights bequeathed by their creator. Associated with this was the reognition of certain laws of nature discovered by reason which obliged men so that they ought, as much as they could, to preserve the rest of mankind and may not unless it be to do justice to an offender, take away the life, freedom, health or goods of others. By dint of similar reason, it was pointed out that men, once born, have the right to self perpetuation and consequently to food and drink, the pursuit of pleasure and other things as nature affords for their subsistence.

Evidently, the contempt and disregard for the rights of others have provided the basis of outrageous atrocities and acts of injustice that have complemented men's mode of existence on earth. The attempt to restore the dignity and self worth of men and forestall commotions that often erupt in reaction to a breach of these rights was what led the world community to come up with these declarations.
Definition

The word right as used in this context is a just claim or entitlement to something whether legal, moral or prescriptive. M.B. Crowe considered a person’s right to anything as that which is due to him in accordance with justice or morality.¹ That is, one who is entitled to such a claim also has the power of assertion over that which should be his.

From the above definition rights could be sub-divided into legal and moral types. Legal rights are those enshrined in the laws of a country, the violation of which could be contested in a court of law. When, for instance, a man is subjected to assault or battery, or had his property removed without his consent, he could seek redress in a court of law. Using the appropriate machinery at the disposal of the state his right of claimancy could be restored.

Moral rights on the other hand are those which belong to the realms of what “ought to be”. These are rights that cannot be directly challenged in the courts of law. For example, while it is the right of a man to be gainfully employed by his state government, he is incapacitated to sue the government if the latter failed to do so. Besides, since moral rights have their roots in divine imperatives, the onus of their enforcement is only by appeal to the intervention of supreme powers.

Human rights are, therefore, those rights which all men share with others by virtue of their being born into the human family. These rights are inalienable since they are natural to all men regardless of the circumstances of their birth.

Human rights in the Nigerian Constitution

The Constitutional guarantee for human rights in Nigeria covered a very wide area ranging from political, social, economic to religious beliefs and related concerns. Some of these rights are fundamental. Others relate to privileges which men may lose without necessarily suffering any damages to their persons. The fundamental rights pertain to men’s lives; their liberty to think, act and move about and the extent to which they could acquire or share with others the resources derived from the country. Others include rights to dignity of the human person, rights to fair hearing, to private life, freedom of
expression, of association and from discrimination.

The co-option of these rights into the national constitution presupposed the equality of bona fide citizens of Nigeria in the sense that all of them have the same claims to means of survival, happiness, and cultivation of their natural potentials. In other words, no citizens of this country may have their claims set aside by way of fear, favour or discrimination. Similarly no individual or group may have exclusive right to all the desirable possessions accruing from the state except those 'proper' to them. At most they could only have equal shares, which must be adjusted to their needs, capabilities and merits.²

Under the principles of state policy defined in chapter two of the current constitution (1989), the government is to protect and oversee the implementation of these basic rights. Since the state social order is founded on the ideals of freedom, equality and justice, the responsibility of the government is to promote national integration and foster a feeling of belonging among the various peoples of the Federation to the end that loyalty to the nation shall over-ride sectional loyalties.³

In addition the state shall ensure that all citizens without discrimination on any grounds whatsoever have the opportunity for securing adequate means of livelihood and suitable employment.

Thus in every way the Nigerian Constitution has the necessary provisions that would protect all and sundry from actions that would infringe on their rights. What has been lacking since independence is the right calibre of leadership that would implement these provisions.

Human rights violation in Nigeria

Despite the Constitutional indemnity against human rights violation, various segments of the country have been subjected to systematic dehumanization in the hands of those charged with protecting their rights. Successive governments of this country from the colonial period to date have been operating on an uncodified constitution that has given them the franchise to act ultravires. In the end what constituted human rights in Nigeria has been dictated by the whims and temperaments of contemporary governments on the scene.

Under the colonial administration the country as a whole lost
its rights to liberty of self rule and control of its resources. Since power was dictated from abroad, Nigerians had only such liberty and rights as permitted by the British government.

At independence colonialism gave way to domestic imperialism of the ruling class. Under the two civilian regimes the level of exploitation of ordinary citizens in the country surpassed what obtained during colonialism. Since the civilian governments had no blue prints for development, the rulers simply lived for themselves to the complete neglect of the rights of their subjects to self authentication.

The situation was no better under the military. Supported by firearms and other instruments of coercion, military governments in Nigeria have been terrorist regimes that would not even allow people to air their grievances. Those who dared have since learnt their lessons.

**Bilateral administrations in Nigeria**

Although the Constitution of Nigeria has presented the country as a monolithic Federal Republic of Nigeria, what really obtained was a dual mandate on which the political structure of Nigeria has been resting. Over the years the tendency of various governments of Nigeria has been the treatment of the country as if it were two separate entities under a loose federal system.

Out of this has grown the popular notion of the christian south and muslim north. It was on the basis of this truncation that the title of this paper was framed.

By some acts of commission on the part of previous administrations, the country is now being governed by two separate constitutions. While the southern half is administered by the open constitution which all and sundry participated in fashioning, the northern half is operating on a theocratic constitution that had its roots in an oriental culture pivoted on the Islamic principles of the Sharia.

This dichotomy originated from the conspiracy of the colonial government of Frederick Lugard to maintain in the North an Islamic system of administration within a united Nigeria that would proceed as a secular state. The truncation of the country under two diametrically opposite administrations has been the basis of the constant conflicts and frictions that have often led to violations and disregard of the rights of composite ethnic groups.
in the country. This is because the principles of human rights under the two systems are totally at variance.

Having coexisted for several centuries as autonomous units of the one nation, all attempts to harmonize the two systems have proved unworkable. For one thing, the Islamic system which predominates in the North has had a longer history than the Roman type introduced into the country by the British. Secondly, the reinforcement of the Islamic feudal system by allowing it run concomitantly with modern administration had given an undue leverage to the sharia type of bureaucracy especially in the north which forms a larger portion of the country.

Moreover, resting as it did on a supposedly divine mandate the Islamic feudalism has made itself impervious to any changes that tend towards accommodating alien ideas in the codified system of the Sharia. This explains the recent waves of fanaticism and vociferous call from that section of the country for erasing the concept of secularity from the constitution in favour of Islamic theocracy.4

So far the pressure has yielded significant results as could be seen in the manner the Sharia is gradually eating its way into the country’s Constitution: the absorption of Nigeria into the Organization of Islamic Conference whose charter clearly spelt out that heads of member countries must be Muslims and the incessant attacks on Nigeria’s status as a secular state.

Whereas Christianity makes a clear demarcation between the state and religion, Islam treats the one as an extension of the other. Since Christianity has not provided its adherents in Nigeria with the appropriate logistics for countering the insidious determination of Muslims towards Islamizing the country, Nigerians may wake up one morning to discover that the country is already an Islamic state irrespective of the constitutional stipulation to the contrary.

Islamic Concept of Human Rights

Before we examine the rights of Christians who are indigenes of some states in the North that have been conducting their administration outside the constitutional framework of the country we shall first look at the Islamic concept of human rights.

The basis of human rights in the Quran is not only ambiguous
but contradictory. While certain portions of the Quran preach equality of all men before Allah, others pitch the rights of Muslims above those of non-adherents.

According to Sura 4.61, "All mankind are one and mutual rights must be respected". But in verse 65 of the same Sura, we read that the lives of those who believe are sacred. If one of them is slain by mistake, full compensation should be made.

In Sura 2.48 it is recorded that God is the God of all peoples, whereas in Sura 3.57 Muslims are enjoined to stick together in unity and discipline. Though there are good men and true believers in other faiths, Muslims must be true to their own brotherhood.

From the Hadith, we find these pronouncements; "Know ye that every Muslim is a brother unto every other Muslim. It is not legitimate for anyone of you to appropriate unto himself anything that belongs to his brother." The same Hadith proffers that no believer has perfectly believed until he wishes his brother what he wishes for himself. Strictly speaking a brother in this context means a fellow believer, a Muslim.

The more radical verses that define the rights of non-Muslims are those found in Sura 9.5; "Kill the Idolators wherever you find them; take them and besiege them and lie in wait for them; but if they repent and are steadfast in prayer and give alms, let them go their way; verily God is forgiving and merciful".

In Sura 8.55 we read: "Verily the worst beasts in the sight of Allah are those who are obstinate infidels who will not believe".

There are some verses in the Quran that specifically enjoined Muslims not to choose their friends outside their circles, particularly among the Christians and Jews. From this brief survey it is clear that human rights in Islam discriminate between the "faithful" and "infidels". Whereas the former is entitled to protection of life, property and equal treatment, the latter has no security at all. Against him any acts of atrocities could be directed. He could be killed, nailed or impaled on a tree, have his hands and legs cut off, or be driven out of the land.... Sura 5.36. In doing so the Muslim is only carrying out the mandate of Allah.

The Rights of Christians in Islamic States

Against what has been described above we can now understand the predicament of christians who are indigenes of the nor-
thern states that are dominated by Muslims. As far back as 1957, Christians in the North began voicing out their fears of religious persecutions and violations of their rights by the Muslims who controlled political power in the area. Mr. Bot Gwang, the Waziri of Jos, appearing before the Constitution Commission on minority problems in the region alleged that the Hausa-Fulani bureaucrats had always threatened to force all the non-Muslims in the region into Islam. Mr. Patrick Dokotri, Member of Parliament complained that non-Muslims were being tried in Sharia courts against their volition.7

These and similar activities were what pushed Northern Christians to agitate for the Middle Belt State. Inspite of the Commission’s findings which revealed these fears as genuine, the pressure of the northern power bloc could not allow the splitting of the region.

In the education sector it is obvious that the so-called pagan areas of the North moved in first under the floodlights of Western education. The policy of Lugard coupled with the hostilities of Muslim potentates had restricted the penetration of Christian missions into areas of Muslim preponderance.

When it dawned on the Islamic north that western education was necessary for modern administration, a deliberate policy of curtailment was placed on the education advancement of the Christian zones in the region. Since permission for establishing new schools and award of scholarships were controlled from Kaduna, emphasis was shifted towards developing the children of the Muslim ruling class.

In time even the schools established by Missionaries, Communities and Voluntary Agencies were taken over and renamed after Muslim figures to efface all vestiges of Christian memories on them. As the government became more fully involved in education programmes, the siting of schools was concentrated in the Muslim dominated areas.

Tied up to this was the appointment into key posts like heads of schools, Commissioners, Directors-General, Chairmen of Boards, Secretaries to Government Corporations, Chancellors, Vice Chancellors which as a rule must go to Muslims in direct violation of the Constitutional provision against discrimination on grounds of religion.

The Free Nation, a Kaduna based News Magazine, cited
some examples of violation of christians' rights and other forms of discrimination in the North on the basis of faith and ethnicity. According to the paper, Bauchi State has about seventy ethnic groups. But out of the fourteen Commissioners appointed in 1986, thirteen were from the Muslim Hausa-Fulani stock alone. The remaining sixty-eight groups, who were predominately Christians, were allotted one seat. In addition, thirteen of the twenty Permanent Secretaries in the State were from the said two ethnic groups.

The paper also revealed that of the sixty one food contractors for post secondary institutions in the State, only one was a non-Muslim; while all the thirteen contractors supplying food to government hospitals were muslims.

Within the decade 1976 to 1986, Bauchi State disbursed 242 small scale loans to applicants, out of which only ten beneficiaries were non-muslims. The same was noticed in the award of scholarships which was heavily tilted in favour of muslim students.

Before the creation of Katsina State, a similar trend was in vogue in Kaduna State. Only two out of the sixteen Permanent Secretaries and two of the fourteen Commissioners were from the Christian Southern Zaria area. Of the nineteen government hospitals in the State, only two were located in the Christian zone, one each at Kafanchan and Saminaka. In spite of this over-saturation of health care facilities in Katsina, twenty-two of the rural hospitals were again sited in the area while the already deficient Southern Zaria got only two, regardless of its population density.

Gongola State presents the same picture. Under Governor Muhammadu Jega in 1984 eleven of the fourteen Commissioners were of the muslim Fulani stock which represents less than fifteen per cent of the state population. As a rule all ministerial nominees from Gongola have been from the same ethnic group. Under Professor Jibril Aminu's tenure as Minister of Education, eight out of the eleven persons appointed into the Councils of Federal Universities were Fulanis.

The same attitude was exhibited in the siting of Federal Institutions in the State. At the moment the southern region of Gongola which has the heaviest population in the State and which is predominantly christian does not know whether there is
a Federal Government in Nigeria.

In Sokoto, Katsina and Kano the situation is more deplorable. Here the disregard for christians’ rights is total. Christians are generally treated as if they do not exist. No Christian civil servant, no matter his level of erudition could aspire to the rank of a Commissioner let alone the Secretary to the Government. Those who work themselves to positions as Directors-General will eventually be frustrated and humiliated out of office.

Even the issue of filling up the Northern quota in the Federal Civil Service, a crafty selection process which eliminates educated Christians, has been adopted either to maintain the false impression that the North is totally Muslim or is not having its fair share of participation in the Federal character.

In the economic sector, since political power determines the control and methods of production and disbursement of government resources, all economic patronage has been going exclusively to Muslims. The result is that the economy of the area and its process of derivation, namely distributorship of petroleum, cement, steel products, textiles and virtually all factories in the North are owned or managed by Muslims. This is equally true of transportation facilities where light carrier and heavy haulage trucks are mostly owned by Northern Muslims.

Above all, top management posts of the major financial houses and other economic investments that draw from the tax payers’ contributions for their sustenance are all in Muslim hands, in direct violation of Article 17/2c of the Constitution which stipulates that “the economic system should not be operated in such a manner as to permit a concentration of wealth or its means of production and exchange in the hands of few individuals or of a group”.

In respect of faith, the relevant sub-section of the Constitution guarantees the citizens of Nigeria the right to freedom of thought, conscience and religion. This includes the liberty either alone or in community with others, and in public or private to manifest, and propagate their religion or belief in worship, teaching, practice and observance.

But this is a constitutional right which Christians do not enjoy in Sokoto, Katsina, Kano and parts of Bornu and Bauchi. Christians in these states suffer serious privation in respect of their faith. While in some of these states lands and rights of occupan-
The Rights of Christians in Islamic States

The rights of Christians in Islamic States are not granted to Christians to build worship places, those already established are often pulled down at the slightest provocation unrelated to matters of religion.

In October 1980, several Christian churches were burnt down in Kano for no specific reason. Six weeks prior to the religious insurgency in Kaduna in 1987, the Zaira Local Government authority planned to erect a mosque in the premises of St. Michael’s Church at Sabon Gari Zaria. The idea was shelved only after a clear message was sent by the Christian community regarding the implication of the move.

Consequent to the religious scuffle at Kafanchan in March the same year many Christian worship centres were incinerated. Six churches were set ablaze in Katsina, eight in Funtua, and fourteen in Kaduna metropolis.

Zaria recorded the heaviest casualty where seventy four churches were torched up, including the Chapel of Redemption, Chapel of Salvation, the Chapel of Grace in the three Campuses of Ahmadu Bello University Zaria and the Famous Anglican Church at Wusasa, the oldest in Hausaland.

Following the April 22, 1990 coup, several churches were demolished by the Local Government authority in Birnin Kebbi, Wurno and Sabon Birni all in Sokoto State. What made this incident rather peculiar was the official involvement of state authority in such acts of vandalism against Christians. More curious was the silence of the Sultan of Sokoto Alhaji Ibrahim Dasuki over the issue, having posed all along as an apostle of peace and justice in Nigeria.

In extreme cases those who profess the Christian faith face threats of physical elimination as was recently the case with the killing of Christian tutors and students in an unprovoked Islamic onslaughts in Bauchi State.

Towards Christian Self Assertion

Arising from this investigation is the discovery that the constitutional guarantee of human rights in Nigeria has been upheld over the years in the breach than observance. Whereas this has been the general tone throughout the country which has led to multiple coups and fratricidal civil war, the phenomenon has assumed a new dimension in the North where another constitution other than that of the Federal Republic of Nigeria has been
in competition with the national constitution.

What has given teeth to human rights violations in the North is the self-contradictory Islamic code which portrays Allah as the God of all nations who however prefers to deal with men only through the narrow channel of Islam. This paradox has placed the Muslim in a serious dilemma since he must respond to two constitutions that have equal claims over his loyalty, the one secular and the other divine. In the circumstances that which purports to be divine in origin would naturally command more respect, thereby granting the Muslims the franchise to display calousness towards those who are outside the Islamic faith.

Then of course is the absurdity of the Christian’s docility in responding to his own human rights values that depict life as sacred, yet such a sacred life could be submitted for desecration, in compliance with another injunction of non-retaliation.

Besides grabbing all privileges in the states where they dominate, Muslims in the North have pressed for and acquired more than their fair shares in states where they are in the minority. In Benue, Plateau, Gongola, Kaduna, Niger and Kwara where the Muslim population is far less than the Christians, it is still the latter who are marginalized.

A kind of psychological battle has been waged against Christians that even when they are posted as chief executives in their states of preponderance, they would rather enhance the undue privileges already enjoyed by Muslims than redress the situation in favour of the poverty-ridden Christian majority. Implicit in this lack of guts to shift the table in defence of the rights of the oppressed is the wrong orientation which restrains Christians from overt self assertion and favourable competition with their Muslim counterparts in the drive for power and wealth which would enhance their dignity on earth.

This world renouncing posture has been responsible for Christian preference of poverty, misery and subhuman existence with its resultant inferiority complex which has rendered them vulnerable to exploitation, manipulation and abuse of their rights.

In the face of all that is happening in Nigeria today Christians in the North like their counterparts in all countries where persecutions are directed against them will need a reinterpretation of their relationship to the world in which they live so as to
respond adequately to the challenges of modern times. Taking a
closer look at the scriptures we see Yahweh emerging not only
as the God of heaven but of the world as well. His love for the
world is such that he could not hold back Christ Jesus from suf-
fering and death to redeem it.

Man, according to the scriptures has been created in the im-
age of God. This likeness of God in man is his ability to show
love and compassion towards all who bear the stamp of God’s
being.

Life has its origin and purpose in God. God alone is the giver
and sustainer of life and he alone has ultimate right over it. Being
the author of life, the same God cannot be its source of demise
on earth. Whatever works towards the destruction of life must
therefore be anti-God. On this rests the Christian stand against
acts of injustice and oppression.

The biblical witness leaves christians with no choice but com-
passionate identification with the struggle for justice for the
many who suffer through their powerlessness in the hands of
tyrons and oppressors. The fear of God and compassionate in-
volve ment in the redemption of man from the shackles of ex-
ploration cannot be torn asunder from christian thought and
practice. This commitment shares in its own way in the search
for a more humane political arrangement that would guarantee
the rights of all men.

The concern for the dehumanised sets the christian on a com-
pulsive path to resist any unjust deployment of power to the
detriment of the weaker group in the society. Christian silence
and passivity in the face of tyranny and f ascism is no less a sin
before God. It is a subtle complicity in aggression.

Within the frame of our experience in Nigeria, particularly in
the Muslim dominated States where christians are victims of in-
justice and denial of civic rights, any dogma that would perpe-
tuate such indignities is a deviation from the revealed will
of God.

In his interaction with men Jesus asserted that he came that
men may have life and have it more abundantly (John 10.10).
The abundant life on earth consists in good health, wealth,
freedom from violence, harmonious co-existence and spiritual
well-being. Any system that presents a blockade to this goal
must of necessity be resisted.
The struggle to salvage christians from their present predicament may involve among other attempts, the use of force if need be. This may be necessary in view of the constitution of the opposing religious system which sanctions the use of violence in its self assertion and conception of human rights.

With the current drift of events in the country, the "tit for tat" approach may eventually be the only right option that could solve the problems of human rights infringement in Nigeria. To be sure, this point has been proved in Kafanchan and Ahmadu Bello University Zaria where peace and mutual respect now prevail consequent on christian retaliatory measures against extreme Islamic provocations in 1987. Until this posture is adopted, Christians will not be able to match their Muslim counterparts in Nigeria let alone defend their rights on parity grounds.

NOTES AND REFERENCES

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5. WOMEN DISCIPLESHIP AND EVANGELIZATION (LUKE 8:1-3).

Bibiana Muoneke

1 INTRODUCTION

The pilgrim church is missionary by her very nature. For it is from the mission of the Son and the mission of the Holy Spirit that she takes her origin, in accordance with the decree of God the Father.  

This paper is a short reflection on how women participated actively though indirectly, in the proclamation of the kingdom of God, during Jesus’ lifetime, and immediately after his earthly life; as the author of Luke’s Gospel informs us, particularly in Lk. 8:1-3 (cf. Lk. 23:49. 55;24:10); and also in the Book of Acts of the Apostles, as the same author is responsible for both works.

It is surprising to see that it is only the author of Luke’s Gospel, among the Synoptics, who gave women this privilege of being part of Jesus’ missionary team. They went about with Jesus during his announcing ("Kerysson"), and proclamation ("euangelizomenos"), of the kingdom of God. These women were serving and providing for Jesus and the twelve out of their own resources (Lk. 8:3c). More striking is the fact that Jesus by involving women (Lk. 8.2a), side by side with the twelve (Lk. 8.1c), showed that the work of evangelization, even during his lifetime, was not limited to any particular group (not even to the chosen twelve), but it is the work of all believers—men as well as women.

This work of evangelization is continued even afterwards, when Jesus had gone back to the Father. We shall also see how the need for it to be continued, is felt in the world of the twentieth century, while looking forward to the third millennium. This need is even more felt today in Africa where the gospel message is hardly a hundred years old in many of her countries.
In Igbo language (one of the main languages in Nigeria), we sing: “Olu Chukwu dili mu na ngi” = God’s work is my responsibility and yours. Therefore, women, the African women, and not only men, have to be involved in this enormous task.

2 Jesus’ Missionary Team:— the twelve and the Ministering women. (Lk. 8:1-3).

Text: v.1 And it happened that soon afterwards, he continued journeying about, from city (to city) and from village (to village) announcing and proclaiming the kingdom of God and the twelve with him v. 2 and women, some of whom had been cured from evil spirits and sickness, Maria who is called Magdalene, from whom seven demons were cast out, v. 3 and Ioanna wife of Chouza, steward of Herod and many others some of whom were serving/providing for them out of their own resources.

2.1 Delimitation of our text: Lk. 8:1-3:

Our text is well defined. It is preceded by the conversion of a woman of the city — a call for faith in Jesus who loves even the worst sinner; a conversion of heart (Lk. 7:36—50), the effect of Jesus’ proclamation of the kingdom of God. Our text is also followed by the parable of the sower (Lk. 8:4—8): — showing the fruits of proclamation, which is living out the proclaimed and the heard word, so that it grows to maturity yielding a hundred-fold measure. In this way, proclamation or evangelization is continued in a life well-lived, so that those around can learn from it and be influenced by it, so much so that they can become believers in the Word themselves, and doers as well.5

2.2 The Universal Mission

Jesus was journeying from city (to city) and from village (to village) announcing and proclaiming the kingdom of God (Lk. 8:1). This is the missionary context of the actual evangelization carried out by Jesus himself. The technical words, “Kerysson” (announcing) and “euangelizomenos” (proclaiming) which are the key-words to our text underline this.

This mission is carried out to every area of Galilee, both in the city and in the village. This brings out our theme very well: “Universalism and Mission”. Thus, by Jesus’ proclamation, people are being called to faith in him and in the Father who sent
him.

The N.T. meaning of “keryssein”, is not restricted to “to preach”, because it is not a delivery of a learned and edifying or hortatory discourse in well-known words, and pleasant voice (e.g. as in rhetorics), rather, it means in the N.T. “a declaration of an event”; “to proclaim”.

So, we see Jesus “announcing” and “proclaiming” (Lk. 8.1. “Kerysson”) the kingdom of God, which is an event, because of his coming on earth— the rupture between the O.T. and the N.T.

In the N.T., the basic meaning of “euangelion” is “preached — Word”. Since preaching bears witness to Christ, his words and his acts, and these constitute the essence of the good news, the writings which contain them came to be called “gospel”. The Fathers of the Church often use the term not merely for the N.T. gospels, but for the whole of the N.T.; as distinct from the O.T.

Thus, announcing and proclaiming the kingdom of God (Lk. 8:1) gives a comprehensive picture of the whole missionary activity of Jesus, not only his preaching, but his life, death and resurrection. He is the one who brings the good news (“euangelos”), and at the same time the good news (“euangelion”).

The goal of proclamation then is to arouse faith in the person of Jesus Christ, among the hearers, rather than understanding (1 Cor. 2:1); and this is the concern of the Christian Bible.

Also the word “apostellein” to send, to commission, and the words “euangelizesthai” (=to proclaim), “keryssein” (=to announce), go tightly together. For without commission or sending (“apostellein”), there will be no preaching (“keryssein”, “euangelizesthai”), hence no faith will be cultivated.

2.3 The Missionary Team:

Let us turn our attention to the missionary team of Jesus, as he proclaims the good news:

The twelve were with him (Lk. 8:1c). To be with (“syn”) is used to describe the company given to Jesus by the twelve (which is moral presence of personal support), during his missionary activity, even though they themselves do not engage in preaching here in our context of Lk. 8:1. Women were also part of Jesus’
missionary team (Lk. 8:2a).

Women, together with the twelve, were part of the companions of Jesus during his proclamation. Unlike in Mk. 15:41, where the verb “akolouthein” (to follow behind) is used to describe the company of these women with Jesus, during his passion, here in Lk. 8:1c & v. 2a, it is omitted, instead we have the preposition “Syn” (with) thus, bringing out the author’s literary artistry.

Contrary to Jewish customs, Jesus accepted to be thus accompanied by women disciples. Thus, by admitting women disciples, Jesus broke through the rigid Jewish custom. He moved ahead of his society. For, no woman was ever permitted to study the Torah, how much more, being a disciple of a Rabbi; and neither was prayer compulsory for her, as her husband was obliged to pray for and on behalf of the entire family.7

The company given by women disciples to Jesus was not merely that of passive physical presence, but an active participation in his missionary work: these “were serving/providing them out of their own resources” (Lk. 8:3c).

Therefore, these women had a different missionary apostolate — “diekonoun”; they were serving and caring for Jesus and the twelve out of what they themselves possessed. They were providing meals, clothing, housing, for Jesus and the twelve because, while proclaiming the kingdom of God, Jesus and his team needed, as human beings, to be well-fed, have a place to rest when they were tired, wash themselves and wear clean tunics for their itinerant proclamation. All these, the women did and more. Thus, the women proclaimed the kingdom of God by their services of love to Jesus and the twelve.

We know from this that neither Jesus nor the twelve wrought miracle for their own support. The most interesting thing was that, these women accompanied Jesus and the twelve wherever they went to proclaim the kingdom of God (Lk. 8:1-3). They also continued to care for the young church gathered at the Cenacle before the Ascension of the Lord Jesus (Acts 1:14).

The names of some of these women are given. Women some of whom were cured from evil spirits and of illnesses. It is obvious that these women followed Jesus out of gratitude to him for healing them. This was why they were serving and caring for
him and the twelve (Lk. 8:3c). Their healing was a sign of the presence of the kingdom of God among them (Lk. 4:16-21 cf. Isa. 61:1). Thus announcing and proclamation (Lk. 8:1) bring about in reality their salvific content in the lives of the hearers — the healing of the body and the soul (Lk. 8:2ab). There was also Maria being called Magdalene from whom seven devils had been cast out (Lk. 8:26). This Mary is not the same person as the "woman of the city and a sinner" (Lk. 7:37a cf. Mk. 14:3); she is not the sister of Lazarus and Martha at Bethany. Mary Magdalene is seen again among the company of women who were with Jesus in his passion and death (Lk. 23:49-56). She is among the women who witnessed the empty tomb while going to anoint the dead body of Jesus (Lk. 24:1-10). In Acts 1:14, she is among the women who were in the company of the eleven praying in a locked room, awaiting the Pentecost. After the Pentecost, we hear no more of her in the N.T., but surely of other women believers. The others named by Luke are Joanna the wife of Chouza steward of Herod, and Sussana.

III. Evangelization after Jesus Christ by men and women disciples (Acts of the Apostles)

After the resurrection, Jesus Christ renewed the commission he gave to the twelve to preach the kingdom of God (Mtt. 10:7ff. //Lk. 8:9.2ff.; 10.1ff. //Mk. 3.14; 6.7-12), this time to the whole world not only to Israel (Mtt. 28:19-20; Acts 10:42; Mk. 16:15). The Apostles and disciples (Lk. 10; 1ff.), proclaimed the saving event of God for men and women in Jesus Christ — his death and resurrection.

The women disciples of Jesus (Lk. 8:1-3), even though they were never sent out to preach by Jesus, during his lifetime, continued their own apostolate: "diakonein" services of christian love (Lk. 8:3c)."

According to Beyer, "diakonein" means "to wait at table" (Lk. 12:37, 17.8; Acts 6.2), "to minister to someone", "to care for someone" (Lk. 22:27); "to be serviceable" (Lk. 8:3; cf. Mk. 15:41). In Mtt. 25.42, "diakonein" has an extended meaning of "giving food and drink to someone", "giving shelter", "clothes", "visiting the sick", "and the prisoners". The term "diakonein", thus, comes to have the full sense of "active
christian service of love for the neighbour”, and as such, it is the mark of the true disciples of Jesus. In Lk. 22:26f., the astonishing act of Jesus in the appraisal of service (diakonia), is to reverse in the ethical estimation the relationship between serving and being served.

The time of the institution of the diaconate as an official ministry in the church is hard to determine. In the early church (pre-Pauline tradition) any kind of service or ministry is called “diakonein”, and there is no distinction between ministry as church office and service. For example the “apostolic office” is service (Acts 1:17.25; 20:24; 21:19; Rom. 11:12; 2 Cor. 4:1 etc), so too is the office of the evangelist (2Tim. 4:5), or the activity of Mark, who combines personal service and assistance with missionary work (2Tim. 4:11). All these different services (diakonia), were rendered to the brethren, and hence to the One Lord, Jesus Christ. Therefore, our women, in Lk. 8:2-3, were also evangelizers, just like Jesus (Lk. 8:1). But it is in Paul we first find the distinction between the official obligations (“kuberneseis”, administrators) and service (“antilempsis”, helpers I Cor. 12:28) we then have office-bearers and deacons (Phil. 1:1).

The women disciples (Lk. 8:2-3) who cared for the body of Jesus by preparing ointment for the anointing (Lk. 22:55;24:1) were the first eye-witnesses for the empty tomb (Lk. 24:1ff). The angel sent them to tell the eleven that Christ had risen from the dead. Mary Magdalene (Lk. 8:2bc), being the first and chief witness (Lk. 24.10) is named first in our list of the women disciples (Lk. 8:2-3). These women were among the disciples who awaited patiently with the eleven for the coming of the Holy Spirit (cf. Acts 1:14). They, too, actually received the Holy Spirit with the rest of the disciples at the Cenacle. Therefore, these women were qualified to be apostles; yet, they were never seen preaching the Word, nor casting out demons, nor healing in the name of Christ, according to the accounts of our four evangelists— not even Luke— just for the fact that they were women. Thus, the depreciative Jewish concept of women persisted in the early church, and also persists in the church of the twentieth century with the denial of the ministerial priesthood to women.

After the Pentecost, we never heard again of these women disciples (Lk. 8:2-3). But, surely, there were other women
believers:- e.g. Priscilla, with her husband Aquila at Ephesus, ex-
pounded the way of God more accurately to Appollos, (Acts
18:24-26 cf. 2 Tim. 4:19). Paul called them "fellow workers in
Christ Jesus" (Rom. 16:3). They also practised hospitality
towards the believers (Rom. 16:5). Euodia and Syntyche were
women who "laboured side by side in the gospel with Paul and
Clement" (Phil. 4:2-3). Nympha was a woman disciple, who
practised hospitality towards the believers (Col. 4:5). Phoebe
was a deaconess in the community church of Cenchreae (Rom.
16:1). Thyatira, a worshipper of God, a seller of purple goods,
became a believer with her household at hearing Paul's
preaching. She later practised hospitality towards Paul and Bar-
nabas (Acts 6:14-15). Again in Rom. 16:6, the author said "Greet
Mary, who worked much hard ("ekopiasen") among you".
Tabitta, a woman disciple at Joppa, is described as "full of good
works and acts of charity" (Acts 9:36). Philip, the deacon (Acts
6:6) had four unmarried daughters, who were all prophetesses at

IV. Evangelization in this twentieth century: especially
in Africa by African men and women believers.

The same announcing ("kerysson") and proclaiming
("euangelizomenos") of the kingdom of God, reached North
Africa directly from Jerusalem, in the first three centuries —
Egypt, Libya, Ethiopia, Sudan (cf. Acts 2:10; 8:26-36). It was
however routed by the invasion of Islam in the seventh century
(with the exception of Ethiopia) and was hardly heard of any
more. Africa, south of the Sahara, only came to hear the
preached-Word in the thirteenth to the fourteenth centuries
through Northern Europe. 9 Again, the dark era of the slave trade
(fifteenth to the nineteenth centuries), set back the work of
evangelization. So, it was not until the nineteenth century that
the revival of Catholic Mission in Africa, South of the Sahara,
took place — the modern era of the Catholic Mission. The
Church has reached a hundred years in many parts of Africa;
and, today, Africans have become Missionaries to themselves.
This involves men and women believers.

We want to show therefore, how African women help in pro-
claiming the Word of God in Africa, just as the women disciples
of Jesus (Lk. 8:1-3):
(a) **The Family or the Domestic Church** (cf. Vat. 11:L.G. no. 11):

In our society we recognise the role women play as wives, mothers and educators. The mutual love between them and their husbands creates a healthy environment for the nourishment and upbringing of their children. They together with their husbands are transmitters and teachers of life, love, faith, hope and holiness.¹⁰

To educate a woman is to educate the nation, since it is the way she is brought up, that she will in turn bring up her children.

As Justice S.C. Oputa says:

> Everybody’s education starts from the eyes, lips and the bearing of his or her mother. The mother imperceptibly yet affectively impresses the imprint of character of virtue or vice on the child.¹¹

b) **In the civil society**, women believers live a life of witnessing to Christ’s love for all among their closest neighbours, believers and non-believers alike. They strive to abolish certain African cultural practices that dehumanize women and discriminate against them. They have thus gone beyond being limited to the kitchen and to begetting children to assume their responsible positions in society. In this way they are effectively equipped to carry the work of evangelization to their places of trade or business: market stalls, shops, hair saloons, restaurants, and so on; hospitals, schools, the mass media etc. They thus make their contribution at all levels of public and private establishments.

African women believers are therefore helping in the proclamation of the word of God in our society. They render active service to their fellow men and women. This is the same *diakonein* (Lk. 8:3) exercised on double merit — as good citizens and as faithful disciples of Christ (what is done for the brethren is done for the Christ — Mtt. 25:42).

c) **In the Church**, christian women play a fundamental role in living and deepening the faith either as religious or lay women. Some teach christian religion at all levels of learning including Catholic Major. Seminaries and Higher Institutions of learning. Others form ecclesiastical organisations like Catholic Women
Organisation (C.W.O.) which are geared towards giving moral and religious support for the women themselves. All kinds of services of christian love like admonishing their fellow women (and at times husbands of fellow women) about peace and love in the family, giving material aid to widows, orphans, the sick, the aged and handicapped, teaching catechism etc, are rendered. When they give material aid to the parishes and the dioceses, when they maintain priests, religious and bishops, when they come to the aid of the unfortunate ones of the society, they evangelize like the women disciples who were with Jesus and the twelve (Lk. 8:3c).

Women religious in African christian communities live their baptismal promises deeply as a way of spreading or witnessing to the good news. Thus these women through their consecrated life preach the gospel in the midst of the people with whom and among whom they live. They are like leaven in the midst of the people. They continually bear witness to the love of Christ for all men and women, and point to the fact that this world is transient and that our true happiness is in the eternal life in God.

d) The discriminations women suffer in society and church are set-backs to the participation of women in the evangelization of Africa.

In many parts of Nigeria (and Africa) women are denied right of inheritance (e.g. the Igbo and Gwari). Widowhood is a traumatic experience for women. If a woman has no male issue at the death of her husband, the brother-in-law inherits everything. If she can still bear children she is given in marriage again to one of the dead man's brother (ikuchi nwanyi in Igbo). Jews have similar practices (cf Lk. 20:27-40 and parallels). Or the widow can ask one of her daughters to stay at home and beget male issues for her husband or she may even marry another woman to beget issues for the dead husband.

This unjust pressure on women calls for proper evangelization. Women in Africa, and not only men, should have the right of inheritance as is practised among the Ashanti of Ghana. The humiliation of widows and barren women goes against the teaching of Jesus and the principles of christian confession (cf Gal. 3:28). Such a humiliation is inhuman and should have been abolished were the right relationship established between the
gospel and culture. African women believers should fight for their rights through women organisations like the International Federation of Women Lawyers, and they should put pressure on Episcopal conferences of such affected areas to remove the shame on the gospel brought about by the dehumanisation of women.

The appropriation of the positive values in African culture will help to achieve a more active participation of African women in evangelization. The first value is life — \textit{ndubuisi} (life is foremost in whatever one is planning to execute). The life of every person (male and female), the life of each family, of each group of people is promoted and respected. On the other hand the church repudiates those practices which dehumanise and discriminate against life (especially the life of women). This allows the gospel to penetrate African cultures, assume their values, uplift or transform them where necessary giving them a christo-centric emphasis (inculturation).

To move into the new era of evangelization, the church in Africa must assume the boldness of Jesus Christ who during his own time went forward to break the Jewish closed mentality about the capabilities of women. He made them co-workers in spreading the Kingdom (Lk. 8:1-3). In the 20th century the church in Africa should allow women to act and serve at various levels and according to their capacities. Catechetical services and pastoral ministries should be open to women — especially in places like hospitals where they obviously dominate. Women who are properly commissioned or ordained would administer the sacrament of the sick, give them holy communion, baptize and perform other liturgical functions and services for the good of the community (like the male and female deacons of the early church).

In Africa today the proclamation of the Word of God is the duty of men and women. A male-oriented church should not deny women their right and duty to serve in the church. Our civil society of the twentieth century has become aware of the hidden riches and potentials of women in the areas of politics, economy, health, education and so on for the progress and development of the world. The church, in imitation of her master, should not fail to awaken in these same women the need to fulfil the important role of proclaiming, catechizing and
bringing Christ to their fellow men and women.

... in the past... men told women that seven plus seven was six and women accepted gracefully and even marvelled at such beautiful computation. But today, women know that seven plus seven is fourteen. They now know another thing too, that men plus women equals progress, progress of a nation, progress of mankind.12

Conclusion

From our study of Luke 8:1-3 we learn that Christ not only chose the twelve to proclaim the good news but also took women to help in the same missionary work *diakonein* — active christian services of love, services of christian love).13 This leads us to the conclusion that the interest of the gospel of Jesus is best served today when women assume fully their role as disciples of the Lord to continue rendering their indispensable service for evangelization.

References

1. Vatican Council II. *Ad Gentes* (Decree on the Missionary Activity of the Church), no.2.
3. cf. Paul VI; *Evangelii Nuntiandi*, Dec. 8, 1975; “it is as we have already said, the whole church which evangelizes. Therefore, both for the whole world and for every part of it, it is the church which has the responsibility of spreading the gospel” (no. 60).
4. Mt. 28, 20; *Evangelii Nuntiandi*, no. 63.
6. THE PROTESTANTS’ PROTEST FOR HUMAN RIGHTS:

Ogbru U. Kalu

1. Staking the Bounds:

In the heat of forging new nation-states in mother Africa, the art of humane living, as it operated in traditional settings, is often battered and melted. Between the proponents of the reconciliation system and those of the mobilization system there is often the agreement that sensitivity towards human rights is a luxury. The interventions of military men with non-democratic values exacerbated matters. As Osita C. Eze has demonstrated, human rights existed in the pre-colonial period and are not really aspects of emergent values.¹

As usual, the role of the church amidst the onslaught and violations of human rights is queried either as a challenge to her relevance or perchance Christian biblical ethics proffer valuable resources for building nations fit for human existence.

This paper will attempt to state explicitly a certain understanding of the term human rights, already used glibly and succinct summary of the biblical perception. The core task, however, is the specific Protestant articulation and practice in time perspective, and to compare these with the biblical yardstick.

Daunting breadth of the subject matter forces the focus on the modern period, 1960-1990. Moreover, most Protestant activities crystallized around the World Council of Churches as from 1948- though the gestation period harks back to the Edinburgh Conference of 1910 and other meetings held in the 19th Century. The choice of time frame is deliberate: the 1960’s witnessed vast socio-economic and political upheavals which shook the foundations of Western nations and reverberated into the Third World. Debates ensued on new orders either in economic terms or political and social reconstruction. Socialist ideologies gained new currency and may have even inspired the
confrontation with capitalist democracies. Old time theologies buckled under the assault of revolutionary humanism. A concerted pursuit of models for being truly human in a new technological world emerged among Protestants and Catholics. For an awkward reason - the survival of denominational trappings inspite of Christ’s urging that all those called out of the kosmos, in these end-times, should be one-this paper will focus on the protestants’ protests. Since the epoch-making Vatican II occurred within the same time frame, a wholistic picture is beyond the prescribed scope.

II Defining Human Rights

An operational rather than a normative definition may be more feasible. Human rights refer to claimed demands made by individuals on other individuals and on the society, not as charity but as obligations and duty.

It is not about the game which philanthropists play. Some of these demands are expressed at the level of ideals, aspirations or claims while others are enshrined in laws, constitutions, protocols and other forms of charters. A troublesome concern is the source or origin of these demands: some are predicated on past historical experience or reconstructions of past events, some in response to contemporary realities while others point to future ideals as human beings reshape their environment. Beyond the claims which are ontological (e.g qua humanitas), those predicated on historical experiences create a problem: since cultures and ecosystems differ, since values vary, are there any rights which are universal and beyond mere local provenance?

The United Nations’ declaration of 1948 quickly put paid to such speculation and provided a baseline, a common standard for all People and all nations. These rights are grouped around various aspects of communal living-civil, political, social, economic and cultural. But, while the United Nations declaration hinges such large claims of the inherent equality of all persons on the natural law approach, thus, emphasising the right of man as a member of the human race and the rights of a citizen as a member of the community, other modifications exist. The positivists hinge the nature and rationale for rights on law, the will of the state and the commands of the sovereign.
The socialist approach emphasizes norms and customs derived from and enforced by society. A theological position still can be argued beyond the natural law approach of medieval theologians. We shall return to this anon. But suffice it to say that declaration of human rights is a means of preserving life and clothing it with dignity. It is a model of social control. Social control operates beyond the application of coercive force to include the socialization process, restrictive (preventive) norms, punitive measures for those who flout the rights of others and a reward system which encourages sensitivity to the well-being and affirmation of the other.

Recently, G.W. Shepherd advocated the IPE (International Political Economy) approach to studies on human rights. This focusses on the injustice in the current distribution of opportunity and resources and on the total political economy instead of mere focus on civil and political rights. He argued that:

- the distribution of wealth and the rights associated with basic human needs are closely related to the international political system.
- Therefore, the concept of people’s rights has emerged from the recognition that such inequalities will need to be dealt with on a global scale. But the world’s people cannot rely on their states for such freedom and will have to find the means themselves to change these structures of power in order to strengthen the democratic institutions capable of providing and protecting universal human rights.

Understandably this position met with the suspicion that it could be an attempt to reintroduce Western political values as part of continuing imperialism. The take-off point for the theological position is the limit to the discourse on justice: only to mean distributive (sharing) and retributive (judgemental) justice. This forgets that the fundamental aspect of justice (dikaiosune) is the founding, building and organizing of community: a community with people, a community with God and a community with nature. Such a community is only possible as an expression of creative power when people struggle against those principalities and powers which defile the image of God in them. Empowerment from humanistic roots must perforce be weak. It is like hewing perforated cisterns which can hold no water.
III Biblical Moorings to Human Rights

Beyond the encompassing nature of justice - to which we shall return - biblical scholars of various denominations and colours of vestments agree that human rights concept must emerge from the biblical view of man as a creation of God. Man is created in the image of God who also created heaven, earth and the human family. Human personhood must be respected with a reverence that is religious. Indeed, the basis for all that the Church believes about the moral dimensions of life is its vision of the transcendent worth - the sacredness - of human beings. The dignity of the human person, realized in community with others, is the criterion against which all aspects of life is measured. Thus, the focal points of Israel's faith - creation, covenant, community - provide a foundation for reflection on issues of social justice.

This faith operates from the affirmation that every human person possesses an inalienable dignity that stamps human existence prior to any division into races and nations and prior to human labour and achievement. It moves on to argue that though sin alienates human beings from God and shatters the solidarity of the human community, yet the reign of sin is not the final word. God did restore the human community as repentance elicits God's steadfast love (hesed) and faithfulness ('emeth).

The codes of Israel reflect the norms of the covenant: reciprocal responsibility, mercy and truthfulness. They embody a life in freedom from oppression: worship of one God, rejection of idolatory - in its widest sense as worship of the Creation instead of the Creator -, mutual respect among people, care and protection for every member of the social body. Being free and being a co-responsible community are God's intention for us.

Two emphases are essential: firstly, the bible talks about responsibility and not right. To do justice is a call to responsibility. Secondly, affirmation of the other person, in community, is not predicated on a horizontal realization of the pain of existence as Jean Paul Satre would argue in Existentialism and Human Emotions. Rather, it is vertically predicated on God's relationship to man. Put diagrammatically:
The responsibility of ego for alter and vice-versa is predicated on God's agape which created the oikoumene and whose spirit broods over man and nature. We love others with the love of God who first loved us, sought us out and rescued us from the mire of sin into the rich splendour of His kingdom. Thus, our obligation/responsibility to our fellow men is a duty not an Act of charity. Alter can claim the obligation to care from ego. Biblical faith in general and prophetic faith especially, insist that fidelity to the covenant joins obedience to God with reverence and concern for the neighbour.

God loves and delights in justice (sedaqah) and demands justice (mishpat = concrete deed/act) from the whole people. The quality of a life of obedience in community is measured by the reaction to the powerless - the poor, widow, orphan, oppressed and other forms of vulnerability. To be vulnerable is to be unable to control the forces which shape your daily existence.

Two further caveats follow: firstly, when a governor donates money or facilities from public coffer to communities and institutions, the moral flaw lies within the motive - self-glorification of the individual and perhaps political bribery. It is not usually out of obedience to God or from a sense of balanced development. Secondly, biblical perception of justice is more comprehensive than subsequent philosophical and legal definitions. It is not concerned with a strict definition of rights and duties but with the rightness of the human condition before God and within community. Thus, the quest for justice arises from loving gratitude for the saving acts of God and manifests itself in whole-hearted love of God and neighbour.
Jesus merely urges the urgency and immediacy of the justice ethic in contemporary life. He announces the nearness of the reign of God. This proclamation summons us to acknowledge God as creator and covenant partner and challenges us to seek ways in which God’s revelation of the *dignity* and *destiny* of all creation might become incarnate in history. It is not simply the promise of the future victory of God over sin and evil but that this victory has already begun: in the life and teaching of Jesus: You shall, therefore, love your neighbour as yourself. Near the end of his life, Jesus gave a vivid picture of the impending judgment of all nations: the blessed ones performed acts of mercy; the unblessed ones neglected the powerless and vulnerable.

Jesus imprinted his message by challenging all men, singly and corporately, to discipleship which involves imitating the pattern of his life - openness to God’s will in the service of others, often at a cost of self deprivation and the subordination of personal rights - a large matter which requires more explanation. But the context is the full gamut of socio-economic and political life of nations.

The bible offers a message of hope: communities which commit themselves to solidarity with those suffering and to confrontation with those attitudes and ways of acting which institutionalize injustice, will themselves experience the power and presence of Christ. Christians are called to *always* speak to a broken world of God’s justice and loving kindness. They will suffer if they spoke with prophetic voice and commitment. But the righteous judge will give the crown of righteousness to all who pay the high cost of a calling.

In summary, human rights charters as a social control model are more encompassing than current humanistic discourse allows. This model operates at a primary community/national level to harness creative powers for the building of the community and to deter forces which dehumanize, oppress and deny the dignity of man.

At the secondary, international level, it attempts two things: Firstly, using a common denominator approach to limit human conduct to certain minimum standards of acceptability and secondly, to share universal concerns over forces (economic or political) which determine the lives of all human beings irrespective of nationalities. The concept of the *global village* due to
technological developments undergirds this.

IV The Protestants' Protest

The *biblical* and *global* perspectives inform the core of the protestants’ protest. But biblical perspectives may be one thing, theology is another - man’s reflection on God’s relationship with man and nature. Protestant theology is nailed on three poles - the salvation of the individual’s soul by faith and repentance (*sola fide*), thus emphasizing the confident belief in a God of grace. Faith comes from hearing the Word of God and by insisting on *sola scriptura* as the basis of all authority, the affirmation, with Jesus, against “traditions of men”, hybrids and accretions on the kerygma is made. This revolutionary challenge on ecclesial authorities and traditions produced a reductionist liturgy.5 However, the emphasis here is not the affirmations and slogans of the ecclesial age or the Ice Age of the church when doctrinal combatants salvoed slogans from their igloos. Rather, the concern is the implication of this theology on matters of social justice.

The focus on the individual’s faith journey could, at worst, breed an apathy on *community*, nurture a work ethic measured in material prosperity and yet ambiguously comfort the poor with a pie-in-the-sky hope. It was infact used to legitimize oppressive political structures by misusing Romans 13 and to nurture those structures by branding them demonic and beyond the realms of the believer’s serious concern. Apathetic posture to politics played into the hands of principalities and powers and the prince of the air. Soon the battle cry became the Great Command with the obligation to *preach* the gospel. The church, it was urged, had no other *raison d'etre* than to preach and certainly was not a Red Cross Society.

Two contradictory missionary goals emerged from these: a certain policy emerged from the low level of human development in mission fields, namely *charity* (*dio konia*) crystallized in charitable institutions: purchasing slaves, medical work, education, artisan workshops, cash crop plantations, trading houses. The Bible and Plough philosophy in Fowell Buxton’s, *Africa Slave Trade and Its Remedy* also contained the “civilizing mission” ideal. New economic, administrative and judiciary
systems were put in place for mutual benefits - civilize the recipients and gain raw materials for European home bases. Mercantalist theory formalized matters. A civilizing mission ideal would portend concern for proper socialization, law and order and the emergence of a humane society from a barbarous source. However, the poor image of non-European race buttressed by scientific racism twisted the ideal. Sadly, christian missions of various confessional hues shared the racism of the age. Indeed, the Protestants in Igboland, for instance, were more vocal than the French Holy Ghost Fathers in protesting against the violence of the colonial regime. *Politique* rather than confession determined this. Omenka’s study of the development of the vernacular is only one of such many illustrative cases.

The flip-side of coin soon reared its head - whether the head was ugly or otherwise is unclear. The evangelicals argued against missionary investment in infrastructure and advocated a cellular approach known as The Three Selves Formula - each cell should look after herself, pay her way and propagate other cells. The missionary as a catalyst should move on rapidly to spread the good news. In 1913 Roland Allen queried contemporary *Missionary Strategy: St Paul’s or Ours?* This became the charter of an age. Ironically, these men may be the early White Fathers of indigenization. Euthenesia of the missionary meant a greater utilization of the indigenous sons of the soil - the daughters are usually left out of such matters. Henry Venn is perceived in protestant historiography as one who recognized the humanity and capability of the African. Diatribes against the young turks who opposed Bishop Adjai Crowther suffuse the pages.

His namesake, Professor J. Ade Ajayi, however has placed Henry Venn in a better prespective. He was not really a three­selves advocate. Rather his goal was to create an African elite who can bridge Western civilization and African barbarism. These educated elite would domesticate the former - subtle imperialism which those with scales in their eyes cheer.

At the global level, protestant justice ethic still contains the tension. The position which has been termed “evangelical” because it emphasizes the global mandate to spread the evangelion dominated Protestant ideology. Up till the 1950’s the major concerns in issues of social justices were related to
reconstruction and relief precisely because modern European history from 1870-1945 was rife with wars or rumours of wars. The solidarity of churches found clear expression in a common concern for the suffering, the needy and the hungry and the programme of inter-church aid was widely understood as having to do with the service to refugees, aid to victims of natural disasters, famine and poverty. In the same vein the victims of racism were comforted and supported. Matt. 25: 35-36 and the Good Samaritan were much quoted texts by the member churches. Responding to brothers and sisters in poverty and distress in the model of charity (diakonia) was a high priority of protestant ecumenical movement and remains so to this present age. It has its place.

Thus, a doyen, Visser t’Hooft, in his book, The Genesis and Formation of the World Council of Churches (1982) intoned that:

The World Council’s concern for the creation of a truly responsible society and for justice and peace in the realm of international and inter-racial relations is ... not a product of the 1960’s or 1970’s but belongs to its heritage from the period of the founders. 8

He ignores the changing understanding of what is a ‘‘responsible society’’. Obviously, he was hurting from the strident calls from Third World Peoples for a radical change of perspective and action. Professor Masao Takenaka warned at the New Delhi Assembly that:

There is an increasing need for churches to develop social diakonia. This means that we must express not only charitable diakonia, that is to say action directed towards the results of social disease and injustice, but we must also develop action directed towards the cause of social disease and injustice. 9

The operative biblical texts began to shift: the exodus event, the Magnificat and the Luke 4 passage announcing Jesus’ ministry as having to do with the poor, the captives, the blind, the oppressed, all of whom needed to be released from structures that bound them, became more widely used. The root of issues of injustice were analyzed as being located in structures of power. The need for systemic, economic and global political change became more apparent.

This major shift in ideology can be dated more precisely to the
1960s. Those were heady years: new nations acquired political independence and self-assertion. For instance, Bola Ige's ideological assault on the age old Protestant political ethics in Geneva in 1966 still reverberates in the pages of C-C. West's book, The Power to be Human. In America and Europe, the ripples of Vietnamese War, Black Power, Weatherimen, and numerous urban revolutionary armies which fought urban guerrilla warfares were rife. In the America of the 1960's a violent group put up a pig as the Presidential candidate while numerous scions of the wealthy were kidnapped. The use on LSD (hallucigenic drug) to the steely scream of pop music led Jacques Barzun of Columbia University to designate "Liberalism as the Disease of Our Age".

Dame Marga Buhrig, a veteran WCC participant, recalls how hordes of youth and young adults ranged round the conference at Upsalla in 1968. Every morning they would distribute a commentary sheet called Hot News. No 5 very embarrassingly queried the participants: "But is God transcendence and the vertical dimension, not forgotten in this Assembly?" Then, came James, Baldwin's shattering speech:

It seems to me, then, that the most serious thing that has happened in the world today and in the Christian conscience is that Christains, having rationalized their crimes for so long, though they live with them everyday and the evidence of them every day, put themselves out of touch with themselves... I am saying that when a person, when a people, are able to persuade themselves that another group of breed of men are less than men, they themselves become less than men and have made it impossible for themselves to confront reality and to change... I tremble for that day that is coming when some non-white nations, for example Vietnam, are able to pay the West back-they have a long and bloody bill to pay. I tremble when I wonder if there is left in the Christian civilizations... the moral energy, the Spiritual daring, to atone, to repent, to be born again, if it is actually possible, if there is enough leaven in the loaf to cause us to discard our actual and historical habits...

From this challenge emerged the Programme to Combat Racism (PCR). It was in the 1960's that Paulo Freire's Pedagogy of the Oppressed put the wrench into the miseducation process in mission fields. The gauntlet was picked up. Both at Upsalla in 1968 and Nairobi in 1975 a key debate raged: on the one side were the advocates of science and technology as the key to the future of mankind while others raged against them with the option of revolutionary humanism. This is the belief that human
liberation - and the solution to the alienation from himself in which man now lives - depends upon the basic overthrow of present structures of power and authority. Essentially, both positions are humanisms because they attribute to man the capacity to realize himself by his own power. Where does God fit into this perception of reality? The threat of science as an empowerment to unjust structures loomed large. Two new programmes emerged - Church and Society actually focussed on Church, Science/Technology and Society while Justice, Peace and Integrity of Community (JPIC) was created as a programme to study and act on issues of social justice. A certain tension emerged into the debate for a new realization of the implications of biblical sources on justice. Strangely, the vocabulary took openly Marxist trend.

In the wake of social concerns, other programmes were focussed on women, the child, dialogue with non-christian faiths, dialogue with other ideologies, alternative modes of ministerial formation, education and the family and a host of others. A concern for the denial of political rights and religious freedom in Eastern Europe led to a cultivation and integration of Eastern Orthodox Churches while the Organization of Independent Churches was crystallized as potential modes of christian expression in Africa. The gulf between evangelicals, concerned with the conversion of billions before the eschaton and social ecumenists, who preached engagement and the gospel for the whole person, widened beyond ambiguity. As protestants from the poorer two thirds of the world, new nations with atrocious histories of human rights moved into the WCC, the language of social justice changed: the clarion call was Participation, Solidarity, Suffering and Struggle. As was argued in the San Antonio Conference of 1989, suffering without struggle is meaningless, struggling without suffering may not achieve transformation; while suffering is not to be romanticized, it is inevitable in the struggle to overcome oppressive structures. The followers of Jesus Christ are invited to participate with people who are crushed in their struggle for the transformation of society. It does not mean that protestants are belching Continua Aluta with full-throated ease. Opposition is still rife; but before this, it will be pertinent to analyse the score-sheet of these programmes.
V. Score Sheet of Protesting Agencies

In a brilliant and seminal book, *The Churches and Rapid Social Change* (1961), Paul Albrecht, who laboured from 1948-1969 on the formulation of the protestants’ protest over man’s inhumanity to man, said,

The challenge to the church today is to uncover new strategies and forms of action which will enable it to witness to Christ within this political, social and cultural revolution .... The task before the churches is immense, but the power which Christ has given his church is more than sufficient .... The problem today is perhaps not so much to find new forms of christian action as to open our eyes to what Christ is already doing and to share his burden of tragedy and victory in order that the whole of mankind may come to know its true destiny.13

Perceived as a social control model, the protest for human rights involved confronting the secular world with the moral imperative to respect the human person and to create a moral climate so that mankind may realize her destiny. It also involved activist role to relieve the victims of injustice as well as prophetic declamation of God’s will in His world.

To achieve these, the World Council of Churches created four units -

(1) JPSS (Just, Participatory and Sustenable Society).
(2) CCIA (Commission of the Churches International Affairs).
(3) ICARWS (Inter-Church Aid, Refugee and World Service).
(4) CCPD (Commission on the Churches’ participation in Development).

Beyond these, various churches continued to preach, discuss and act from vantage points on issues of social justice.

The JPSS expresses an ideal and a programme to conscientize christians to their responsibility for justice in society, participation in the struggle of the poor and quest for a viable, sustaining political economy. Even this ideal has undergone much rethinking through the years. In the 1950’s the ideal was posed as the quest for a Responsible Society. In the resurgence of social gospel in post World War II period it fought an uphill task to convince christians of the gospel imperative to move religion out of the closet of the individual soul into the risky social environment. Victor Obenhaus wrote a typical book, *The Responsible Christian: A Protestant Interpretation* (1957) in the
heat of such advocacy.\textsuperscript{14}

It was soon caught in the heat of decolonization in Asia, Africa and Latin America and with rapid social change - Macmillan’s Wind of Change. Rapid social change breeds intense moral and cultural confusion. The effort was to convince the churches, separately and together, that they ought to analyze and study before passing judgment on their own role in society, let alone non-christian social movements and structures. Where is the church in the cold war ideologies? Where is the christian in the politics of independence?

In Europe, an urge for unity under the umbrella of the European Economic Community was persistent as well as rising of the secular forces. It became necessary for the churches to understand the moral implications. By the 1960’s, the focus of protestant social ethics was the problem of science, faith and the future: the cultural effects of technology, limits to the world’s resources and new ethical issues on the future of man raised by the trend of scientific research. Equally important was the attention to stewardship over the ecology. These years were characterized by Jorgen Randers Limits to Growth, E. F. Schumacher’s Small is Beautiful (1973) and such-like. But Professor Enilo Ajakaiye brought the issue home: in Nigeria, people were so fascinated with new European products and transfer of technologies and industries that little attention was paid to the side-effects and to pollution of rivers, woodland and health of people. Foreign industrial firms such as oil prospectors flout every ethical consideration on ecology and health.

When in the 1970’s and 1980’s the programme waded into more sensitive issues such as nuclear disarmament, the conversion from military technology to socially useful purposes and the rapidly changing world of biology which was catalogued in Genetics and the Quality of Life (amniocertesis, genetic screening, selective abortion, in vitro fertilization, gene transplanation) turmoil appeared. An irate church leader published a book, Who Speaks for the Church? which virtually queried the basis of this paper which assumes that the WCC activities indexed the position of protestants! The churches wanted the WCC to defend historic christian teaching about the dignity of human life and the way this is to be expressed. Fear and distrust greeted the call for a new understanding of life.\textsuperscript{15}
Ironically, since nuclear matters were of great concern to Europeans while apartheid and socio-economic issues mattered most to Third World peoples, tension appeared at the attempt to lump Peace and Justice under one programme. As an irate African intoned, there shall be no peace without justice! It was feared that the Europeans who contributed most financially may soon divert Protestants’ protest to issues which concerned them most. Most Third World peoples did not worry about nuclear or biological research trends.

The CCIA was not spared similar trauma. Prior to the 1960’s, leadership in this programme was provided by virtually ecclesiastical diplomats who moved through the corridors of UN lobbying for moral international policies. As wars of liberation tore the peace of adamant colonizers and as natives of such places got into decision-making positions with the WCC, more sympathetic attitudes emerged as well as new challenges to the church. Funds were provided for freedom fighters in a new affirmation of engagement and participation in the struggle against injustice. Old theologies of christian attitude to war were discarded. European critics saw red: some pacifist groups such as the Salvation Army threatened to withdraw, Europeans who paid for apartheid (Dutch and Germans especially) threatened to starve World Council of Churches of funds.

From another angle, some criticized the cautious, silent diplomacy in certain matters, especially in Eastern Europe. It was argued that the protestants’ protests suffered from a gap between theology and praxis. In 1979, the Central Committee swung into defence:

... those who live within any given location are best qualified to interpret and analyze their own experience and best able to prescribe strategies for the realization of human rights within their own situation. It also implies that human rights are nowhere perfectly assured, and that concern abroad must be tempered by a realistic appraisal of responsibility at home. (But) solidarity calls for support for each other morally, materially and politically (since) many churches live in situations so grave that they cannot cope with the problems using their own resources alone ... help must be sought by those inside, and must not be imposed, however, well meant from the outside.16

At issue were the following considerations: (1) effective diplomacy is often quiet, contrary to marxist yellings; (2) the safety of indigenous church people as vicious regimes use the red-herring of outside interference to become more repressive;
(3) the honour of God and image of the church - the church cannot afford to indulge in an “ecclesiastical running commentary” on world affairs; (4) respect for the authenticity of the indigenous churchmen. Thus, they should initiate any call for aid. However, the church could play it by the ears and decide where to “interfere.”

The ICARWS has continued the old task of *diakonia*, endeavouring to be an enabler, assisting, co-ordinating and stimulating the churches in their desire to serve one another. Both Tracy Early’s *Simply Sharing* (1980) and the Commission’s handbook, *Empty Hands: an Agenda for the Churches*, analyse the basic theologies and assessment of the vast array of aids shared. Perhaps, the most crucial area is the mandate to “defend and promote the rights of migrant workers” because as Jonathan Fryer warns in *Food for Thought*, the Churches “in their desire to assist all those who are hungry, might be tempted to use the easy limited reply: food aid.” They should battle with the causes of human sufferings.

This is the area where CCPD has made its mark: it has worked on militarization - the manifestation of demonic force in community and the breeding of suppressive regimes. Equally notable is the re-definition of the Poor and the plea for the church’s solidarity in *Good News for the poor*, in *Separation without Hope?* which analysed the period 1750-1920 when the churches were unable to accept the challenge of the new working class. In *Towards a Church of the Poor* it examines what is happening with those churches which have taken a clear option for the poor. In these and other publications, this unit has served as the *reflection* arm for other units which are directly engaged. It catalyses change in the protestant effort to educate the churches on biblical values on true humanity, to warn them off structures and ideologies which dehumanize, to empower them in confrontation and suffering to punish and pull down oppressors and to encourage them on the path to the high calling to be like Christ in obedience to God, in love of neighbour and stewardship over ecology.

**VI. Policy and Practice: Conclusions**

Protestant theology has approached the issue of human rights
by examining the biblical roots. Some clear proximates, core convictions yet not fully-developed doctrines have emerged. These are primarily concerned with how *faithfulness* may be more fully manifested in the corporate life of humanity. The key word here is the concept *justice*. As the JPSS Advisory Committee in Geneva (1977) put the matter:

> Justice has become the acid test of all engagement in society and the criterion of all possible programmes and strategies for society. Justice, in the perspective of the kingdom of God, is not a principle, and ideal value which will never be realized in social life. Rather, as the historical embodiment of love, it indicates - a quality of relationships in community and criterion for evaluating and changing social structures. 17

A christian theological approach is, therefore, a distinctive one from a host of humanistic models. The sophistication in articulation, the ardour in the quest for viable policy options are not in doubt. Internal criticisms may occur over textual wording. But these are not the immediate concern.

Rather, there is a gap between policy and practice for several reasons. The evangelical perspective is a strong countervailing force. Some dub it conservative, others cali it fundamentalism and oppose it to either liberal theology or social ecumenism. But it runs deep grooves in the protestant psyche because of the primacy of the word in the Scriptures in protestant affirmation. The evangelicals fear that social engagement such as funding liberation movements in Mozambique, Angola and Zimbabwe are "spiritually underfed" and "politically force-fed". They assert that social justice could only emerge from redeemed people with renewed hearts and that the pursuit of social justice should not become a substitute for proclaiming new life in Christ. Susan Pelman once argued in the pages of WCC's *International Review of Missions* that some of the Council's postures could be likened to a physician who treats a cancer patient with an operable tumour by radiation therapy which only retards the tumour's growth for a while, when he has it within his grasp to excise the entire tumour through surgery. They argue that the church's concern should be to do the work on the hearts of the individuals so that social justice could have an ideological base. Preaching the kingdom goes with commitment to its demands for justice. Pelman proposed a middle axiom between a falsely eschatological vision of the kingdom of God which invites passiveness and a falsely activist inciting radicalism in which
ideological convictions are made sacred and too easily substituted for the kingdom to come.  

In this critique, she echoes the concern of many that the lines with marxist posture often became blurred and the prospect of dining with demonic world spirits increased. Beyond this, the Latin American experience, as articulated by Gustavo Gutierrez, points to the spiritual confusion which befalls those christians who move from reflections on liberation into field engament in mundane politics. Choices are often no longer clear.

A second source of protestant dilemma is the size and complexities of geopolitical provenance. Various regions face conflicting needs which call for such balancing acts that the application of theological resources create ambiguous postures.

Thirdly, complexity creates enormous demands on funds. Funding at the international level soon becomes a political matter as some rich nations want to determine the path of policy by pulling at the purse string. Soon theological considerations, are side-lined. Local stewardship becomes imperative.

Fourthly, the growth of nationalism has often worked against global perspectives or internationalism. Racism fuels this trend and paternalism may subtly replace either the spirit of diakonia or the understanding of the sacredness of the human person or the obligation towards the neighbour which should be agape, the love of God, rather than philos.

Fifthly, the protestant strategy which distinguishes between local and global initiatives on matters of social justice assumes an overall awareness which does not exist. For instance, in many Third World Churches, ignorance of both the Scriptures and the authority of the believer bedevil any prospects of being a prophetic voice amidst the adventurism of rulers. Weak churches armed with weak theology make weak protests to strident abuses of communal life. Thus, there is often a wide gap between the articulation and catalyst action from Geneva and witness/discipleship of local church leaders. Could it be that an ethical revolution is coming from the top rather than from the grassroots? Poorly-trained church leaders make poor representatives to international gatherings.

There is the case of one Presbyterian leader who was sent from Nigeria to a conference in Edinburgh. On return, the administrators requested him to perform a debriefing tour. He was
all excitement:

When I reached Lagos, it was wonderful. I entered a big ship for Liverpool, it was wonderful. We arrived in Liverpool, it was wonderful and on to LONDON, it was wonderful. From there, phe-e-w, a fast train brought me to Edinboro, it was wonderful!

What was discussed? All was lost in dazed amazement. The size of the gap is wonderful. Yet the protestants' protest is vibrant. It is built on the hope that Christ has already won the battle against principalities and powers which hold the world in bondage but the full manifestation of this victory is at the parousia. We are in the waiting period as this aeon closes while the not-yet-period (which intruded into here-and-now period at the incarnation of Christ) blooms out. So, continua aluta! Jesus is on the throne.

NOTES

2. Ibid., p.5 lists out the purviews of the rights.


12. *International Review of Missions* (Geneva), 78, 311/12 (July-October, 1989). This issue is devoted to the San Antonio Conference.


7. THE PARTICULAR JURIDICAL ORDER OF AFRICAN CHURCHES: APPLICATION OF THE PRINCIPLE OF SUBSIDIARITY AND DECENTRALIZATION

Masengo Nkinda

Introduction: Preliminaries

To speak of the particular juridical order of African Churches is certainly to pose the famous question, namely, whether African Churches can have a Code proper to them just as there is discussion about having an African theology, an inculturated liturgy, and so on. There is no doubt about having a proper Code one day but there are prerequisites. If the theologian can formulate and defend certain theses already, if the liturgist can proceed with experimentation, the canonist—who is not a legislator—will wait for the theologian to present his conclusions and for the legislator, in view of these conclusions, to present him with his plans for laws; then, and only then, will the canonist get to work to give juridical form and style to these projects. So it is putting the cart before the horse to ask the canonist to invent an African Code. The Code is born of the lived faith of the collectivity of its difficulties and conflicts, of its concern to protect its fundamental truths, of its everyday activity.

Another question is to find out if there already exists a certain particular juridical order arising from the points in the New Code of Canon Law that are left to the initiative of the Episcopal Conferences of each country. Here allow me also to invoke another principle of Law, “Lex instituitur cum promulgatur”, law exists only from (the time of) its promulgation. In other words a bill which is not yet promulgated is not yet law. I do not know if other African countries have yet done the work of completing the new Code by particular norms. In any case there has been no mention of the promulgation of these dispositions, which must have Rome’s placet. As for Zaire, the Episcopal Conference had asked the committee of canonists to elaborate these particular
norms. That was seven years ago and there is no news of what happened to that text, which was never promulgated. The committee itself has not been asked since to meet. Besides, since each bishop is legislator for his own area there are certainly particular norms for his faithful. With communication difficulties it is not easy to know what one’s neighbour does, and sometimes positions are contradictory. What about all Africa then? We would need another Gratian to compile the different legislations, bringing concord where there is discord. This could unleash the movement to elaborate a particular juridical order for our Churches. Note that the publication of Synodal Acts does not give these Acts the force of law.

Faced with the lack of documentary sources, I decided, in order to meet the expectations of the organizers of this Theology Week, to explore the constitutive sources, that is to say, all the physical and moral persons who have the task of framing the laws in our Churches, to see if they are disposed to take part in building up an emancipated African Church, even if in this process codification only enters in the last place. There is certainly an ad hoc juridical order in each diocese, which we cannot examine now for want of time and means. As for a systematic juridical order, that is a long-term job needing decades of years of clear-sighted work. Moreover, to create new structures presupposes mastering the functioning mechanism of the structures one wishes to replace. That is why I have thought it good to examine the structures of the African Churches which will surely condition the flowering of a particular juridical order.

1 The Juridical Order of the African Churches

A question will help us to grasp what is at stake in this theme of a juridical plan. Have the particular Churches of Africa a juridical organization, structures pointing to the genius and need of this people, or are they content to copy the juridical structures of the old churches that evangelized us? In other words, preoccupations about inculturation necessarily touch upon this apparently untouchable area too. First of all it must be said that all the African Churches follow to the letter the structure of the
Church exactly as the Code of Canon Law prescribes it, in three strata:

diocesan organization,
infradiocesan organization,
supradiocesan organization.

Note that the organization of the Church is in no way opposed to the charismatic aspect. On the contrary it is connected with the nature of the Church as People of God incorporated into Christ through Baptism - making each one in his own way share in the priestly, prophetic and royal function of Christ. Each baptized person is called, according to his or her own state, to exercise the mission which God has confided to the Church to accomplish in the world (cf Canon 204). Church structures have for their object to allow all of Christ's faithful to find satisfaction and fulfilment in realizing their mission, their baptismal vocation. One cannot do without these structures without doing harm to that mission, just as one cannot misuse them without frustrating the faithful in their legitimate aspirations.

As a supradiocesan organization, all our particular Churches are organized in provinces, in national conferences and even in regional conferences which regroup the national conferences of some neighbouring countries of linguistic or geographical affinity. These regional associations are:

- Association of Episcopal Conferences of the Congo, the Central African Republic and of Chad (ACECCT)
- Association of Conferences of the Bishops of Central Africa (ACEAC)
- Association of Member Episcopal Conferences in Eastern Africa (AMECEA)
- Regional Episcopal Conference of French-speaking West Africa (CERAO).

And to promote relations and pastoral cooperation for the whole continent, Africa has not hesitated to give itself a structure which regroups all the Episcopal Conferences called the Symposium of Episcopal Conferences of Africa and Madagascar (SCEAM).
On the diocesan and infradiocesan level a glance at the directories of the different African countries shows that all the particular Churches are well structured and dispose of all the organs needed for functioning well and facilitating the work of the apostolic workers. The latest Zaire directory (1983-4) seems to be a model of perfection. All dioceses present an impeccable "organigramme", division into deaneries, parishes, apostolic centres, and so on, offices and organs like the diocesan curias, ecclesiastical tribunals, pastoral diocesan centres, vicars general and episcopal vicars, council of priests, council of consultors, economic council, pastoral council, and so on. The only thing missing is the chapter of canons. Is there a reason?

II The Principle of Subsidiarity

The very term, subsidiarity, seems to be a neologism not found in French dictionaries. The principle of subsidiarity was introduced into the Church’s social doctrine by Pope Pius XI and was alluded to by Pope John XXIII in the encyclical, “Mater et Magistra”. It is a principle applicable in the domain of government. It requires that “every task which can be satisfactorily done at a lower level should not be usurped by a higher level”. In other words, superiors should not take on everything or wish to do everything alone, they should leave to subalterns the satisfaction of doing their duty in what concerns them. Although this principle forms part of the Church’s social doctrine, it is surprising that the official Church has never applied it to its governing. The Second Vatican Council used it three times:

- about relations between the super powers and the poor countries (Gaudium et Spes. 86)
- in the question of teaching, to protect parents, schools and local authorities from abusive interference by the State (Gaudium et Spes 3 and 7.)

No reference is made to it in the ecclesiology developed in "Lumen Gentium" or "Christus Dominus".

This leads us to ask questions about the nature of institutional
power in the Church. Up to now the Church has conceived its power as a monarchy, its style is monarchic, and theological arguments are not wanting in support of this. This power is of divine right, it comes from God and not from human beings; the Church is not a democracy, the Pope and bishops do not receive their power from the people and are not deputies of the people, but ambassadors of Christ. This is the "Christomonist" model, in which Christ transmits his full powers to Peter and the other apostles; Peter and the apostles in their turn transmit them to their successors, the bishops and priests; these exercise their powers over Christians. The Second Vatican Council tones down this concept by developing an ecclesiology which gives pride of place to the notion of Church as People of God. Certainly the Pope and bishops do not receive their power from the people, but henceforth they must conceive the monarchical character of their power in another way. The rediscovery of the notion of the common priesthood leads us to recognise in each member of Christ's faithful the right and obligation to share in the building up of the Church, the Body of Christ, each in his or her place according to vocation and charism. The decree on the Apostolate of the laity is a fine illustration of this right being recognized. One might have expected the principle of subsidiarity to be invoked in this decree but the term is not used.

Such an attitude of reserve towards this principle preached by the highest ecclesiastical authority calls for justification. It seems that the principle of subsidiarity does not form part of communion in the strict sense. Nevertheless on examining the New Code of Canon Law we notice that the legislator was largely inspired by this principle in nearly all the canons that concern the exercise of power of government or administration.

III Decentralization

In administrative law "decentralization" means giving certain powers to collectivities or local entities. On the part of a centralized power, it is a question of the will to allow entities far removed from power to function more easily, swiftly and efficaciously. There can be no talk of decentralization without according, at the same time, some real autonomy in the management of public affairs. Decentralization aims, then, at procur-
ing well-being for the group concerned.

In the Church’s juridical order we know that before the Second Vatican Council the ecclesiology of the unicity and primacy of Peter had led Rome to an extreme centralized juridical order. All decisions emanated from Rome, residential bishops had only apparent power. “Roma locuta, causa finita”. The Vicars Apostolic in charge in our countries had to be still more submissive to Rome for the simple reason that they were only vicars and therefore had power vicariously and not of themselves. The very term, “particular Churches”, in its modern connotation is one of the great innovations of the Second Vatican Council, which states that particular Churches are not “a part” of the universal Church, the consequence of a distribution; nor does the universal Church come from the addition of particular churches; the local Church has not its source in topography, even though most of the time it is circumscribed by a territory, but it is inscribed into the very mystery of Christ’s Church.

This affirmation of “Lumen Gentium” has important consequences. One could say that here is the theological foundation of the principle of subsidiarity and decentralization. I would go further and say, this affirmation admits that the power of these particular Churches is usurped by Rome. Mutatis mutandis, the same logic ought to apply in the relationships between diocese and parishes, between parishes and Living Christian Communities. Decentralization aims not only at the division or sharing of powers which can only have positive effects by applying the principle of subsidiarity but also at the territorial division of ecclesiastical circumscriptions into entities that are manageable. These two aspects of decentralization have the same objective; the improving of pastoral activity in order to attain the proper end of the Church, the salvation of souls.

IV Some Innovations in the Universal Church

The Second Vatican Council and the New Code of Canon Law, starting from the principle of the Church as People of God, have instituted new organs to facilitate pastoral activity in both the universal Church and particular Churches. There are not only new structures but also a certain revamping of the juridical
order. First of all there is the fact that Lumen Gentium situates the episcopal ministry within the ministerial structure of the community (LG 4; 3 and 6; 12:2; 18; 1:30) without denying its role of pastor for all that.

The decree Apostolicam Actuositatem, for its part, speaking of the laity, states that there is diversity of ministries in the Church but unity of mission (no. 2), so much so that lay people hold from their very union with Christ, the Head, the duty and right to be apostles (3). Indeed lay people as sharers in the priestly, prophetic and royal functions of Christ assume their part in the Church and world in the mission of the whole people of God (2). I say that these statements come to revamp the juridical order of the Church in the sense that certain attributions which were reserved only to those who had received the sacrament of Orders are now accessible to lay people, like the functions of judge in ecclesiastical tribunals (can 1421:2), promoter of justice and defender of the bond (can 1435), admission to ecclesiastical offices and functions (can 228).

In what concerns relations between Peter and the bishops, the affirmation of the collegiality of bishops also creates another kind of power. The bishop is no longer confined to his diocese, he becomes pastor for the world and exercises his ministry of teaching everywhere. The creation of the Synod of Bishops also testifies to the will of the Roman Pontiff for "decentralization—participation". To be in charge does not necessarily mean to do things oneself but to remind each one of his or her share in responsibility for the particular area of a function.

V The Position of the African Particular Churches Relative to the Principle of Subsidiarity and Decentralization

A fact first of all: there is a general complaint of both clergy and laity that the structures of power-sharing and dialogue recommended by the Church are either not working or simply are not existing in the greater part of our dioceses. Here in Zaire as elsewhere, indeed, many dioceses have no Vicar General or, if one exists, he is often a simple figurehead. The diocesan curia seems to be an unkown quantity, the deaneries only exist on paper, with no one appointed in charge. Let us not mention the
council of priests, the pastoral council or the college of consultors, since Rome had sent a circular to the Ordinaries of Africa to please decide to set up these bodies. What is to be said of the ecclesiastical tribunals, which nevertheless are the place of a very important specialized apostolate? The faithful do not even know that an ecclesiastical tribunal exists; the former organization which linked the six ecclesiastical provinces exists no more. Nobody knows who to approach in the first or second instance. Now the juridical procedure must be scrupulously observed to avoid positing acts that are null. I could continue the list. But it all leads me to put a question: why this apathy of our African particular Churches in the face of these structures of participation and dialogue? Why are our pastors refractory to the principle of subsidiarity and decentralization?

It is hard to give a succinct answer to this series of questions if motivations are to take account of circumstances of time and place different from one country to another. Some pastors invoke the argument of shortage of priests, others speak of the incapability of the local clergy to take up certain charges (lack of specialists, who, incidentally, decline to be trained). Others, finally, justify their attitude by appealing to the juridic argument of the power of customary chiefs. They say, "In a village there were not two customary chiefs. The customary chief has all the power, even of life and death, over his subjects, he does not share his power with another". Note that this argument is very attractive because it resembles the concept of Church power as monarchic, not only from the fact that the ecclesiastical authority is not a deputy of the people but also because in fact in the Church the three powers, in particular, the legislative, executive and juridical, are exercised by one same person (the Roman Pontiff or the bishop). This whole charge is placed on the Pope’s poor shoulders in response to the principle of unicity and primacy. In principle he exercises the three powers but in reality he disposes of a whole arsenal of services to do so. In this point the Roman curia is a model of decentralization, after the image of the most advanced Western democracies. As for the principle of the customary chief’s power, it must be recognized first that authentic customary chiefs have become rare as a result of the destabilization caused by the Belgians and consummated by the one party state. True customary chiefs had always a well-
organised court and government where each person had his proper function and grade. He never dealt with money or provisions. He had many interdicts from the fact of his sacred power. Before taking a decision, he consulted his members and if he became tyrannical his court or the council of the wise men of the family could advance someone else and depose him. So one may not have recourse to this argument to reject the establishment of juridical order for common law, or if recourse is had to it in the sense of inculturation for new structures many principles must be dropped.

Our particular Churches cannot ignore the present evolution of the world or the democratic current that touches our whole continent. It is a question of applying the democratic principles that even modern constitutional monarchies practice. The principle of subsidiarity and decentralization means in practice power-sharing where the law foresees it. Contrary to the 1917 Code the New Code leaves enough free space to particular Churches to create their own law. Unfortunately a certain apathy, I might call congenital, prevents us from daring to. Likewise the immense size of certain dioceses does not help in exercising pastoral responsibility; territorial decentralization must be envisaged as Vatican II demands.

Conclusion

As a conclusion to these considerations on the juridical order in our particular Churches we shall look at some positive experiments realized by the African legislator.

Let us be clear first that in canon law it is not the canonist who is the legislator but the bishop, who can have recourse to the services of the canonist to guide his inspiration into juridical forms. The creation of living ecclesial communities in 1961, that is to say, before the Council, was a bold initiative even if the arrangements in the juridical order were fixed only some years later, in contact with the organisation of the basic communities of Latin America.

The initiative of the Bakambi, popularly called lay clerics, made the Roman canonists turn pale since at that time it involved going against the law. It must be recognized that, when looked at more closely, the institution of the Bakambi causes more concern than it does harm. It was not against the law; but accor-
ding to the law that would be explicitly stated in the New Code of Canon Law: “If a diocesan bishop should decide that due to a dearth of priests a participation in the exercise of the pastoral care of a parish is to be entrusted to a deacon or to some other person who is not a priest or to a community of persons, he is to appoint some priest endowed with the powers and faculties of a pastor to supervise the pastoral care” (Can 517:2).

Not all Episcopal Conferences have opted for the institution of the permanent diaconate or for the Chapter of Canons. This shows that the African episcopate has not always blindly followed what is done in Europe.

An apparently innocent fact like the change in habit for African women religious shows great boldness and faith in inculturation as a plank of salvation for depth-evangelization. Our apprehensions for the African Synod stem from this that a good number of our pastors do not believe in inculturation. They are more afraid of it than Rome itself, which seems to have taken the lead is carrying them along.... And yet there is a radical difference between a Synod and a Council.

The fact that in certain dioceses the Zaire rite of the Mass is not even mentioned illustrates what we say. African pastors, just like some so-called intellectual Christians, seem to be more Roman than Rome itself. There we find the draw back on the opening to a juridical order of our own in the African particular Churches. “Cish cidyadya lukunde, cidi munda mwa lukunde” (The worm that gnaws the bean is inside the bean). The request for an African Council remains pertinent.

Translated from the French by M. L. Fay
C.S.Sp.
8. HUMAN RIGHTS IN AFRICA — CONTEXTUAL THEOLOGICAL REFLECTION.

Elochukwu E. Uzukwu, C.S.Sp.

1. Integral and Dynamic Universe of Man as Subject of Rights.

Thus there was a covenant between earth and man. The earth produces the food that man eats. The earth becomes the greatest supernatural force (alusi). Eri controlled yam and other food and the earth that grows them. No person should defile the earth by spilling human blood in violence on it. This is the covenant. It must be kept. We Nri keep it. We told other Igbo to whom we gave yam to keep it. (Nwakoye Odenigbo; Nri Myth Of Origin).

In Africa the individual human, who is the subject of rights, is a composite of relationships. The African experience of person takes in one fell swoop the community (human and spiritual) and the individual. This notion of person has been described as “coherent pluralism”: the self is related to the spiritual world (bonded to an ancestor or a non-corporeal spirit as manifested by the individual’s characteristics and potentialities), is related to certain fundamental pre-natal choices (destiny from which free acts emerge but limiting free acts), and is tending towards completion through relationships (for example in initiation rites — the social definition of the person —, through marriage and through self-exertion in society). The self is thus composite and unfinished, and is tending towards completion.

When one therefore talks about human rights in Africa one is dealing with the art of relationship. When one does the right or infringes upon the right of another it is not just one person or one group which is concerned rather the whole environment (spiritual, human and physical) rejoices or is aggrieved. Since man’s cosmic location is implicated in the definition of person, rights involve the totality of man’s cosmos. In effect African
religious experience confesses divinities and ancestors as guardians of morality. As the Nri (Igbo) experience suggests, there is a Covenant relationship between the community and Ala (the earth deity). Bloodshed which is the highest infringement on the right of a person, is an attack on the divinity. The divinity is the source of sanctions imposed on offenders. This African universe in which physical elements, like the land, may assume dynamo-mystical characteristics is a moral universe. Nothing happens by chance. And all segments of the universe, according to their kind and grade, co-act for the benefit of human life integrally perceived.

This African vision of man’s universe in which his rights and freedoms are circumscribed is certainly non-scientific. But it is not too distant from what the physical and biological sciences have been trying to demonstrate about man and the origin of the universe — i.e. the naturalistic sense of man’s cosmic location. And the on-going dialogue between science and religion, which is gradually excluding the extremes of creationism and evolutionism, appreciates the benefits for humankind of this sense of man’s natural place in the universe.

As J.S. Wicken says:

It makes a huge difference to human self-identity that we were not created in the relatively recent past by divine fiat but are instead linked to a tree of life whose roots extend billions of years into the history of the cosmos. It makes a difference too if we see ourselves as involved in this ongoing process of creation in a basic way — with respect to the responsibility we have for the rest of life — than it we feel ourselves as spectators to a deterministic unfolding of things.3

Man, a historical being, originating from and prospering within the universe has the primary responsibility of tending the universe to ensure his very survival and the enjoyment of his freedoms. This is the starting point of our theological meditation on human rights. For although we must acknowledge the primacy of man’s self-consciousness in whatever he may claim to know about or create in the universe, although man may realise that he is, in the words of Paul Tillich, “a stranger in the
world" and thus "that he himself is the door to the deeper levels of reality, that in his own existence he has the only possible approach to existence itself", yet man’s existence is intimately linked to all the dimensions of being in the universe. For it is the constellations of ecological conditions which made it possible for the organic to appear in the inorganic realm, and similar conditions (while not excluding an outside intervention) made it possible for the dimensions of self-awareness and spirit to leap into actuality.

This integral vision of the universe presented both in the African world-view and the physical and biological sciences carries for African religions a moral imperative. No action of man on planet earth or in the universe is an indifferent act. We are thus persuaded by the science of nature and the African vision of the world to adopt an integral (cosmic) approach to human rights beginning with earth-keeping.

The aggressive attitude of man towards nature on planet earth, especially through industrialisation, has led to the situation where man is replacing nature as the engine of climate change. By "making the world an oven", man is responsible for the global warming or greenhouse effect through releasing into the atmosphere gases that capture too much warmth. The daily flaring of gas in Nigeria's oil producing areas, bush burning, disposal of human, chemical and toxic waste, nuclear explosions like Chernobyl and Bhopal, the carnage of war as happened in the Gulf, are ways in which man shirks his responsibility of earth-keeping. If the process continues unchecked, the United Nations Environment Programme projects a rise in average temperature by between 1.5°C and 4.5°C by the middle of the next century. While other species may adapt to such temperatures the human species may face extinction.

It thus becomes evident that the survival (destiny) of the human species is linked to man respecting the various dimensions of life in the universe (a universe which is a subject of rights). This point is aptly made by Seattle (the Suquamish North American Indian Chief), and his views sum up the theological viewpoint of traditional religion on the issue of rights in a universe integrally perceived. While transferring ancestral lands to the U.S. government he said:

I will make one condition: the white man must treat
the beasts of this land as his brothers and sisters. I am a savage and I do not understand any other way. I have seen a thousand rotting buffaloes on the prairie, left by the whitman who shot them from a passing train. I am a savage and do not understand how the smoking iron horse can be more important than the buffalo we kill only to stay alive. Every part of this earth is sacred to my people. Every shining pine needle ... every mist in the dark woods ... every humming insect .... The sap which courses through the trees carries the memories of the red (people). ... This shining water that moves in the streams and rivers is not just water but the blood of our ancestors.9

Most traditional societies consider the land as sacred. Among the Aboriginal peoples of Australia sacred sites assume dynamic-mystical sense: "it is peopled in spirit form by the ancestors who originated in the Dreaming, the creative period of time immemorial". And to violate the land is as immoral as rape:

When the land is raped we feel like a man whose wife has been raped. We still love her but we feel ashamed that we could not protect her.10

The process of industrialisation especially in terms of Western modernisation is in a way a rape of the earth. This rape which the theology of traditional religion condemns as morally reprehensible opens the floodgates for the dehumanisation of all that inhabits the earth (mineral, plant, animals, and humans). Taking our example again from Nigeria where industrialisation is only beginning, one sees how an arrogant expropriation of the land and whatever it contains (especially minerals) without the corresponding responsibility of earth-keeping leads to an environmental chain-reaction. Crude oil is tapped with the most modern equipment in petroleum technology but our Delta regions become despoiled of farmlands and fishing waters. Diseases of all descriptions compound the suffering of the wretched of the earth who have been deprived of the means of their livelihood. From the abuse of the earth to the disregard of the human dignity of its inhabitants. The earth has become hot (i.e. ritually polluted) because of man’s wickedness; it needs to be ritually purified in order to remove the environmental hostility which destroys both the earth and its inhabitants.11
While not denying the great achievements of Western technology which have benefitted humankind as a whole (for example in the area of medicine) one may not ignore the tragic consequences of its pattern of domination. Marcuse’s denunciation of this technology as cultural, non-neutral, and a technique of domination appears to be proven by historical evidence. According to Marcuse this technology sets up “a political universe” which is the “latest stage in the realization of a specific historical project — namely, the experience, transformation, and organisation of nature as the mere stuff of domination”.

One does not fail to notice the application to non-Western peoples of the same ruthless and repressive policy directed against nature: forceful occupation of alien lands, genocide against Australian aborigines and American Indians, black slavery, exportation of terror (through wars or through the support of dictators to protect Western economic and political interest). These and many more, are aspects of the ruthlessness of Western technological culture — a West which, paradoxically, is the champion of human rights. The musings of Rubem Alves are apposite:

There are states that demand fewer sacrifices than others. There are states that do not eat openly the bodies of those who are near; they find it safer to eat the flesh of those who are far off. There are good states and bad states. One state can even wave the flag of human rights against other states. This sedates it and its worshipers with the perfume of self-righteousness.

What we learn about human rights from the theology of traditional religion, whether read from African, Australian or American Indian perspective is instructive for the world of today. This theology is incarnational and earthy: the body is the gateway to relationships — a relationship which integrates the mineral, plant, animal, and human dimensions. Rights are about humanization, and humanization is about integrating the universe into a dynamic whole. The Jewish-Christian Scriptures do not really say a different thing, though the dualism introduced into Christian theology through classical Greek philosophy (especially Neo-Platonism) and strengthened by Cartesianism produced a discordant note.
2. **Man as the Image of God.**

The great achievements of the science of astronomy have moved our planet earth and the sun from the centre of the universe to the suburbs of one of the galaxies (the Milkyway galaxy). Despite the reduction of our earth to a speck in the universe, man on earth is still proclaimed by most systems of thought and religions as the centre of the universe. As Vatican II observed:

> According to the almost unanimous opinion of believers and unbelievers alike, all things on earth should be related to man as their centre and crown.

This is an affirmation of the primacy of man’s self consciousness in what he claims to know or create in the universe.

The Hebrew Bible in the two accounts of creation (Gen 1 and 2) recognises the bond between man and the earth, man and the creatures of the earth, and man and the creator in whose image he is created. The earlier Yahwistic account describes man’s origin as naturalistic— the work of the divine architect whose breath gave life to man: “then the Lord formed man of dust from the ground, and breathed into his nostrils the breath of life; and man became a living being” (Gen 2:7).

Endowed with the breath of God without being the less a thing of the earth, the “Lord God took the man and put him in the garden to till it and keep it” (Gen 2:15). The narrator conceives the earth in the idyllic sense of a garden, and sees the primary purpose of man’s presence on earth as working the earth — i.e. being involved in the on-going process of creation. Furthermore, the need of this first creature of God to live in relationship is expressed. The narrator describes the forming of animals (from the same dust of the earth) in terms of companionship for man; and man expressed his insight into the purpose of their being (or indeed bestowed on them their purpose) in the naming ceremony:

> Then the Lord God said “It is not good that the man should be alone; I will make him a helper fit for him”. So out of the ground the Lord God formed every beast of the field and every bird of the air, and brought them to the man to see what he would call
them; and whatever the man called every living creature, that was its name. (Gen 2:18-19).

Full companionship for man is realised in woman who is drawn from him and complements him. The later Priestly account of creation lays emphasis on order and harmony in the universe. Man, the last and crown of creation, is created in the "image of God" (Gen 1:27); and thus, in the first instance, he replicates the harmony in God ("let us make man"—Gen 1:26) in his own nature: "male and female he created them" (Gen 1:28). Vatican II recognises human sexuality as manifesting in his very nature man's likeness to God (thus setting aside the dualism inherited from Neo-Platonism):

God did not create man a solitary. For from the beginning "male and female he created them" .... Their companionship produces the primary form of interpersonal communion. For by his innermost nature man is a social being, and unless he relates himself to others he can neither live nor develop his potential.15

In this way all discrimination based on sex is outlawed.16 In the second instance man's likeness to God is realised in his having dominion over the animal world (Gen 1:27-28); a likeness to God which appears to be located at that point where man differed from animals: man is to increase and multiply like the animals, but, as image of God, he takes over from God the task of controlling the animals which received God's command to eat grass (Gen 1:30); and thus not to devour one another.17 Psalm 8 pictures man as dominated by the stars of heaven, but as image of God (little less than God) every other thing is put under his feet:

Yet thou hast made him little less than God, and dost crown him with glory and honour. Thou hast given him dominion over the works of thy hands; thou hast put all things under his feet, all sheep and oxen and also the beasts of the field, the birds of the air, and the fish of the sea, whatever passes along the paths of the sea. (Ps 8:5-8).

This reference to God and to animals in talking about man's place in the universe appears to be the crucial point where
Hebrew religion (in myth and poetry) defines man. History shows that man is not really different from animals—animals devour one another, and so do men. But the book of Genesis and the Psalms in proclaiming the lordship of man project the ideal which was the situation in mythical time: man, the crown of creation, assumes all levels of being into divinity, and introduces divinity into all levels of being. Instead of regarding creation as an adversary to be bullied or exploited man is shown to be a creature which occupies a middle position between the God who creates and other creatures. His behaviour pattern affects all creation. Thus when man succumbed to the possibility of defection present in the Yahwistic narrative of creation (Gen 2:17—interdiction from eating from the tree of knowledge of good and evil), his fall affected all creation. Biblical religion interprets the Fall as a loss of the image of God. This loss introduced confusion into creation. Man lost the power of the gentle word received from God to command animals and to prevent them from devouring one another. The legend of Cain and Abel shows how men imitated animals and devoured one another. This is the enormity of the loss of the image of God. As Beauchamp aptly puts it:

If today men imitate animals which by nature devour one another it shows they no longer command them. Since men imitate them, men resemble them. And if men resemble animals it is a clear sign that men have lost their resemblance to God on which their power is based.

Hebrew prophetic religion takes a clear stand against man playing wolf to man. The covenanted people of God which guards the Exodus experience as its foundational story must not oppress the poor and the stranger (Dt 14:28-29; 15:1-4). Faced with the scandal of oppression and living in a situation which appeared hopeless Isaiah in his third book proclaimed the liberation and consolation of the poor, and the restoration of their dignity as goodnews (Isa 61:1-3). When God finally brings healings to man and removes from him the scourge of war and oppression, an eschatological peace and harmony will reign: the lion shall eat straw like cattle, the calf and the young lion shall grow up together and a little child shall lead them (Isa 11:1-9).
This is the ideal (messianic) age which the Priestly creation narrative recounted as the way it was in the beginning.

The New Testament Scriptures see in Jesus of Nazareth the realisation of this messianic hope. However these writings have little to tell us about nature, perhaps because of the city setting of the primitive Christian communities. In effect some books contain a thorough going pessimistic view of the earth. This pessimism sometimes fails to get beyond Hellenistic and Gnostic dualism. It climaxes in apocalypticism which sees a new heaven and a new earth unconnected with our universe as the end of Christian hope (Rev. 21.1). However, as in many other theological themes, the New Testament does not have a uniform stand. First of all, the incarnation of Jesus and the doctrine of bodily resurrection show clearly that Christian faith is world affirming. Indeed the genealogies of Matthew and Luke (Mtt 1:1-17; Lk 3:23-38) suggest that divine sonship which crystallized sharply in Jesus the son of God was lived in a real way in Jesus’ ancestors despite the distortions and contradictions of human history. Luke who traced Jesus’ origin back to Adam (the son of God — Lk. 3:38) appears to suggest the dawn of a new creation in Jesus — for the Spirit of God was present at Jesus’ conception and baptism just as It brooded over the waters at creation. In addition, some books of the New Testament written from a background of contact with non-Jewish cultures drew their imagery from creation where the Christ is given a primary role (Jn 1:1-4; Col 1:6-20; Eph 4:10; etc)\textsuperscript{20}. Above all, the memory of the action and words of Jesus in the Gospels show that the coming of the reign of God means putting an end to man’s inhumanity to man; a call on man to start the recovery of peace and harmony in creation through the recovery, in himself, of the image of God lost in the Fall. The followers of Jesus, converted to his way, gentle as doves but wise as serpents, proclaim this new dispensation in word and deed. The importance of the new social image of man, which restores dignity and rights to man, is brought out by Luke’s Gospel which put into the mouth of Jesus, at the beginning of his ministry, the words of Isaiah 61:1-2:

\begin{verbatim}
The Spirit of the Lord is upon me, because he has anointed me to preach good news to the poor. He has sent me to proclaim release to the captives and \end{verbatim}

recovering of sight to the blind, to set at liberty those who are oppressed, to proclaim the acceptable year of the Lord. (Lk. 4:18-19).

Christian theology thus sees in the incarnation of Jesus the restoration to man of the image of God lost through sin. And in Jesus man learns what it is to be man. As Vatican II teaches:

The truth is that only in the mystery of the incarnate Word does the mystery of man take on light. For Adam, the first man, was a figure of him who was to come. namely, Christ the Lord. Christ, the final Adam, by the revelation of the mystery of the Father and His love, fully reveals man to man himself and makes his supreme calling clear.21

The calling of man as shown in the Hebrew Scriptures and in the memory of Jesus is to be image of God. An imitation of God which integrally humanizes the universe in gentleness and non-violence. This vision of the place of man in the universe re­joins the African ideal where the totality of the universe is a subject of rights. Today, in the global village, more than ever before, the test of the truth of the christian way lies in nurturing the environment for the integral realisation by man of his likeness to God.

3. The Church and the Struggle for Integral Human Rights in the Global Village.

a. Learning from Experience.

Our reflections so far indicate that man is a subject of rights in a universe where he lives in dynamic (life enhancing) relationships. He is a subject of rights because God has bestowed his breath on him, made him in his image to share in the work of creation. The restoration to man of the lost image of God in Christ invites the christian to concentrate attention on the task of the healing of the human family which is the starting point of recreating the universe. The church, the bearer of this message of reconciliation has, through history, lived this Gospel with the greatest difficulty. Neither in its ranks nor in the world of men to which this news is addressed has the ideal been realised.
The early christianity of the Fathers of the Church was beseiged by the Roman empire intolerant of religious liberty. The Roman state which arrogated to itself (like all states — according to Max Weber) the monopoly of "the legitimate use of physical force" within its territory sucked the blood of christians. Christians bravely bore witness to their faith. And in their position of weakness, they denounced their persecution as inhuman, they resisted the identification by the state of possessing political power with being in the right; and some, like Tertullian, proclaimed the value of religious liberty — an inalienable right of all humans for the recreation of the universe:

It is a fundamental human right, a privilege of nature, that all human beings should worship according to their own convictions; one human person's religion neither harms nor helps another. It is not proper to force religion. It must be undertaken freely, not under pressure.

Tertullian's defence of religious liberty was within a church which was weak. When Constantine decreed freedom of worship for christians (Edict of Milan — 313 A.D.), and when christianity became the state religion under Theodosius (decree of 380 A.D.), the language changed: "pagan" practices were outlawed, and the death penalty was imposed on non-christians. This situation whereby the church was effectively abducted by the state or willingly fell into its embrace prevailed from Theodosius to the French revolution (1789). State violence was available to enforce belief. It is paradoxical that Augustine who, in the City of God, called states or kingdoms "great robberies" should exert the greatest influence in the use of state power to enforce belief. Augustinian pessimism (possibly encouraged by the spirit of the time) denied to the human subject the capacity to govern himself because of the devastating effect of "original sin". Government, even a tyrannical government, is a necessary defence against sin. The rule of one man over others, of master over slave, is a necessity. Coercion is a necessary evil to be used not only against "pagans" but also against christians (he applied this with rigour against his Donatist and Pelagain opponents). This alliance between the church and the state to create the christian society — one people, one king, one faith, one law — may have helped the christianization of Western Europe, but it
denied to the church that critical reserve, the prophetic voice needed to defend the voiceless, to nurture the environment for the recreation of the universe. Being practically part of the state apparatus the christian religion became an instrument of oppression/exploitation. Man played wolf to man in such an unprecedented way that the context for understanding the social rights of the weak (women, Jews, Moslems, serfs, slaves, etc) was either very limited or non-existent. Of course there were exceptions (like Thomas Aquinas who stood for liberty of conscience), but these proved the rule. However, as Aubert insists, Medieval society was a different kind of society (totally hierarchized, structurally immobile, and so preoccupied with unanimity that the heretic became a social deviant who must be saved by all means including torture as was customary with the inquisition)25.

When the foibles of Medieval christendom were exported to non-European socio-cultural areas they sent forth shockwaves whose sad effects persist in our global village. The invasion of Latin America, motivated by greed for “gold” led to the plunder of Aztec and Inca treasuries and to the subjection of the inhabitants of those lands to slave labour in gold and silver mines. It was characteristic of the spirit of christendom to justify the conquest by reasons of evangelization. After all was it not the pleasure of “God our Lord” to bestow dominion over the world to the kings of Spain and Portugal?26 Medieval and Renaissance christian society wounded by plagues and especially torn apart by wars had made great advances in military technology and used this to great advantage in imposing its lust for wealth in Africa, Asia and America. Augustine rightly called such states “great robberies” where impunity is added to covetousness.

Indeed, that was an apt and true reply which was given to Alexander the Great by a pirate who had been seized. For when that king had asked the man what he meant by keeping hostile possession of the sea, he answered with bold pride, “What thou meanest by seizing the whole earth; but because I do it with a petty ship, I am called a robber, whilst thou who dost it with a great fleet art styled an emperor”.27

There were dissenting voices to the use of the christian religion
as a basis for the construction of these "great robberies" — the Jesuits in Latin America, "converted" theologians like Bartolome de Las Casas — but they constituted a minority incapable of changing the current. However in that tragedy of tragedies which befell the human race — Black Slavery — great theologians like de Las Casas and the whole christian society were in agreement that by their very nature slavery befits the black race. The inhumanity they suffered was theologically explained as the result of the curse of Noah on the descendants of his son, Ham (Gen. 9 and 10). Whether this racial interpretation of Genesis is to be traced to Luther's commentary or even to the Talmud, it was taken for granted all over Europe that the suffering of Africans was an act of God. Daniel Camboni, founder of the Sons of the Sacred Heart of Jesus, prayed the First Vatican Council in June 1870 to make a solemn declaration releasing Africans from this curse. For:

No other curse has operated with such cruelty and for such a duration in the human race as this pitiless and painful curse with which the Most High condemned the sons of Ham.  

One may in this way understand the feeling of Europeans of this period that they were doing good to Africans by making them slaves — thus the cursed and damned are snatched away from the clutches of the devil (while their christian liberators obtain their hundredfold — the fruit of slave labour which contributed the essential "capital" for the European industrial revolution).

This ideological use of religion to justify evil while salving a society's conscience is characteristic of the "ideal of christendom" where defending the faith against infidels, winning honour and acquiring wealth were simultaneous motivations. The French Revolution (1789) put an end to this pact between the church and the state and robbed the church of its power in society (separation of church and state — 1795). This violent revolution which was directed against the crown, the nobility and the church proclaimed liberties which were denounced by the catholic church as monstrous and as the ruin of the catholic religion (Pius VI: Quod Aliquantum — 1791; Gregory XVI: Mirari Vos — 1832); and thus the catholic religion may no longer be used, especially in France, to justify inhumanity.
The altered social conditions which reduced the church to a position of weakness helped it to rediscover, even though in a partial way, its prophetic vocation. In the modern period, the industrial revolution, with its ideology of liberalism, brought in its wake social evils which reduced the urban proletariat to squalor and other indignities like malnutrition, congestion in town life, child labour, absence of security in factories. This drew the attention of the church (as also the communists). Leo XIII in *Rerum Novarum* (1891) denounced these injustices of industrialised society; and this marked the first clear assumption by the church of its responsibility to defend the weak in a dechristianized society where it has lost power and privilege and is reduced to a minority status. This defence of the social rights of the urban proletariat (which included a rejection of the socialist ideology) did not mean that the church no longer looked at religious liberty and other liberties of the individual with horror (as the modernist crisis showed).

The learning process of the catholic church on the issue of rights reached a certain maturity during the pontificate of John XXIII, and rapidly developed with the Second Vatican Council. John XXIII is recognised as having influenced the tenor of the United Nations "Universal Declaration of Human Rights" (1948) when he was papal nuncio in Parris. It is then not surprising that his major encyclical on human rights (*Pacem in Terris* — 1963) emphasised the right to worship according to the dictates of one's conscience and roots human "universal and inviolable" rights in the very nature of the human person (*Pacem in Terris*, nn. 6 and 9). This use of the notion of "human nature" and "natural law" as the widest (universal) concept to defend human rights, which was first proposed in defence of the Indians in the 16th century by the Dominican Vitoria, but fell on deaf ears, formed the basis of the French *Déclaration des Droits de l'Homme et du Citoyen* (1789) and the U.N. *Universal Declaration of Human Rights* (1948). With the fundamental shift, at Vatican II, in the church's understanding of its social and institutional place in a pluralistic world, the normative stance of the church towards human rights appears to be set on an irreversible course. The defence of the fundamental human rights (in the individual, social and economic spheres) has assumed a place of preeminence in the church's mission to
the world. From 1965, when Paul VI addressed the United Nations, to the pontificate of John Paul II, the catholic church has not only joined men of good will to defend human rights but has also clarified through its social teachings (Populorum Progressio, Redemptoris Hominis, Laborem Exercens, and the recent Centesimus Annus) its position about man's place in the universe and the forces which enhance or diminish human dignity. But the church may not remain on the level of doctrine alone, it has to demonstrate through concrete actions its commitment to human rights: for those who (pro-) claim rights and forget their duties or fulfil these imperfectly run the risk of destroying with one hand what they have built with the other.

b The Church's Role in the Struggle for Human Rights in Africa.

We have for once learnt to see the great events of world history from below, from the perspective of the outcast, the suspects, the maltreated, the powerless, the oppressed, the reviled,— in short, from the perspective of those who suffer... We have to learn that personal suffering is a more effective key, a more rewarding principle for exploring the world in thought and action than personal good fortune (Bonhoeffer).

In a 15th century account of the beginnings of slave raiding in the Guinea coast, one of the raiders, Zurara (La Chronique de Guinée) described how the arrival of the Portuguese implanted terror in villages: mothers abandoned their children, husbands their wives, each trying to flee as quickly as possible; some drowned in the sea, others sought refuge in their huts, while others hid their children in sea-weed believing that they are out of danger little knowing that they will be discovered later. "From that time", concludes Metinhoue, "at the sight of a European, no matter how insignificant, the black African, however strong he is, is obliged to face the issue of his personal security". This insecurity of life in the African world planted from the period of slavery appears to have increased with the passage of time. In the colonial period the Europeans plundered the wealth of Africa with local cheap labour; at independence, the structures of exploitation set up by the coloniser assured the continued servicing of the metropolis by the blackman's sweat supervised by a local leadership. The whole state apparatus constitutes a threat to the dignity of the African to the point that neither the police
nor the military, not even an elected government inspires the ordinary African with confidence - they all constitute patterns of exploitation. To compound it all the "debt trap" becomes a means whereby the poor in Africa subsidize the economies of Western Europe and the United States; they are left sufficiently alive (or rather in a coma) to keep on servicing such economies. The issue of the struggle for human rights and dignity in Africa assumes bewildering dimensions.

When human rights are discussed in our pluralistic world we are not always saying the same thing. For the Western capitalist world the focus is the individual person who must remain unfettered to act, speak, worship, associate or accumulate wealth; for the erstwhile socialist republics, rights are about satisfying social and economic needs (mainly work and material security like housing, education, health); but for the brutalized nations of the Third World, the focus is on the right to human survival and liberation in a world where they are manipulated by the first and second worlds. It is within this context of survival and liberation that the catholic church and other christian churches in Africa see their commitment to human rights and dignity as evangelization.

One of the outspoken catholic bishops of Nigeria, John Onaiyekan, observed in a recent paper that for Africa and the Third World human rights issues are "a matter of life and death". This appears to be the conviction of the Symposium of Episcopal Conferences of Africa and Madagascar (SECAM). Following the initiative of Vatican II, John XXIII and Paul VI, SECAM has, since its inception in 1969, made declarations relevant to development, human promotion and human rights, all intimately linked with evangelization. SECAM sees its vocation to preach the good news as deep identification with the poor, the captive, the blind, those oppressed (cf Lk 4:18-19). At Kampala in 1969 the bishops insisted that it would be a betrayal of their mission if they ignored to voice their concern about "the want, the hunger, the ills, the ignorance, the blows struck against liberty, the tragic consequences of racial discrimination, the ravages of war and oppression which burden so many human beings in the third world". In 1978 SECAM general assembly renewed its call for peace, social justice and human rights "because in many countries of Africa human rights are flouted and trampled under
foot”. Then the assembly went ahead to “denounce” and “condemn” all that which constitutes a “violation of human integrity...”, all crimes committed in the name of the “security of the state”, all political systems “based on falsehoods, as well as intolerance”. In 1981 SECAM published a treatise on Justice and Evangelization - the biblical background, the African context, the external forces impinging on this context, and the pastoral programmes for promoting justice were all treated in depth. Again in 1984 and 1985 SECAM published resolutions, recommendations and exhortations on Human Promotion in Africa.

The disfiguring of man and his universe in Africa has assumed such proportions that declarations of a continental association like SECAM (or its Protestant counterpart - the AACC, supported by the World Council of Churches) are insufficient to restore man to God’s image. The declarations, it is true, are a fruit of an analytical understanding of the conditions of the struggling Africans. But there must be a way to demonstrate in a concrete way the commitment to the struggle against marginalization and suffering. SECAM’s view is that the christian community, where man is being recreated in God’s image, should be the centre of concrete action for justice.

It is at this level of concrete action where reflection on the experienced dehumanizing condition leaves no christian indifferent that the courage of the Church in Africa is tested. Pronouncements may be easy but concrete involvement is a different matter. The Catholic Bishops’ Conference of Nigeria which feels that its suggestions are not heeded continues to warn that the nation is still in jeopardy: the deteriorating economic conditions, the unclear political climate, the long entrenched social problems like violent crimes, endemic corruption at all levels, blatant misuse of power and position, ethnic and religious disturbances, neglect and oppression of the poor and powerless, are all a concern for the church. Thus it calls on all Nigerians to insist on their right to participate actively in the process of decisions affecting their daily lives. And catholics “have not only a right but a duty to work for and ensure the establishment of a just and moral social order in our nation” in order “to rescue our land from endemic moral corruption, political instability and unjust socio-economic systems and policies”. The Southern Africa regional Bishops’ Conference (IMBISA) after
reflecting on the oppression of the poor by governments of the region and on how the countries of the region are held captive by creditors who take between ten and seventy times the amount of the original debt, reaffirms the necessity of maintaining its prophetic mission even if the church is accused of playing politics; and it also renewed its adoption of the model of basic communities where reflection and social analysis will lead to right decisions in the light of the gospel. The Kairos theologians repudiated a “church theology” which employs principles like reconciliation, negotiation, non-violence, and peaceful solutions without the necessary social analysis, and opted for a prophetic theology which through social analysis adopts a christian way of approaching political solutions to problems of South Africa. They stated in clear terms their option for the political struggle:

Christians, if they are not doing so already, must quite simply participate in the struggle for liberation and for a just society. The campaigns of the people, from consumer boycotts to stayaways, need to be supported and encouraged by the Church. Criticism will sometimes be necessary but encouragement and support will also be necessary. In other words the present crisis challenges the whole Church to move beyond a mere ‘ambulance ministry’ to a ministry of involvement and participation.

These are examples of how the church leadership and theologians have “descended to the deep trenches of the arena of struggle where commitment is given flesh and bones”. But the struggle is against “principalities and powers”. Dictatorial regimes, apartheid, trans-national corporations, stop at nothing to maintain their exploitation of the masses. Their draconian reactions to strikes, demonstrations, and civil disobedience, may create a worse situation for the poor. A church with a long tradition of an other-worldly spirituality may feel convinced that it should counsel peaceful negotiation instead of confrontation. Within a committed church the problem of discernment is posed at every turn. The on-going violence in South Africa projects the dilemma facing the church leadership. The New Kairos sums up the situation:

the more the church appeals for peace, the more the violence
continues; and the more the church condemns the savagery of the killings, the more savage they become; and the more the church speaks about reconciliation, the more the people plead for arms to defend themselves against attack.  

The problem is real. Will quiet resignation to a known structural evil not be better for the poor than challenging the state Beast which reserves limitless possibilities of violence in its arsenal? Theologians like Mofokeng and those of the Institute of Contextual Theology in South Africa insist that sustained challenge of the State is the correct reading of the signs of the times: “The primary task of the Church at this moment, then, is not to call for peace but to call for justice”.

The spiral of violence continues. However, one will not fail to marvel at the courage of the masses who bear the brunt of State institutionalized violence along with the poverty of their condition (e.g. the May/June 1989 anti-SAP riots in Nigeria, the sustained struggle by workers and the youth in South Africa, the pro-democracy movements in Zaire, Kenya, Togo, and so on). This determination all over Africa in the rural areas and in urban centres, in schools and in factories to fight for goals which are noble, because they enthrone justice which alone brings peace, is the sign of the emergence of the new man in Africa. The church leadership and theologians must support and nurture this emerging image of man in the struggle for human rights in Africa. The suffering masses actively bear the cross, identify with the suffering Jesus, repudiate through insurrection the inhumanity assigned to them by the oppressor, so that the earth where they live and work may be recreated.

A theological reflection on human rights in Africa may conclude with this insistence on a positive image of man where suffering endured in resisting oppression is seen as part of man’s involvement in his universe in order to transform it. The aim of the struggle is not simply the destitution of the oppressor who creates a hostile environment for the masses - this may only reproduce the hates, the violence, and the corruption of the oppressor. Rather the empowerment of the poor is to transform, and thus to humanize, the earth. Christian theology needs to provide for the freedom movements a spirituality which integrates the cosmos into its orbit. This is based not on the anger aroused by the inventory of the wounds inflicted but on the
hope of the realisation of a new humanity which emerges in the struggle. This saves the struggle from what Pieris calls "pathological messianism" which attacks existing evils in such a ruthless and reckless way as not to respect the human ideal. Mofokeng sees such a spirituality already developing in the popular religiosity born on the terrain of struggle in South Africa. This religion is practised on soccer fields, huge stadia, in the open air and commuter trains which ferry industrial workers to work:

a religion that brings together and merges elements of traditional African religious practices like dancing and a high emotional spirituality, liberative elements of African culture, such as a strong sense of solidarity and sharing and a theology with a distinct political, economic and social agenda.

The enormous potential of religion has been tapped both by the weak and the strong throughout history. While it may have served as the last place of repose for the oppressed, it has been manipulated by the strong for economic and political gains. A prophetic theology which maintains a critical reserve vis-a-vis any man-made system should not only deplore and reject oppressive regimes but must also challenge revolutionary or radical movements on the humanist ideal which motivated their struggle. In the midst of the struggle this ideal should be celebrated in song and dance. In Christian terms this is the foretaste of the resurrection realised in Jesus - a transformation of the universe where death and its ugly agents are swallowed up in victory (1Cor 16:54).

Reference Notes:


8. Ibid. p. 13.


13. R. Alves, "Commentary on 'Prophet or Provocateur'", in Evans and Evans, p. 191.


27. *St. Augustine, City Of God*. Book IV, ch. 4; translation taken from Alves' citation in *op. cit. p. 190.*

28. *Cited by J. Lecuyer, "Le Père Libermann et la Malédiction de Cham", in P. Coulon and*

30. E. Dussel, op. cit., p. 36.


38. Vallegly, op. cit., esp. chh. 4 and 5.


46. Challenge to the Church: The Kairos Document, The Kairos Theologians, Braamfontein 23017, 1985, chh. 3-4; and n. 5.2


49. Ibid, p. 144; see also Mofokeng, op. cit. pp. 174-175.


Introduction:
On 2 April, 1991, the writer received a telephone call from the Editor of the Nigerian Bulletin of Ecumenical Theology requesting him to do a review of Desmond Forristal’s book: *The Second Burial of Bishop Shanahan*, which appeared in Ireland in 1990. Desmond Forristal is a priest of the Archdiocese of Dublin. He was invited to write the book by the congregation of the Missionary Sisters of the Holy Rosary, which bishop Shanahan had founded in Ireland in 1924.

Father Forristal’s book became an instant success and went into reprint in under a year of its publication. Incidentally, the book was launched at Enugu on 23 March, 1991 but, for some undisclosed reason, the authorities of the catholic Archdiocese of Onitsha banned the major launching of the book scheduled for 29 March, 1991, at Onitsha. The ban naturally excited much curiosity about the book.

This review article dwells on several key issues raised in the book. It advances a general observation on the book and highlights its main thesis, particularly the enriched and updated information on bishop Shanahan’s early life and missionary apostolate in Nigeria. It thereafter examines the bishop’s problematic retirement and the title of the book that is largely based on a misrepresentation of Igbo mortuary tradition and custom. Finally, it examines the traditional misunderstanding of Igbo traditional religion which the book repeats and propagates.

ii. About the book:
The book is an updated biography of bishop Shanahan — an Irish missionary priest of the Holy Ghost Congregation who arrived at Onitsha in November, 1902.

He rose to the leadership of the catholic mission in Eastern Nigeria in September 1905; became the bishop of Southern
Nigeria in 1920; resigned his office in May 1931 and left the country for Ireland in April, 1932. The book is a true life story that candidly X-rays the joys and pains of the bishop’s rather chequered life and career. It seeks to answer and clarify a number of curious, but often suppressed, questions about the bishop which previous accounts of him had striven to avoid. It is, indeed, a complex story of a complex man who, in several respects, was some generations ahead of the religious men and women of his day. It portrays in broad light the shades in the life of the great bishop Shanahan.

The book is incisive, perceptive and down to earth. It is well researched, properly edited and beautifully printed. It has twenty chapters and a total of 329 pages. It costs ten pounds in Ireland but is being sold in Nigeria at the subsidized rate of a hundred naira per copy.

Internal evidence reveals that the book was written primarily for the Irish audience. The book betrays too the author’s defective knowledge of Igboland which a few months’ field-work in Nigeria could easily have remedied. Many Igbo towns and words in the book are mis-spelt, though the printer’s devil would appear to have had a hand in some. Some of the mistakes were probably lifted from Father Jordan’s “Bishop Shanahan of Southern Nigeria” (1949) on which Father Forristal obviously leaned. A few samples of the mistakes are: Okidja for Okija; Uberu for Uburu; Nsude for Nsugbe; Ibariam for Igbariam; Awaba for Oba and Ekwenzu/Ekwensu for Ekwensu. Iboro and Isingwu are not Igbo towns, as the book suggests, but villages of Oraifite.

Furthermore, the white man’s inability to manage the Igbo diphthongs (gb, kp, nw etc.) has been largely responsible for the author’s use of Ibo and Iboland for Igbo and Igboland which appear about 91 times in the book.

Apart from the above linguistic aberrations, the book contains some errors of fact or interpretation. Shanahan’s Great Trek of 1908 did not take place in Western Igboland (p. 78). Western Igboland lies west of the river Niger. On page 86, the author writes: “In the Ajalli area, he (Shanahan) found a mixture of tribes with a considerable number of non-Igbo people”. There is no such thing in the Ajalli area. The Aro colonies in and around Ajalli are all Igbo. The Aro are Igbo.
The book regards Igbo masquerades as devils (p. 56). It has a poor understanding of Igbo marriage and family life. It believes that Igbo wives are sold and bought and, as a result, are owned by their husbands (p. 114). It offers a curious and contradictory explanation for the transfer of the Cluny sisters from Onitsha to Calabar in 1908 (p. 114). The author treats his readers to the usual European over-spiced diet on Africa which is alleged to be the land of human sacrifice and cannibalism; "the white man's grave"; the Darkest Continent and God's forsaken land. The author's dependence on sources, largely outdated on African studies, is probably responsible for the over-statements. He repeats the usual missionary propaganda stunts which were meant for the ears of their supporters in Europe. He alleges without comparative evidence that the early catholic mission in Eastern Nigeria was "the most difficult and the most dangerous" (p. 63).

The book throws into clear relief the faith, vision, courage and endurance of the expatriate missionaries in Eastern Nigeria, who stood the enervating heat, legions of mosquitoes, unfamiliar foods, endless trekkings and the ubiquitous malaria. It highlights the conflicts and tensions, jealousies and discontents, personal weaknesses and moral short-comings of the expatriate missionary personnel. True to missionary historiography, the book stresses and eulogizes the expatriate agency while de-emphasizing the African factor and role in the development of the catholic mission in Eastern Nigeria. Impression is created that it was the expatriate staff together with their home-base supporters who wrought the missionary wonder in Eastern Nigeria. The legions of Igbo teachers, catechists and other local helpers, who receive some praise and mention in the book, remain largely an anonymous mass.

iii. Shanahan's Early Life and Student Days:

The first two chapters of the book on bishop Shanahan's early years and student days are largely fresh contributions to our knowledge of the bishop. The first chapter reveals that the bishop was born on 4 June rather than on 6 June, 1871, as has up until now been believed. His parents were Daniel Shanahan and Margaret Walsh. It would appear that Irish wives, like traditional Igbo wives, did not change their maiden surnames at mar-
riage. The child, Joseph Shanahan, was born to a poor farm labourer in a little thatched cottage in Glankeen village in the county of Tipperary, Southeast Ireland. He was baptised on the third day of his birth and was the third of Daniel Shanahan’s ten children.

Joseph, like his brothers and sisters, received his primary education at the state National school in Tipperary.\(^2\) At 15 (1886), young and penniless Joseph was fortunate to be invited to France to do his secondary education. The good fortune was, in fact, not entirely fortuitous. His uncle, Rev. Brother Adelm of the Holy Ghost Congregation, was at the time working in the Holy Ghost College at Beauvais, some fifty miles north of Paris.\(^3\) Brother Adelm requested the principal of the college, Rev. Fr. Amet Limbour, to offer his nephew admission as a non-fee paying student.

It is welcome information that Joseph Shanahan left for France in August 1886 at the age of fifteen. We have hitherto believed, largely on the evidence of Father Jordan, that he went to France in 1883 at the age of thirteen.\(^4\) It is also not factual that he was in Rockwell College in Ireland before leaving for France in 1886.\(^5\) In fact, Joseph Shanahan did not enter the Holy Ghost Juniorate until 1889 at Cellule in France and was received into the Holy Ghost Congregation in 1890.\(^6\)

Joseph Shanahan completed his secondary education successfully and began his studies for the priesthood in 1894. In his theological studies in the senior scholasticate, he proved he was intelligent but not an intellectual.

In his early twenties in both the Senior Scholasticate and the Novitiate, he began to have understandable problems with his sexual life, the practice of meditation and community life generally. From April 1897, he started to keep a spiritual journal on the advice of his Spiritual Director. The journal openly noted his faults and dominant passion but does not reveal anything incriminating. At the end of his Novitiate in France, in August 1897, he was posted home to Ireland to complete his theological studies in Rockwell College. That was his first time of returning to Ireland since he left it eleven years earlier in 1886. It was in Rockwell that he made his first vows in Easter 1898.

At Rockwell, he helped with the teaching and school games while studying his theology. He was ordained priest in April
1900 and was retained at Rockwell as teacher and Dean of Discipline. He remained at the job till August 1902 when he was posted to the Onitsha mission.

iv. Prefect Apostolic of the Lower Niger (1905-1920)

The Holy Ghost Fathers’ Mission at Onitsha, begun in 1885 by Father Joseph Lutz and his men, was raised to the status of a Prefecture in July 1889. The incumbent Prefect Apostolic, when Father Shanahan arrived at Onitsha in 1902, was Father Leon Alexander Lejeune (1860-1905) who was posted to Onitsha in July 1900 as Prefect. He had been a missionary in Gabon for 14 years (1885-1899). His attempts to drastically reform and reorganise the Onitsha-based Prefecture and his frequent references to his former mission in Gabon won for him much opposition and the unsavoury name “Father Gabon”.

It was Father Lejeune who, sensing the new possibilities arising from the British conquest and reorganisation of Eastern Nigeria, initiated the dynamic school apostolate which later characterised Father Shanahan’s regime. At Ogboli, Onitsha waterside and Calabar (1903-1905), the school had already become the principal work of the mission. The school eventually became the key to the conversion of Igbo people to Christianity.

In all this, the revolutionary situation created by the British conquest of Igboland and the introduction of the warrant chieftaincy system must not be underestimated as Father Forristal’s and Father Jordan’s accounts appear to have done. Without the colonial situation, the Igbo demand for school education, and with it Christianity, after 1903, cannot be explained. The position was totally different in the pre-conquest years (1857-1902). Without the colonial situation, the missionary drive into the Igbo interior would also not have been possible. The British brought about a transport revolution in Igboland. Under them, roads and new transportation facilities (bicycles, motor cycles, motor cars and later railways and aeroplanes) emerged on the Igbo scene. The Catholic mission had its first bicycle in 1909, its first motor-cycle in 1915 and its first motor car in 1920.

Father Shanahan received his practical missionary initiation under Lejune who took great interest in him and eventually recommended him to the Spiritan authorities as his possible successor. Shanahan’s experience in Ogboli village, Onitsha,
greatly influenced his future ministry in Igboland.

With the opening up of the country, long tedious and perilous treks through the vast territory of Eastern Nigeria became necessary in the years between 1907 and 1917 to gain accurate geographical and demographic knowledge of the area and to make contacts with the towns. By 1908, Shanahan had become tolerably familiar with Northern Igboland but the great population centres of Southern Igboland still remained a closed book to him. The first catholic mission there (Emekuku) was not planted until 1912.

The gradual spread of the catholic mission from Onitsha and Calabar during the years 1905 to 1920 points to the absence of any catholic missionary masterplan. Even though coal was discovered at Udi in 1909 and the railway had linked Enugu with Port Harcourt by 1916, no catholic residential station was opened in the environs (Eke) until 1918 or in Enugu itself until 1932 despite its bustling and growing population.

The Igbo gave ready reception to every christian missionary group — Roman Catholic, Anglican, Methodist etc. In fact, what was taking place in the catholic mission under Father Shanahan was being re-dramatised in other christian missions, especially those able and willing to offer the needed school education. That was the characteristic mark of the years 1905-1920. In all the missions, the emphasis was on children rather than on adults whose minds and opinions were already formed.

Men of influence, like the warrant chiefs, did not usually seek conversion to christianity despite their warm patronage of the missions and their schools. Only a handful of such chiefs (Ezekoli of Nnobi, Walter Amobi of Ogidi, Michael Onyiuke of Nimo, Idigo II — the son of chief Idigo of Aguleri fame — etc.) became christians. The chiefs that loomed so large in the mission history of the Igbo people were the warrant chiefs of British creation. Their egotism, rapacity and exploitativeness led to the abolition of the warrant chieflaincy system early in the 1930’s. They were not the traditional rulers of the Igbo society which was largely Republican.

In the years before 1920, there was acute shortage of mission hands, particularly priests and Rev. brothers and sisters. Father Shanahan endeavoured to secure more expatriate personnel and local teacher-Catechists but he did not seriously exploit the
possibility of raising a local clergy until the 1920s.

Father Lejeune had begun to think of a local seminary by 1904. Shanahan could, in fact, have started a seminary in 1906, with the high schools at Onitsha and Calabar as a leverage. The General Spiritan Chapter of that year (1906) urged the various spiritan missions to foster and encourage local vocations, especially from among the catechists. Shanahan did not believe it was yet judicious and opportune to embark on such a project. He was convinced that first generation christians could not take to celibate priesthood. Yet, the catechist-teachers were effectively performing many of the functions of the clergy. They conducted Sunday services, preached, baptised, taught catechism, ran the schools and went on home visitations. It is known that village priests, in the European middle Ages, were not able to preach to their people. Shanahan had great admiration for his catechists, but he did not think they could be priests.

A lay missionary helper (Joseph Dalaney) was ordained a priest at Onitsha in July 1919. The first Igbo catholic priest (Paul Emechete) was ordained in the neighbouring SMA mission at Asaba in 1920. Paul Emechete was, in fact, a catechist. He did not spend one day in any seminary. Furthermore, Shanahan’s total withdrawal of the Cluny sisters from Onitsha in 1908 and their subsequent confinement in Calabar was detrimental to the development of both women education and religious sisterhood in Igboland. It is not surprising that the first local sisterhood (the Handmaids) came from Calabar.

The years 1905-1920, were important for the development of Roman Catholicism in Igboland. The greatest theatre of the mission was in the Onitsha axis. Even there, a piece-meal approach remained the rule during the period. In spite of the acclaimed Great Trek of 1908, the administrative reorganisation of the Prefecture between 1907 and 1909 appears amateurish and unimaginative. The two new residential stations (Nteje 1907 and Igbariam 1909) were, geographically and demographically speaking, disastrous miscalculations. Both residential stations had to be closed down in 1924 and 1928 respectively.

In spite of Fr. Victor Duhaze’s calculations, the Ozubulu residential station (1908) should have been sited at Nnewi and the removal of the Ozubulu residency to Ihiala in 1927 should have been made from Ozubulu to Orlu instead, for greater effect.
Southern Igboland was largely neglected during the 1905-1920 period. The Nsukka, Nkanu and Abakaliki areas of northern Igboland remained practically untouched till the 1920s. The first and only residential station in what is today Akwa Ibom State was opened at Anua in 1914. Given the meagre human and material resources available to Father Shanahan at the time, they could have been more judiciously deployed.

In terms of strategy, the rival Church Missionary Society (CMS) appeared to have been more imaginative. The CMS moved into Awka in 1904; into Southern Igboland (Egbu) in 1906 and into Udi in 1914.

The largely unfortunate Pastoral Conference at Onitsha in 1915, whose bitter harvests were reaped by the mission up until the 1960s; the 1918 influenza with its numerous death-bed baptisms and the herculean Adamawa tour (December 1918 – March 1919) brought to a close the first 15 years of Shanahan’s regime. The next twelve years (1920-1931) were even more epochal and explosive for the mission.

v. Vicar Apostolic of Southern Nigeria, 1920-1931:

This was a period of great and lasting institutional developments and of distressing conflicts for Bishop Shanahan, amidst failing health. It was a period of unabated confrontations.

The number of converts, schools, teachers and mission stations tripled during the decade. New teachers were produced in their hundreds; a powerful network of central schools was created and more adult catechumens opted for the catholic faith. Fresh expansions were initiated in Ahoada, Ogoja and Tivland. New and more expatriate missionaries (Maynooth secular priests, lay Irish girls, Holy Rosary Sisters and Spiritan priests and brothers) joined the Vicariate during the period. The first indigenous priest (Father John Cross Anyogu) was ordained in December 1930. Above all, Bishop Shanahan was given a Coadjutor bishop (Charles Heerey) in February 1927 to give him necessary administrative assistance. New missionary residences (Ogoja, Aba, Umuahia, Port Harcourt, Nsu, Ifuho, Oron, Essene) were created and the old ones were reorganised for greater effectiveness.

St. Paul’s Seminary was opened at Igbariam in July 1924. The Congregation of the Missionary Sisters of the Holy Rosary was
started in February 1924 at Killeshandra (Ireland) to work in the vicariate. Its first products began to arrive in the mission in 1928. The Government Education Code of 1926 insisted on improved quality of school teachers. The demand led to the opening of St. Charles Teacher Training College at Onitsha in 1928. In the following year, Rome despatched bishop Arthur Hinsley to Nigeria to investigate the education question. The initiative led to greater emphasis and commitment of the Vicariate to secular education that was to become the hallmark of the catholic mission in the decades to come. The Maynooth secular priests, who began to come to Eastern Nigeria in 1920, were constituted into the missionary society of St. Patrick in 1930.

These developments exacerbated the rivalry and tension between the French-Alsatian priests and the Irish missionaries in the Vicariate. The Irish eventually secured the control of the Vicariate. Bishop Shanahan himself increasingly disagreed with the Paris-based Congregation of the Holy Ghost for his decision to introduce non-Holy Ghost missionaries into the Vicariate which had been confided to the congregation by Rome. The congregation had also insisted that bishop Shanahan should not create a new and separate congregation of sisters but should integrate his plans with that of the new sisterhood (the Holy Ghost Sisters) being planned by the congregation. Bishop Shanahan insisted on going his own way. The disenchantment with him escalated when he supported the creation of the missionary society of St. Patrick for the Maynooth secular priests.

Bishop Hinsley who had been to Nigeria in 1929 as Apostolic Visitor became the Apostolic Delegate for the British colonies of Africa in 1930. He had recommended to Rome the resignation and retirement of Bishop Shanahan so as to enable Bishop Heerey to take over full control and to tie up the many loose ends and pieces in the Vicariate. The resignation was effected in May 1931. The decision to split the Vicariate was also taken in 1930. Calabar and Ogoja provinces were to go to the missionaries of St. Patrick; the Benue province to the German province of the Holy Ghost Fathers and the Vicariate was to be restricted to Onitsha and Owerri provinces. The division took effect in 1934.
vi. **Retirement: Double Ordeal, 1932-1943:**

A double ordeal trailed the retirement of Bishop Shanahan: he was denied the expected comfort of passing the rest of his life in Nigeria where he had laboured for 30 years; he was denied by the congregation of the missionary sisters of the Holy Rosary in whose Novitiate he had hoped to stay after leaving Nigeria.

As for the first ordeal, his crime was that he had worked so hard among the Igbo and had come to endear himself very much to the people. He had become a popular institution known throughout the land as "Fada Onye-isì" (the leading priest) of the Vicariate. As a result, bishop Heerey believed that bishop Shanahan should be kept out of Nigeria. Father Forristal stated the reason very succinctly:

> Bishop Heerey felt his authority is threatened by Shanahan’s presence. He could never be accepted by the people as their spiritual leader as long as Father Onye-isì was living among them. Shanahan must go.16

Some Irish priests and sisters, then and since, accused Bishop Heerey of pettiness and jealousy. Others agreed with Bishop Heerey. Bishop Shanahan, uncomfortably retired in Ireland, continued to look forward to getting Bishop Heerey’s letter inviting him to return to Nigeria. He was invited to return for the Golden Jubilee celebration of the Catholic mission in Eastern Nigeria in December 1935 but, he was required to return to Ireland in January 1936. The rousing reception he received everywhere he went confirmed Bishop Heerey’s fears. It was then that Bishop Shanahan knew that he was finally rejected in Nigeria. The pain of that rejection was indeed grinding. He openly lamented: "I shall never see Nigeria again... It is the last great sacrifice that God asks of me".17

As if that was not enough, he realised too that Ireland did not want him. The Superior of the Holy Rosary Novitiate at Killeshandra (Mother Xavier) had been suspecting the sexual weakness of Bishop Shanahan. A nervous and sick sister who travelled with Bishop Shanahan from Onitsha to Ireland in 1929 had reported to her that the bishop was in love with her. Mother Xavier reported the matter to Bishop Finegan in whose diocese Killeshandra was situated and also to Father Edward Lean, the Spiritual Director of the Novitiate. Both believed her.
When Bishop Shanahan returned to Ireland on retirement, Mother Xavier barred him from the Novitiate, believing his influence was bad on the novices and the sisters. She took great pains to educate the novices about the Bishop and the need to avoid him. Vague and insinuatory accusations were circulated against the bishop. They were all the more damaging since the true nature of the bishop’s misdemeanour was not stated. Bishop Shanahan was not informed. He knew he was not wanted. He repeatedly asked what the matter was but none told him. It was one Sister Sophie whom the bishop went to see in hospital in 1937 that told him, for the first time, all the accusations that were being peddled against him. The story caused him enormous pain but he did not seek to protest his innocence. It will be recalled that Pope John XXIII was accused too of over-expressing his natural emotions.18 Pope John Paul II shares his kisses with children, men and women too, but he is lucky to be living in post Vatican II era.

Bishop Shanahan suffered in silence, abandoned and neglected in a one-bed sitting room at Blackrock, Dublin. The financial arrangements for his retirement were lousy. He travelled by public bus after 1935. Bishop Heffernan of the Vicariate of Zanzibar came to the rescue by inviting bishop Shanahan out to East Africa in 1938. It was there that he died in 1943.

In the light of the two ordeals, one easily appreciates the irony and significance of both the second burial of Bishop Shanahan at Onitsha in January 1956 and the present book by Father Forristal which the Holy Rosary Sisters commissioned as an act of reparation to Bishop Shanahan.

When Bishop Shanahan’s innocence was seriously suspected after his death, a number of measures were initiated to rehabilitate his name and memory. In 1949, Father Jordan produced his classic memoir of the bishop which stressed his public image as an intrepid missionary. In 1956, Bishop Heerey ordered the return and reburial of the remains of bishop Shanahan at Onitsha. By that act, he accorded him in death the honours he denied him in life. In the 1960’s and 70s, Holy Rosary Sisters who knew the bishop produced recollections of him which revealed that the accusations against him were totally unfounded. To rehabilitate him fully and finally, the present book was commissioned by the Holy Rosary Sisters. They opened their ar-
chives to Father Forristal and gave him all available information on the bishop. As Father Forristal noted:

> It is at their request that this book has been written. They asked to have the full story told and nothing held back. It is meant as an act of filial piety, a righting of wrongs, an exorcism of ghosts, an acknowledgment of mistakes, a plea for forgiveness. It is the final act that completes the second burial of bishop Shanahan.¹⁹

The openness and candour of Father Forristal’s book has, indeed, redeemed the private image of Bishop Shanahan.

vii. The Book’s Title:

It is not true that the Igbo people had a custom known as “Second burial”. The Igbo did not rebury their dead. They did not have a “first burial” for a deceased person and thereafter exhumed him for reburial (second burial) as Father Forristal, Father Jordan and, indeed, generations of expatriate missionaries would seem to suggest. That erroneous belief was a serious missionary misrepresentation of Igbo tradition and custom. The last chapter of Father Jordan’s “Bishop Shanahan of Southern Nigeria” (1971 edition) is titled “The Second Burial of Bishop Shanahan”. Indeed, Father Jordan claims that it was Bishop Shanahan himself who suggested the title.²⁰ The reburial of the remains of Bishop Shanahan was, indeed, a “Second burial”.

The Igbo buried their dead (ini ozu) and later performed funeral obsequies (ikwa ozu) for the deceased that had already been buried. As will be shown later, the linguistic aberration on the part of the expatriate missionaries brought about a lot of confusion and distortion to the understanding of Igbo traditional religion. The missionaries styled the Igbo funeral rites as “second burial” but by the 1950s, they had realised their error and had dropped the use of the term “ikwa ozu nkwa abua” (duplication of funeral obsequies) which they had translated as “second burial”. In its place, they substituted the expression “ikwa ozu ka ndi ogo-mmuo” (celebrating the funeral rites as non-christians do). What they called second burial was not second burial at all.

There was, in fact, a compound aberration in suggesting that the Igbo duplicated their funeral rites. The Igbo never duplicated
their funeral rites for any dead person. They celebrated no month’s mind or anniversaries of the dead. They held the burial rites first (inhumation) and thereafter the funeral rites (final commemoration and commendation of the dead). Since a corpse could not be kept for days or weeks in a tropical environment, it had to be buried usually a day after the expiration of life. That allowed the bereaved family necessary time to assemble the elaborate materials required for the funeral obsequies, which were celebrated some months or years after the burial.

The burial was an extremely sorrowful and painful affair. The pain of loss and separation was too fresh and unbearable. The funeral, on the contrary, was a celebration - a real rousing send-off party of feasting, music and dancing for the deceased. In Igbo culture, not everyone had the right to funeral rites. Children, adolescents and adults who died (traditionally recognised) bad deaths were not accorded funeral rites.

Today, it has become customary to combine the burial with the funeral, on account of the availability of refrigeratory mortuary services. It is possible these days to keep a corpse in the mortuary for up to a month or more.

For about a week, the Igbo catholics celebrated the return of the remains of bishop Shanahan to their land. It is arguable whether they regarded the celebration as another “ikwa ozu” for him. That celebration abnormally preceded the burial (reburial). However, as the bones of the bishop were encased in a full sized coffin and some concrete blocks were added to give the necessary weight, it is likely the people saw the reburial as “ini ozu”. It is, therefore, strange that one of the alleged reasons for banning the launching of Father Forristal’s book at Onitsha was the possible recrudescence of the long-abandoned erroneous belief in second burial. If that was so, it was unfortunate ignorance.

It is likely, too, that the people did not know the reason for bringing back the bishop’s remains to Nigeria. The missionary politics that removed the retired Bishop Shanahan from Nigeria was a tightly kept secret which the expatriate missionaries did not readily share with their Igbo catholics. They did everything to camouflage the truth about Bishop Shanahan’s withdrawal from Nigeria. Fr. Jordan, indeed, suggested in his “Bishop Shanahan of Southern Nigeria” (1949) that there was something
fishy about the bishop’s departure but he nicely papered up the cracks. Speaking about Joseph Shanahan’s eleven years’ sojourn in France for his studies (1886-1897) Jordan observed:

> It was his first taste of exile though not his most bitter one. That would come fifty years later (1936) when the Africa he had grown to love would be closed to him *owing to ill health* and his apostolic soul would be obliged to stifle its yearnings in Ireland.22

Understandably, bishop Heerey was still on the saddle when Father Jordan wrote his book (1949) and prudence demanded that the whole truth be not exposed. It was another matter in 1990. It has been said that a man has right to privacy during his lifetime but after death, he becomes part of history. So was Bishop Heerey. Contrary to what Father Forristal believed, it is unlikely that Bishop Shanahan’s reburial at Onitsha was interpreted by many (if by many, he meant the Igbo people) as the righting of a historic wrong.23

Furthermore, the esoteric soliloquy of Bishop Shanahan after his reburial and the allegation that he had then realised how welcome and loved he was by the Igbo people are largely poetic. The Igbo truly loved Bishop Shanahan and he knew it. They were pained at missing him in 1932. They welcomed him back with effusive enthusiasm when he returned in 1935 for the golden jubilee celebration of the Catholic Mission in Eastern Nigeria. They did not know why he had to leave again for Ireland but Bishop Heerey and his Irish people knew. In fact, many Igbo readers of Father Forristal’s “Second Burial” realise only now that “other ghosts needed to be appeased”, even after the reburial of the bishop in 1956, before the bishop’s spirit could finally rest in peace.24 Again, all this talk of ghost and its appeasement is pious metaphor.

The reader, after going through Father Forristal’s book, may wonder if the title, *The Second Burial of Bishop Shanahan*, rhymes with the general thrust of the book. The account of the Second Burial of bishop Shanahan appears only in chapter 20 which covers a mere 9 pages of the 329-page book. Apart from the two-page Introduction to the book (pages 7 - 8), no mention is made of the second burial until the 302nd page of the book. As the story unfolds, the reader gets the impression that the book is not on the second burial of Bishop Shanahan. The
reader feels that the book is simply a new and more detailed biography of the bishop. That, in fact, is what it is.

It would not be right, however, to dismiss the title as a misnomer. As Sister Philomena Fox maintained in the book’s foreword, the title, “Second Burial of Bishop Shanahan”, is “the key that unlocks the understanding as to why the book needed to be written”.

viii. Caricature of Igbo Traditional Cosmology and Religion:

Father Forristal’s book is replete with false and provocative statements about Igbo traditional religion which need to be redressed. There are jujes, idols, minor gods and minor deities in Igboland (pages 51 and 60). The book regards “Ekwensu” as the evil spirit of Igbo belief (p. 72). Its chapter six is titled “Gods and Demons in Igboland”. It compares well with chapter twenty of Father Jordan’s “Bishop Shanahan of Southern Nigeria” which is captioned “Satan in Igboland”. Both authors conceive the devil as an active and living force in Igboland. It is consoling to learn that Bishop Shanahan recognised the power of “juju” and “fetish” in Igbo life. Lejeune’s classic Igbo Catechism (1903) which has been the bible of the catholic mission in Eastern Nigeria pronounced them (the Alusi) “life-less, dumb and useless”. That was a specimen of missionary chauvinism and ethnocentrism. The author is right in affirming that the Igbo, in the esteemed words of Eusebius of Caesarea have “a naturally christian soul” (p. 51). Their religion is, in fact, much closer to christianity than the missionaries ever suspected.

Igbo traditional religion is not paganism, heathenism, animism, fetishism, jujuism, idolatry or ancestor worship as has been bandied about by expatriate writers. As will be shown shortly, there were really no pagans or devils (in the Judeo-Christian sense) in Igboland.

Igbo traditional religion hangs on the belief on One and only “Great Spirit” which is variously named in the various sub-cultural units of Igboland. The familiar names for him are CHUKWU, CHINEKE, EZECHITOKE, OBASI, OLI SA etc. Chukwu is the source of all life and on him all spirits, all life (human and vegetable) and all inanimate things depend. He ALONE is God and enjoys DIVINE ATTRIBUTES. He is ABSOLUTELY good; nothing evil comes from him. He is worship-
ped in prayer but has no shrines, no priests, no corporate worship, no icons (images, carvings or painting). No one knows what Chukwu looks like. His true residence is unknown to human beings since, unlike the other spirits, he is unlocalised.

The Igbo people recognise Chukwu’s existence and pre-eminence but they do not sufficiently understand him to relate directly with him. Consequently, they concentrate on the spirits.

From the above-stated conception of Chukwu, the IMPORTED concepts like gods, goddesses, divinities, deities are foreign to Igbo-traditional thought and religion. Like the imported word “love”, these terminologies or their equivalents do not exist in Igbo religious language. A close study of Igbo religious thought and language reveals that the Igbo traditional religion is MONOTHEISTIC. There are no “gods” because only Chukwu enjoys divine attributes. Chukwu is closest to the Judeo-Christian God but there is no iota of evil in him. He cannot punish or get angry. Traditional Igbo morality is not founded on him.

Chukwu is served by a countless number of spirits (ndi muo) who mediate between Chukwu and men and are charged by Chukwu with specific functions. These spirits are of two kinds:

a) The *ALUSI* (non-corporeal spirits) which have localised presence in the various phenomena of nature such as land (Ala), sky (lgwe), thunder (Amadioha), rivers, streams and lakes, hills and mountains, trees, stones etc. These non-corporeal spirits (alusi) have icons, shrines, priests. They receive both prayers and sacrifice (worship).

b) The *Ndichie* (disembodied human spirits) who are the ancestors or the living dead. They have images and receive reverential, worship (hyperdulia) that is not unlike what Roman Catholics accord to Mary.

Christian missionaries did not bring the knowledge of God to the Igbo people. What they did was to enrich their understanding of Chukwu with the teachings on the incarnation of Jesus, the Blessed Trinity etc. They amplified too the Igbo understanding of the eschatology (heaven and hell).

As for Chukwu, there are ways in which christian teaching impoverished the Igbo traditional concept of him. For example, christianity regards God as the guardian of morality, the ultimate judge and rewarder of eternal damnation or salvation. He can be angry or jealous. He is father etc. These expressions are foreign to Igbo concept of Chukwu.
As for the devil, it is largely a Christian importation into Igboland. No spirit in Igbo religious thought and religion is totally evil. Ekwensu which is usually translated as "devil" is simply an Igbo Alusi. Like other Alusi, it can be both good and evil depending on people's moral disposition. Like Agwu, "ndi Akala" and Amadioha, it can be more irascible, erratic and unpredictable than the other Alusi. But, it is not totally evil or an adversary of Chukwu or man perse, as the biblical devil is esteemed to be. It is strange irony that European missionaries who, in fact, fathered the devil in Igboland, found devils and demons at every nook and corner of the land. They succeeded too well in selling the belief in the devil to their Igbo converts. The mission school was their ideal forum.

 Listen to Father Jordan;

In the school, they (the children) could be given a Christian outlook on what constituted the essence of Igbo paganism - juju worship, cannibalism, slavery and polygamy.26

ix. Conclusion:

Bishop Shanahan was, indeed, a great man. He was, in many ways, a multi-faceted and complex individual. He was eminently natural and effusive in his ways while at the same time remaining supernatural and recollected. He was a man of faith, conviction, idealism and action. As Father Jordan once said of him, he had a fine sense of balance towards things human and fine insight into things divine. He was kind and generous; a lover of the missionaries under his charge. He was a committed administrator who gave his subordinates ample latitude for initiative and personal assertiveness. He must rank with the greatest missionaries of all time.

His humane and affectionate nature won for him many friends and admirers. It brought him too a good deal of misunderstanding, suffering and pain. The aggregation of these strengths and disadvantages were largely responsible for his untimely exclusion from the Nigerian mission and subsequent exile in Ireland and Kenya. They caused his misjudgement by some emotionally unstable nuns and the consequent painful estrangement from the Holy Rosary Sisters, the ghost of which is only being fully exorcised. With that and his earlier reburial at Onitsha, his full and final rehabilitation is now assured. Father Desmond Forristal
has, indeed, performed a fine job by putting a lasting seal on Bishop Shanahan’s good name.

Notes


2. Daniel Shanahan, though poor and saddled with a large family, had great faith in education as a sure means of social mobility. He encouraged his children to take education seriously. One of his children eventually became a medical Doctor. Joseph Shanahan also became a bishop.

3. Rev. Brother Adelm (former Patrick Welsh) was the junior brother of Mrs. Shanahan (Margaret Welsh). He later came to Onitsha in 1909 when his nephew (Father Shanahan) was in charge of the Prefecture. He served as school teacher and gardner at the Holy Trinity Mission and died in July 1920 at Onitsha, where he was buried.


5. J.P. Jordan, op. cit. p.3


10. J.P. Jordan, op. cit., p.27.


17. D. Forristal, op. cit., p. 245.


22. J.P. Jordan, op. cit., p.4


25. See, Catechism nke Okwukwe Nzuko Catholic n’Asusu Igbo (Ibadan, 1959, 10th edition), Question and Answer 258.

26. J.P. Jordan, op. cit., p. 34.
BOOK REVIEW


This book is a very detailed documentary exposition of the Nigerian history, particularly Eastern Nigerian, in its missionary setting, with special emphasis on the catholic educational impact in Eastern Nigeria (1886—1950).

Partially, the point at issue is the motives and the methods of the missionary movements. Whereas the protestants integrated the school (education) into the art of nation building, the catholics used education (schools) essentially as a medium of proselytization. This difference was reflected most prominently in the attitudes of the two confessions towards: (a) the provision of post primary education, which the catholics did not begin until of late, (b) the political formation of their adherents, and (c) the promotion of an independent local church. In all these the protestants were pioneers, the catholics only followed behind mainly because of pressure from the natives and the colonial government.

In using the school as the medium of proselytization the missionaries were inspired by the slogan, “whoever has the youth has the future” and also the exhortation of Pope Pius XII to the missionaries that “the youth in particular, who is as flexible as wax, can easily be educated to understand, value and accept catholic doctrines”. The problems of the faith at the present time, namely: shallowness and lack of inculturation could be traced to this orientation towards the youth.

It is this and other issues that Omenka deligently handled in this book under seven chapters. The gradual development of catholic education in Eastern Nigeria 1886—1905, began with the years of experiments 1886—1899. The school began in a
very rudimentary way, being largely a quasi catechism class in which one father or brother did his best to communicate strange ideas to excited children in a language the children could hardly understand. Also basic instructions that are given infants in any normal school—reading, writing and arithmetic—were offered in 1886 in the Onitsha Wharf school.

The school was made up of abandoned children, orphans, refugees, outcasts and condemned criminals rescued by the missionaries, at these initial years. These also constituted the christian village.

In these early stages Fr. Leon A. Lejeune made a shift from a charity-oriented evangelism to a new missionary policy which emphasized labour and self-help. Some catholic adherents were alienated and this threatened the established schools. But by the beginning of the 20th century the schools were already firmly established as effective means of evangelization. There were out-stations and schools at Onitsha, Nsugbe, Aguleri and Ossomari.

In Chapter Three Omenka deals with the colonial and mission interests in education. The missionaries look upon schools as instruments for making converts, while the colonial masters or the government view them as instruments for making good and useful citizens. Though the missionaries have also in their mind the issue of character formation, discipline and the fear of God. The chief problem with the mission schools is the fight between the different denominations. This made some people, like Sir Ralph Moor, to think that government control of schools was the only sound system under which educational policy could be satisfactorily implemented, because they would drastically check the problem of having unqualified teachers or non certificated teachers.

Since the first phase of catholic education in Eastern Nigeria was largely charity—oriented, the missionaries took care of everthing concerning education. But this phase changed with the revolution of Fr. Lejeune, now people had to be involved. And since the missionaries were few in number catechist-teachers, drawn from the natives assumed paramount importance.

The working condition of the teachers was awful. It was generally acknowledged that the life of a teacher was one of
sacrifice and service. They were over controlled and supervised by the managers to the extent of creating manager-teacher tension. But a teacher in the mission era was no ordinary christian: he was more of a missionary than a school master. Possibly the service of the teacher-catechists may have improved if catholic schools were as assisted as protestant schools. However, the colonial government used the policy of assisting certain schools to check the standard of the schools operated by the missionaries.

Omenka portrays catholic educational polices in conflict with the colonial educational polices—1920—1950. In pursuing the principle of maintaining the standard of education and the quality of teachers the government set up in 1926 the following guidelines:

1. The registration of all teachers without which no person was allowed to teach in the schools of the colony and southern provinces:

2. The order to obtain government permission to open new schools and the right of the governor to close down those considered ineffective and unnecessary;

3. The fixing of minimum wages for teachers;

4. The creation of mission supervision of schools which received grants-in-aid;

5. The assurance of mission representatives on the Board of education.

Following the demands on numbers one and two, many village schools were shut down, and this affected the work of the missionaries. Nevertheless the catholic leaders were still ready to cooperate with the government.

In the issue of post-primary education, the catholics came very late on the scene. In fact they were afraid of what they called godless schools established by the government. They were however, forced to change their policy by the economic and political needs of the natives, who want the kind of education that will help them in their nationalist movement. The protestants were conscious of this nationalist demands in good
time and so they integrated nation building and politics in their education system right from the start. By the mid-20th century almost all the vital government offices were headed by protestants. As a reaction, to catch up with the protestants, the catholics began later to establish secondary and high schools.

In conclusion I would say that Omenka has done an indepth historical research on catholic education in Eastern Nigeria. He is quite objective and creative in his use of sources.

Educationists, historians and theologians will find this book very useful.

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In his introduction Jude Ikenna Ibegbu explains that the right of parents to educate their children is at once original, primary and inalienable. This right involves a freedom to choose the mode and model of education they desire for their children. It is a right that requires the context of educational pluralism for its full expression. The author laments over the infringement of the parents’ rights brought about by the nationalisation of schools in Nigeria which dates back to 1970. Chapters one and two of this dissertation which deal with the clarification of the concept of education and of the true educational agents respectively, are not published in this volume under review.

In chapter three Ibegbu argues that “the nationalization of schools by the Nigerian government which created educational monopoly is a violation of the primary educational right of the family and the family’s right to choice of school, as these are upheld by official catholic teaching” (p. 19). How does he arrive at this conclusion? First, he makes a brief historical survey of the stages of Western education in Nigeria:
— the early missionaries' foundation 1842—1926
— the era of the nationalist movement 1926—1966,

For Ibegbu educational pluralism at the first stage meant the establishment of denominational schools, or schools run separately by the various denominations.

By 1909 however the government became passionate over the control of schools hence it introduced grants-in-aid, a charity with strings which became a means of indirect control (nn 24-25).

The nationalists, between 1926 and 1966, felt that by taking away schools from the missionaries they could save their people from colonial bondage. Ibegbu rather feels it was out of envy against the catholic progress in running schools that the move to take over schools was entertained. With the introduction of the Universal Primary Education (UPE), the elite struck the voluntary agencies and the church with a bang, hence there was conflict between them and the government. In the Western part of the country UPE was introduced in view of free education by government policy; it crippled any ambition to open schools by voluntary agencies, withdrew aids as the schools were about to be brought under the general control of civil authority by government edict.

The catholic hierarchy fought against this. They warned that a child without religious education heads to ruin. Although the UPE scheme collapsed in Eastern Nigeria, government did not relent in its desire to control the schools. Hence Ikoku's committee recommended a go-ahead order on complete government control of all primary schools.

The period of nationalization of voluntary agency and private schools was between 1966 and 1976. This started with the East Central State (presently Imo and Anambra), and spread to the rest of Nigeria. It was a post-war education policy. Ibegbu goes on to study the public Education Edict no. 2 of 1972 that undergirded the nationalisation exercise. He concludes that it was a systematic confiscation of the property of voluntary agencies, and an arbitrary education edict. The church rightly condemned government monopoly of schools and called for a restoration of schools to their owners and for just compensation to those affected by the government action.
According to the author the bishops of Nigeria rightly condemned the nationalisation policy as an infringement on the education right of parents. The government has right to educate, but the principle of subsidiarity does not give it right to a monopoly of schools even when nationalisation can be justified. Parents' right of decision in the education of their children is inalienable.

The Archbishop of Lagos, Anthony Olubunmi Okogie (the Trustee of Roman Catholic Schools), who took a legal action against the Lagos State government was defending the parents' right. For Ibegbu his legal victory goes to underline that the right of the family to the education of children is primary in Nigeria. It affirms the freedom of choice of schools according to one's religious and moral convictions, and thus there is no juridical basis for the government nationalisation of schools for this violates both the right of the church and individuals to establish schools (pp. 103—104).

The author has really argued well his case that state monopoly of schools violates parents' right to education of their children and that essentially the Nigerian nationalisation policy has no juridical basis.

However Ibegbu did not specify how the provision of separate denominational schools helps a healthy interaction in Nigeria. In my view it would be healthier to teach religion in public schools to all as part of the development of man instead of the isolation system adopted by denominational schools.

The author could have been more critical of the content of Western church education at the time which apart from proselytization served the interest of European market, the colonial administration and had in view the domestication of the 'natives'. Perhaps the government misconstrued its nationalisation policy, but the current educational content is sufficient reason for any reasonable government to step in!

The author's view of integral education judged in the light of the present day experience falls short of scholarly treatment. One would have expected such a thesis published at this point in time to take into account modern theories of education. And in contemporary Nigeria new forms and strategies for violation of parents' education rights by government have even overtaken nationalisation policies. The high cost of present day
education, the quota system, and mass unemployment are all limits to the educational and economic rights of parents.

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c. David Regan CSSP CHURCH FOR LIBERATION—A PASTORAL PORTRAIT OF THE CHURCH IN BRAZIL
Dublin: (DOMINICAN PUBLICATIONS): 1987 238 PAGES.

Contextualisation of christian faith has been part and parcel of the mission of the church. If christianity has practically survived, it is not only because it is the will of God, but also because men and women of every age are able to identify its voice addressing the specifics of their history. Latin America with its “burden of history” has given the global church a paradigm shift in pastoral and theological enterprises.

In this book, David Regan, an Irish Spiritan and a missionary for that matter, treats us to the liberation project which has become foremost in the mission of the church in Brazil. The author attempts to convince his readers as to how and why Brazil, the flagship of the Latin American church, has become the focus of admiration and study in the area of the church’s salvific mission in our age.

Renewals are not a bolt from the blue. The author rightly asserts time and time again that pastoral and theological revolution in Brazil are very much inspired by Vatican II, Puebla and Medellin and, rather interestingly, the Cuban revolution. The renewal in Brazil is unique, having its own lineaments which characterise and mark it out. For this and other reasons, the author calls the book a pastoral “portrait”.

As a means to an end, the author divides the book into 8 interesting chapters making 238 pages excluding a stimulating introduction, an all embracing epilogue and copious bibliographical notes.
The inaugural chapter looks at the "process of conversion" in the Brazilian church and the author sees it as both statistical and qualitative. The evangelical thrust of this conversion is option for the poor, calling for a renewed ecclesiology - the church as people of God where there is communion and participation. This model of church questions "the exercise of authority style... and pastoral structures like the parish". On the human level, the author asserts that it calls for a hierarchy in visible contact with reality of their people's life.

Chapter 2 explores the concept of Basic Ecclesial Communities (CEB) which the author identifies as effective organs to bring into concrete realisation the liberation project at the local level. With its pedagogy of "seeing, judging and acting" the CEB seeks to deepen the faith of converts, re-evangelise christians, transform the society by the force of the gospel and show multiplicity in charism and diversity in functions. In chapter 3, the author illustrates with classical examples the salvific theme of the Bible as it reflects on the liturgy of CEB and comes out with this conclusion: The CEB liturgy "embracing the full scope of this revealed action of God in the world, celebrates at once all of creation, Israel’s entire history, Christ’s redemptive work and the interventions which make CEB history today salvific" (p.102).

In chapter 4 lies the crust of the study "Option For the Poor". David Regan had no difficulty in illustrating with practical examples that poverty is caused by institutionalised violence and that preferential option involves a concerted effort to show solidarity with the economically poor and the politically marginalised by working to build a more just and fraternal society. This project involves the use of social analysis, christian social ethics and, on the more practical level, prophetic pastoral action.

Most revolutions are orchestrated from the base but our author insists time without number and in more details in Chapter 5 that the Episcopal Conference, aided by its far-sighted, dynamic theologians and lay experts, and with its effective prophetic pastoral programmes, has been the cog in the wheel of the progress of the church’s salvific mission. Regan explains that "it is today an example of how one of the new church structures which found official acceptance and encouragement
in Vatican II can be a splendid instrument for the church’s mission in changing and critical times” (p.15).

Having explained the project of liberation on the practical level, the author devotes the last two chapters analysing liberation theology and its political implications. He finds the term “Christian Liberation” more appropriate than theology of “Option for the Poor”. He explains: “Liberation has more a political and revolutionary ring about it, which is missing from option for the poor... and the adjective christian is intended to avoid misunderstanding while marking the novelty” (p. 176). Theology of Liberation is a critical reflection over pastoral action and in spite of criticism from the office of Ratzinger, it falls on marxism to understand and address the social question. This theological enterprise implies a political action. In the process, the gospel values are made to challenge the socio-political-economic status quo. Proponents of christian liberation theology are often the butt of the scorn of political and economic powers.

This book is another manual of liberation theology but unlike others, it is an Irish man’s hermeneutics of the liberating praxis in Brazil. His predicament notwithstanding, the author gives us a stimulating and resourceful book and reading it makes no difference from reading and manual from the Boffs, Segundos, Torres and the Gutierrez. His methodology is worth commending. Starting from the concrete to the abstract, the book is clearly written and propositions are clarified with abundant factual details. This gives Regan’s book a special value. However, the more-than-adequate factual details can make a reader lose the track of the author’s arguments. All said and done, this book deserves a place in the library of all those propagating the social gospel. Certainly our African theologians and clergymen who are involved in the preparatory process of the proposed African synod will find this book very resourceful.

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The American novelist, Flannery O’Connor, a Catholic, remarked to a college audience twenty-five years ago:

“"In twentieth-century fiction it increasingly happens that a meaningless absurd world impinges upon the sacred consciousness of author or character: author and character seldom go out to explore and penetrate a world in which the sacred is reflected”.

Substitute ‘theology’ for ‘fiction’ and you have a clue to the difficulty we have in speaking of human forgiveness in human politics. Yet, if the great concepts of our religious tradition, truth, justice, mercy, repentance, forgiveness, have no place in the ordinary commerce of human life, including our politics, then have we not surrendered faith and theology to a sheltered, private world of individual commitment? Logically, there must be a connection between the God of the Bible, who called individuals and societies to be transformed, and God’s presence in our own times, in the public world, including the world of states, with their laws, power-struggles, wars and violence. So students of theology may need to repent; to be ready to see old facts in new ways and to interpret again some neglected facts.

Central to the biblical revelation of God is the theme that human beings may destroy life in community by their own sinfulness and wickedness, but God can and will repair that community. We name this process the forgiveness of sins. But at this point, there is a puzzle, suggested by Donald W. Shriver in his splendid, theological reflection, which concludes Brian Frost’s very valuable book.

Embedded in the religious grounding of the Hebrew Bible, but absent from its social ethics, is the concept of forgiveness. In the Old Testament God is the one who is offended by sin and who alone has the power to forgive (Cf. Psalm 51). God alone can repair the damage caused by sin to the divine-human relationship, to the human person and to the community.

In the New Testament, the teaching of Jesus is generally
continuous with the Hebrew Bible and with the rabbis of his own day. But there is a striking exception, which demands the attention of theologians, and careful inquiry by the Christian community. There is an innovation in early Christianity, stemming directly from the teaching of Jesus: forgiveness becomes the centre of the Christian social ethic.

Still in place for Jesus is the conviction that God judges and forgives human sin; but now the disciples of Jesus are to understand forgiveness as a transaction mandated between human beings, not reserved to the divine-human encounter. "Forgive us our debts as we forgive our debtors", he teaches his disciples to pray. There is no equivalent to this petition in the Hebrew Bible, and none, to my knowledge, in the contemporary teaching of the rabbis. (p. 188, Shriver's reflection).

Clearly, Jesus required his followers to see the connection between the forgiveness of God and the human willingness to forgive each other. Indeed, the prayer of Jesus from the cross to the Father to forgive his murderers, found only in Luke (23:34), suggests that the early Church had grasped the inner coherence between such forgiveness and the core of Jesus's message. The death of Jesus belongs to a narrative of colonial and military violence, so the prayer from the cross provokes the thought that the death and resurrection of Jesus empowers persons and groups to forgive the unforgivable, and so break through to something better.

In the popular mind, forgiveness is often dismissed as religious sentimentality and weakness. Leading thinkers such as Aquinas and Luther have opposed the idea that Christians could connect forgiveness and justice in politics. Forgiveness belongs to a higher, rare level of ethics, certainly not possible in the State.

Brian Frost's book offers much convincing evidence for the possible necessity of human forgiveness in human politics. Frost wrestles with the question: is it possible to practise a politics of forgiveness and how do you make it happen? The twelve chapters of the book present case histories from different parts of the world, from very different cultures and traditions. There
are moving stories of individuals, victims of appalling evil, who have not allowed vengeance to possess them but have found the power to forgive. There are stories of representative figures who have asked forgiveness for the crimes committed by their countries against groups or whole nations. Chancellor Kohl of Germany spoke to Jewish concentration camp survivors in a ceremony at Bergen-Belsen where some 100,000 were murdered. He said of the German people that "there is no limit on the shame they must bear for the crimes committed in their name by the Nazis". (P. 30).

There are too, histories of leaders of newly-independent countries in Africa and Latin-America who have called on their peoples to forgive former colonial powers, even after extreme forms of colonial violence. That forgiveness can be a revolutionary, political virtue is suggested by Tomas Borge, former Interior Minister of the Sandinista Government in Nicaragua, who was in prison and tortured; his wife was raped and murdered. After the revolution, he went to the prison and confronted two of his former torturers: "I am Borge whom you tortured and whose wife your colleagues killed....Now you are going to discover the full weight of this Revolution... I forgive you... Go on. Out through the door. You are free".

Throughout the book, Frost raises the crucial questions: the complex problem of collective guilt and responsibility for evil inflicted by one nation on another nation or group in the past; the need to find creative ways of dealing with historical evils which continue to blight political processes in the present; the relation between forgiveness and social justice. The author might have given more time to the question of historical interpretation; in particular, the need for an adequate emotional and moral register to take account of the sufferings endured by countless, nameless victims of militarism and colonial expansion. One is thinking here of styles of historical revisionism which diminish the scale of moral evil in past actions and policies, to serve contemporary political interests.

Some of the key witnesses in the book such as Gandhi and Martin Luther King make clear that one does not choose between either peace and forgiveness or revolution and justice. Both Gandhi and King demonstrate the need for forgiveness in the complex process of genuine liberation.
Brian Frost has made an important contribution to a neglected part of theology and social ethics. *The Politics of Peace* will stimulate Christian theologians and believers to investigate seriously the claim that forgiveness is eminently political, and productive of social and political change.

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The encounter between peoples, cultures, and different systems of thought leads a group of people within a given area to develop for better or for worse. Of all continents and peoples of the world, the black race, mainly located in sub-saharan Africa, may have had the most traumatic experience of inter-cultural or inter-racial encounter. From their contact with Arab-Moslem slave-kingsdoms installed in Africa, through the encounter with European merchants/pirates/slave-raiders/colonialists, to the present insertion of the continent into a world history made "universal" by others the experience of Africans has been negative.

Paul Vallely in *Bad Samaritans* narrates as a journalist not only his experiences of Ethiopians and other peoples of hunger but takes the reader through "the shocking details" of the encounter between the West and the Third World; an encounter which is responsible for the misery of Africa and other Third World countries. In the camps where thousands die, the author was tempted to ask whether this was not "an act of God": "The sheer size and intractability of the problem was mind-numbing" (p. 23). After an informed analysis of the problem and its structural causes, he was not afraid of proposing solutions in order "to transform indignation into action" (p. 329).

Vallely's book is very informative in many ways. The gory details of poverty and hunger in Africa, the statistics of children who die of hunger annually in the Third World, the various
meanings attached to Western aid to developing countries, the concept of development, and of course the crucial question of the "debt trap", which is the main concern of the book, are all handled with style and expertise. In addition, the author devotes the last three chapters of his book to a theological reflection on wealth and debt.

The issue of the debt burden has become part of the menu on the breakfast table of most families in the Third World. Valley not only researches into the origins of the debt, he also helps the reader to personally assess the debt crisis. Informed and influential opinions from the West and the Third World are cited to help in the assessment. The great proponent of free trade, Adam Smith, qualified the acquisition of capital by Europe through slavery and colonialism as "the savage injustice of the Europeans" which was "ruinous and destructive to several of those unfortunate countries" (p. 88). Dr. Henry Kissinger described the IMF adjustment packages as having produced "a cure that is worse than the disease" (p.184). But what will shock the average reader is to what extent the rest of the world (especially the Third World) subsidizes the economies of the West (especially that of the United States); as Wim Duisenberg, the head of the Dutch central bank said, "The war in Vietnam was not financed by the United States... but by other countries. This amazing fact is the result of the privileged financial position of the United States in the world" (p. 134). And by the ruse of giving loans to needy countries the First World through the IMF and the World Bank, whose main role is "the construction, regulation and support of a world system where multi-national corporations trade and move capital without restrictions from nation states" (p. 185), supervise the oppression of the poor countries of the world. In this way it becomes clear how "capitalism has not eradicated poverty in the West but (has) merely exported it" to the Third World (p. 267). The reader with or without a degree in economics will be bemused that the billions of dollars owed by Third World countries to the West have been paid many times over. For "70-80 per cent of the existing debt was not money which had ever been borrowed but was simply accrued interest" (p. 296). A Brazilian economist could thus describe them as "fictitious dollars" which represented nothing more than a series of book-keeping entries
in New York' (p. 192).

For the Third World, however, the debt burden is certain death. Vallely delved into Old Testament and New Testament writings to work out his Christian response to the debt crisis. The ‘jubilee year’ which in economic terms is the forgiveness of the debt is the key to his solution of the problem. The Western banks would not hear of such remission. But the Christian’s fundamental option for the poor, necessarily commits him to a solution which favours the poor. This option for the poor has not always been the position of the Christian churches which capitulated to the prevailing individualist ethos. But the entrance of Third World countries into the World Council of Churches and the convocation of Vatican Council II signalled the major shift in the approach of the Churches to social problems. Vallely’s book helps the Christian community to move beyond the individualism of the Western experience to the commitment of the good samaritan.

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## CONTENTS

<table>
<thead>
<tr>
<th>Topic</th>
<th>Author</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foreword</td>
<td>The Ecumenical Association of Nigerian Theologians (EANT)</td>
<td>4</td>
</tr>
<tr>
<td>Church-State Relations in the Early Church and the Crisis facing the Christian Church in Nigeria</td>
<td>Fr. E.E. Uzukwu</td>
<td>31</td>
</tr>
<tr>
<td>Ethics of Politics in Nigeria: the Christian perspective</td>
<td>Dr. C.I. Ejizu</td>
<td>46</td>
</tr>
<tr>
<td>A Theology of Nigerian Politics</td>
<td>Rev. Canon S.I. Omoera</td>
<td>59</td>
</tr>
<tr>
<td>State Secularity and the Nigerian Christian</td>
<td>Bishop J. Onaiyekan</td>
<td>75</td>
</tr>
<tr>
<td>The Contribution of Christianity to Politics in Nigeria. A Historico-Theological overview</td>
<td>Dr. A.O. Erhueh</td>
<td>84</td>
</tr>
</tbody>
</table>
CONTENTS

Editorial: ...................................................... 4

Dr. Bala J. Takaya  The Kaduna Mafia and the Church in Nigeria ................. 6


Dr. Bala J. Takaya  The foundations of Religious Intolerance in Nigeria: Backgrounds for understanding the Maitatsine phenomenon .... 31

Ibrahim Musa Ahmadu  Peace and Stability in Nigeria. The Role of the Church .......... 44

Rev. Dr. Obiora Ike  Church and Contemporary Nigerian Society (Social Teachings of the Church: Past and Present — Enunciation of Relevant Theological Principles) ................. 61

Rev. Dr. Anthony O. Erhueh  The Dignity of the Human Person in Contemporary Nigerian Society ................. 72

Rev. Dr. Simon O. Anyanwu  Response to the Book: "The Kaduna Mafia" from the Viewpoint of Political Theology .......... 83

Rev. Dr. Breifne Walker  c.s.s.p  Bonhoeffer and Christian Social Ethics: — Private Virtue or Responsible Action? ....................... 92
CONTENTS

Foreword
Human Rights — 3
The African Perspective ................................. 3

O.C. Eze
Nigeria and Human Rights — 5
Prospects and Problems ................................ 5

L. Hurbon
The Slave Trade and Black Slavery 19
in America .................................................. 19

C.I. Ejizu
Human Rights in African 31
Indigenous Religion .................................... 31

I.M. Ahmadu
The Rights of Christians in Islamic 46
States of Nigeria ....................................... 46

B. Muoneke
Women Discipleship and Evangelization 59
(Luke 8:1-3) .............................................. 59

O.U. Kalu
The Protestants’ Protest for 70
Human Rights ............................................ 70

M. Nkinda
The Particular Juridical Order of African Churches: 89
Application of the Principle of Subsidiarity and Decentralization

E.E. Uzukwu
Human Rights in Africa — 99
Contextual Theological Reflection ...................... 99

I.R.A. Ozigboh
The Definitive Rehabilitation of Bishop Shanahan: 121
A Review Article ........................................ 121

Book Review
a. N.I. Omenka: The School in the Service of Evangelisation: 140

b. J.I. Ibegbua: Nationalisation of Schools in Nigeria, 143

c. D. Regan: Church for Liberation — A pastoral portrait 146


e. P. Vallety: Bad Samaritans: First World Ethics and 152