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Agitations for religious balancing in the 2023 Nigerian elections

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Abstract

This research examines the agitations for religious balancing in the 2023 general elections of the Federal Republic of Nigeria. It has the presidential election of 25 February 2023 as its specific case study. The study aims to demonstrate the constitutionality and practical propriety, or otherwise, of fielding religiously balanced presidential and gubernatorial tickets in deserving States in the country. The methodology adopted is doctrinal, and the primary sources of data utilised are the Constitution of the Federal Republic of Nigeria 1999, the Federal Character Commission (Establishment, etc) Act and the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act 1983. The study found that fielding religiously balanced presidential tickets and governorship tickets in deserving States has its own merits, as it is in tandem with the spirit of the relevant provisions of the Constitution of the Federal Republic of Nigeria 1999, the Federal Character Commission (Establishment, etc) Act and the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act 1983. It was further found to have practical benefits, such as peaceful religious coexistence and national cohesion. This research is significant because it would be useful to Nigerian politicians and policymakers who inevitably confront issues of religious balancing when the need arises to fill relevant elective and appointive offices. It will also contribute to the discourse at the intersection of religion, democratic politics, law, and constitutionalism in Nigeria.

Keywords: Elections, religiously balanced tickets, religious harmony, National integration.

Introduction

Christianity and Islam are the two dominant religions in Nigeria. Northern Nigeria has a Muslim majority, while Southern Nigeria has a Christian majority. The North has 19 States, and 12 of them controversially expanded the application of sharia between 1999 and 2001 despite the opposition of the Federal Government, then led by President Olusegun Obasanjo, a Southern Christian (Nmehielle, 2004). The religious demographic dichotomy of the country and the said 'adoption' of sharia have greatly contributed to the polarisation of the country along religious lines, thereby making national integration and development a herculean task (Mamman, 2006). It has to be noted, however, that the occasionally touted notion of 'the Muslim North' and 'the Christian South' is a misnomer, because tens of millions of Christian indigenes are in the North, while tens of millions of Muslim indigenes can be found in the South. The country currently has about 202 million people (World Bank, 2022). That population is almost evenly split between Christianity and Islam, though the followers of each of the two dominant religions claim numerical superiority over the other. The 1991 and the 2006 population censuses did not ask a question on religious affiliation. According to a 2012 estimate by the Pew Research Centre's Forum on Religion and Public Life, a world-renowned US-based religion research and survey organisation, Nigeria's population is 49.3% Christian, 48.8% Muslim, and 2% other religions or no religion (U.S. Department of State, 2018).

The perceived need to religiously balance presidential and gubernatorial tickets in the country has been an issue. In fact, the country has occasionally witnessed tension and crises over the failure of some presidential or gubernatorial aspirants to name a person not from their Islamic or Christian religion as their running mate. Does a same-faith presidential or gubernatorial ticket in a seemingly deserving case satisfy or deviate from the political objectives enshrined in the Nigerian Constitution? Does such a ticket really promote integration and cohesion in a pluralist country like Nigeria? Should the strategic need for a political party to win an election override the seeming need for a religiously balanced ticket? This paper examines such questions and agitations in the 2023 general elections vis-à-vis the relevant constitutional provisions and laws. The specific case study is the 2023 presidential election. The objectives of this paper include providing practically and constitutionally supported answers to those questions while drawing on relevant political and legal theories and concepts. The sections of the paper are introduction, literature review, theoretical framework, conceptual analysis, methodology, evolution, analysis and discussion, conclusion, and recommendations.

Literature Review

Relying on data from the pooled 1981-2014 World and European Values Surveys, Dhima and Golder (2020) examine the effect of human development on a country's level of religious attendance and belief. They found that human development negatively affects religious attendance but not religious belief. In other words, although

religious attendance may decline with progress in human development, particularly in education and health, religious belief tends to remain high (Dhima & Golder, 2020). Nwabueze holds that the right to freedom of religion comprises two elements. The first is belief in the existence of a supernatural being, and the second is the manifestation of the belief through religious practices (Nwabueze, 2004). Oyeode posits that Nigeria is a secular State where the adoption of sharia by a State Government under any guise is unconstitutional because it would be tantamount to adopting Islam as the state religion (Oyeode, 2005). On the other hand, Salau (2006) contends that Nigeria is not secular but multi-religious, where sharia can be adopted, so that Muslim citizens can better enjoy the practice of their religion. Nmehele (2004) examines the legality of adopting Sharia in certain Northern Nigerian States. Mamman (2006) admits that Islam is a typical political religion.

Kumar (2026) defines political pluralism as a theory of group politics that holds that power in a democracy should not be concentrated in the hands of an elite but should be widely and evenly distributed among the ethnic, religious, cultural, and economic groups in society (Kumar, 2026). Political pluralism respects and accommodates differences and ensures that political power is not concentrated in a single entity, thereby promoting healthy competition, debate, and informed popular decision-making. In his work on consociationalism, Dlamini (2015) states that political power is typically shared among interest groups to achieve stability in a divided or pluralistic society. The foregoing local and foreign authors have provided some illumination. But local authors have only somewhat covered the issues of secularity and freedom of religion. To a limited extent, it has been repeatedly noted that Nigeria is still in dearth of materials on law and religion written by legal scholars (Mowoe, 2008). It is not surprising that the foreign authors have mainly covered foreign jurisdictions, particularly the Western countries and Eastern Islamic countries. This paper tries to fill the gap.

Theoretical Framework and Conceptual Analysis

Identity politics and religious balancing, which are the subject matter of this paper, can be illuminated by several relevant theories and concepts. The theories and concepts are mainly offshoots of political representation, liberal democracy, jurisprudence or constitutionalism (Russo & Cotta, 2020). Prominent among the theories are secularisation theory, political pluralist theory and consociational democracy theory. The major ones among them will be examined in turn to provide a clearer understanding of the topic. Secularisation theory holds that as societies modernise, with advances in science, rationality, and industrialisation, religion loses its significance in social and public life. Though it does not disappear entirely, religion shifts from being a dominant factor guiding or influencing governance and law to becoming an individual, private affair. Secularism is the ideological promotion of a secular order, while secularity refers to an approach to religion-State relations that eschews identifying the State with any religion, thereby providing a neutral framework for a broad range of religions and beliefs. A secular State prefers no religion, is not an enemy of religious practice, and is a respecter of all religions. Section 10 of the 1999 Nigerian Constitution provides that the “Government of the Federation or of a State shall not adopt any religion as State Religion.” But the Constitution never specifically describes the country as a secular or non-secular State. This has provoked a decades-old controversy between Muslim and Christian scholars, leaders and even judges during religious debates. While the Christians among them usually argue that Nigeria is a secular State where sharia cannot constitutionally be adopted because it would be adopting Islam as the state religion (Oyeode, 2005), the Muslims among them usually contend that the country is not secular but multi-religious, where sharia can be adopted, so that Muslim citizens can ideally practise Islam (Salau, 2006).

Justice Ali Gumel of the Court of Appeal noted, in *Abdulkareem & Ors v Lagos State Government & Ors* [{2016} 15 NWLR (Pt. 1535) 177 CA], which was for the determination of the use of hijab in Lagos State public primary and secondary schools, that it is a “highly controversial issue” (at page 232). He proceeded to reprimand the High Court judge for raising a “new issue of secularity of this country *vis-à-vis* section 10 of the 1999 Constitution (as amended) *suo motu*” and for stating obiter that the country was a secular State (at page 233). However, the correct position is that secularity means the absence of a State-sponsored religion (Bronk, 2012). Secularity does not equate atheism, Godlessness, agnosticism, irreligiosity, or non-recognition of any religion by government. It rather means that the government accords no establishment status or preference for any religion, denomination or sect. For example, while the Turkish Constitution provides that Turkey is a secular State (article 2, Part I), this does

not make Turkey godless or irreligious; Turkey is about 98% Muslim. Secularity is particularly well-suited to a country with religious or denominational plurality, such as Nigeria.

Political pluralist theory is a democratic system that allows a wide range of ethnic, religious, economic, social and/or gender groups to be represented in government. The theory respects and accommodates differences and ensures that political power is not concentrated in a single entity, promoting healthy competition, debate and informed popular decision-making (Kumar, 2026). It is a theory of group politics that posits that power in a democracy is not concentrated in the hands of an elite but is widely and evenly distributed among the ethnic, religious, cultural, and/or economic groups in society (Kumar, 2026). Consociationalism is a theory developed by Arend Lijphart (1969) to achieve goals like those of political pluralism. Consociational democracy theory teaches that political power should be shared between interest groups to achieve stability in a divided or pluralist society (Dlamini, 2015). The groups could be ethnic, religious, cultural or economic. Consociational democracy guards against absolutism and domination of any group. In Nigeria, religious, ethnic, and regional representation is most prominent in the allocation of Federal or State elective or appointive offices.

Religious balancing in elective and appointive posts can be further explained through several relevant concepts. Prominent among them are the concepts of intersection between politics and religion, political theology, and freedom of religion. The intersection between politics and religion concerns the role religion plays in influencing or determining lawmaking, the emergence of election candidates, voters' choices in elections, and government policies. In secular States like the United States, Canada, Nigeria and Turkey, there is a controversial constitutional separation of the State from religion. Section 10 of the extant Nigerian Constitution provides that the "Government of the Federation or of a State shall not adopt any religion as State Religion." On the other hand, in theocratic States like Saudi Arabia, Iran and Afghanistan, politics and religion do intertwine, overlap and influence each other. In fact, politics, governance and laws there are expressly dictated by sharia (Rangaswamy, 2018).

Political theology is a concept or branch of theology that applies the resources of Christian, Islamic, or other religious theologies to political interests or questions, or to how society is organised (Miller, 2026). It is a field that investigates the connections between religious and political ideas and practices. In his *Political Theology*, Carl Schmitt (2014) not only provided the first modern determination of political theology but also fundamentally shaped the theory of political theology (Flohr, 2025). The legal systems in both the Western and Eastern worlds have, consciously or unconsciously, had their peculiar religious tenets embedded in them over the ages. At different times, judges in England have memorably held that, by evolution, Christian law and Christianity are part and parcel of the English legal and political system [*Bowman v Secular Society Limited* (1917) A.C. 406]. Politics, law and religion have continued to intersect in many ways, even in Nigeria, which inherited the English common law system. Some civil aspects of sharia are also recognised by sections 260-265 and 275-279 of the Nigerian Constitution. A lopsided practice of political theology in a pluralist society may engender marginalisation, domination, discontent and dispute.

There is ample provision for freedom of religion under Nigerian law. The most comprehensive of those provisions is in the 1999 Nigerian Constitution. Section 10 of the Constitution provides that neither the Federal Government nor a State Government shall adopt any religion as the official religion. The more detailed section 38 of the Constitution provides that everyone is entitled to freedom of thought, conscience and religion, including freedom to change his religion or belief, and freedom (either alone or in community with others, and in public or in private) to manifest and propagate his religion or belief in worship, teaching, practice and observance. In *Anigboro v Sea Trucks (Nigeria) Limited* {[1995] 6 NWLR (Pt. 399) 35}, Nigeria's Court of Appeal, stated *obiter* that parents who disinherit or ostracise their children because they join religious associations other than their own violate their religious freedom and freedom of association, respectively, under the then 1979 Nigerian Constitution.

Methodology

The research method adopted was doctrinal. This method is considered appropriate for addressing the qualitative research questions. The research utilised both primary and secondary data. The primary data were mainly the Constitution of the Federal Republic of Nigeria 1999 as amended, the Federal Character Commission (Establishment, etc) Act, the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act 1983 and case law. The secondary sources used were books, journal articles, newspaper reports and online materials. The research relied on the theories of secularisation, political pluralism and consociationalism. While secularisation posits the state's aloofness from religion, political pluralists and consociationalists favour the representation of diverse religious, cultural, and ethnic groups in governance, thereby aligning with the agitations for religious balancing in Nigeria under study here. The research also examined relevant concepts. The concepts included the intersection between politics and religion, political theology, and freedom of religion. Where necessary, the said theories and concepts were juxtaposed with the relevant provisions of the Nigerian Constitution. The research is based entirely on publicly available documentary materials, so formal ethical approval was not necessary. It elicits no conflict of interest. The research received no funding from any person or group.

Evolution, Analysis and Discussion

Ideally, a multicultural country like Nigeria should be progressively integrated to achieve the necessary and targeted development plans. Despite its decades of being a country, Nigeria has, unfortunately, virtually remained a country of ethno-religious suspicion, disharmony and acrimony. Identity politics has been interwoven with Nigeria's constitutional and political history from the era of British colonialism. The agitation for political representation based on ethno-religious identity was what led to the jettisoning of the unitary system and the adoption of federalism in the country. The change from a unitary system to federalism was formalised by the colonial Lyttelton Constitution of 1954 (Shaibume & Iornumbe, 2024). Agitations for more States, arising from ethnic minority groups' fears of domination by ethnic majorities, were not honoured by the British colonial masters. The British, however, provided a sort of palliative by expressly entrenching fundamental rights in Chapter III of the country's 1960 Independence Constitution so as to allay the fears of the minorities.

Though both Christianity and Islam are numerically very strong in Nigeria, neither the military nor the civilian administrations that ruled the country experienced any agitations for religious balancing in elective or appointive offices in the first 25 years of independent Nigeria. Nigerians generally did not bother about religious balancing for both elective and appointive offices until the mid-1980s. Same-faith leadership and same-faith ticket had not always been an issue until the outbreak of inter-faith violence in the country from 1987, during the time of the military administration of General Ibrahim Babangida (1985-1993). In the Western Region, where both Christianity and Islam were numerically strong and it was the only Region to have a ruler and a deputy during the first civilian dispensation (1960-1966), both the Premier, Chief Ladoke Akintola, and the Deputy Premier, Chief Remi Fani-Kayode, were Christians. During the military administration that took over the country after the civilians were overthrown, the military Head of State, Major-General Johnson Aguiyi-Ironsi, and the second-in-command, Brigadier Babafemi Ogundipe, were both Christians and even Southerners. Vice Admiral Joseph Edet Wey, who was the military second-in-command during the administration of General Yakubu Gowon (1966-1975), a Northern Christian, was a Southern Christian. Chief Obafemi Awolowo, Gowon's Vice Chairman in the Federal Executive Council, was also a Southern Christian.

Two of the three top contestants in the 1979 presidential election had same-faith tickets. Chief Awolowo of the Unity Party of Nigeria had Chief Philip Umeadi, even a fellow Southern Christian, as his running mate. Dr Nnamdi Azikiwe of the Nigerian People's Party, a Southern Christian, had Dr Ishaya Audu, a Northern Christian, as his running mate. Mr Sheu Shagari of the National Party of Nigeria, a Northern Muslim, who had Dr Alex Ekwueme, a Southern Christian, as his running mate, won the election, but Awolowo's and Azikiwe's same-faith tickets did not perform poorly. Shagari had 5.6 million votes, while Awolowo polled 4.9 million and Azikiwe garnered 2.8 million (Kolawole, 2022). The Senate President, House of Representatives Speaker and all four military service chiefs during the Shagari administration (1979-1983) were Christians. Major-General Muhammadu Buhari and Major-General Tunde Idiagbon of the Buhari/Idiagbon military dictatorship (1983-

1985) were both Muslims, Northerners and ethnic Fulani. Competence and performance were the yearnings of the leadership and the led in all those periods.

During the same Second Republic, religiously mixed Yoruba people of South-West Nigeria neither had regard for nor demanded religiously balanced governorship election tickets. This was because they had, and still have, a world-famous tradition of religious tolerance, even though the religious population is somewhat evenly split between Christianity and Islam. In Lagos State, both the State Governor and his Deputy Governor were Muslims. In Oyo and Ogun States, both the State Governors and their Deputy Governors were Christians. Even though there have been attempts by some self-styled religious activists, apparently suffering from a self-inflicted inferiority complex, alleging the marginalisation of their sect members in the zone in recent years, the generality of the Yoruba has never succumbed to temptations to engage in religious enmity. The same could be said of the Yoruba people in Kogi State, North Central, and, to some extent, those in Kwara State, North Central. As late as July 2022, a candidate who contested on a Christian-Christian ticket won the governorship election in the apparently slightly Muslim-majority state of Osun (Busari, 2022). In a nutshell, politicisation of religion or religionisation of politics has hardly ever been an issue among the South-West Yoruba people of modern Nigeria. Religious differences were secondary to ethnic and cultural identity (Adewumi & Olatunbosun, 2015).

Many Yoruba practitioners of the two major religions, Christianity and Islam, even engage in interfaith marriage and still live together peacefully. Muslim students attend Christian schools without experiencing any discrimination, while Christian students attend Muslim schools without experiencing any discrimination. Across those two dominant religions among the Yoruba, meals are shared during Christian and Islamic feasts. The South-West Yoruba Christians and Muslims are even tolerant towards the Yoruba traditional religion. That is why, for example, the Government of Osun State now has a public holiday in August for the African traditional religion. Though there might be and have been cases of personal prejudices, peaceful competition or minor discrimination based on religion among the Yoruba, they have been isolated, marginal, and exceptional reflections of human nature. In any case, the Yoruba never kill or maim one another or destroy one another's properties in the name of religion or elective or appointive religious balancing (Kolawole, 2021). Any marginal religious prejudice among the Yoruba never results in violence and is never promoted into a State policy by Yoruba politicians. Even such a prejudice, competition or discrimination sometimes exists among the denominations of Christianity and among the sects of Islam. The Yoruba never allow the new and alien religions of Christianity and Islam to override, prejudice or endanger their centuries-old socio-cultural affinity and humanity. Intangible cultural heritage, such as kinship structure, the *omoluabi* (good-mannered person) concept and music, unites the people (Adewumi, 2018). They always realise that they were fellow Yoruba and fellow human beings before Christianity and Islam came. The clear general trend among the Yoruba is religious tolerance. Tolerance, harmony and mutual respect are the watchwords among the religiously pluralistic Yoruba of South-West Nigeria. They naturally practise the fundamental objectives and directive principles of State policy pertaining to religious tolerance and harmony enjoined by section 15 (1), 15 (2), 15 (3) (c) and 23 of Chapter II of the 1999 Nigerian Constitution.

Suspicion and mistrust began to trail same-faith presidential tickets in Nigeria, beginning with the 1993 presidential election. Two factors were apparently responsible for this crack in Nigeria's national cohesion and journey to nationhood. The first was Nigeria's membership in the Organisation of Islamic Cooperation (OIC), registered by the military administration of General Ibrahim Babangida (1985-1993) in January 1986. The second was the incidence of repeated religious crises and attendant killings and destruction of places of worship in the North that the country experienced from the 1980s (Kolawole, S. (2021). Examples included the Maitatsine Riots of the first half of the 1980s, the Kafanchan Riot of 1987, the Zango Kataf Riots of 1991/92, and the Bauchi Riot of 1991/92 (Idowu, 2007). The two events naturally provoked religious suspicion and distrust in the country. So, when Chief Moshood Abiola, a Muslim from the predominantly Christian South, opted to choose a Northern Muslim as his running mate in the military-organised 1993 presidential election, Christian leaders protested. Abiola proceeded with the Muslim-Muslim ticket and presumably won, but the election was annulled by the Babangida administration, which reportedly had earlier warned him against fielding a Muslim-Muslim ticket for the sake of national cohesion (Babarinsa, 2022).

Rather than being healed, the suspicion of Christians over alleged unlawful Islamisation of governance in the country was exacerbated by the military administration of General Sani Abacha (1993-1998). The membership of the military Provisional Ruling Council of Abacha was so religiously and regionally lopsided that observers then wondered whether the federal character principle enshrined in the Nigerian Constitution had been dead and buried. Ali Mazrui, a political scientist who was also a Muslim, made the following observation about such developments (Laremont, 2011):

Shehu Shagari was overthrown early in his second term and was succeeded by a series of Muslim military rulers of Nigeria—generals Muhammad Buhari, Tunde Idiagbon and Badamosi Babangida. These military rulers were good news for Nigerian Muslims, but not necessarily for Islam in the Emirates. Even the notorious General Sani Abacha, though himself a depraved Muslim, maintained the federal preeminence of Muslims in the central government.

It is now a notorious fact that there is rampant religious attachment to elective and even appointive offices in the country. In recent decades, the need for religious balancing has been taken to the front burner at the Federal level and in the States where the populations of Christians and Muslims are almost equally split and in States where either Christianity or Islam is the majority religion, but with the other major religion having about 30-40% of the population. The States where governorship election tickets and cabinet compositions have been experiencing agitations for religious balancing in the North are Kaduna, Nasarawa, Kogi, Adamawa, Taraba, Niger, Gombe and Kebbi. In the South, such States are Oyo, Osun, Ogun and Lagos (Nwankwo, 2019). Agitations for a shift in gubernatorial power to another religion, or for fielding a person from that religion as the running mate in governorship elections, have been a trend across all those States. At the centre, the presidential candidate of any political party that seriously wants to win must appoint a running mate from the other major religion. The same applies to governorship elections in the states mentioned earlier. Some religious leaders even advocate a Catholic-Anglican balance on the gubernatorial ticket in the predominantly Christian South-East States (Ugwueze, 2014). Any candidate that risks jettisoning the religious balancing convention in those States earlier named does not only risk protests from the members of the other major religion different from his own but risks losing the election because members of the ‘marginalised’ religion will probably react with bloc protest votes for fear of “Islamisation agenda” or “Christianisation agenda” especially now that religious terrorism and suspicion are rife in the country (Isenyo, 2022). The insistence on religious balancing has even now been extended to the appointments of ministers and other Federal functionaries at the Federal level and commissioners and other State functionaries at the State level (Ukpong, 2020). Some social critics, genuinely fair-minded religionists or religious fanatics, similarly now insist that religious balancing must be observed by the President and Governors in the appointment of their cabinet members and even judges. In the same vein, the leadership of the Senate and the House of Representatives that has not reflected religious balance since 2007 has either been removed or severely criticised. As a result of such incidents, Idowu (2007) has said:

Political expression is held hostage by religion. Appointments to government positions necessarily require a balance between Christians and Muslims. When Nigeria speaks of federal character, they mean a balance between religion and ethnicity. A presidential ticket in democratic elections in Nigeria is usually assessed on the basis of whether it is Christian/Muslim or Christian/Christian or Muslim/Muslim. It is apolitical, for example, in Nigeria, to have both the Chairman of a political party and its presidential candidate belonging to the same religious faith or the same ethnic group!

At the Federal level, each time that a Christian or Muslim President is about to complete two terms in office, the people of the other religion that has not produced the President have always posited that one of them ought to succeed the incumbent President. This has been the case since 1999 when the current democratic dispensation took off. When President Olusegun Obasanjo, a Southern Christian who had a Northern Muslim as his Vice, was about to complete his two terms or eight years in 2007, he personally preferred and supported a Northern Muslim as the presidential candidate of his political party, the People’s Democratic Party (PDP), Mr. Umaru Musa Yar’Adua, who won. Yar’Adua died in office in May 2010, and his Vice, Dr Goodluck Jonathan, completed his four-year term in line with the provisions of section 136 of the 1999 Constitution. When he decided to stand as

a presidential candidate in 2011, Northern Muslims protested, saying it was too early for another Southerner to contest because of the unfortunate death in office of Yar'Adua. A prominent Northern politician openly stated that they would make the country ungovernable for him if he contested and won (PM News Live, 2010). Jonathan, however, contested and won. Northerners successfully united in 2015 to frustrate his re-election bid. The prior proposal of the winner of the 2015 presidential election and a Northern Muslim, Major-General Muhammadu Buhari (rtd.), to have an All Progressives' Party (APC) leader and former Governor of Lagos State, Chief Bola Tinubu, a Southern Muslim, as his running mate was successfully shot down because a Muslim-Muslim presidential ticket would be detrimental to the fragile religious plurality of the country.

In the 2020-2022 build-up to the presidential primaries of the two major political parties, PDP and APC, Southern Governors and many Southerners insisted that the two parties had a duty to field a Southerner (Adonu, 2021). On social media, many Southerners further called for a Christian Southern President, more so as some Northern Muslim and political leaders, as early as 2020, had openly insisted that having a Northern Muslim as the running mate to such a Southerner (Christian or Muslim) was non-negotiable. They were partly responding to the renewed presidential ambition of APC's Chief Bola Tinubu, who is a Southern Muslim (Okon-Ekong, 2020). Chief Tinubu, a Southern Muslim, proceeded to contest and win the APC presidential primaries in June 2022. Pressures immediately came on him from both Northern Muslims and Northern Christians to appoint one of them as his running mate. The naked bigotry and marginalisation that the incumbent President Buhari had displayed since he came into office in 2015, and the unabated Islamic terrorism in the country, were particularly responsible for the widespread calls for the choice of a Christian running mate by Tinubu. After he publicly announced later in the month that his running mate would be a Christian from the North-East (Abba, 2022), Northern Muslims mounted more pressure on him to appoint one of them as his running mate (The Cable, 10/07/2022). Tinubu's capitulation to the Northern Muslims' pressure was largely seen as insensitive to the plight of Northern Christians in the hands of Muslim terrorists and was followed by protest defections from the APC in the North and nationwide debate on the implications of his choice on the fragile religious plurality and cohesion of Nigeria (Gbesan, 2022).

The outcome of the presidential election scheduled for February 25, 2023, which featured three major contestants, was to determine whether the generality of Nigerians was pleased with the APC's Muslim-Muslim ticket. Both the arch-rivals of Tinubu in the presidential election, Mr Atiku Abubakar, of the PDP and Mr Peter Obi of the Labour Party (LP), flew mixed presidential tickets. Abubakar, a Northern Muslim, had a Southern Christian as his running mate, while Obi, a Southern Christian, had a Northern Muslim as his running mate. Mr. Abubakar was one of the many prominent Nigerians who reprimanded the APC over its Muslim-Muslim presidential ticket and described it as divisive and insensitive (Iroanusi, 2022). On his own, Obi went from church to church during the election campaign period, apparently to court the votes of Christians (Livinus, 2022). Though Tinubu of the APC won the election with 8,805,420 votes, Atiku of the PDP polled 6,984,290, and Obi garnered 6,093,962 votes; Tinubu only won by a narrow margin (Majeed, 2023). Demonstrating that protest votes were cast against Tinubu's Muslim-Muslim ticket, Obi won in most of the Christian-majority states or senatorial districts in the South and the North (Adeyemi, 2023).

There is indeed a contrary view that the religious balancing convention amounts to religion holding political expression hostage (Idowu, 2007). A legal scholar has also opined that the tendency of the election candidate to observe "this unwritten rule of presenting a running mate from a religion that is different from his own" or "maintaining parity" can whittle down "merit in choosing government appointees" (Salau, 2006). Similarly, some political players and observers in the country have opined that religious balancing should always give way to competence. However, such an argument purports that some sections of the country lack competent people. But the truth is that neither the North nor the South of the country is devoid of competent people in either of the two major religions for any office in the land. None of such thinkers has even pointed out any senatorial district in any State in the country that lacks competent people to produce the State Governor or the Deputy Governor. Both religions have competent people. So, it is submitted that the argument is unmeritorious, unsustainable and baseless. The winning outcome of the said presidential election for the APC, however, seemed to have justified the position of APC supporters of the Muslim-Muslim ticket, who had argued that the need for their political party to win must be given priority over the religion of their presidential candidate's running mate. Moreover, it

has to be noted that the Christian Association of Nigeria (CAN) has since openly admitted that President Tinubu has been fair to Christians in his making of appointments despite the Muslim-Muslim presidency in place (Aramide, M. (2025).

The victory of Tinubu was unsuccessfully challenged in court by both Abubakar and Obi; an absolute majority of Nigerians rejected Tinubu's Muslim-Muslim ticket; this was demonstrated by the fact that the total votes of his arch-rivals, who ran on religiously mixed tickets, were far higher than his own. Thus, most Nigerians technically prefer a mixed presidential ticket. It is submitted that reflecting religious balancing in elective tickets is necessary to ensure inclusion and national harmony. Indeed, consociationalism promotes political representation for diverse cultural groups and eschews ethnic or religious domination. This theory aligns with the relevant provisions of the 1999 Nigerian Constitution, the Federal Character Commission (Establishment, etc.) Act, and the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act, 1983. In sections 14 (3) and (4) under the chapter on the fundamental objectives and directive principles of State policy of the Nigerian Constitution, it is provided that the running of the Federal Government and every State Government shall respectively reflect "the federal character of Nigeria" and the "diversity of the people" in the State, respectively. Section 15 (1) thereof provides that the motto of the country is "Unity and Faith, Peace and Progress." The Constitution provides further in section 15 (2) that "national integration shall be actively encouraged, while discrimination on the grounds of place of origin, sex, religion, status, ethnic or linguistic association or ties shall be prohibited."

Section 15 (3) (c) provides that, in furtherance of its national integration objective, the government shall "encourage inter-marriage among persons from... different religious, ethnic or linguistic association or ties." It further provides in section 15 (4) that the Government "shall foster a feeling of belonging and of involvement among the various peoples of the Federation, to the end that loyalty to the nation shall override sectional loyalties." Section 17 (3) (a) makes it the duty of all to eschew "discrimination on any group". Section 23 lists Religious Tolerance as one of the ingredients of the country's national ethics. Though section 6 (6) (c) of the Constitution provides that the foregoing provisions are non-justiciable because they are mere fundamental objectives and directive principles of State policy, they are not enshrined in the Constitution for fun. It is further submitted that articles 2, 13 (2) and 19 of the Schedule to the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act, providing for the enjoyment of the Charter rights and freedoms without religious distinction, equal access to public service and prohibition of the domination of a people by another, are justiciable. Section 4 (1) (b) of the Federal Character Commission (Establishment, etc) Act provides for the promotion of "the principles of proportional sharing of all bureaucratic, economic, media and political posts at all levels of government".

Conclusion

This paper has examined the agitations for religious balancing in the 2023 general elections of the Federal Republic of Nigeria. The specific case study is the 2023 presidential election. The examination is done from demographic, historical, constitutional and practical perspectives. The country's political experiences and constitutional provisions on national integration were juxtaposed with theories and concepts of secularisation, political pluralism, consociationalism, the intersection of politics and religion, and freedom of religion. The research will make a meaningful contribution to the discourse at the intersection of religion, democratic politics, law, and constitutionalism in Nigeria. The research is, however, limited by the dearth of specific books, book chapters, articles or relevant decided cases on the topic. Thus, there is a need for further research on it by scholars in future. Nigeria is a country where both Christianity and Islam are both numerically very strong. Religious identity is strong in the country, and agitations for religious balance are rife today at both the Federal and state levels, where each of the two major religions is numerically strong. The States usually affected in the North are Kaduna, Nasarawa, Kogi, Adamawa, Taraba, Niger, Gombe and Kebbi. Those where religious balancing is usually agitated for or observed in the South are the South-West States of Oyo, Osun, Ogun and Lagos, though the Yoruba people who live in the South-West have a laudable age-old culture of religious tolerance.

The 25 February 2023 presidential election exemplifies the role religious affiliation still plays in Nigeria's elections. The presidential election had three major contestants, who were Chief Bola Tinubu of the ruling All Progressives Congress (APC), Mr Atiku Abubakar of the People's Democratic Party (PDP) and Mr Peter Obi of the Labour Party (LP). Despite widespread advice to the contrary, Chief Tinubu of the APC, a Southern Muslim, chose a Northern Muslim as his running mate. His arch-rivals, however, flew religiously balanced tickets; Abubakar, a Northern Muslim, had a Southern Christian as his running mate while Obi, a Southern Christian, had a Northern Muslim as his running mate.

The Muslim-Muslim presidential ticket of the ruling All Progressives Congress (APC) was severely criticised by some Nigerians, both within and outside the party. Some APC leaders not only criticised it but also defected from the party. PDP's Mr. Abubakar and many other prominent Nigerians described the APC's Muslim-Muslim presidential ticket as divisive and insensitive. Mr Obi seemed to have responded to it by going from church to church during the election campaign period, apparently to court the votes of Christians. Tinubu, however, managed to win the presidential election. Tinubu had 8,805,420 votes, Atiku of the PDP polled 6,984,290, and Obi garnered 6,093,962 votes. The results and voting patterns showed that most Nigerians rejected Tinubu's Muslim-Muslim ticket. In other words, the total votes of Tinubu's arch-rivals, who flew religiously mixed tickets, were far bigger than his own.

Recommendations

Under sections 142(1) and 187(1) of the Nigerian Constitution, a presidential or gubernatorial candidate is empowered to freely choose their running mate. The issue now is whether choosing a running mate from a religion different from his own really has any benefit. There is an aphorism that not all lawful things are invariably beneficial. Nigerians have a lot to gain from religiously balancing their elective tickets, where necessary. Religiously balanced elective tickets in deserving cases has its own advantages. There is a need to continue religious balancing in presidential election tickets and, in appropriate States, in governorship election tickets, to sustain or enhance trust, peaceful co-existence, unity and cohesion. In practical terms, the unity or peace of the country or any of its States should not be endangered because a political party or candidate seeks to satisfy the narrow interests of a selfish religious or political caucus, hegemony, or mafia. The religious balancing convention tends to heal inherent mutual religious segregation and sectarian suspicion in the country and to enhance trust, harmonious religious co-existence, national cohesion, and political stability.

The degree of suspicion, distrust and feelings of marginalisation that would arise in the country is better imagined than experienced if one of the major religions in the country or in any relevant State is made to monopolise or dominate both the presidency and the vice presidency at the Federal level or the governorship and the deputy governorship at the State level. So, elective and appointive offices should be fairly shared to reflect the country's religious diversity and enhance peaceful religious co-existence and unity. Anything contrary to that at the Federal level or in the relevant States may lead to distrust, suspicion, and even friction. For example, even though Muslims have always produced the Deputy Governor of Taraba State, North-East, since 1999, they have always striven and hoped to one day produce the State Governor. When Muslims' hope of producing the governorship candidate of the APC after the other major political party, PDP, had had a Christian governorship candidate, was dashed in May 2022, the video of a Muslim cleric protesting and inciting Muslims was put into circulation (Tyopuusu, 2022).

What has been mitigating such grievances and preventing them from degenerating into violence in such States has been the choice of a running mate from a religion different from that of the concerned party's flag-bearer. Such grievances and grumblings can be downplayed, minimised, or eradicated if our political parties and election candidates uphold the religious balancing convention. Overall, there is a need for our politicians and religious leaders to stop politicising religion in the country. Finally, it is submitted that the religious balancing convention, or unwritten rule, for elective and appointive offices in Nigeria should be upheld because it is in tandem with the spirit and letter of certain extant laws in the country. The relevant provisions have been cited earlier from the Constitution of the Federal Republic of Nigeria 1999, the Federal Character Commission (Establishment, etc.) Act, and the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act 1983.

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