

## Chapter 1 Part II

### The Settlement of 1960: Who was Who

*Compiled by Sati Fwatsbak and Philip Ostien*

Section **a** gives lists of people who held various positions in the Government of Northern Nigeria in the years 1958-62, and of those who served on various committees related to the Settlement of 1960. Section **b** gives brief biographies of the people whose names in section **a** have asterisks beside them. Section **c** gives bibliographical information about the published sources listed in shorthand in section **b**. Besides those published sources we have relied as indicted in section **b** on information supplied by various individuals, to all of whom we are grateful for their kind cooperation. The reader will see that we have not always been able to get very complete information about the persons whose brief biographies we have attempted. As with so many other matters touched on in this book, we can only hope that other scholars will find it worthwhile to come and do a better work than we have managed here. We note that two other authors have also found it useful to include biographical information about various Northern leaders in their works: consult the entries on Paden and Whitaker in section **c**.

#### **a. Who held what positions**

##### **1. The Governor:**

Sir Gawain Westray Bell\* served as Governor of the Northern Region beginning in 1957. He was asked by Government to stay on in this position for some time after Independence, finally retiring in mid-1962, when he was replaced by Sir Kashim Ibrahim\*.

##### **2. The Premier:**

Alhaji Sir Ahmadu Bello, *Sardauna* of Sokoto\*, was elected president of the Northern People's Congress (NPC) in April 1954 and, following general elections later that year, became Premier of Northern Region, a position he still held when he was assassinated in the coup of 15 January 1966.

##### **3. The Executive Council:**

(Designations as in the sources cited, omitting "The Honourable"):

1958<sup>22</sup>

1962<sup>23</sup>

#### **Ministers with portfolio**

Agriculture: Mustafa Monguno  
Animal Health and Forestry, and  
Northern Cameroons Affairs:  
Abdullahi Danburam Jada

Agriculture: Alhaji Mustapha Munguno  
Animal and Forest Resources: Malam  
Mu'azu Lamido  
Attorney-General: Hedley H. Marshall\*

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<sup>22</sup> Source: Northern Regional Legislature: House of Chiefs Debates, Official Report (Second Legislature) Second Session, Third Meeting, covering 17<sup>th</sup> to 18<sup>th</sup> December, 1958 (Kaduna: Government Printer, 1958), x.

<sup>23</sup> Source: Northern Regional Legislature: Parliamentary Debates (Hansard): House of Assembly, Official Report (Third Legislature) First Session covering 14<sup>th</sup> to 26<sup>th</sup> March 1962 (Kaduna: Government Printer, 1962), vi.

## CHAPTER 1: HISTORICAL BACKGROUND

### 1958

Attorney-General: Hedley H. Marshall\*  
Education: Isa Kaita, *Madawaki* of Katsina\*  
Finance: Alhaji Aliyu, *Makama* of Bida\*  
Health: Alhaji Ahman, *Galadima* of Pategi  
Internal Affairs: Malam Shehu Usman, *Galadima* of Maska  
Land and Survey: Ibrahim Musa Gashash  
Local Government: Abdullahi Maikano Dutse  
Social Welfare and Co-operatives: Michael Audu Buba, *Waziri* of Shendam  
Trade and Industry: Abba M. Habib  
Works: George U. Ohikere

### 1962

Economic Planning: Alhaji Muhammadu Bashar, *Wamba* of Daura  
Education: Alhaji Isa Kaita, *Waziri* of Katsina\*  
Establishments and Training: Alhaji Umaru, *Sarkin Filanin* Ja'idanawa  
Finance: Alhaji Aliyu, *Makama* of Bida\*  
Health: Alhaji Ahman, *Galadima* of Pategi  
Information: Alhaji Ibrahim Biu  
Internal Affairs: Alhaji Muhammadu Kabir, *Ciroma* of Katagum  
Justice: Alhaji Mamman Nasir\*  
Land and Survey: Alhaji Ibrahim Musa Gashash  
Local Government: Alhaji Sule Gaya\*  
Social Welfare and Cooperatives: Alhaji Ahmadu, *Sarkin Fadan* Zazzau  
Trade and Industry: Malam Michael Audu Buba  
Works: Alhaji Shehu Usman, *Galadima* of Maska

### Ministers of State

Mu'azu Lamido, <i>Magatakarda</i>	Mr. Samuel Aliyu Ajayi
Muhammadu Kabir, <i>Ciroma</i> of Katagum	Alhaji Aliyu, <i>Turaki</i> of Zazzau
D.A. Ogbadu	M. Umaru Abba Karim, <i>Wali</i> of Muri
A. Obekpa	Mr. Abutu Obekpa

### Ministers without portfolio

Sir Abubakar, Sultan of Sokoto	Sir Abubakar III, Sultan of Sokoto
Sir Muhammadu Sanusi, Emir of Kano	Sir Alhaji Muhammadu Sanusi, Emir of Kano
Alhaji Usman Nagogo, Emir of Katsina	Alhaji Usman Sir Nagogo, Emir of Katsina
Atoshi Agbamanu, Chief of Wukari	Malam Sulu Gambari, Emir of Ilorin
	Malam Ali Obaje, <i>Atta</i> of Igala

#### 4. The House of Assembly and House of Chiefs:

##### 1958:

- The House of Assembly sitting in 1958 was returned at the general election held in October-November, 1956. It consisted of 134 elected members and 1

ex officio member (H.H. Marshall, the Attorney-General). A list of the members is given in the source cited.<sup>24</sup>

- The records of the 1958 debates of the House of Chiefs do not list the members of the House. One of them does however list the members of the various committees of the House. If every member was assigned to at least one committee, then the House of Chiefs consisted of 49 chiefs and the Attorney-General.<sup>25</sup>
- Students of the Northern legislatures of the late 1950s and early 1960s will want to consult *Who's Who: Northern Nigeria Legislature, 1960*, issued by the Information Division of the Northern Nigerian Ministry of Internal Affairs, Kaduna, 1960. Whitaker, *The Politics of Tradition* (see bibliography, section c below) has biographical information on all members of the Northern Houses of Assembly in 1956-61 and 1961-65 from constituencies lying within the Northern emirates.

**1962:**

- The House of Assembly sitting in 1962 was returned at the general election held 4<sup>th</sup> May, 1961. It consisted of 163 elected members and 1 official member (the Attorney-General).<sup>26</sup>
- The House of Chiefs sitting in 1962 consisted of 88 chiefs and the Attorney-General. Malam Junaidu, *Waziri* of Sokoto, was the House's Adviser on Moslem Law. The members are listed in the source cited.<sup>27</sup>

**5. The delegation to Sudan, 1958:**

Kashim Ibrahim, Chairman\*  
Muhammadu Junaidu, *Waziri* of Sokoto\*  
Muhammad Isa Ngileruma, *Wali* of Borno\*  
Peter Achimugu\*  
Mamman Nasir, Secretary\*

**6. The delegation to Libya and Pakistan, 1958:**

Muhammadu Kobo, Emir of Lapai, Chairman\*  
Muhammad Sani, Chief Alkali of Kano\*  
Malam Haliru Binji\*  
Peter Achimugu\*  
S.S. Richardson, Administrative Secretary\*

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<sup>24</sup> Source: Northern Regional Legislature: House of Assembly Debates, Official Report (Second Legislature) Second Session, First Meeting, covering 19<sup>th</sup> February to 7<sup>th</sup> March, 1958 (Kaduna: Government Printer, 1958), i-iii (listing all the members).

<sup>25</sup> Source: as in n. 22, xi, giving committee memberships by office held only, not by the name of the person holding the office at that time.

<sup>26</sup> Source: as in n. 23, ii-iii (listing all the members).

<sup>27</sup> Source: Northern Nigeria Legislature: Parliamentary Debates (Hansard): House of Chiefs Official Report (Third Legislature) Session 1962-63, Second Meeting, covering 4<sup>th</sup> to 11<sup>th</sup> April, 1962, i-ii (listing all the members).

**7. The Panel of Jurists:**

1958	1962
Sayyed Mohammed Abu Rannat, Chairman*	Senator Shettima Kashim, <i>Waziri</i> of Borno, Chairman*
Mr. Justice Mohammed Sharif*	Mr. Justice Mohammed Sharif*
Professor J.N.D. Anderson*	Professor J.N.D. Anderson*
Shettima Kashim*	Mr. Peter Achimugu*
Mr. Peter Achimugu*	Alkali Musa, Chief Alkali of Bida*
Alkali Musa, Chief Alkali of Bida*	Mr. J.W. Burnett, Secretary
Mr. S.S. Richardson, Secretary*	

**8. The committee of Muslim jurists who vetted the Penal and Criminal Procedure Codes in 1959-60:**

Muhammadu Junaidu, *Waziri* of Sokoto\*  
 Alhaji Muhammadu Bello, *Wali* of Katsina\*  
 Malam Musa, Chief Alkali of Bida\*  
 Malam Jibir Daura, *Magatakarda* of Kano\*  
 Malam Muhammadu Sani, Junior Alkali of Kano\*  
 Alhaji Muhammadu Dodo, Junior Alkali of Katsina\*  
 Alkali Babba Kura Imam\*  
 Malam Haliru Binji\*

**9. The Sharia Court of Appeal of the Northern Region:**

1960 <sup>28</sup>	1962 <sup>28</sup>
Sheikh Sir Muhammad Ahmed Awad, Grand Kadi*	Abubakar Gumi, Grand Kadi*
Abubakar Gumi, Deputy Grand Kadi*	Haliru Binji, Deputy Grand Kadi*
Abubakar Sadik	Abubakar Zaki
Abubakar Zaki	Abubakar Mahmud

**10. The High Court of the Northern Region:**

1958 <sup>29</sup>	1962 <sup>30</sup>
Sir Thomas Algernon Brown, Chief Justice*	Mr. Justice Hurley, Chief Justice
Mr. Justice Hurley, Senior Puisne Judge	Mr. Justice J.A. Smith, Senior Puisne Judge
Mr. Justice Smith, Judge	Mr. Justice Reed, Judge
Mr. Justice Reed, Judge	Mr. Justice Bate, Judge
Mr. Justice Bate, Judge	Mr. Justice Skinner, Judge
	Mr. Justice Holden, Judge

<sup>28</sup> Source: Y. Mahmood, ed., *Sharia Law Reports of Nigeria, Volume 1 (1961-1989)* (Ibadan: Spectrum Books Limited, 1993), gleaned from various cases from the years in question.

<sup>29</sup> Source: 1958 *Northern Region of Nigeria Law Reports*, unnumbered page following title page.

<sup>30</sup> Source: 1962 *Northern Nigeria Law Reports*, unnumbered page following title page.

1958

1962

Mr. Justice J.P. Smith, Judge  
Mr. Justice Ahmad, Judge

**11. The Institute of Administration, Zaria:**

Sam Scruton Richardson, Principal, 1961-67\*  
Ian McClean, Head of Law Department 1959-62\*

**b. Brief Biographies**

**Abu Rannat, Sayyed Mohammed (1905-??), Chairman of the Panel of Jurists in 1958.** Was at that time the Chief Justice of the Sudan. Educated at Gordon College and the School of Law (Khartoum). Served in various legal and judicial posts in the Sudan, becoming a judge of the High Court 1950-55 and then Chief Justice 1955-64. Besides his service on the Northern Region of Nigeria's Panel of Jurists in 1958, also visited the Region for the Self-Government celebrations in May 1959 and facilitated work on the Penal Code. In Sudan, had influence during the regime of Ibrahim Abboud, devising the legal system, and was important in the legal transition involved in the 1964 revolution. Lost his job with the end of Abboud's regime; subsequently served on a number of international legal bodies, including International Commission of Jurists and the Sub-Commission on the Promotion and Protection of Human Rights of the UN Commission on Human Rights. Principal source: Fluehr-Lobban et al.

**Achimugu, Peter S. (1902-1968), minister in the Government of Northern Nigeria, 1950s; member of the delegation that visited Libya and Pakistan, 1958; member of the Panel of Jurists, 1958 and 1962, President of the Provincial Court, Kabba from 1960.** Born in Igala, Idah Division, Kabba Province. Educated at Government School, Idah and CMS School, Onitsha. Started career in the judiciary as customary court judge in Kabba before joining politics. In politics was a key personality in the NPC, representing non-Muslim Middle Belt in Government of Northern Region, in which he served as Minister of Natural Resources in mid-1950s. Resigned in 1957 to become Local Government Chairman in Igala NA. Appointed to delegation that visited Libya and Pakistan to investigate their legal and judicial systems in early 1958, and then to Panel of Jurists, "to assure fair representation of minority non-Moslem interests in the reform of the law" (Richardson). Returned to the judiciary as President, Provincial Court, Kabba in October 1960. Given national merit award OFR on first anniversary of Nigeria's independence. Sources: Paden various places; Clark various places; Richardson 199.

**Aliyu, Alhaji, Makama of Bida (c. 1906-1980), minister in the Government of Northern Nigeria, 1950s and 60s.** Born in Doko, Niger Province of humble parentage; assisted by the then *ma'aji* (treasurer) of the Etsu Nupe in whose compound his family lived. Went to Provincial Middle School, Bida and Katsina College. After education, returned to teach at Bida Provincial Middle School, eventually becoming headmaster. Turbaned *Makama* of Bida in 1938. Between 1942 and 1951 was in charge of District Administration and Education in the Bida NA. Also served in the Niger Province Development Committee in 1945. Attended local government training

course 1945-46. Joined NPC when it was formed and became one of its leading members. Elected into Northern Legislative Council in 1947 and later into Federal House of Representatives, Lagos. Elected into House of Assembly of Northern Region 1951; served as Northern Minister of Education 1952-56, Minister for Trade and Industry 1957, and as first indigenous Minister of Finance from 1958. Attended the series of constitutional conferences that started in 1953 which eventually resulted in Nigeria's Independence; was member of the Northern team at the Lancaster Conference, London in 1957. As Treasurer of the NPC and member of the Northern Regional Executive Council, was liaison officer between the NPC Secretariat and the Regional Government until its fall in 1966 coup. Was expected to play prominent role in reviving civilian party politics during and after transition to civilian rule of late 1970s, and was a patron in National Party of Nigeria, formed in 1978, which eventually produced President Shagari; but died in Kaduna in March 1980. Sources: Alhaji Umar Alfa, Bida; Alhaji Usman Minin, Minna; Clark, Kwande, Muffett, Paden, Uwechue, various places.

**Anderson, James Norman Dalrymple (1908-1994), member of the Panel of Jurists in 1958 and 1962.** Educated at St. Lawrence College, Ramsgate; Trinity College, and Cantab where he obtained his LL.D. in 1955. Was an active Christian throughout his life, starting off as a missionary with the Egypt General Mission in 1932 and later authoring books on Christianity and world religions. During WWII served as Arab Liaison Officer, Libyan Arab Force 1940 (Capt.); Civil Aviation Branch, GHQ 1941 (Major); Secretary for Sanusi Affairs, Secretary for Arab Affairs, and Political Secretary 1943; and Chief Secretary 1944. Had distinguished academic career after the war at the School of Oriental and African Studies, University of London, where he was Lecturer, Islamic Law 1947-51, Reader, Oriental Laws 1951-53, and Professor, Oriental Laws 1954-75; also served variously as Head of Department of Laws 1953- 71, Dean of Law 1965-69, and Director, Institute of Advanced Legal Studies 1959-76. Was also at various times President, Society of Public Teaching of Law; Chairman, UK National Committee of Comparative Law; Vice Chairman, International African Law Association; visiting professor of law to US colleges Princeton, NYU and Harvard; member, Denning Committee on Legal Education for Students from Africa. Conducted a survey on the application of Islamic law in British African colonies for the Colonial Office 1950-51, which resulted in his *Islamic Law in Africa* (1955). Other publications in the area of Islamic law: *Islamic Law in the Modern World* (1959), *Law Reform in the Muslim World* (1976), *Liberty, Law and Justice* (1978), *Changing Law in Developing Countries* (1963), *Family Law in Asia and Africa* (1968). Also produced a volume of autobiography, *An Adopted Son: The Story of My Life* (1985). Principal source: *Who is Who*.

**Awad, Sheikh Sir Muhammad Ahmed (1900-1980), Grand Kadi, Sharia Court of Appeal, 1960-62.** Sudanese judge and scholar who came to teach in the Kano Law School in 1941.<sup>31</sup> This became the School of Arabic Studies in 1947; Sheikh Awad

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<sup>31</sup> Cf. *Report of the Native Courts (Northern Provinces) Commission of Inquiry* (Lagos: Government Printer, 1951), ¶507: evidently beginning in the 1930s, "Teachers able to give instruction in the Maliki school were introduced from the Sudan to raise the standard of Arabic and increase learning."

became Headmaster in the late 1940s then Principal 1953-1960. Co-authored, with Mervyn Hiskett, *The Story of the Arabs* (1957). Advised the committee of Muslim jurists who vetted the Penal and Criminal Procedure Codes 1959-60. Appointed as first Grand Kadi of the Sharia Court of Appeal of Northern Nigeria 1960; retired and was replaced as Grand Kadi by Abubakar Gumi in 1962. Anderson calls him “a man of character and erudition”.<sup>32</sup>

**Bell, Sir Gawain Westray (1909-95), Governor of Northern Nigeria, 1957-1962.**

Born in South Africa; educated at the Dragon School, Oxford and Winchester and Hartford College, Oxford. Took a course in Arabic for one year after graduation. Career as administrator and diplomat included, besides the governorship of Northern Nigeria: work in the Sudan 1931, 1945-49, and 1951-53, Palestine late 1930s, Cairo, 1941-51, and the Middle-East: Kuwait 1955, and Oman 1966 and 1974. In WWII commanded a squadron of Druze cavalry in the Syrian campaign 1941 and then the 3<sup>rd</sup> Mechanised (Armored Car) Regiment 1943-45. Helped to devise new constitution for Federation of South Arabia in 1965. Subsequently served on governing body of the School of Oriental and African Studies and was active in the Anglo-Jordanian Society. Produced two volumes of memoirs, *Shadows on the Sand* (1983) and *An Imperial Twilight* (1989). Source: *Oxford Dictionary of National Biography*.

**Bello, Sir Ahmadu (1910-1966), *Sardauna* of Sokoto, Premier of Northern Nigeria 1954-1966.**

Born at Rabah, near Sokoto. Father was district head; paternal grandfather was Abubakar Atiku, 7<sup>th</sup> Sultan of Sokoto (r. 1873–7). Learned Arabic and the Qur’an from local *malam*. Educated at Sokoto provincial school and then Katsina College 1926-31. Appointed teacher in new Sokoto middle school 1931. Made district head of Rabah 1934. Given title of *Sardauna*<sup>33</sup> in 1938; later that year posted to Gusau to supervise work of subordinate district heads. Work during WWII included grain purchases, recruitment of labour, and organisation of patrols on frontier with Dahomey. Following war became Sultan's councillor for police and prisons. In 1949 elected member of Northern Region House of Assembly for Sokoto. Following 1951 elections was appointed Minister of Works for Northern Region; soon added portfolios for Community Development and Local Government. Elected president of NPC in April 1954 and, following general elections later that year, became premier of Northern Region. Among other things instituted vigorous programme of northernisation of the regional bureaucracy which was implemented through crash programmes to train Northerners for the civil service; led campaign to convert Northern animists to Islam; oversaw legal and judicial reforms in Northern Region 1958-1962 and the transitions Northern self-rule and Nigerian independence. In 1963 became founding chancellor of Ahmadu Bello University. Produced volume of autobiography *My Life* (1962). Murdered in military coup of 15 January 1966. Principal sources: *Oxford Dictionary of National Biography*; *My Life*.

<sup>32</sup> J.N.D. Anderson, *Islamic Law in Africa* (London: Frank Cass, 1955), 183.

<sup>33</sup> On the meaning of ‘*sardauna*’, see the *Sardauna*’s book *My Life*, 49: “It is peculiar to Sokoto and restricted to men of the ruling house.... It is difficult to describe its exact significance nowadays: titles such as *Waziri*, which is ‘Prime Minister’, or *Madaki*, ‘Master of the Horse’, are easy to understand; the title *Sardauna* is not so simple, but its original meaning was probably ‘Captain of the Bodyguard’.”

**Bello, Muhammadu, *Wali* of Katsina (1889-1971), member of the committee of Muslim jurists who vetted the Penal and Criminal Procedure Codes in 1959-60.**

Born in Kagara in what is now Niger State. Son of Malam Shehu Usman, Chief Alkali of Kagara under the rule of Nagwamatse, then ruler of Katsina. Trained as Islamic jurist, initially under his father, later under Chief Alkali Ibrahim Nakaita and other Islamic teachers. Travelled widely to learn. Taught in the Makarantar Dan Hausa in Kano (first colonial school in the North) and then in Kaduna College. Retired from teaching in 1949. Became Alkali and Chief Alkali in Katsina, and finally *Wali* of Katsina. Author of (1) *Gandoki* and (2) *Emir of Katsina, Muhammad Dikko, CBE (1865-1941)*. Was also a poet. Source: Justice Mamman Nasir.

**Binji, Haliru (1922-1993), member of the delegation to Libya and Pakistan 1958; member of the committee of Muslim jurists who vetted the Penal and Criminal Procedure Codes in 1959-60; Kadi of the Sharia Court of Appeal from 1962.**

Born in Binji village in what is now Zamfara State. Educated at Sokoto Middle School 1936-41; Kadi School, Sokoto 1941-42; Northern Provinces Law School (later School of Arabic Studies) Kano 1942-46 and 1953-54; Bakhter-Ruda College (in Sudan) 1954-55. Worked as teacher of Arabic, Islamic Studies, and Hausa in School of Arabic Studies 1946-47, Kaduna College 1947-49, Government Secondary School Zaria 1949-52 and 1956-1960. Served as member of the delegation sent to investigate legal and judicial systems of Libya and Pakistan 1958; as member of committee of Muslim jurists who vetted the Penal and Criminal Procedure Codes 1959-1960; as organiser for Arabic Studies in the Northern Region Ministry of Education Kaduna 1960-61; as Inspector of Native Courts/Islamic Law 1962; as Acting Judge and later Deputy Grand Kadi, Sharia Court of Appeal of the Northern Region 1962-75; and finally as Grand Kadi of the Sharia Court of Appeal of North Western State and subsequently Sokoto State from 1975. Principal source: Paden pp. 211 and 213 n. 45.

**Brown, Sir Thomas Algernon (1900-1960), Chief Justice of Northern Nigeria 1953-60.**

Son of James Algernon Brown, of Wheatley, near Oxford. Preparatory education at Marlborough College, university at Oriel College, Oxford. Commissioned an officer in the Indian cavalry in 1920; participated in the *Waziristan* campaign (North West Frontier of what was then India, now Pakistan) 1920-22. Called to the bar (Inner Temple) 1926. Practised law in England until 1933, then began a career of service in the colonies, becoming a Crown Counsel in the Gold Coast 1933, Solicitor-General in Kenya 1940, a judge of the Supreme Court Singapore 1946, and finally Chief Justice of Northern Nigeria 1953-60. Created KCMG 1956. Role in the legal and judicial reforms in the Northern Region in 1958-60 discussed in S.S. Richardson, *No Weariness*, pp. 222-24. Died in Kaduna 5 October 1960. Principal source: Professor Anthony Kirk-Greene.

**Daura, Malam Jibir (1909-??), member of the House of Assembly of the Northern Region 1956-1960; member of the committee of Muslim jurists who vetted the Penal and Criminal Procedure Codes in 1959-60.**

Born in Daura in what is now Katsina State. Received thorough training in Islamic law from his father, who was a teacher of Arabic, among others; also trained in Katsina College. Began as a Middle School teacher; became a Native Authority Scribe; during reign of Abdullahi Bayero was Chief Registrar of the Emir's Court, Kano. Was *Magatakarda* of Kano in 1959-60



era. Whitaker says of him: “An influential advocate of religious orthodoxy in legal matters in Kano emirate and in the Northern Region generally.” Sources: Justice Mamman Nasir; Whitaker p. 480.

**Dodo, Muhammadu (c. 1917-2002), member of the House of Assembly of the Northern Region 1951-1960; member of the committee of Muslim jurists who vetted the Penal and Criminal Procedure Codes in 1959-60.** Born in Katsina into a family of Islamic jurists, teachers, and *qadis*. Father was Chief Alkali of Katsina. Trained as Islamic jurist and teacher in Katsina. Served the Native Courts as Scribe, Registrar, and Inspector before being appointed Junior Alkali of Katsina after the death of his father in 1949. Elected to the House of Assembly, Northern Region, in 1951, and to a second term in 1956. Served as member of the Panel of Alkalis from which the Moslem Court of Appeal was from time to time constituted 1956-60 and as member of the committee of Muslim jurists who vetted the Penal and Criminal Procedure Codes 1959-60. Appointed judge of the new Provincial Court in 1960, serving in Sardauna Province 1960-61, Zaria 1961-62, Kano 1963-66, Jos 1966-67, Ilorin 1967-68, and finally Katsina 1968-70. Served as judge of the Sharia Court of Appeal of North Central State 1970-75, and as Grand Kadi of the Sharia Court of Appeal of North Central and subsequently Katsina State 1975-86. Is the father of Justice Isa Muhammadu Dodo, the present Grand Kadi of the Sharia Court of Appeal of Katsina State. Source: Justice I.M. Dodo; Justice Mamman Nasir; Saratu Igomu; Whitaker p. 480.

**Gaya, Sule (1925-??), minister in the Government of Northern Nigeria, 1950s and 60s.** Father was village head of Gaya in Kano Province. Educated at Gaya Primary School 1934-38 and Kano Middle School 1938-43, where he continued as pupil-teacher 1943-47. Received further training as a teacher 1947-51, and continued as teacher in Gaya 1948, Kano Middle School 1951, and as Principal, Birnin Kudu Senior Primary School, 1952-57. Elected from Gaya to Northern Region House of Assembly 1956. Appointed Parliamentary Secretary Minister of Internal Affairs in 1957; Minister of State and Acting Minister of Local Government in 1960. Re-elected 1961; appointed Minister of Works (briefly) and then Minister for Local Government 1961-66. Awarded national honour OFR 1964 and made *Sarkin Fada*, Kano 1965. After 1966 coup employed by Kano NA, holding at various times portfolios of Establishment and Training, Education, and Works. Served as member, Constitution Drafting Committee 1975-76. Sources: Paden p. 146 n. 21, Clark p. 681.

**Gumi, Abubakar (1924-1992), Deputy Grand Kadi, Sharia Court of Appeal, 1960-62; Grand Kadi, 1962-75; Consulting Grand Kadi, 1975-1985.** Born in Gumi town in what is now Sokoto State. Father was a widely known Islamic scholar, teacher and later alkali, who taught him Arabic. Went to primary school at Dogon Daji, where he was religion prefect; middle school in Sokoto 1936-42 where he became school imam; Kadi School, Sokoto 1942-43; Law School, Kano 1943-47; two-year course 1954-55 at Bakhter-Ruda in Duwiem, Sudan; finally in 1961 went to the UK to study the British and particularly the Scottish legal system. Career of public service included: chief scribe in Sokoto alkali's office; teacher of Arabic in Kano 1948; 1949-53 and in Maru, Sokoto 1949; Pilgrimage Officer in Jidda, Saudi Arabia in 1957. Became Deputy Grand Kadi of the Sharia Court of Appeal of the Northern Region in 1960 at the age of 36,

and continued to serve that court and its successors in the states, as Grand Kadi from 1962 and then as Consulting Grand Kadi from 1975 until 1985. Was also active as a religious teacher and reformer, playing important parts in the founding and activities both of *Jama'atu Nasril Islam* (JNI) (founded 1962 with aim of encouraging the publication of Islamic literature in Nigerian languages, building mosques, and encouraging Islamic centers of learning), and of *Jama'at I'zalat al-Bid'a wa Iqamat as-Sunnah* (Yan Izala) (Association for the Eradication of Innovations and the Establishment of the Sunnah, founded in 1978). Wrote autobiography (with Ismaila A. Tsiga) *Where I Stand* (1992). Sources: Paden 210 n. 43; *Where I Stand*.

**Ibrahim, Sir Kashim (1910–1990), chairman of the delegation to Sudan 1958; member of Panel of Jurists in 1958; its chairman in 1962; Governor of Northern Nigeria 1962-66.** Born in Gargar ward, Yerwa, in Borno province, youngest son of Malam Ibrahim Lakanmi, a Kanuri aristocrat. Received thorough Qur'anic education before entering Borno provincial school in 1922. Admitted to Katsina College 1925, graduated as a teacher in 1929. Taught at Borno middle school until 1933, then moved to NA education inspectorate. Conferred with title of *Shettima* in 1935; known for many years thereafter as Shettima Kashim. In 1947 promoted to provincial education assistant; two years later became one of the first Northern education officers. Made Special Member for Education of Northern House of Assembly in 1946. In 1952, as founding Borno member of NPC, was elected Member of the Federal Parliament. Was among four Northerners nominated to ministerial office in Lagos, taking portfolio of Welfare and Social Services, then of Education. Did not contest 1954 federal election, instead returning to North. In 1955 made Minister of Development and Surveys in Government of Northern Region. Turbanned *Waziri* of Borno in 1956. Was among Northern regional ministers who attended constitutional conference in London 1957. Served on Panel of Jurists in 1958 and on the Ashby Commission, set up in 1959 to consider the future of higher education in Nigeria. Was appointed Senator in 1959. Served again on the Panel of Jurists in 1962, this time as chairman, just when his appointment as the first indigenous governor of Northern Nigeria was announced. Was detained in coup of 1966; on release became civilian adviser to the military governor of Northern Region, Hassan Katsina. Retired to Maiduguri in 1968, leaving only occasionally to attend to his duties as chancellor first of University of Ibadan and then University of Lagos. Received many honours including CBE, KCMG, GCON, and three honorary doctorates. Source: *Oxford Dictionary of National Biography*.

**Imam, Baba Kura (1921- ), member of the House of Assembly of the Northern Region 1958-1960; member of the committee of Muslim jurists who vetted the Penal and Criminal Procedure Codes in 1959-60.** Born in Maiduguri, son of Chief Alkali Imam Mashidima and Hajiya Fatimatu. After Qur'anic education attended Mafoni Primary School 1935-40 and subsequently School of Arabic Studies, Kano 1947-51. Alkali of Geidam District (Borno) in early 1950s. Entered politics 1954 as member of NPC and served in Northern House of Assembly up to 1960. Served on the committee of Muslim jurists who vetted the Penal and Criminal Procedure Codes in 1959-60. Appointed President of the Provincial Court in Maiduguri 1962-66; to the Sharia Court of Appeal of Northern Region 1966-70; to the Sharia Court of Appeal of North Eastern State 1970-75; and as Grand Kadi, Sharia Court of Appeal of North

Eastern and subsequently Borno State 1975-86. Sources: Paden p. 343 n. 69; Saratu Igomu.

**Junaidu, Muhammadu, *Waziri* of Sokoto (1906-97), member of delegation to Sudan 1958; member of the committee of Muslim jurists who vetted the Penal and Criminal Procedure Codes in 1959-60.** Born into a family holding the office of *Waziri* of Sokoto since the time of Sultan Bello; his father, uncle, and two brothers held the office before him. Began studies at an early age of the Qur'an and Hadith, the Islamic sciences, and Arabic language and literature. Became teacher in 1930s, at Sokoto Middle School and Women's Training Centre, Sokoto. Appointed Principal of Kadi School, Sokoto in 1940, then in 1943 to Sultan's council as legal advisor on religious affairs. Became *Waziri* in 1948 on death of his brother. A prolific scholar, wrote on the history of the Sokoto Caliphate among other things. Was a loyalist and lifetime companion to the *Sardauna*; undertook various assignments for him, including trip to Sudan in 1958 to investigate legal and judicial systems there, and service on committee of Muslim jurists who vetted the Penal and Criminal Procedure Codes in 1959-60; also facilitated communication between the Sultan and the *Sardauna* for many years. Principal source: Paden p. 105 n. 5.

**Kaita, Isa, (1912-??), *Waziri* of Katsina, minister in the Government of the Northern Region 1954-66.** Father was an Islamic scholar and *Waziri* of Katsina. Educated at Katsina College, graduating in 1932. Taught at Katsina Middle School 1932-41. During World War II broadcasted to West Africa in Hausa from Accra; also escorted Emir of Katsina to Burma and India to inspect Nigerian troops. Served as Emir's private secretary and then as Chief Scribe to Katsina NA through 1948. Did Diploma in Public Administration at Exeter College in UK 1948-50. Became Development Secretary for Katsina 1951-53. Started political career with foundation of NPC, of which he was financial secretary in 1951; was also elected to House of Assembly in 1951, and helped establish NPC branch offices around the North 1951-54. Appointed Minister of Works 1954-56, of Natural Resources 1956-57, and of Education 1957-66. Appointed *Waziri* of Katsina after his father's death in late 1950s. Source: Paden p. 143 n. 15.

**Kashim, Shettima:** see Ibrahim, Sir Kashim.

**Kobo, Muhammadu (1910-2002), Emir of Lapai from 1954; chairman of delegation to Libya and Pakistan in 1958.** Born in Lapai. Attended Higher Provincial Middle School (now Government College Bida) 1920-27 and Teachers' Training College, Katsina 1927-33. Taught in Niger Provincial Middle School, Bida 1932-33 and 1950-52 and Kabba Provincial Middle School 1933-47; was also headmaster of Benue Provincial Middle School, Katsina-Ala 1947-48 and of Zaria Provincial Middle School 1948-50. Entered politics in 1951, serving as member, federal House of Representatives 1951-53, Councilor in charge of Central District Administration, Education and Public Enlightenment in Bida Native Authority 1952-54, and member Niger Provincial Council 1952-64. Went for course on Local Government in UK in 1952. Appointed Emir of Lapai in 1954; served in Northern House of Chiefs 1954-66. Was chairman of Northern delegation to Libya and Pakistan in 1958. Subsequently served on many committees and boards, including Chairman, State Committee on

Total War Against Indiscipline and a Life Member, Niger State Council of Chiefs. Sources: *This is Lapai*; *Royal Roots: Foundation History of Emirate Councils in Niger State Nigeria*.

**Marshall, Hedley Herbert (1909-82), Attorney-General of Northern Nigeria, 1954-62.** Educated at Dulwich College Prep School, Dulwich College, and London University. Admitted Solicitor of the Supreme Court of England in 1931. Served in the military during WWII; thereafter joined the Colonial Service. Assistant Administrator of Nigeria 1946. Called to the bar in 1949; returned to serve in Northern Nigeria variously as Crown Counsel 1950, Senior Crown Counsel 1951, Legal Secretary 1952, Attorney-General and Minister of Government 1954-62, Director of Public Prosecutions 1959-62; member House of Assembly, House of Chiefs and Executive Council 1951-62, member Privy Council 1954-59, and adviser to the Government of Northern Nigeria at Nigerian Constitutional Conferences 1957 and 1958. Served along with Mr. I. M. Lewis on Minorities (Willinck) Commission 1957-58 and took evidence around the North. Was member of Provisional Council of Ahmadu Bello University 1961. Retired as A-G late 1962, but still served the North as Commissioner for the Revision of the Laws of Northern Nigeria 1963-68. After return to Britain was Assistant Director (Commonwealth) British Institute of International and Comparative Law and a founding member, council member, and later Chairman of the Statute Law Society, for whose journal he wrote “The Drafting of Statutes: The Commonwealth Experience”, 1980 *Statute Law Review* 135. Also authored several law texts including *Natural Justice* (1959), and produced a volume of autobiography, *Like Father Like Son* (1980). Principal source: *Who is Who*.

**McLean, Ian Graeme (1928- ), founding Head of Law Department, Institute of Administration, Zaria, 1959-1962.** Educated at Aldenham School and Christ’s College, London; called to the bar (Middle Temple) 1951. Practised law in UK before coming to Northern Nigeria where he started as Crown Counsel, 1955-59. Besides serving as founding Head of the Law Department at Institute of Administration was adviser, Native Courts, 1959-62. Returned to England 1962; continued with law practice and became Metropolitan Stipendiary Magistrate 1970-80. Published scholarly books and articles in field of criminal law and procedure, including *The Maliki Law of Homicide*, 1959, co-authored with Abubakar Sadiq, who was himself appointed Kadi of the Sharia Court of Appeal in 1960. Principal source: *Who is Who*.

**Musa, Malam (1914-1999), member of the Panel of Jurists in 1958 and 1962; member of the committee of Muslim jurists who vetted the Penal and Criminal Procedure Codes in 1959-60.** Born in Bida. His father, Alkali Usman, was a renowned scholar and judge. Received basic Islamic education from his father; subsequently attended Gidan Kyari Primary School, Bida 1923-27 and Middle School (now Government College) Bida 1927-31. Became teacher under Bida Native Authority 1931-34. Left to study Arabic and Islamic law at College of Arabic Studies, Kano 1934-37. Resumed teaching in Bida NA but now as teacher of Arabic. Appointed Alkali in Kutigi 1943-45 then Chief Alkali of Bida 1945-62; also served as member of the Panel of Alkalis from which the Moslem Court of Appeal was from time to time constituted 1956-60 and as Inspector of Native Courts for Northern Region for some period in late 50s/early 60s. Completed judicial service as judge of

Provincial Courts in Zaria, Ilorin and Makurdi, finally retiring in 1975. Served on the Panel of Jurists in 1958 and 1962 and on the committee of Muslim jurists who vetted the Penal and Criminal Procedure Codes in 1959-60. Returned to Bida 1975 where he became a member of the Traditional Council as an Adviser on Islamic matters and head of the Bida Emirate *ulama*. Sources: Alhaji Aliyu Musa (son); Alhaji Usman Minin (cousin); Malam Abdulkadir Katun Aliyu of Radio Niger Minna.

**Nasir, Mamman (1929- ), Crown Counsel/Senior Crown Counsel in Northern Region 1956-61; member of delegation to Sudan in 1958; Minister of Justice 1961-66.** Born in what is now Katsina State, educated at Kaduna College 1943-47, Public Works Department Engineering School, Kaduna 1947-50, University College, Ibadan 1951-53, Council of Legal Education, London 1953-56. Called to the bar (Lincoln's Inn) 1955. Thereafter had a distinguished legal career serving in the following capacities: Crown Counsel then Senior Crown Counsel at various posts in the Northern Region 1956-61; Minister of Justice, Northern Region 1961-66; Director of Public Prosecution, Northern Region 1967; Solicitor General, North Central State 1967; Attorney-General, North Central State 1968-75; Supreme Court Justice 1975-76; President, Federal Court of Appeal 1978-92. Also served as legal adviser to the Northern Peoples' Congress 1961-66. Appointed *Galadima* of Katsina 19??; recipient of many honours including GCON. Principal source: *Africa's Who's Who*.

**Ngileruma, Muhammad Isa (1908-68), member of delegation to Sudan in 1958.** Aka Malam Kyari. Born in Maiduguri, in Yerwa District. Father was Alkali Zarami, a respected Islamic scholar and jurist. Attended school in Borno Province and then Katsina College, where he was a classmate of the *Sardauna*. Taught at Yerwa Provincial School; worked as scribe in Chief Alkali's office. In 1934 appointed Chief Scribe at the Central Office Maiduguri. Appointed *Wali* of Borno in 1942. Joined House of Assembly in Kaduna 1947; subsequently appointed first Minister of Natural Resources for the Northern Region. Appointed *Waziri* of Borno in the 50's. Served as Nigeria's envoy to the Sudan and Saudi Arabia and later to the United Nations and Egypt. Published a book entitled *Kitabu Kanuribe: Book u Kitabu Gargam Kanem wa Borno Wabe Kasargata*, i.e. *The Book of Kanuri: A Book on the History of Kanem Borno in Summary*, published in 1951 by Gaskiya Corporation Zaria. Sources: Saratu Igomu; *Katsina College*.

**Nunan, Manus (1926- ), Northern Region Crown Counsel and Legal Draftsman 1958-62; Solicitor-General, 1962-64.** Educated at St. Mary's College, Dublin and Trinity College, Dublin. Called to Irish bar (King George's Inn) and English bar (Gray's Inn). Was Crown Counsel in Northern Nigeria 1953-62 and the principal draftsman of the legislation that implemented the Panel of Jurists' 1958 recommendations. Subsequently appointed Solicitor-General and a minister in the Government of the Northern Region 1962-64. Continued in law practice upon return to the UK and became recorder of the Crown Court in 1978. Principal source: *Who is Who*.

**Olawoyin, J.S. (1925-2000), member of Northern House of Assembly from Offa in Ilorin Province 1956-61; lead plaintiff in case of *J.S. Olawoyin and six others v. Commissioner of Police*, 1961.** Born in Offa; attended Offa Grammar School. Joined

Zikist Movement 1948. Became Organising Secretary of Action Group for Ilorin Province in 1953, and General Secretary for Northern Region 1954. Elected Action Group member of Northern House of Assembly 1956-61; was also active in Middle Belt People's Party and United Middle Belt Congress. Attended constitutional conferences in London in 1957 and 1958 and in Lagos in 1960. Opposed the Bill for the new Penal Code Law 1959; derailed Native Courts Appellate Division of Northern High Court 1961-62 through lawsuit ultimately decided by Nigerian Supreme Court, *J.S. Olawoyin & Six Others. v. Commissioner of Police* (1961) 1 All N.L.R. (Part 2) 203. Was among those charged with treason in 1962 along with Obafemi Awolowo; 1963 conviction overturned in 1964. Also detained in Sokoto prison 1969-70 for his part in Offa community's agitation for reinstatement of deposed *Olofa* of Offa. Active in Offa affairs for many years, including serving as Councillor 1955-79. Installed as first *Asiwaju* of Offa 1982, and as *Asoju Oba* of Ede 1984. Produced volume of autobiography, *My Political Reminiscences 1948-1983* (1993). Source: *My Political Reminiscences*.

**Price, Justin (1919-1999), Senior Magistrate in the Northern Region in the late 1950s and possibly early 1960s.** Had served as a magistrate in Nyasaland before coming to Nigeria. In 1961, after leaving the service of the Northern Region, published articles in the Nigerian press and in *Modern Law Review* attacking the Region's new Penal and Criminal Procedure Codes; these views came as a surprise to the North and fed anti-Northern sentiment in the West. Sources: *No Weariness*; Justice Mamman Nasir; [Beyond this we have not been able to trace Mr. Price.]

**Richardson, Sam Scruton (1919-2004), member of the delegation to Libya and Pakistan 1958; Secretary to the Panel of Jurists 1958; Commissioner for Native Courts 1958-61; Principal of the Institute of Administration, Zaria, 1961-67.** Born at Gosport, near Southampton, England; educated at Magnus College, Newark and Trinity College, Oxford where he graduated 1940. Served in WWII as Major in Royal Marine Commandos in North Africa, India, Burma and Hong Kong. After the war worked in colonial administration, first as district commissioner in Sudan 1947-54 and in Northern Nigeria 1954-58, then as creator/developer of public administration teaching institutions in Nigeria 1961-67 and Mauritius 1968, both of which became nuclei of new universities. Became proficient in Arabic and, gaining legal qualification in 1959 through study at Lincoln's Inn in London, played important role in legal and judicial reforms in Northern Nigeria 1958-61. Moved to Australia 1969, becoming founding Principal of the Canberra College of Advanced Education. Retired from that position in 1984 and moved back to England. In retirement served as the Law Reform Commissioner for many of the Northern states of Nigeria, overseeing production of updated and revised volumes of their statutes. Was the author of *Notes on the Penal Code Law* (1960) and co-author (with T.H. Williams) of *The Criminal Procedure Code of Northern Nigeria* (1963), which became essential texts in Northern Nigerian law schools and courts, and co-author (with E.A. Keay) of *The Native and Customary Courts of Nigeria* (1966), an indispensable history of the development of Nigerian court systems under British rule. Also published a volume of autobiography, *No Weariness: The Memoir of a Generalist in Public Service in Four Continents* (2001). Sources: [www.canberra.edu.au/centre\\_s/crpsm/activities/ipa-uc-trust/richardson/](http://www.canberra.edu.au/centre_s/crpsm/activities/ipa-uc-trust/richardson/); *No Weariness*.

**Sani, Malam Muhammadu (????-??), member of the delegation to Libya and Pakistan in 1958; member of the committee of Muslim jurists who vetted the Penal and Criminal Procedure Codes in 1959-60.** Was Junior Alkali of Kano during the period in question. [Beyond this we have not been able to trace Malam Sani.]

**Sharif, Mr. Justice Mohammed (1893-??), member of the Panel of Jurists in 1958 and 1962.** Born in Jalandhar (India). Obtained BA degree from Allahabad University in 1913, and LLB from Law College in Lahore in 1916. Began law practice in Jalandhar in 1917. Moved to Lahore in 1935 and began practising there. Was appointed Judge in Lahore High Court in 1945 and Judge of Federal Court in 1954. Retired as Judge of Supreme Court in 1958. Subsequently served as Chairman of the Pakistan Law Commission and as President of the tribunal established in 1960 to examine the cases of West Pakistan politicians; also held post of Vice-Chancellor of Punjab University, Lahore for a few years. Source: *Urdu Encyclopedia*, courtesy of Dr. Muhammad Khalid Masud, Chairman, Council of Islamic Ideology, Islamabad.

**Smith, James Alfred (1913-??), Judge of High Court of Northern Nigeria, 1958-65; Ag. Chief Justice 1962.** Educated at Christ's College, Brecon. Served in the military in WWII, then took up career in Colonial Legal Service as follows: Resident Magistrate in Nigeria 1946-51; Chief Magistrate 1951-53; Chief Registrar, Supreme Court of Nigeria 1953-55; Puisne Judge in Nigeria 1955-58; Judge, High Court of Northern Nigeria 1958-66; Senior Judge then Puisne Judge, Supreme Court of Bahamas 1966-75; Senior Justice, Bahamas 1975-78; Chief Justice of the Bahamas 1978-80. He was also member, of the Court of Appeal for the Bermuda Service 1980 and the Court of Appeal for Bahamas and Belize 1981. Source: *Who is Who*.

**Williams, Frederick Rotimi Alade (1920-2005), Attorney-General and Minister of Justice of the Western Region in 1950s; attorney for the applicants in case of *J.S. Olawoyin and six others v. Commissioner of Police*, 1961.** Born in Lagos. Educated at CMS Grammar School, Lagos, University of Cambridge, UK, 1939-42. Called to English bar (Grey's Inn) 1943. Founded chambers in Lagos 1943, practised law there for rest of his life. Was Nigeria's first Queen's Counsel (1958) and first Senior Advocate of Nigeria (1975). Public service included: Chairman of Lagos Town Council 1953-54; Attorney-General, Minister of Justice, and Minister of Local Government of Western Region of Nigeria in 1950s; Acting Prime Minister of the Western Region in 1960; member, Western Region House of Chiefs and Committee for New Regional Legislation; President, Nigeria Bar Association 1959-68; member, Council of Legal Education 1962-68; Chairman, National Universities Commission 1968; Chairman, Constitution Drafting Committee 1976-77; Member, Constituent Assembly 1977-78; Chancellor, University of Nigeria, Nsukka; Chairman, Provisional Council, University of Ife. At international level was member of various organisations including British Institute of Comparative Law. Principal source: *Africa's Who's Who*.

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## CHAPTER 1: HISTORICAL BACKGROUND

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