

Chapter 6 Part VI  
Brief Biographies of the Judges Who Ruled on the Cases  
*Compiled by Philip Ostien*

**Safiyatu Hussaini's case**

The judge of the Upper Sharia Court Gwadabawa:

**Muhammadu Bello Sanyinnawal.** No information available.

The judges of the Sokoto State Sharia Court of Appeal:<sup>111</sup>

**Hon. Alhaji Muhammad Bello Silame, Grand Kadi.** Born in Silame town in the year 1937. After early Qur'anic education, continued his Arabic and Islamic studies at Silame *nizammīyya*.<sup>112</sup> From there he was employed by the then Native Authority to serve as a primary school teacher. Spent the years 1957-1960 studying at the Kadi School, Sokoto. Subsequently became a *mufiti* (scribe) in the Native Courts system, and then an Area Court Judge in his own right in 1974. After his appointment as an Area Court Judge he attended the Basic and Advanced judicial courses at the Institute of Administration, Ahmadu Bello University, Zaria (three months and one month, respectively). Was promoted to Upper Area Court Judge in 1984; to Kadi of the Sharia Court of Appeal in 1992; and to Acting Grand Kadi 2000. He has subsequently retired.

**Hon. Alhaji Bello Muhammad Rabah, Kadi.** He was born in Sokoto in the year 1950. After early Qur'anic education, continued his studies at *nizammīyya* Islamic school, obtaining his Higher Islamic Studies certificate to prepare him for Kadi School, Sokoto, where he obtained his certificate in Basic Judicial Studies. He was employed by the Judicial Service Commission Sokoto State to as an Area Court Judge in 1968 and gradually rose to the post of Kadi of the Sharia Court of Appeal in 1996.

**Hon. Alhaji Abdulkadir Saidu Tambuwal, Kadi.** Born in Tambuwal. Holds a Diploma in Sharia and Civil Law from ABU Zaria. Was employed by the Judicial Service Commission of Sokoto State, to serve as an Area Court Judge, on 1<sup>st</sup> July 1981. Rose through the ranks, being appointed a Kadi of the Sharia Court of Appeal on 12<sup>th</sup> December 1998. On 6<sup>th</sup> August 2004 he was appointed the Honourable Grand Kadi, which position he still holds.

**Hon. Alhaji Muhammad Tambari Usman, Kadi.** Born in Yabo Local Government in the year 1955. Attended "Western" primary and secondary schools. After his

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<sup>111</sup> Source: Malam Idris Adamu, Acting Chief Registrar, Sharia Court of Appeal, Sokoto. In the case of Alhaji Silame the material received from the Ag. Chief Registrar has been supplemented with information from an interview with Alhaji Silame conducted by the compiler on 24<sup>th</sup> February, 2003 in Sokoto. There are some conflicts in the information received from the two sources; in such cases the interview material has been used.

<sup>112</sup> *Nizammīyya*: school of higher Arabic and Islamic studies, attended by students beginning in late adolescence and ranging upward in age without limit. Subjects of study include Arabic, *adab al-Arabiyya* (Arabic literature), *mantiq* (logic), *ma'lumat* (geography), the Qur'an and Hadith, *tauhid* (theology), *fiqh*, etc. Various certificates may be obtained, including the Higher Islamic Studies Certificate (HIS).

*nizammiyya* Islamic school he proceeded to what is now Usman Dan Fodio University, Sokoto, where he obtained his B.A. in Arabic. He was employed as an Area Court Judge by the Sokoto State Judicial Service Commission in 1976. In 1998 he was appointed a Kadi of the Sharia Court of Appeal, a position he still holds. It was Alh. Usman who read the leading judgment in Safiyatu Hussaini's case.

#### **Amina Lawal's case**

The judge of the Sharia Court Bakori:<sup>113</sup>

**Alhaji Nasuru Lawal Bello Dayi.** The officer was born in 1957 at Dayi, in what is now Malumfashi Local Government Area, Katsina State. He obtained Diploma in Law in 1984 from Hassan Usman Katsina Polytechnic. He joined the Judiciary as an Assistant Registrar on G.L. 06 with effect from 16<sup>th</sup> April, 1988. His cadre was changed from Registrar on G.L. 07 to Area Court Judge II on G.L. 07 with effect from 1<sup>st</sup> August, 1990. He was promoted to Area Court Judge I on G.L. 08 with effect from 1<sup>st</sup> January, 1991. His salary was reviewed from G.L. 08 to G.L. 09 with effect from 1<sup>st</sup> January, 1992 as Higher Area Court Judge in accordance with Federal Civil Service Commission's circular No. B. 63279/S.43/349. He was promoted to Senior Area Court Judge on G.L. 10 with effect from 1<sup>st</sup> January, 1994, Principal Area Court Judge I on G.L. 12 with effect from 1<sup>st</sup> January, 1997, Principal Area Court Judge I on G.L. 13 with effect from 1<sup>st</sup> January, 2000.<sup>114</sup> He was appointed as an Upper Shari'a Court Judge II on G.L. 14 with effect from 5<sup>th</sup> August, 2004. He is presently an Upper Shari'a Court Judge II at Kankara Upper Shari'a Court.

The judge of the Upper Sharia Court Funtua:<sup>115</sup>

**Alhaji Aliyu Abdullahi.** The officer was born in 1944 at Katsina in what is now Katsina Local Government Area, Katsina State. Obtained Diploma in Shari'a and Civil Law in 1977 from Ahmadu Bello University Zaria. He joined the Judiciary as an Assistant Registrar on G.L. 06 with effect from 8<sup>th</sup> July, 1977. His cadre was changed from Assistant Registrar on G.L. 06 to Area Court Judge I on G.L. 07 with effect from 1<sup>st</sup> July, 1981. He was promoted to Higher Area Court Judge on G.L. 08 with effect from 1<sup>st</sup> April, 1985, Senior Area Court Judge on G.L. 09 with effect from 1<sup>st</sup> October, 1987, Principal Area Court Judge II on G.L. 10 with effect from 1<sup>st</sup> August, 1989. His salary was reviewed from G.L. 10 to G.L. 12 with effect from 1<sup>st</sup> January, 1992 in accordance with Federal Civil Service Commission's circular No. B 63279/S. 43/349 of 20<sup>th</sup> July, 1990. He was promoted to Principal Area Court Judge I on G.L. 13 with effect from 1<sup>st</sup> January, 1993, Upper Shari'a Court Judge II on G.L. 14 with effect from 1<sup>st</sup> January, 1996, Upper Shari'a Court Judge I on G.L. 15 with effect from 1<sup>st</sup> January, 2000. The officer retired from the services of Katsina State Judiciary as Upper Shari'a Court Judge I at Funtua with effect from 6<sup>th</sup> May, 2005.

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<sup>113</sup> Source: Justice S.A. Mahuta, Chief Judge, High Court of Katsina State.

<sup>114</sup> Alhaji Dayi appears to have been on this same level, although now a Principal Sharia Court Judge, when he tried Amina Lawal's case.

<sup>115</sup> Source: Justice S.A. Mahuta, Chief Judge, High Court of Katsina State.

The judges of the Katsina State Sharia Court of Appeal:<sup>116</sup>

**Hon. Aminu Ibrahim Katsina, Grand Kadi.** Born 1941. Primary and secondary schooling in Kankara, Malumfashi and Katsina 1949-57. Attended School for Arabic Studies, Kano 1958-62, receiving Final Certificate in 1962, then studied for one year at Al-Azhar University in Cairo. Served as an Assistant Alkali (*mufti*) in Katsina Native Authority 1963-66, then as an Inspector of Area Courts 1966-73 in what in 1967 became North Central State and included what is now Katsina State. During years of service as Inspector also completed Diploma in Law and LL.B. at Ahmadu Bello University, Zaria (1966 and 1972, respectively), and his year at the Nigerian Law School, Lagos, being admitted to practise at the bar in 1973. Served as a Magistrate in North Central State 1973-74; as Company Secretary/Legal Advisor to the Broadcasting Company of Northern Nigeria 1974-76; and as Chief Registrar of the Sharia Court of Appeal of Kaduna State (which then included what is now Katsina State) in 1976-77. Moved to Lagos as Secretary to the Public Complaints Commission 1977-82, and then undertook duties as Special Assistant to President Shagari 1982-83. Was Secretary to the Nigerian Law Reform Commission 1984-89. Appointed Kadi of the Sharia Court of Appeal, Katsina State, 1989; Acting Grand Kadi 2000, and Grand Kadi, 2001. Died in office 22<sup>nd</sup> January 2004.

**Hon. Sulaiman Mohammed Daura, Kadi.** Born 1944. Junior and senior primary school in Kano 1954-60. Studied Qur'an and Hadith with malams in Zangon Daura 1961-62, then attended Arabic Teachers College, Sokoto 1963-67, finishing with Grade II Certificate. Was the first Headmaster of the Islamiyya Primary School in Daura beginning in January 1968, but left later the same year to read Islamic Studies at Bayero College, ABU Kano Campus, receiving B.A. in 1973. Then became teacher at GSC Kallungo (in what is now Bauchi State) 1973-74; Vice-Principal, Arabic Teachers College Katsina 1974-75; Vice-Principal, Government Secondary School Daura 1976-77, and Principal, Government Day Secondary School Daura 1977-81. Switched over to judicial service in 1981, serving as Area Court judge 1981-87, Upper Area Court judge 1987-90, and finally Kadi of the Sharia Court of Appeal from 1990.

**Hon. Ibrahim Mai Unguwa Umar, Kadi.** Born 1942 in Katsina's Unguwar Alkali. Early education included elementary school in Dutsin-Ma 1949-52, Qur'anic school in Maiduguri 1953-56, and Islamic law school in Katsina 1957-59. Taught Arabic and Islamic Studies in Musawa Primary School 1960-67; left to attend Arabic Teachers College Sokoto 1968-70, finishing with Grade III Certificate. Taught Arabic and Islamic Studies in Mani during 1971, before again leaving to attend the Teachers College Katsina 1972-73, finishing with a Grade II Certificate. Was then Headmaster of the Magaji Abu Primary School for several months in 1973; left to do his Diploma in Sharia and Civil Law at ABU Zaria 1973-75. Began judicial service in 1976, serving as Registrar of Area, then Upper Area Court in Daura 1976-78, Area Court judge 1978-87, Upper Area Court judge 1987-90, and Kadi of the Sharia Court of Appeal from 1990.

**Hon. Shehu Mu'azu Dan-Musa, Kadi.** Born 1953 in Dan-Musa. Attended primary school in Dan-Musa and Safana 1960-66. Then attended the Arabic Teachers College,

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<sup>116</sup> Sources: CVs provided by the Sharia Court of Appeal, Katsina.

## CHAPTER 6: TWO FAMOUS CASES

Katsina 1967-69, obtaining Grade III teaching certificate, and taught as a Grade III teacher for all of 1970. Returned to Arabic Teachers College 1971-72, obtaining Grade II certificate; taught as a Grade II teacher 1972-74. Left teaching to do Diploma in Sharia and Civil Law at ABU Zaria 1974-76. Began judicial service in 1977, serving as Area Court Assistant Registrar 1977-81, Area Court judge 1981-89, Upper Area Court judge 1989-95, Acting Director of Area Courts for seven months in 1995, and became Kadi of the Sharia Court of Appeal from November 1995.

**Hon. Sule Sada Kofar Sauri, Kadi.** Born 1948 in Katsina. Attended primary school in Katsina 1954-60, then Islamic law school also in Katsina 1961-64. Taught Arabic in Kayalwa Primary School 1965. Attended Arabic Teachers College, Katsina 1966-68, obtaining Grade III teaching certificate, then taught as Grade III teacher 1969-70. Returned to Arabic Teachers College 1971-72, obtaining Grade II certificate; taught as Grade II teacher in Abuttai Primary School 1973-74. Became Court Clerk at Area Court in Funtua 1974. Did the Basic Judicial Course at the Institute of Administration, ABU Zaria in 1975, and returned to ABU to do Diploma in Sharia and Civil Law 1977-80. Continued service in the Area Courts as Assistant Registrar 1980-82, Area Court judge 1983-91, Upper Area Court judge 1991-95, Assistant Director of Area Courts for some months in 1995, and became Kadi of the Sharia Court of Appeal from November 1995.