



GENDER JUSTICE ACTION RESEARCH

MITIGATING VIOLENCE AGAINST WOMEN AND GIRLS (VAWG) JUSTIFICATIONS

'Compassion and Protection: VAWG Islamic Perspectives'



2025

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Ford Foundation

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‘Compassion and Protection: VAWG Islamic Perspectives’

Action Research Report by
Women’s Rights Advancement and Protection Alternative (WRAPA)

in partnership with
Centre for Islamic Civilisation and Interfaith Dialogue,
Bayero University, Kano, Nigeria.

2025



Islam Protects Women Against Violence

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Preface

In the Name of Allah, the Most Gracious the Most Merciful

WRAPA and CICID are collaborating to identify and respond to the practical and nuanced issues of VAWG in Northern Nigeria especially in communities. Strategies adopted include research, rigorous scholarship and wide stakeholder dialogues. In furtherance of this, the action research is born from a place of deep concern, profound faith, and an urgent sense of responsibility. Across the world, in societies rich and poor, urban and rural, the shadow of Gender-Based Violence (GBV) looms large. It is a global pandemic that inflicts physical, psychological, and spiritual harm on millions, predominantly women and girls, tearing at the very fabric of families and communities.

It is a painful truth that certain interpretations of the Qur'anic term '**wadribuhunna**' and traditional norms have been weaponized to perpetuate harm. Selective readings of verses, the misapplication of concepts like **qawwamah** (responsibility) and **nushuz** (disobedience), as well as a silence on the foundational ethos of the Qur'an and Sunnah have created a space where abuse can be disguised as religious mandate.

This research supported by Ford Foundation and facilitated by WRAPA and CICID, seeks to navigate this complex and painful terrain. Its primary objective is to return to the sources of Islam with clarity and courage, to disentangle divine guidance from harmful practices. The interpretation and application of theological and common law are complex processes, shaped by scholars and jurists who weigh diverse sources. These include factual evidence, legal precedents from fatwas and case law, legislative reforms, and evolving social norms.

To effectively protect women and girls in all spheres of life, we must foster deeper knowledge, sustained scholarship, and a commitment to legal and social change. As global commitment to ending gender-based violence grows and survivors become more empowered to seek redress, this research aims to provide them with a practical tool to demand justice and compensation.

All readers are therefore urged to objectively digest and make use of the research findings to support the struggle of ending the menace of violence against women and girls in our homes, communities and the nation as a whole.

Saudatu Mahdi, MFR
WRAPA

Dr. Taufiq Abubakar Hussaini
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Acknowledgement

On behalf of the Board and staff of the Women's Rights Advancement and Protection Alternative (WRAPA) I acknowledge the invaluable contributions of several persons and institutions in the development, validation and final production of this research, titled *Gender Justice Action Research: Mitigating Violence Against Women and Girls (VAWG) Justifications*. WRAPA is immensely grateful and encouraged by the commitment shown by all, starting from the Research Consultants who worked assiduously to produce the report, to the experts who participated in the reviews and two validation processes. Our gratitude and appreciation also go to members of the judiciary, academia, faith and cultural leaders, who shared valuable insights that enriched the work.

We are particularly grateful to our partners, the Centre for Islamic Civilisation and Interfaith Dialogue (CICID), Bayero University Kano, and its staff who have worked tirelessly through the entire process of the research. WRAPA is particularly grateful to Prof. Haruna Musa fsi, the Vice Chancellor, Bayero University for his unflinching support and encouragement at all times. May the partnership between WRAPA and the University continue to grow to the benefit of Nigerian women, families and the nation in general.

We extend our most profound appreciation to the Ford Foundation for its support and encouragement to WRAPA. Your guidance and faith mean a lot as we navigate the sensitive terrains of culture and faith persuasions to achieve shifts that guarantee gender justice, protection and the prevention of violence against women and girls in Nigeria.

Last but not least, I thank the dedicated team of staff of WRAPA who have put in so much see the research project come to fruition.

Saudatu Mahdi, MFR

Secretary General - WRAPA

Glossaries

	Glossaries	Meaning
1	Wadhribuhunna	Strike them
2	Sadd al-Dharā'i	Blocking the means leading to harm
3	Qawāmah	Responsibility of taking care of wife
4	Nushūz/Nashiz	Rebellious wife
5	Maqasid al-Shariah	Higher objectives of Islamic law
6	Mubah	Actions which are permissible
7	Wajib	Obligatory actions
8	Mandub	Action that is recommended, commendable, or desirable
9	Rukhsa	Dispensation
10	Al'ila	Swearing to abstain sleeping with wife
11	Siwak	Chewing stick
12	UDHR	Universal Declaration of Human Rights
13	CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
14	ACHPR	African Charter on Human and Peoples' Rights
15	Maputo Protocol	The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women

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Validations group pictures (Kano & Kaduna)



Executive Summary

Introduction

The Northern region of Nigeria has a large population of Muslims. Faith and culture govern the values and practices of the people. Islamic provisions from the books of Maliki school of Jurisprudence govern all personal law matters. Prior to independence, Northern Nigeria operated a well-developed Islamic legal system based on the Maliki school of jurisprudence, established after the Jihad of Sheikh Usman Dan Fodio. Islamic criminal law was strictly applied by Alkali courts, allowing limited corrective force by husbands, masters, and teachers.

Statement of Problem

In addition to Islamic law, Nigeria, has two other principal enactments regulating civil and criminal matters namely, the Criminal Code Act, applicable Southern States Nigeria and the Penal Code Law, applicable in the Northern States and Abuja. Regulating the relevant facts of law and practice admissible in any judicial proceedings is the Evidence Act.

Specifically, the Qur'anic term “*Wadhribuhunna*” in Surah An-Nisā' 4:34 is not understood in its proper context. The verse outlines a structured, gradual approach for addressing serious misconduct in Islamic marital life. The verse establishes the husband's responsibility (*qawāmah*) to provide for, protect, and care for his wife, while describing righteous women as obedient to God and trustworthy in their conduct. Islamic teachings emphasize that marriage is a relationship built on mutual love, compassion, respect, and fairness. This justifies the need for a nuanced understanding of Quran 4:34, and highlights the importance of context and the delicate procedure for addressing *nushūz* (rebellion by a wife). It is not a justification for violence.

Prevailing practice shows some Muslims are in departure of these values. They misinterpret the provisions of the term, seeking to establish a basis for their actions against women. They argue that *wadhribuhunna* simply means '*strike and beat them*'. On the part of survivors, there is ignorance of the correct interpretation of the term and the challenges of seeking justice in this context.

Sections 55(1) (d) of the Penal Code and the discriminatory provisions in Sections 353 and 360 of the Criminal Code directly conflict with Nigeria's constitutional guarantees and its international human rights commitments. They legitimize violence against women, undermine equality in acquiring

justice, and beg for repeal or amendments to ensure full protection of women's rights in Nigeria. Case law, research, and anecdotal evidence have pointed to a combined nexus of enabling the prevalence of Violence Against Women and Girls (VAWG) while also sustaining limitations in protection and accountability in private and public spaces.

It is against this backdrop, WRAPA with support from the Ford Foundation, engaged researchers who are legal experts in Islamic and Common Law to review selected provisions of the Penal Code, the Criminal Code, and the misinterpretation and misapplication of the term '*Wadhribhunna*' from the immutable Qur'anic provisions related to a format of admonishing an unyielding wife.

Objectives

1. Interrogate real and perceived discriminatory provisions in the Penal Code and Criminal Code laws towards enhancing VAWG prevention, protection and access to justice for women and girls.
2. Deepen scholarship and dialogue to correct misinterpretations and misapplication of the Qur'anic term of '*Wadhribhunna*' in its intended meaning and application within Islamic jurisprudence.
3. Strengthen stakeholder engagement in ensuring legal frameworks uphold women's rights and apply practices protecting women from violence in private and public spaces.

Methodology

As a legal research the methodology adopted an in-depth examination and analysis of statutory legal provisions, the text of the glorious Qur'an, the traditions of the Prophet Muhammad (May the Peace and blessings of Allah be upon him) PBUH. Accordingly, the following research approaches were deployed:

- Doctrinal research;
- Descriptive methodology;
- Content analysis;
- Data collection and analysis;
- Two validation engagements.

Research Findings

1. Legal Analysis Reveals that Discriminatory Provisions in the Penal and Criminal Codes Systematically Undermine the Justice System's Response to VAWG, and is inconsistent with the Nigerian Constitution.

- i The Penal Code (Northern Nigeria): is a colonial legacy reflecting the outcomes of some of the legal and administrative negotiations before Nigeria's independence.
- ii The letter and spirit of Section 55 (3)(1)(d) of the Penal Code linked to native law and custom as a compromise position of colonial legacy is obsolete. While it may have served a transitional purpose, it in the minimum requires a review or at most, a repeal. The penal laws of the countries it was fashioned after have been repealed or revised and aligned to constitutional or international human rights commitments.
- iii The listing of the subjects/persons covered by the provisions of Section 55 (1) Penal Code (Northern Nigeria): has the combined effect of reducing the dignity and status of the wife where she is equated to a child, a minor (pupil), and even slave (as then applicable).
- iv The consensus reading of Section 55 (3)(1d) of the Penal Code actively perpetuates discrimination against victims of Violence Against Women and Girls (VAWG), which is compounded by the provisions of the Evidence where it defines basis, content and actors of "grievous hurt".
- v There is an obvious discrimination in the letter and spirit of the provisions of Sections 353 and 360 of the Criminal Code, where the form and gravity of the same offence of indecent assault attract different definitions and punishments for males or females. These are in direct conflict with the provisions of Sections 34 & 42 of the 1999 Constitution (CFRN as amended), as well as Nigeria's international commitments in UDHR, CEDAW ACHPR, and the Maputo Protocol; all of which guarantee the right to dignity, prohibit torture and inhuman/degrading treatment, and forbid discrimination on the basis of sex.
- vi Data and anecdotal documentation indicate:
 - No criminal cases where a husband was prosecuted under the Penal Code for beating his wife.
 - Evidence from Shari'a and Area Courts in Kano State and the FCT show cases of wife-beating are almost exclusively filed as civil suits for divorce not as criminal.

- Knowledge deficiencies among wives on their rights, the reliefs associated with interpretation and application of the term *Wadribuhunna*.
 - Potential challenges in seeking and attaining appropriate redress for the violations women suffer; whereby rather than demand justice and compensation, they usually demand for divorce.
 - Women are reluctant to criminalize their spouses, often due to societal pressure, evidential burdens, or a primary desire for separation rather than punishment.
2. **Theological and Jurisprudential Research establishes that the traditional interpretation of ‘*Wadribuhunna*’ is a misapplication, rooted in historical context rather than theological Imperative.**
- i. Any juristic ruling that contradicts the lifelong practice and ethical character of the Prophet is fundamentally flawed. Prophet Muhammad PBUH never struck a woman or a child, and he explicitly condemned those who beat their wives, calling them "the worst of men.”
 - ii. There is a dearth of knowledge and sustained scholarship to dislodge the gaps in the understanding and interpretation of the letter and spirit of Surah An-Nisā' 4:34 verse and particularly the term '*Wadribuhunna*'. This is a significant driver of the prevalent and erroneous affirmation of the authority of a husband to beat his wife, in contradiction to the position of Islam as a mercy to humanity, particularly the vulnerable.
 - iii. There is a positive consensus on the framing of the interpretation of the term "*Wadribuhunna*" within the context of Maqasid al-Shariah (higher objectives of Islamic law), which include the preservation of life, intellect, lineage, and dignity. An interpretation of "*Wadribuhunna*" that enables violence undermines the preservation of life and dignity and is therefore jurisprudentially unsound.
 - iv. Islamic jurisprudence contains the overriding principle that "there shall be no harm nor reciprocation of harm" (لا ضرر ولا ضرار). A significant proportion of Islamic scholars and stakeholders are of the conviction and posit that physical striking inherently causes psychological and potential physical harm, thereby violating this core legal maxim.

- v. The research identifies a clear correlation: effective legal frameworks for women's protection depend on coordinated action among all relevant stakeholders, a condition currently not being met.
- vi. The study finds that a lack of coherent collaboration among key stakeholders that fundamentally undermines the implementation and impact of gender-sensitive laws.

3. Theological Application and Jurisprudential Practices Required for Protecting Women from Violence in relation to the term '*Wadribuhunna*'.

- i. Where a wife displays persistent rebellious behaviour (*nushūz*), the verse prescribes three escalating steps:
 - (a) Admonition
 - (b) Abandoning the marital bed
 - (c) Only then as a final step and a last resort, not a command, it becomes permissible (*mubah*) act, not an obligation (*wajib*), and is considered a dispensation (*rukḥṣah*).
- ii. There is an overwhelming consensus among Maliki scholars and practitioners on the need for strict judicial oversight and accountability attached to the application of the term '*Wadribuhunna*' to prevent abuse where it occurs:
 - ▶ Judges may punish husbands who:
 - a. Skip the required steps,
 - b. Strike in forbidden areas,
 - c. Harm a wife with health issues,
 - d. Strike without justification.
 - ▶ Where physical harm occurs (fracture, wound, broken eye, etc.), the husband must pay compensation, even if accidental.
 - ▶ A husband is legally and financially liable for any harm caused, and the wife has the right to seek divorce or retaliation for any injury.
- iii. The Prophet Muhammad PBUH never struck his wives or servants and declared that men who beat their wives "are not the best among you"

Recommendations and Implementation Strategies

- 1. Enlightenment Campaigns on Shari'a Instructions for Kind Treatment of Women.**
 - Provide a baseline, content, and themes for sustained dialogue, advocacy, and sensitization on the position of Islam on violence against women and girls (VAWG); to dispel wrong perceptions, practice derailments and responses to violence against women.
 - Engage Islamic scholars for reorientation and reminder on Qur'anic provisions and Prophetic traditions with regard to wife beating and maltreatment.
 - This research report should be translated to Hausa Language after publication to deepen awareness on the benefits of VAWG prevention based on Islamic best practice.
- 2. Amend or Repeal Sections 353 and 360 Criminal Code & Section 55 (1) (a-d) of the Penal Code.**
 - Use findings and stakeholder submissions to justify the need to repeal discriminatory sections of the Criminal and Penal Codes in order to remove clear and nuanced discriminatory aspects of the provisions due to identified conflicts with the 1999 Constitution (CFRN) as amended, international human rights instruments as well as the redundancy of Section 55 (1) (a-d) and lack of activation for over six decades.

Conclusion

The research finds that Nigeria's legal system, influenced by Common Law, has intersected with a misinterpretation of the Qur'anic term "Wadribuhunna" (to strike), creating a situation that contributes to the justification of wife-beating. The rampant spread of wife beating resulting from misapplication and misinterpretation of the religious texts needs to be halted aided by sound and acceptable theological principles and standards of interpretation. That also requires an alignment with the correct understanding of the term within Islam's higher objectives which protect life, dignity, and lineage. Application must be in the context of a last resort and in compliance with its standards of symbolic format, its defined procedure and above all as a measure to preserve marriage, not a license for violence. In its administration, legal accountability is prescribed for abuse with due compensation for proven non-compliance or malice. As an ultimate template, and despite the Qur'anic permissibility in defined and

regulated circumstances; the Prophet Muhammad (PBUH) strongly discouraged beating wives, admonishing men who beat their wives saying “Men who beat their wives are not the best among you”.

The perceived and real nexus between the provisions of the Penal Code section 55 1(d) in its reference to native law and custom permitting wife-beating, does not equate to the principle or intendment of the provisions in the Qur'an; particularly to the term "*Wadhribhunna*" (to strike) as shown by this study. Harmful native law or custom wherever and whenever found, is not supported by Islamic law and should be declared repugnant to natural justice. Addressing the issue necessitates a dual approach between sustained theological interpretation and judicial reform that corrects application and removes discrimination while strengthening human dignity, matrimonial harmony and justice. Ultimately, improved scholarship, public awareness, and legal reforms are essential to protect women and empower survivors to seek justice. This research provides a resource and tool to support that goal.



WRAPA Secretary General, Saudatu Mahdi MFR,
Opening Remarks & Validation Objectives



Lead Researcher Prof. Dahiru Usman, presenting the Full Report Findings

1.0 INTRODUCTION

Women's Rights Advancement and Protection Alternative (WRAPA) is a non-governmental, non-political, non-profit making, charitable organisation, for the promotion and enforcement of all human rights of women, the elimination of all forms of repugnant practices and violence against women, and the enhancement of their living standards. The main goal of the organization is to advance and protect the rights of women in Nigeria as provided by national laws and policies, regional and international treaties, and agreements. This is achieved through an integrated approach that entrenches respect for a woman's human dignity as well as her inclusion in decisions that affect her life and the development of her community.

In Nigeria, there are two principal enactments regulating crimes generally and in particular sexual offences, namely, the Criminal Code Act of 1916,¹ applicable to the former Southern States of Nigeria (Criminal Code) and the Penal Code Law of 1960,² applicable to the former Northern States and Abuja (Penal Code). The Evidence Act is the principal legislation regulating the law and practice of evidence in Nigeria, with the provisions of the Act determining which facts are relevant and hence admissible in any judicial proceedings. Case law, research and anecdotal evidence have pointed to the combined nexus of the provisions of these laws in enabling prevalence and sustaining impunity for violence against women and girls in private and public spaces.

Against this backdrop, WRAPA engaged consultants who are legal experts in Islamic and Common Law to review selected provisions of the Penal Code, the Criminal Code, and the misapplication of the word '*Wadhribhunna*' from the immutable Qur'anic provisions related to a format of admonishing an unyielding wife.

The research reviewed the text and legal import of particular provisions of the Penal and Criminal Codes, which are deemed to provide a basis for discrimination before the law against women and girls while also tacitly endorsing violence against women and girls (VAWG) within power relationships. Specific relationships between master and servant/slave, husband and wife, and pupil and teacher as contained in the Penal Code were the focal relationships for the research and this report.

¹.Criminal Code Act of 1916, now Cap 77 Laws of the Federation of Nigeria, 1990.

².Penal Code Law of 1960, now Cap. 89 Laws of Northern Nigeria, 1963.

The report equally analysed and proffers clarification on the meaning and practical application of the Qur'anic text of the word '*Wahtribhunna*', its import as a deterrent and not a license for injury or abuse. The consultancy was for a month July 1 to July 31, 2024 and is based on the following responsibilities and task from the Terms of Reference (ToR).



Desk literature to show the historical and legal antecedents of the provisions of the Criminal and Penal Codes.



Dissect the provisions of section 55 (1) (a-d) of the Nigerian Penal Code Vis-a-Vis the extant provisions of Islamic rules that uphold the rights to dignity, safety, and care.



Conduct an in-depth analysis of section 55 (1) (a-d) and sections 353 and 360 of the Penal and Criminal Codes respectively. The former allows correction of a slave, pupil, or wife by a master, teacher, or husband, and the latter deals with indecent assault with different gravity and quantum of punishment for some offences for males or females.



Convene online research methodology session and validation dialogue meeting.



Utilise and update the WRAPA database to engage with stakeholders and practitioners from key institutions of high-net-worth faith & culture platforms, the judiciary, academia, and communities.



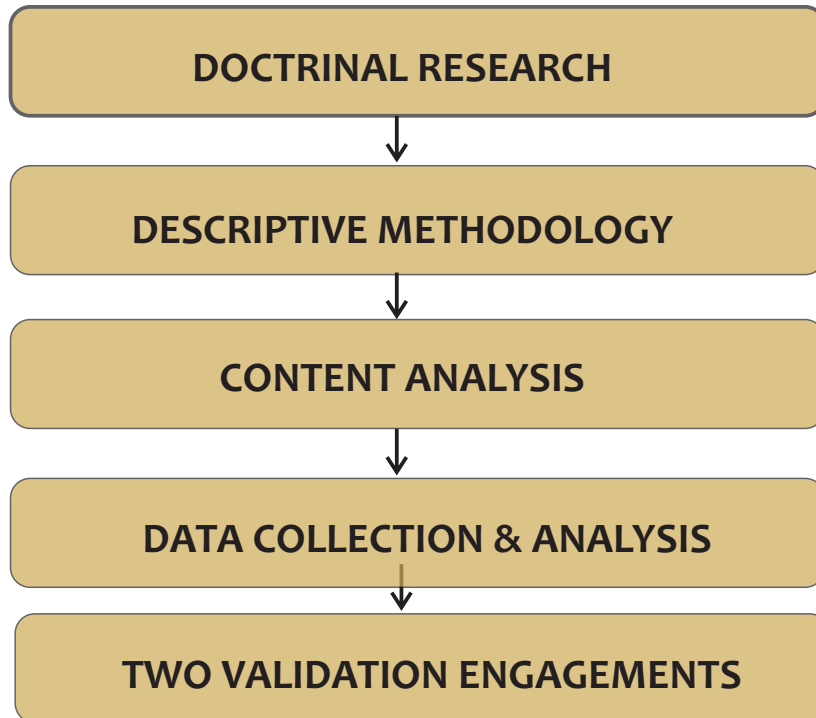
Compile cogent and practical recommendations to:

- a. justify the need to repeal discriminatory sections of the Criminal and Penal Codes.
- b. provide a new baseline, content, and themes for dialogue, advocacy, and sensitization on the position of Islam on violence against women and girls (VAWG); to dispel wrong perceptions, practice derailments and responses to violence against women.

The Deliverables from the ToR include:

- i. Literature review report
- ii. Research methodology plan and report
- iii. Full Research report in soft and hard forms.
- iv. The research was guided by the above ToR and deliverables. In other words, the research was conducted guided by the ToR and is organized based on the ToR.

2.0 The Methodology



The research is a review of the text and legal import of particular provisions of Section 55 (1) (a-d) of the Penal Code³, and Sections 353 and 360 of the Criminal Code⁴ which are deemed to provide a basis for statutory discrimination against women and girls while tacitly endorsing violence against women and girls (VAWG) within power relationships. The research is, therefore, legal research. Equally, the research involves in-depth examination and analysis of statutory provisions and the text of the glorious Qur'an and, the traditions of the Prophet of Islam Muhammad (May the Peace and blessings of Allah be upon him). Consequently, doctrinal research which is the mainstay of legal research was adopted. Additionally, the research employs a descriptive methodology, utilizing a conceptual approach to analyze verses, Hadith literature, and juristic views related to the themes of the research. Overall, the analysis was based on the content analysis method.

Data on cases of domestic violence was also collected from six selected Kano State Shariah Courts and Area Courts of the Federal Capital Territory, Abuja respectively. The data was analyzed and the pattern of the cases was highlighted.

³Penal Code Law, Cap 89 Laws of Northern Nigeria, 1963

⁴Criminal Code Act of 1916, Cap 77 Laws of the Federation of Nigeria, 1990.

3.0 THE HISTORICAL ANTECEDENTS OF THE PENAL CODE OF NORTHERN NIGERIA AND THE CRIMINAL CODE OF SOUTHERN NIGERIA

Historically, the Southern and Northern regions have different histories relating to their criminal laws. This is especially so concerning the applicable criminal codes in the two areas. While Southern Nigeria had a Criminal Code which in general terms is based on English criminal law, the North until 1959 had no criminal code. This made the Nigerian Criminal Code applicable in the North despite the Criminal Code not prohibiting certain offences such as adultery and alcohol drinking which are punishable offences under Islamic criminal law which applied the dominantly Muslim Northern Nigeria.⁵

3.1 The History of the Criminal Code and the Enactment of the Northern Nigerian Penal Code

Before the British colonial presence, Northern Nigeria had a highly established political and legal system which was the bequeath of the Jihad of Usman Bn Fodio. In the criminal law sphere, the region had a highly developed court system rigidly administering comprehensive Islamic law based on the Maliki School. In other words, the criminal law applicable to the area was the Islamic criminal law rigidly administered based on the teachings of the Maliki School that allows a husband, a slave master and a teacher to respectively use a degree of assault to correct unyielding wife, a recalcitrant slave or disobedient student. This prompted the initial colonial government's pledge not interfere with the court and criminal law systems they met. Apart from the Islamic law based on the Maliki School, there were pockets of what Philip Ostien described as “vague native criminal law”⁶ that applied to non- Muslim traditionalists living in the area.

The case of southern Nigeria was different, the applicable criminal was based on a Criminal Code Act of 1916⁷ fashioned after the Sir Samuel's Griffith Criminal Code whose provision are substantially derived from English law adopted in Queensland of 1899.

⁵ WRAPA, “Improving Women's Rights: A Case Study of the Impact of the WRAPA Islamic Family Law (IFL) Project in North-West Nigeria, p.6, nd

⁶ Philip Ostien, *Sharia Implementation in Northern Nigeria 1996-2006: A Sourcebook*, Vol. IV, Chapter 4, pp. 3-21, Philip Ostien, ed., (Ibadan: Spectrum Books Ltd.) 2007

⁷ Now Cap 77 Laws of the Federation of Nigeria, 1990



In-depth Analysis of Research Findings by Experts and Advocates (Kano)



The Committee comprised of the then Chief Justice of Sudan Justice Sayyid Abu Ranat, Mr. Sharif the then Chairman of the Pakistan Law Reform Commission and a retired Justice of the Pakistan Supreme Court; Waziri of Bornu Shetima Kasim; Mr. Peter Achimugu (former Minister of Northern Nigeria); Alkalin Bida Musa Othman and J.N. Anderson of the London School of Oriental Studies.

The British in 1902 introduced the criminal law and so when in 1914 the Southern and Northern Protectorate were amalgamated, the application of the said criminal law was extended to the whole country including the Northern Protectorate.

The criminal law of Northern Nigeria until 1960 was a plural criminal law. It comprises of the uncodified Moslem law of Maliki School administered by the Alkalis or native courts and the provisions of the Nigerian Criminal Code which is essentially based on English common law of crimes administered by the Magistrate and the High Court.

There equally exists a criminal law applicable to the non-Muslims based on customs generally held to be binding by the members of the community.⁸ J.N. Anderson described the situation as chaotic and several issues were left to chance.⁹ This was a recipe for conflict between the courts. There were uncertainties as to which of the courts has jurisdiction to try an offender, on which crime and the extent of punishing powers of the court.¹⁰ There were, equally issues relating to conflict of applicable laws.

These prompted the Northern Nigerian government constituted a committee on the reorganisation of the courts in the region and how the conflicts can be avoided¹¹

The substantive and procedural Islamic criminal was dominantly applied. In fact, up till 1960 there is no place outside the Arabian Peninsula where the Islamic law is substantively applied not only in civil matters but even criminal cases involving capital offences such as the Northern Nigeria.¹²

⁸ Now Cap 77 Laws of the Federation of Nigeria, 1990

⁹ Browne, John P. "An Operational Study of the New Penal Code of Northern Nigeria." U. Det. LJ 39 (1961): 465.; Victor L.K. Essien, "The Northern Nigerian Penal Code: A Reflection of Diverse Values in Penal Legislation,"

NYLS Journal of International and Comparative Law: Vol. 5 : No. 1 (1983): 87.

¹⁰ J. N. D. Anderson, "Conflict of Laws in Northern Nigeria: A New Start" The International and Comparative Law Quarterly, Vol. 8, No. 3 (Jul., 1959): 442. Ibid

¹¹ J. N. D. Anderson, "Conflict of Laws in Northern Nigeria: A New Start" The International and Comparative Law

¹² J. N. D. Anderson, "Conflict of Laws in Northern Nigeria: A New Start," The International and Comparative Law Quarterly, Vol. 8, No. 3 (Jul., 1959): 442.

The drafting of the Penal Code of Northern Nigeria was by a Committee established by the government of Northern Nigeria. The Committee under studied the Penal Codes and the criminal law of three largely dominant Muslim countries and adherents of the Maliki school. These are Libya, Pakistan and Sudan.

The Northern Nigerian Penal Code came into force on September 30, 1960 at the eve of Nigeria's independence. The Code was entitled "N.R. No. 18 of 1959" and became Cap. 89 of the Laws of Northern Nigeria 1963.¹³ The Code traces its roots to the Sir. W. Brunyate's Penal Code of Sudan which equally traces its roots to Macaulay's Indian Penal Code¹⁴ the basis of which was the law of England.¹⁵ It should be noted that Northern Nigerian and the Sudanese Penal Codes departed from some provisions of the Indian Penal Code.

The Penal Code of Northern Nigeria was described by Essien as an "unusual" code the implementation of which generated discussions.¹⁶ The Penal Code was a radical departure from the criminal law known to and applied by the native courts for generations.¹⁷ The code reflects diverse and competing African customary criminal law notions, the principles of Islamic criminal law and the English criminal law.¹⁸ Additionally, the Penal Code came to abrogate all the then-prevailing systems of criminal law, including Islamic criminal law. The Code was to apply in all courts of the Region to all persons without regard to religious or ethnic affiliation.¹⁹

¹³ Ostien, Philip, Nigeria's Sharia Penal Codes (August 24, 2009). SHARIA IMPLEMENTATION IN NORTHERN NIGERIA, 1999-2006 A SOURCEBOOK, Vol. IV, Chapter 4, pp. 3-21, Philip Ostien, ed., Ibadan: Spectrum Books Ltd., 2007, Islamic Law and Law of the Muslim World Paper No. 09-81, Available at SSRN: <https://ssrn.com/abstract=1461002>

¹⁵ Brett, L., 1964. The Penal Codes of Northern Nigeria and the Sudan.

¹⁵ Turpin, C. C., "The Penal Codes of Northern Nigeria and the Sudan. Law in Africa series, number 8. By Alan Gledhill, m.a., ll.d., of Gray's Inn, Barrister-at-Law; formerly a Judge of the High Court at Rangoon; Professor Emeritus of Oriental Laws in the University of London. [London: Sweet & Maxwell, Ltd.; Lagos: African Universities Press. 1963.

¹⁶ Victor L.K. Essien, "The Northern Nigerian Penal Code: A Reflection of Diverse Values in Penal Legislation," NYLS Journal of International and Comparative Law: Vol. 5: No. 1(1983): 87.

¹⁷ Anderson, J. N. D. "Return Visit to Nigeria: Judicial and Legal Developments in the Northern Region." *International & Comparative Law Quarterly* 12, no. 1(1963): 284.

¹⁸ Victor L.K. Essien, "The Northern Nigerian Penal Code: A Reflection of Diverse Values in Penal Legislation," NYLS Journal of International and Comparative Law: Vol. 5: No. 1 (1983): 88.

¹⁹ Ostien, Philip, Nigeria's Sharia Penal Codes (August 24, 2009). SHARIA IMPLEMENTATION IN NORTHERN NIGERIA, 1999-2006 A SOURCEBOOK, Vol. IV, Chapter 4, pp. 3-21, Philip Ostien, ed., Ibadan: Spectrum Books Ltd., 2007, Islamic Law and Law of the Muslim World Paper No. 09-81, Available at SSRN: <https://ssrn.com/abstract=1461002>

The Penal Code of Northern Nigeria came into being as compromise legislation and is believed to be a model for international legislation and unification of law.²⁰

The Code is believed to be well-suited for the Northern Nigerian society even though its implementation was initially resisted in some part of the Northern region²¹

The Penal Code came to abrogate all the then-prevailing systems of criminal law, including Islamic criminal law. The Code was to apply in all courts of the Region to all persons without regard to religious or ethnic affiliation.

On the issues relevant to this research, the Penal Code provides in Section 55(1) of the Penal Code Law provides:

“Nothing is an offence which does not amount to the infliction of grievous hurt upon any person and which is done”

- a. By a parent or guardian for the purpose of correcting his child or ward such child or ward being under eighteen years of age; or
- b. By a schoolmaster for the purpose of correcting a child under eighteen years of age entrusted to his charge; or
- c. By a master for the purpose of correcting his servant or apprentice such servant or apprentice being under eighteen years of age; or
- d. By a husband for the purpose of correcting his wife being subject to any native law and custom in which such correction is recognized as lawful.

In the same vein, the Criminal Code Act in Section 353 provides that: “Any person who unlawfully and indecently assaults any male person is guilty of a felony and is liable to imprisonment for three years.”

A similar provision is provided under Section 360 proscribing assault on females. The Section provides that: “Any person who unlawfully and indecently assaults a woman or girl is guilty of a misdemeanor and is liable to imprisonment for two years.”

²⁰ Victor L.K. Essien, "The Northern Nigerian Penal Code: A Reflection of Diverse Values in Penal Legislation," NYLS Journal of International and Comparative Law: Vol. 5: No. 1 (1983): 88.

²¹ Anderson, J. N. D. "Return Visit to Nigeria: Judicial and Legal Developments in the Northern Region." International & Comparative Law Quarterly 12, no. 1 (1963): 284

4.0 Dissection an In-depth Analysis of the Penal and Criminal Codes Provisions on Descent and Indecent Assault

4.1 Section 55 (a-d) of the Penal Code Act

To start with, the operative word used in the section excludes grievous hurt. This means that violence on the persons named in the section that includes a woman which is not grievous, is excused and not punishable. Grievous hurt is defined under Section 241 of the Penal Code which was interpreted in the case of **SANI v. KANO STATE (2017) LPELR-43329 (CA)**. According to the court, the offence of grievous hurt has been defined in Section 241 of the Penal Code. To secure a conviction for grievous harm, the prosecution must prove that: (i) the appellant caused hurt; (ii) that the hurt was grievous as defined.”While no decided case defines grievous hurt in the context of section 55 of the Penal Code, guidance is sought from the decisions of the appellate courts. In the case of **ABBANI v. STATE (2024) LPELR-62528(SC)** the Supreme Court stated the ingredients that must be proved to establish the offence of grievous hurt. According to the court in proving a criminal accusation of causing grievous bodily hurt the prosecution must prove that the defendant "caused the bodily harm using any weapon that is likely to cause death.

The import and purport of the above-quoted sections 55 (a-c) categorically confer powers upon a person in loco parentis upon a person in loco parentis to correct the person under his charge providing that the person so corrected is under eighteen years of age. The said correction must not only be such as not to amount to grievous hurt but must also be reasonable in kind and degree and under no circumstance can be applied to an infant child or a person mentally unsound or otherwise incapable of understanding the reason for the punishment.

The basis for permitting punishing pupils by their teachers for wrongdoings is in tandem with the twin objectives of instilling not only learning but character in the pupils. However, teachers have been tried for causing grievous hurt to their students.

In October 2023, a 43-year-old teacher, David Yusuf, was arraigned for flogging a female student of the Government Girls College, Kuje, FCT.²² The charge against the accused teacher was that he flogged the victim with an iron rod and inflicted injuries on her palm and other parts of her body during night prep.

²² Teacher arraigned for flogging female student,” Punch, October 10, 2023. <https://punchng.com/teacher-arraigned-for-flogging-female-student/>

Cases have also been reported of parents resorting to self-help following the discipline of their children by their teachers. Recently,²³ a female teacher Sonia Amadi of Silver Bird International School, Port Harcourt, Rivers State, was physically assaulted by the parents and family members of a Junior Secondary School student. They equally attempted Administrative Officer of the school. Narrating her ordeal the teacher recounted her experience saying: “This morning, I was in my office when three boys marched into my office, locked the door, and threatened to flog me. One was about to flog me, while the other picked a scissor we use for school works, and threatened to stab me under the guise that his brother was flogged in the school.”²⁴

Another incident happened at Aces Nursery, Primary and Secondary School, Abuja. In this case, one Muhammed Jimeta a father of a pupil Karima allegedly assaulted a teacher, Sekinat Adedeji, for beating his daughter. The story of the teacher was that Karima disrespected her by abusing her 'wanka' and she beat her on the leg with a small ruler. But Mohammed Jimeta in an attempt to justify his action, claimed that the teacher had been assaulting his child for weeks and he complained to the school management yet the teacher continued with her assault beating his daughter and sending her home. Jimeta in particular alleged that the marks and blood he saw on his daughter's leg made him crazy.²⁵

In Ogun State, too one Akanni Azeez Olawale, an SS3 student of Agbara Grammar School, in Ado-Odo/Ota local government area of the state, and his parents, equally assaulted one of the teachers of the school.²⁶ The Ogun State government vowed to prosecute the student and his parents.

The above cases and others led to calls for innovative ways of disciplining children in school to avoid inflicting physical injury or harm on the students.²⁷ Happily, the Child's Rights Act has proscribed corporal punishment which is argued to be an ineffective disciplinary tool.

²³ Editorial Parents' assault on teachers for flogging student, Vanguard, June 6, 2024. <https://guardian.ng/opinion/parents-assault-on-teachers-for-flogging-student/> (accessed July 29, 2024).

²⁴ Editorial Parents' assault on teachers for flogging student, Vanguard, June 6, 2024. <https://guardian.ng/opinion/parents-assault-on-teachers-for-flogging-student/> (accessed July 29, 2024).

²⁵ Editorial Parents' assault on teachers for flogging student, Vanguard, June 6, 2024.

²⁶ James Ogunnaike, “Assault: Ogun vows to prosecute parents, student who slapped teacher,” Vanguard, February 28, 2024. <https://www.vanguardngr.com/2024/02/assault-ogun-vows-to-prosecute-parents-student-who-slapped-teacher/>

²⁷ Editorial Parents' assault on teachers for flogging student, Vanguard, June 6, 2024.

Section 55 (d) of the Penal Code excuses a wife-beating by her husband for correction where the native law and custom of the husband so allows and especially where the beating does not result to grievous hurt. This permission may conflict with the decision of the court in the case of **AGBAI & ORS v. OKOGBUE (1991) LPELR-225(SC)** where the Supreme court held that any customary law that conflicts with an aspect of the rule of law or the provisions of fundamental rights guaranteed under the Nigerian is barbarous and should not be enforced by the courts.

Where such native law is found to offend the provisions of the Constitution by permitting assault as a form of correction must be expunged for being inconsistent with the provisions of the Constitution in line with Section 1 (3) of the Constitution, and the said native law or custom must be declared invalid in line with Section 315 (b) of the constitution.

4.2 Indecent Assault under Sections 353 and 360 of the Criminal Code Act

Section 360 of the Criminal Code has been tested and applied in several cases. In particular, indecent assault was dissected and defined in the context of the section. To start with, the Court of Appeal in the case of **STATE v. IJIWANDE (2020) LPELR-51627(CA)**, detailed the ingredients that must be proved to secure a conviction for indecent assault. They are: (i) That there was assault on the person of the victim by the accused person and (ii) That the act was accompanied by an act of indecency.

In the case of **INNOCENT v. STATE (2015) LPELR-24804(CA)** the Court stated what the prosecution needs to prove to establish the offence of assault under Section 360 of the Criminal Code. According to the Court:

“In proving the offence of indecent assault, the prosecution must prove the presence of two ingredients stated under Section 360 of the Criminal Code Act, LFN 2004 Vis: a. That there was assault on the person of the victim by the accused person. b. That the act was accompanied by an act of indecency.”

In **STATE v. IJIWANDE** supra, "assault" was defined according to the Black's Law Dictionary, Seventh Edition at page 1108. as: *“the threat or use of force on another that causes that person to have a reasonable apprehension of imminent harmful or offensive contact.”*

The same Black's Law Dictionary, Seventh Edition at page 771 was adopted in **STATE in v. IJIWANDE (2020) LPELR-51627(CA)** defining the word "**Indecency**" as: *"the condition or state of being outrageously offensive, especially in a vulgar or sexual way. Indecent Assault involves sexual assault."* See also Black's Law Dictionary (Supra) at page 771.

The court in **ENEJI v. STATE (2013) LPELR-20393 (CA)** and **(2) INNOCENT v. STATE (2015) LPELR-24804 (CA)** **NDIBE v. NDIBE (1999) 14 NWLR (Pt. 638) p. 225 at p. 240, para. C** clearly described the situations when an assault is said to be committed. In the latter case, the Court declared that:

"An assault is said to be committed by a person who strikes, touches or moves or otherwise applies force of any kind to the person of another either directly or indirectly without his consent, or with his consent, if the consent is obtained by fraud or who by any bodily act or gesture attempts or threatens to apply force of any kind to the person of another without his consent in such circumstances that the person making the attempt or threat has actually or apparently a present ability to effect his purpose."

The above definition appears to be adopted in both civil and criminal trials. The adoption of the definition is clearly seen in the case of **NDIBE V. NDIBE**.

From the text of Sections 353 and 360 of the Criminal Code, indecent assault on a man or a woman are punishable offences that attract imprisonment. The two provisions proscribe indecent assault. However, a careful perusal of the two sections reveals discrimination in terms of the punishment prescribed in both sections. While indecent assault on women is a misdemeanor under Section 360 of the Criminal Code and attracts two years, indecent assault on men is termed a felony that attracts three years imprisonment a year higher than the cases of indecent assault on women.

It is also found that only section 360 of the Criminal Code is activated and received judicial blessings in many cases. No judicial authority on indecent assault on man was found in the data bases and the law reports. Perhaps is because the punishment for indecent assault on the woman is two years while that of the indecent assault on man is three years. There is no basis for the discriminatory provisions. An indecent assault on a woman should be equated with indecent assault on a man. Both should be of equal degree and should be considered a felony and not the current statutory discriminatory definition of one as felony and the other as a misdemeanor.

Key Court Cases and Outcomes

Case	Court & Year	Key Issue	Outcome / Legal Principle Established
SANI v. KANO STATE	Court of Appeal, 2017 (LPELR - 43329)	Definition of <i>grievous hurt</i> under Section 241 of the Penal Code	Court clarified that grievous hurt involves bodily harm likely to cause death; conviction requires proof of causation and severity.
ABBANI v. STATE	Supreme Court, 2024 (LPELR - 62528)	Proof of grievous bodily harm under Section 55	Court outlined elements: (i) bodily harm caused, (ii) use of weapon likely to cause death.
AGBAI & ORS v. OKOGBUE	Supreme Court, 1991 (LPELR -225)	Validity of customary law permitting wife beating	Court ruled that any customary law permitting assault violates constitutional rights and is invalid.
STATE v. IJIWANDE	Court of Appeal, 2020 (LPELR - 51627)	Definition and ingredients of indecent assault	Court held that indecent assault requires proof of both assault and indecency; adopted Black's Law Dictionary definitions.
INNOCENT v. STATE	Court of Appeal, 2015 (LPELR - 24804)	Proving indecent assault under Section 360	Reinforced need to prove: (i) assault occurred, and (ii) act accompanied by indecency.
ENEJI v. STATE	Court of Appeal, 2013 (LPELR - 20393)	When assault is legally committed	Defined assault broadly as striking, touching, or threatening force without consent.
NDIBE v. NDIBE	Supreme Court, 1999 (14 NWLR Pt. 638)	Civil/criminal definition of assault	Adopted common standard that assault includes physical application of force or threatening gesture.



Contributions by experts during the first validation meeting in Kano



5.0 JUDICIAL INTERPRETATION OF THE WORD NASHIZ

Judicial authorities from the appellate courts are scarce on the interpretation of the Wadhribuhun. There are however authorities that provide some guidance on when a wife is said to be a **Nashiz** (disobedient. In the case of **TAMBUWAL v. TAMBUWAL (2021) LPELR-55025(CA)** for example the court while dealing with the situation when a wife is said to be disobedient and disentitled to maintenance held thus:

*"The Muslim jurists have also discussed situations where a wife is considered **Nashiz** or disobedient in matters which become the right of the husband. In this situation, she is disentitled to maintenance from her husband. See AL-ZUHAYLI, VOL. 7, P. 779. Example of **Nashiz** is when the wife prevents the husband from touching her or declines to have sexual intercourse without lawful reasons. What are lawful reasons are rather subjective but among the examples that were given is illness which results in pain after having sexual intercourse. See AL-ZUHAYLI, VOL. 7, P. 779. A wife is also considered **Nashiz** in several other situations, including going out from the husband's home or travelling without the husband's permission. This is exceptionally allowed in the case of necessity like the house is falling down or she has to visit her parents who are sick or for the purpose of her own treatment. A wife is considered **Nashiz** if she refuses to move to the matrimonial home after her marriage to the husband. See AL-ZUHAYLI, VOL. 7, Pp. 779 - 780. It is clearly not permissible for a woman to go out of her husband's house without permission. If she does that then she is definitely disobedient and she has no right to maintenance until she comes back to obeying her husband. However, it is essential to know the reason why the wife, the Respondent in this case, left the matrimonial home for such a long time. Where a wife leaves the matrimonial home to flee a husband who is maltreating her or beating her or abusing her, and so on, in that case, the shortcoming and transgression would be that of the husband and not the wife, in which case the wife will be entitled to maintenance. The Appellant herein has stated that the Respondent deserted the matrimonial home. There is no doubt that desertion and willful refusal of a wife to stay with the husband would mean that the wife shall not get any maintenance. However, both desertion and willful refusal to to live with the husband need to be proved."*

A careful review of the above judgment even though not a criminal or civil case on wife beating, but the judgment captures the issue under research as the court declared wife beating, maltreatment and abuse as shortcomings of a husband and a transgression.



Wider Experts convening on recommendations and unresolved inputs from Kano Validation

6.0 A CRITICAL ANALYSIS OF THE PROVISION OF PENAL CODE PERMITTING ASSAULT VIS-À-VIS THE INTERNATIONAL HUMAN RIGHTS AND CONSTITUTIONAL PROVISIONS UPHOLDING THE RIGHT OF NIGERIAN WOMEN IN THEIR MATRIMONIAL HOMES

It is incontrovertible that, in the past couple of years, cases of violence against women have escalated with multiple reports attesting to the high rate of abuse physical, sexual, and other ways-mated out on our women and the lackadaisical attitude of our courts in imposing severe punishment to the culprits that will serve as deterrence to others now and then, undesirable story of one form of violence or the other against women and girls are heard, including stories of women being battered by their partners.

The government, NGOs, and concerned individuals alike have risen to fight these dastardly and vile acts of violence against women by providing legal frameworks against the abuse of women. It is, however, catastrophic that marital assault still enjoys unenviable legality in one of the laws of the federation. This part of the report provides a concise critique of the extant provision of Section 55 (1) (a-d) of the Penal Code Law (cap 89 laws of Northern Nigeria) which creates a defence for a husband who corrects his disobedient wife by striking her where both are subject to provisions of Islamic laws. Relevant sections of the constitution and other international laws that are domesticated would also shed more light. Section 55(1) of Penal Code Law makes the infliction of hurt that is not grievous not punishable in five circumstances to wit: assault by a parent or guardian to correct his under eighteen years child; assault by a teacher, master of a pupil or a servant under apprenticeship.

The section equally excuses a husband to correct his wife if the husband and wife are subject to native law and custom in which the correction is recognized.

6.1 Compatibility of the Provisions of Section 55 of the Penal Code and Sections 353 and 360 of the Criminal with the International Human Rights Laws and the Provisions of the 1999 Constitution Federal Republic of Nigeria as amended

Human rights are rights inherent in all humans. This fact is captured in Article I of the Universal Declaration of Human Rights. According to Article I: ***“All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”***

reason and conscience and should act towards one another in a spirit of brotherhood.”

These human rights are guaranteed to protect humans against exploitation and are protected under international, regional, and domestic human rights instruments such as the Convention on Elimination of all Forms of Discrimination Against Woman (CEDAW), African Charter on Human and Peoples Rights (ACHPR), Universal Declaration of Human Rights (UDHR) and chapter of the Constitution of the Federal Republic of Nigeria. 1999 as amended.

To begin with, Section 34 (1) of the constitution of Nigeria 1999 as amended unequivocally guarantees the protection of the dignity of persons and proscribes inhuman and degrading punishment. Can wife-beating as sanctioned by Section 55 of the Penal Code not in conflict with the dignity of the wife? Section 34 (1) of the Constitution provides that: ***“every individual is entitled to respect for the dignity of his person, and accordingly no person shall be subject to torture or to inhuman or degrading treatment”***

Section 42(1) of the 1999 Nigerian Constitution discrimination on any ground is prohibited The section provides:

“A citizen Nigeria of a particular community ethnic group, place of origin, sex, religion, or political opinion shall not by reason only that he is such a person be subjected either expressly by, or in the practical application of any law in force in Nigeria or any executive or administrative action of the government to disabilities or restriction to which groups, places of origin, sex, religion or other political opinions are not made subject”

The African Charter on Human and People's Rights duly domesticated in Nigeria makes adequate provision for the protection of citizens especially women and vulnerable to exploitation and violence. **Article 2** of the Charter provides thus:

“Every individual shall be entitled to the enjoyment of the right and freedoms recognized & guaranteed in the present charter without distinction of any kind such as race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social fortune...”

Article 3 of the Charter further provides that: “every individual shall be equal before the law.” **Article 18(3)** in particular makes provision for the elimination of discriminatory practices against women when it declares in the following words: “The state shall ensure the elimination of discrimination against women and also ensure the protection of the right of women and children as stipulated in international declaration & conventions”.

Similarly, the International Covenant on Civil and Political Rights made provisions against torture, inhuman and degrading treatment and freedom from discrimination. Article 7 provides: **“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.”**

The ICCPR also made provisions prohibiting discrimination on any ground. Article 26 provides:

“All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”

The Universal Declaration of Human Rights equally prohibited torture, and inhuman and degrading treatment. Article 5 provides that: **“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”** It equally prohibited discrimination of any kind including discrimination on account of sex or gender. **Article 2 of the UDHR** provides thus:

“Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinions, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing, or under any other limitation of sovereignty.

The question to ask is, is section 55 (1)(d) of the Penal Code of Northern Nigeria which provides that an assault by a man on a woman is not an offence if they are married if native law or custom recognizes such “correction” as lawful, and if there is no grievous hurt not offending the provisions of the above human rights instruments against torture and degrading treatment? Is it not inhuman for a married woman to be beaten as a correction? Is the section not promoting gender inequality and gender-based violence? By the cumulative effect of the above human rights instruments, the provision of section 55 (1) (a – d) conflicts in particular with the provision of section 34 (1) of the Nigerian constitution which guarantees the respect for the dignity of a person and also against human torture, inhuman and degrading treatment.



WRAPA Director of Progs. Mrs. Oluwayemisi Nathaniel making a contribution

The said section therefore amounts to a conspiracy against the constitution of Nigeria. The provision of various national and international laws also frowned at the provision of the penal code that permits marital Assault.

Furthermore, the import of Section 55 (1) (d) of the penal code is that use of force by a man on his wife is not an offence if native law or custom recognizes such “correction” as lawful and if there is no grievous hurt. It is argued that the penal code by the provisions permits marital assault. Which invariably means an assault on wives (women) provided that it does not cause grievous hurt or if is recognized as a form of correction under native law and custom. Shall a married woman then by reason only that she is a married woman, be subjected to assault? The answer is in the negative. To successfully eradicate this violence against women, therefore, the proportion of hurt caused to women must be rendered immaterial. Use of force against women must be condemned in the strongest term for constituting assault and violation of fundamental human rights. In the same vein, any form of native law or custom that recognizes assault must be expunged for being inconsistent with the provision of section

1(3) of the constitution and the said native law and custom must be declared invalid in line with section 315(b) of the constitution.

Not surprising that calls abound for the repeal of the provision of section 55 of the Penal Code. In 2016, a coalition of over sixty CBOs in an interactive session with both the Senate Committee on Diaspora & Non-Governmental Organisations and the House of Representatives Committee on Civil Society & Development Partners called on the National Assembly to demand the repeal of the said section.²⁸

In particular, Section 353 of the Criminal Code provides higher prison terms for indecent assault against men in contrast to the lower prison term for indecent assault against women. This contravenes the provisions of the Universal Declaration on Human Rights, the International Covenant on Civil and Political Rights, the African Charter of Human and Peoples Rights and primarily the provisions of Section 42 of the 1999 Constitution that prohibits discriminatory provisions, especially on grounds of sex or gender. The sex and/or the discriminatory provisions should be deleted from the criminal code.



*Director Centre International Islamic Banking and Finance BUK,
Professor of Islamic Law making a point of consensus on some knowledge issues*

²⁸ Ikechukwu Nnochiri, Repeal law permitting men to beat wives, CSOs tell National Assembly, Vanguard, February 12, 2016

7.0 THE SHARI'AH PRESCRIPTIONS ON THE KIND TREATMENT OF WOMEN

The ideal relationship between the husband and wife is one built on mutual friendship and affection (***Mu'asharah bi Al Ma'aruf***), what is considered good and reasonable (***Ma'ruf***) according to religious principles, societal values, human reason, and *Fitra* or innate human nature (***Mu'asharah bi Al Ma'aruf***). Matrimonial life in Islam is built on love, compassion and mutual respect. A marriage creates relationships of mutual rights and obligations between the husband and the wife, and these rights and obligations should be based on equality or equity, balance, and fairness.

Islam does not allow a husband to act cruelly to his wife, either physically or mentally. The Qur'an stresses love, kindness, and justice in family relationships and prohibits cruelty of all kinds. Qur'an chapter 30:21, for instance, provides that: ***“And among his signs is this that He created for you mates among yourself, that you may dwell in tranquility with them, and He has put love and mercy between your (heart): behold, verily in that are signs for these who reflect”***.

Qur'an chapter 4:19 prohibits among other harsh treatment to women and it provides:

“o you who believe! You are forbidden to inherit women against their will. Nor should you treat them with harshness, On the contrary live with them on a footing of kindness and equity. If you take a dislike to them it may be that you dislike a thing which God brings about through it a great deal of good”.

The hadith of the noble Prophet (SAW) the second source of Islamic law and practice equally has several injunctions on the kind treatment of women. The prophet (SAW) is reported saying that ***“the best of you is he who is best to his wife.”*** In yet another tradition, Aisha (RA) narrates that the Messenger (SAW) never hits a servant or a woman and he did not hit anyone with his hand.



8.0 OBJECTIVE ANALYSES AND CLARIFICATION ON THE MEANING AND PRACTICAL APPLICATION OF QUR'ANIC TEXT OF THE WORD 'WADHRIBUHUNNA'



Sheikh Nasir Mahd Adam, Chairman Jumuat Mosque making clarifications on the term "Wadhribuhun"

The Qur'anic verse from which the word "Wadhribuhun," is Surah An-Nisa' (4:34), requires contextual understanding. The verse reads thus:

قَالَ تَعَالَى: ﴿الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ فَالصَّالِحَاتُ قَانِتَاتٌ حَافِظَاتٌ لِّلْغَيْبِ بِمَا حَفِظَ اللَّهُ وَاللَّي تَخَافُونَ نُشُوزَهُنَّ فَعِظُوهُنَّ وَأَهْجُرُوهُنَّ فِي الْمَضَاجِعِ وَأَضْرِبُوهُنَّ إِنِ اطَّعَنَكُمْ فَلَا تُبَغُّوا عَلَيْهِنَّ سَبِيلًا ۗ إِنَّ اللَّهَ كَانَ عَلِيمًا كَبِيرًا ﴿٣٤﴾ النساء: ٣٤

Meaning:

“Men are the protectors and maintainers of women, because Allah has made one of them to excel the other, and because they spend (to support them) from their means. Therefore, the righteous women are obedient (to Allah and their husbands), and guard (their chastity) in the absence of their husbands with that which Allah orders them to guard. And those whom you fear rebellion (nushuz) from them, admonish them, and separate from them in beds, and strike them. But if they obey you, then do not seek means of annoyance against them. Indeed, Allah is Most High, Most Great.”



8.1 Contextualization

The verse must be understood within its context. It is essential to recognize that the verse promotes a gradual and thoughtful approach to addressing marital issues, rather than resorting to violence as a first solution. The verse outlined several steps to consider before resorting to striking women. These steps include:

1. Admonishing and counseling
2. Separation in beds (i.e., sleeping separately)
3. Striking (as a last resort)

Initially, the verse establishes the essential role of a man as the leader of the household, responsible for caring for and sustaining his wife, protecting her dignity, and administering her affairs (قوامون). This divine assignment emphasizes the importance of safeguarding and protecting women under their husbands' care.

The verse also clearly states that husbands are responsible for providing for their wives' living expenses, clothing, medicine, and all other domestic needs. There is no corresponding responsibility assigned to the wife in this regard. Women should carefully consider this aspect.

Additionally, the verse explicitly describes the behavior of righteous women, who exhibit obedience and a strong commitment to safeguarding their husbands' property and their chastity. Their attitude is commendable, and they will reap the rewards of their excellent deeds. A tradition from the Prophet (peace be upon him) states, ***“The best wife is she who pleases you when you look at her, obeys you when you bid her and safeguards herself and your property in your absence.”***

Furthermore, in contrast to the righteous women, the verse addresses the issue of rebellious wives who disobey their husbands. Three steps are outlined to address this situation are:

- i. Admonition: When a husband notices his wife's rebellious behavior, he should immediately counsel her, hoping she will reconsider and change her ways. For better understanding, other respected individuals like parents and elders can be invited to advise the woman based on their experiences. If it is hoped that she will rethink and turn away from her rebellion, the husband has the right to stop at this step. Imam Shafi'i clarified this point, saying, "During exhortation, the husband should say to her, 'Please, fear Allah and realize that I have rights binding upon you. Stop associating me with ill manners. You should know that I have rights over you, and you must fulfill them.

"قال

الإمام الشافعي- رحمه الله:- أما الوعظ فإنه يقول لها: اتقي الله فإن لي عليك حقا ولرجعي عما أنت عليه، واعلمي أن طاعتي فرض عليك ونحو هذا، ولا يضربها في هذه الحالة

At this stage, the husband is not permitted to strike her, with the hope that she will show remorse.

- ii. If the wife resists admonition and continues her reckless behavior, the verse allows the husband to distance himself from her in bed. According to Ibn Abbas, "Abandonment refers to abstaining from intercourse and lying on her bed with his back to her." Most scholars agree that this abstinence is limited to sexual interaction only, and the husband should not refrain from having conversations or other interactions with her. However, some views suggest that the husband can abstain from speaking to his wife for a maximum of three days, or even up to one to three months. The latter view seems credible, as the husband can refrain from associating with his wife for four months (known as "Al'ila") if she defies his rights. After this period, the husband should be called to order, either reconciling with his wife or divorcing her.
- iii. The third and final step is the issue of striking, a highly debated topic in modern times. Due to its sensitivity, this issue requires a detailed discussion. Specifically, striking a woman for correction should be available to a man where he is able to protect and maintain his wife.

This is because the verse opened with an obligation of husband to protect and maintain their wives. The fulfilment of these obligations is the basis for the leadership position of a husband which is only attained based on ability of the husband to provide maintenance for his wives.

The righteous woman is the one who obeys Allah and His Messenger in discharging all her marital obligations as prescribed by the Shariah.

8.2 The Meaning and import of the word "واضربوهن" *Waḍribūhunna*

The verb *واضربوهن* (*waḍribūhunna*) stems from the verbal root "ضرب" (*ḍarb*), meaning "to strike," "beat," or "hit." There are two primary interpretations of this word:

The first view, held by the majority of scholars from the first generation to modern times, is that it permits striking a rebellious wife under certain conditions. This interpretation is supported by authentic traditions, including a Hadith where the Prophet (S.A.W.) explains the proper method of striking. Jabir bn Abdullah reported that during the Farewell Hajj, the Prophet said, "Fear Allah regarding women, for they are your assistants... If they disobey, you may discipline them lightly/not severely."²⁹

Scholars among the companions and their disciples like Ibn Abbas, Al-Hasan Al-Basri and a host of others interpret this verse as allowing a non-violent beating. Shaikh Al-Adawi Al-Maliki clarifies that "not severe" means a striking that does not break bones, shatter flesh, or disgrace limbs.³⁰

وقال العدوي: "قوله غريمريح : وهو الذي لا يكسر عظام ولا يهشم لحما ولا يشرن في جارحة

The second view, held by modern progressive scholars, seeks to reinterpret "واضربوهن" to mean "separate" or "distance oneself," rather than "strike." The verse should be interpreted this way:

"The men are to support the women by what God has gifted them over one another and for what they spend of their money. The reformed women are devotees and protectors of privacy what God has protected. As for those women from whom you fear disloyalty, then you shall advise them, abandon them in bedchamber, and separate them; if they obey you, then do not seek a way over them; God is High Great".³¹

²⁹Muslim, Al-Jami' al-Sahih, No.1218.

³⁰Hashiyat al-Adawi, 2/41

³¹Edip Yuksel, Layth Saleh al-Shaiban and Martha Schulte-Nafeh, Qur'an: A Reformist Translation, United State of America: Brainbkwpress, 2011, p.123

The progressive and reformists argue that the term "ḍarb" has multiple meanings. However, this interpretation raises questions about who decides the meaning. Moreover, since this verse was revealed in Madinah, those 'feminist scholars' argue that its content is limited to 7th-century Arabia and not applicable to the modern world. This interpretation is ironic, as the word "واهجر وهن" (wāhjuhunna) already means "separate" or "distance oneself," making the reinterpretation of "واضربوهن" as to "separate" unnecessary repetition.

Although striking one's wife is a Qur'anic injunction, it is not obligatory (Wajib) or strongly recommended (Mandub) for husbands. Instead, it is permissible (Mubah) only under specific conditions, as interpreted by the prophetic Sunnah:

1. The wife must have committed a grave offense, such as adultery', allowing someone into her home without her husband's permission or engaging in clear indecency/evil behavior. The Prophet (S.A.W) has put this condition as saying, "I order you to treat women well, for they are but like captives with you, you have no sovereignty beyond this over them, unless they manifest clear indecency/evil behavior. If they do that, then abandon their beds, and beat them with a beating that is not painful.

قال النبي صلى الله عليه وسلم- ليس تملكون منهن شيئاً غير ذلك، إلا أن يأتين بفاحشة مبينة. فإن فعلن فاهجروهن في المضاجع واضربوهن ضرباً غير مبرح. فإن أطعنكم فلا تبغوا عليهن سبيلاً-

Then if they obey you, then there is no cause for you against them beyond that".³²

قال النبي صلى الله عليه وسلم- ليس تملكون منهن شيئاً غير ذلك، إلا أن يأتين بفاحشة مبينة. فإن فعلن فاهجروهن في المضاجع واضربوهن ضرباً غير مبرح. فإن أطعنكم فلا تبغوا عليهن سبيلاً-

- ii. The striking should be light, not violent or painful. The Prophet (PBUH) warned against punching one's wife like a slave. He said according to the narration of `Abdullah bin Zam`a, "None of you should flog his wife as he flogs a slave and then have sexual intercourse with her in the last part of the day."³³

³²Tirmizi, Sunan, No. 1163.

³³Bukhari, Al-Jami' al-Sahih, No.5204; Muslim, Al-Jami' al-Sahih, No. 2855.

Then if they obey you, then there is no cause for you against them beyond one Sahaba like Ibnu Abbas gave an example of striking with a siwak stick.³⁴

- ii. Wife-beating should not be anticipatory; the offense must materialize before discipline is administered, with a correspondence between the fault and the punishment. Imam Ibn 'Ashur explained that, "A wife cannot be abandoned in bed or physically disciplined merely in anticipation of potential disobedience or defiance towards her husband. This is a unanimous agreement among scholars".³⁵

قال الشيخ ابن عاشور الحاصل أنه لا يجوز الهجر والضرب بمجرد توقع النشوز قبل حصوله اتفاقاً

- vi. Even if light striking is allowed, authentic Hadith prohibits punching a wife's face and sensitive spots. Hakim ibn Mu'awiyah reports from his father, Mu'awiyah Al Qushayri that a man once asked the Prophet (S.A.W), "What right does a woman enjoy over her husband?" The Prophet (S.A.W) said, "That he should feed her as he feeds himself and clothe her as he clothes himself.



Dr. Umar Kani emphasising a point of interpretation

³⁴ Ibn Jariri al-Tabari, Jami' al-Bayan, vol. 4 pp.70-71

³⁵ Attahiru Wa Al-Tanwir, vol. 5 pp.41-44.

He should not hit her on the face nor be repulsive and he should not abandon her except in bed”.³⁶

معاوية بن حيدة القشيري، أنه قال: يارسول الله ما حق امرأة أحدنا عليه؟ قال : " أن تطعمها إذا طعمت، وتكسوها إذا أكتسيت، ولاتضرب الوجه ولا تقبح؛ ولاتهجر إلا في البيت ."

- v. The use of repulsive language or filthy words is prohibited during the exercise of the three steps against a rebellious wife.
- vi. Islamic schools of law consensus holds that striking is only allowed if its benefit is assured; otherwise, alternative measures should be resorted to. 'Ata' bn Rabah (R.), one of the disciples of the Sahaba, said, “A husband would not physically discipline his wife, even when she disobeyed him after he had instructed her to do something good or prohibited her from doing something bad. Instead, he becomes angry with her. Upon this state Ibnu Arabi Al-Maliki commended Ata'a's astute understanding of the jurisprudence surrounding this verse, recognizing that a genuine comprehension of the Shari'ah and adherence to ijtiḥad principles reveal that striking is permissible, yet not obligatory. Ata'a acknowledged the Prophet's (S.A.W.) distaste for physical violence, as evident in the hadith narrated by Abdullah ibn Zam'a: 'I despise a man who strikes his female slave' (Al-Bukhari, 5204). By choosing to express anger without resorting to physical violence, Ata'a exemplified a preferred approach, prioritizing kindness, empathy, and politeness in relationships, even in situations of disagreement or disapproval.”³⁷

قال الإمام ابن العربي المالكي : هذا من فقه عطاء ، فإنه من فهمه بالشريعة ووقوفه على مظان الاجتهاد علم أن الأمر بالضرب هاهنا أمر إباحة ، ووقف على الكراهية من طريق أخرى في قول النبي صلى الله عليه وسلم في حديث عبد الله بن زمعة : (إني لأكره للرجل يضرب أمته عند غضبه ، ولعله أن يضاجعها من يومه) - فأباح وندب إلى الترك ، وإن في الهجر لغاية الأدب(441/1)

³⁶ Ibn Hanbal, Musnadul Ahmad, Hadith of Hakim bn Mu'awiyah.

³⁷ Ahkam al-Qur'an by Isma'il al-Qadi, p.113; Ahkam al-Qur'an of Ibnu Arabi, vol.1 p.526.

In the same vein, Imam Ibn Shas Al-Khalal of the Maliki School of Law succinctly stated that “when a wife exhibits disobedience, her husband should initially offer guidance and counsel. If she refuses to comply and continues her disobedience, he may resort to a symbolic strike, devoid of harm or injury, as a last resort to address the situation. However, this measure should only be considered if he believes that a firm yet non-violent approach is unlikely to resolve the issue, and a more assertive response is necessary to prevent further harm or consequences. It is crucial to emphasise that any form of violence or abuse is strictly forbidden.”³⁸ -

قال الإمام ابن شاس الخلال أن يكون النشوز منها فيعظها فإن هي قبل وإلا هجره فإن هي قبل وإلا ضربها ضرباً غير مخوف فإن غلب على ظنه أنها لا تترك النشوز إلا بضرب مخوف لم يجز تعزيرها أصلاً

- vii. After exhausting all previous measures, the husband must not strike her again, but rather seek a court resolution, entrusting the matter to legal authorities. This has been asserted by Imam Ibn Bazizah al-Maliki. He said, "If the disobedience lies with the wife, the husband is recommended to admonish her. If she has not shown remorse, he should abandon her in bed. If she fails to repent, he may discipline her lightly, but not severely. If the issue persists, the matter should be referred to the court for resolution."

فان كان النشوز من قبلها ندب للزوج ان يعظها، فان لم تتعظ هجرها، فان لم تنزحز ضربها ضرباً غير مبرح. فان تمادت على حالها رفع امرها الى الحاكم

- viii. Despite the Qur'anic permissibility, the Prophet (S.A.W.) discourages wife-beating, emphasizing kindness and politeness in relationships. He never hit any of his wives or servants, except in the Cause of Allah.³⁹

عن عائشة -رضي الله عنها- قالت: ما ضرب رسول الله صلى الله عليه وسلم لنفسه شيئاً قط بيده، ولا امرأة، ولا خادماً، إلا أن يجاهد في سبيل الله،

³⁸Iqd al-Jawahir al-Thaminah by Imam Ibn Shas Al-Khalal al-Maliki.

³⁹Aishah, May Allah be pleased with her, reported in Muslim, No. 643.

Iyas bn Abdullah (R.A.) narrated that the Messenger of Allah (S.A.W.) once said, 'Do not beat Allah's bondwomen.' Later, when Umar (R.) approached the Messenger of Allah and complained about women becoming defiant towards their husbands, the Prophet (S.A.W.) permitted them to be beaten. However, when numerous women subsequently visited the Prophet's household, complaining about their husbands' behavior, he remarked, 'Many women have come to Muhammad's family, complaining about their husbands. Those who resort to beating their wives are not among the best of you.'⁴⁰ -

عن إياس بن عبد الله قال قال رسول الله صلى الله عليه وسلم لا تضربوا إماء الله فجاء عمر إلى رسول الله فقال ذئرن النساء على أزواجهن فرخص في ضربهن فأطاف بآل رسول الله صلى الله عليه وسلم نساء كثير يشكون أزواجهن فقال رسول الله صلى الله عليه وسلم لقد طاف بآل محمد نساء كثير يشكون أزواجهن ليس أولئك بخياركم

The above Hadith reports that women during the Prophet's time protested against the practice of beating, which some husbands had adopted. The Prophet (S.A.W.) offered them comfort and reassurance. What should call the attention of husbands to rethink about striking their wives.

Furthermore, although the Shari'ah does not specify punishments for husbands who abuse this right, however, severe measures should be taken in the following instances:

- i. If a husband skips the prescribed steps and resorts to striking his wife as the first option, he should be punished. The judge may exercise *ijtihad* and use their discretion to penalize the culprit.
- ii. If a husband strikes his wife in forbidden areas, such as the face or sensitive spots, he should be punished.
- iii. If a wife deserves punishment but has a health condition that would be exacerbated by beating, and the husband strikes her despite knowing this, causing her to fall ill, he should be charged and punished accordingly. If a husband beats his wife without justification, as she has not committed any wrongdoing or harm towards him, he should also be charged and punished.

⁴⁰(Sunan Abi Dawud; Nasa'i,)

The last portion of the verse explains that husbands have no right to strike their wives in the case that they listen to them. Allah says, **“But if they obey you, then do not seek means of annoyance against them.”**

Sheikh Ibn Ashur while dwelling on this verse, emphasizes the importance of responsible and controlled application of striking, considering cultural context and legal oversight. He highlights three crucial points regarding striking:

1. Limiting the strike: Establishing clear boundaries to prevent excessive or abusive behavior.
2. Cultural sensitivity: Restricting striking to societies where it is accepted and understood, avoiding imposition on communities where it may be considered harmful or insulting.
3. For the above two, he said, "Regarding beating, it's a delicate and potentially harmful matter, but it's permitted in cases of corruption, such as when a woman commits an assault. However, clear limits must be established in jurisprudence to prevent abuse. If left unchecked, husbands might use it as an outlet for their anger, leading to excessiveness. Sharia principles emphasize proportionality in punishment, and self-inflicted harm is only allowed when necessary. The majority of scholars have restricted beating to cases where it doesn't cause harm or insult, and only when administered by those who understand its limited scope."

قال الشيخ ابن عاشور : " وأما الضرب فهو خطير وتحديده عسير، ولكنه أذن فيه في حالة ظهور الفساد؛ لأن المرأة اعتدت حينئذ، ولكن يجب تعيين حد في ذلك، يبين في الفقه، لأنه لو أطلق للأزواج أن يتولوه، وهم حينئذ يشفون غضبهم، كان ذلك مظنة تجاوز الحد، إذ قل من يعاقب على قدر الذنب، على أن أصل قواعد الشريعة لا تسمح بأن يقضي أحد لنفسه لولا الضرورة. بيد أن الجمهور قيّدوا ذلك بالسلامة من الإضرار، وبصدوره ممن لا يعدّ الضرب بينهم إهانة وإضرار "

4. Legal intervention: Involving the court and government to regulate and monitor instances of striking, ensuring it is used judiciously and justly. On this issue, he emphasizes the importance of government or Shari'a Court intervention in such cases, stating that "it is permissible for 'guardians of affairs' to step in when husbands are reluctant or unwilling to implement Shariah-prescribed punishments, especially if punishing the wife would, particularly when the husband is weak or unable to manage the situation worsen the situation effectively.⁴¹

⁴¹Attahrir wa Al-Tanwir, vol. 5 pp. 41-44

قال الشيخ ابن عاشور-رحمه الله- نقول يجوز لولاة الأمور إذا علموا أنّ الأزواج لا يحسنون وضع العقوبات الشرعية مواضعها، ولا الوقوف عند حدودها أن يضربوا على أيديهم استعمال هذه العقوبة، ويعلنوا لهم أنّ من ضرب امرأته عوقب، كيلا يتفاقم أمر الإضرار بين الأزواج، لا سيما عند ضعف الوازع.

According to the Maliki School of Law, the husband is liable for any damages or harm inflicted and must provide appropriate compensation. Ibn Habib, one of the leading Scholars of the Maliki School of Law, said, "Allah the Exalted has permitted men to beat women, even in cases of *nushuz* (disobedience). However, if a man causes injury, such as a broken eye or hand, it is considered a mistake and he must provide compensation."⁴²

قال الإمام ابن حبيب قد أجاز الله عز وجل للرجال ضرب النساء عند النشوز ولو أصاب إحداهن شجة أو فقأ عين وكسر يد ضمن وان كان خطأ

Ibn Shash al-Khallal said, the husband's aggressive attitude may lead to striking and inflicting harm on her, in which case he would be rebuked and called to exercise justice towards her"⁴³.

قال الإمام ابن شاس خلال أن يكون العدوان منه بالضرب والايذاء فيزجر عن ذلك ويجبر على العودة إلى العدل

Sheikh Al-Dardir said, "Causing severe harm is never permissible, even if the husband knows that only severe striking would make her show remorse and abandon her disobedience. If he inflicts severe harm, she has the right to seek divorce and retaliation is warranted."-(Al-Dardir, Al-Sharh al-Kabir, vol.2 p.343)

قال الشيخ الدردير- رحمه الله - "ولا يجوز الضرب المبرح، ولو علم أنها لا تترك النشوز الا به. فان وقع فلها التطبيق وعليه القصاص "

The above quote highlights the importance of avoiding severe harm and upholding the wife's rights, even in cases of disobedience.

⁴²(Lakshmi, Ali bn Muhammad, Al-Tabsirah, Qatar: Ministry of Endowment and Islamic Affairs, 1ed., 1431/2011, vol.11 p.5209)

⁴³-Ibn Shas al-Khallal, Iqd al-Jawahir, vol 1 p.425

8.3 Application of Sadd al-Dharai'ah (blocking the means) principle in the interpretation and understanding of Qur'an 4:34

Sadd al-Dharai'ah (blocking the means) is a principle of Islamic jurisprudence that emphasizes the prevention or blocking of means that may lead to harm or evil. In the context of interpreting or understanding the Quran 4:34, Sadd al-Dharai'ah can be applied in the following ways:

1. **Prevention of harm:** A husband should try as much as possible to prevent harm by addressing the issue through admonition and refusal to share the bed before resorting to physical correction.
2. **Blocking the means:** A husband should block the means that may lead to harm or evil. The husband should for example refrain from engaging in arguments or disputes with his wife that may escalate into physical violence.
3. **Protecting the wife:** Here the husband should prioritize protecting his wife from harm, both physical and emotional. The husband should always ensure that all corrections are in a manner that does not cause harm
4. **Promoting reconciliation:** The husband should understand that the ultimate goal of correction as envisaged in the verse is reconciliation and strengthening the marital bond, rather than punishment or retribution.

Other important considerations are also proffered below:

1. **Alternative interpretations:** Some scholars advocate the interpretation of the verse as prohibiting physical violence altogether, emphasizing the importance of gentle and respectful communication in resolving marital disputes.
2. **Modern applications:** In modern times, non-violent communication and conflict resolution in marital relationships are preferred and advocated as alternative approaches in addressing marital disputes.

From the above, Sadd al-Dharai'ah as a source of shariah law can be used to interpret the verse on wife beating for correction in a way that prioritizes prevention of harm, protection of the wife, and promotion of reconciliation which are key in marital relationships.

Sadd al-Dharai'ah (blocking the means) is a principle of Islamic jurisprudence that emphasizes the prevention or blocking of means that may lead to harm or evil.



Experts in Group work at 2nd Two-Day Validation Session in Kaduna (26th-27th May, 2025)



9.0 Physical Punishment in Child Upbringing from the Islamic perspective:

Many parents and teachers believe physical punishment is necessary for proper upbringing, but most intellectuals consider it harmful. Research shows physical punishment, sometimes, has negative effects:

1. Children may rely on force and aggression to achieve success.
2. Physical punishment can foster hatred and rebellion towards parents.
3. Repeated beatings can lead to timidity, cowardice, and psychological issues.
4. Physical punishment rarely improves behavior, as changes are temporary and fear-motivated.

Islam also discourages physical punishment, considering it harmful for children's upbringing. However, in certain situations, it may be permitted as a last resort. The Prophet said, 'Command your children to pray at seven and hit them if they leave it off at ten.' This indicates children should not be hit for disobedience until they reach ten.

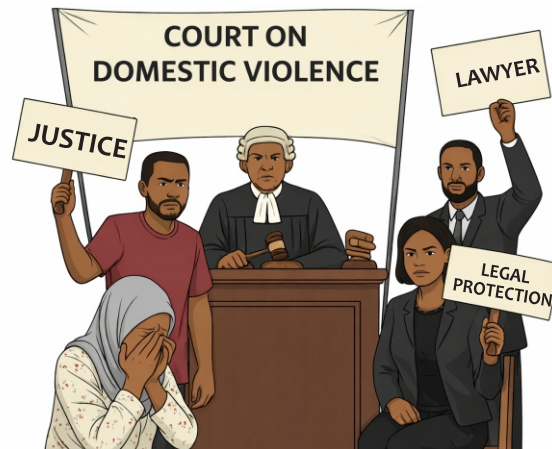
The importance of prayer surpasses academic knowledge, yet the Prophet prohibits fathers from hitting children for not praying until they reach ten. Therefore, it's even more impermissible for teachers or others to hit children for lesser reasons. As the age of puberty varies, each case should be individually assessed to determine if a child has reached the age of responsibility (takleef).

The prophetic tradition clearly prohibits facial hitting, stating, 'Do not hit the face and do not disfigure.' It is essential to adopt alternative, positive discipline methods that promote healthy development and encourage good behavior.



Feedback presentation from Group work

10. Review of Cases from Kano State Shariah Courts and Federal Capital Territory Area Courts On Domestic Violence/ Wife Beating



In the course of the research, data was collected of cases filed by women (from January 2023 to June 2024) seeking divorce on the grounds of domestic violence (beating) by their spouses. The data was obtained from six Kano State Shariah Courts and Area Courts of different grades, as well as from the FCT respectively. For Kano State, the distribution of courts span rural, semi-rural and urban and between Upper and lower Sharia Courts . The Upper Shariah Courts R/Zaki. The selected lower Sharia Courts include Sabon Gari and Kofar Kudu, Danbare, City No. 2, and Kwana Hudu were selected from the Kano Metropolis. The semi urban and rural Sharia Courts are Upper Shariah Court Sumaila, Upper Shariah Court Bichi, Tsanyawa Shariah Court, Rimin Gado Shariah Court and Jogana Shariah Courts.

For the Federal Capital Territory, Abuja Area Courts, Upper Area Court Zuba, Upper Area Court Gwagwalada and lower Area Courts such as Grade I Area Court Karmo, Grade I Area Court Bwari, Grade 1 Area Court Gidan Lada, Grade II Area Court Gwagwa were selected.

All profiled cases of wife beating or maltreatment were filed as Civil Cases. None was filed as a criminal matter.

- Outcome of some cases was divorce **with majority** either abandoned or struck out for want of evidence.

Why?

- Cultural & societal sentiments of spousal protection from criminal justice especially where there are children.

- Survivors of beating from their husbands are only interested in civil remedy of divorce and never explore the criminal law.

Challenges?

- The burden of proof and other evidential issues may be the deterring factor against filling of these cases as criminal matters.

Recommended Solution?

Women must be enlightened and encouraged to explore the criminal justice redress at least for deterrence

Table I: Cases collected from Selected Kano State Sharia Courts

S/N	Name of Court	No. Cases filed Jan. 2023 to Dec. 2023	No. Cases filed Jan. 2024 to Jun. 2024
1	Upper Shariah Court Rijiyar Zaki	8	4
2	Upper Shariah Court Sabon Gari	6	0
3	Upper Shariah Court Kofar Kudu	20	10
4	Danbare Shariah Court	10	3
5	City No. 2 Sharia Court	14	4
6	Kwana Hudu Sharia Court	16	44
7	Bichi Upper Shariah Court	8	6
8	Sumaila Upper Shariah Court	8	6
9	Tsanyawa Shariah Court	7	4
10	Rimin Gado Shariah Court	10	7
11	Jogana Shariah Court	13	4
TOTAL		120	91

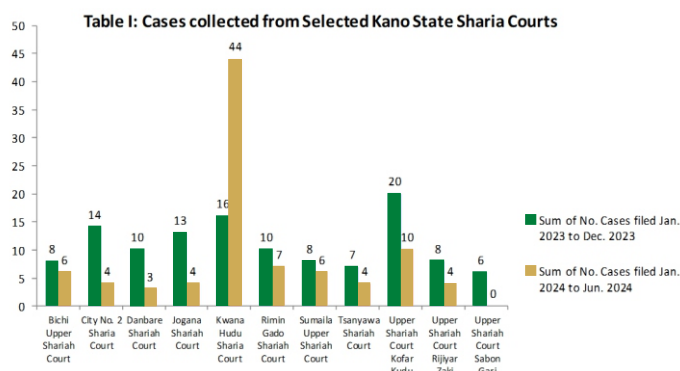
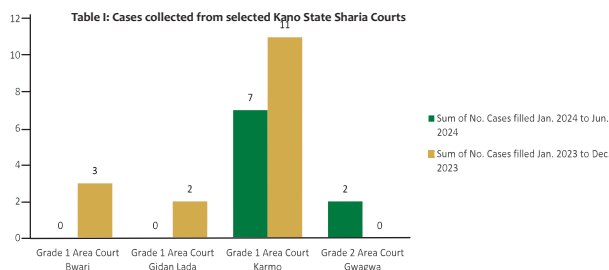


Table II: Cases collected from Selected FCT Sharia Courts

S/N	Name of Court	No. Cases filed Jan. 2023 to Dec. 2023	No. Cases filed Jan. 2024 to Jun. 2024
1	Upper Area Court Gwagwalada	0	0
2	Upper Area Court Zuba	0	0
3	Grade I Area Court Karmo	11	7
4	Grade I Area Court Bwari	3	0
5	Grade I Area Court Gidan Lada	2	0
6	Grade II Area Court Gwagwa	0	2
Total		16	9



From the details of the cases (see Appendixes II to this report), all the cases of domestic violence, wife beating or maltreatment are filed as civil cases. There was none filed as a criminal matter. The outcome of some of the cases was divorce while the majority were either abandoned or struck out for want of evidence. It appears that women victims of domestic violence or beating from their husbands are only interested in pursuing the civil remedy of divorce and never explored the criminal law. This perhaps may be related to the cultural and societal sentiments of not wanting to subject their spouse to the criminal justice process especially where there are children.

The burden of proof and other evidential issues may be the deterring factor against the filing of these cases as criminal matters. In this regard, women must therefore be enlightened and encouraged to explore the criminal justice redress at least for deterrence's sake and the reduction of the rising cases of wife battery.

It was further found that the judges' hands are tight and cannot transform civil cases filed before them on their own to criminal to activate the criminal or penal provisions against indecent assault and battery of women by their spouses.

Additionally, although the data show a decline in the number of cases of wife beating and/or domestic violence on women in general, the data from some of the courts such as Shariah Court Kwana Hudu in the Kano metropolis shows otherwise. The data is also a source of concern. The data is only on the few cases filed before the selected court. Further and wider research on the issue of wife beating and the attitudes of spouses and the courts in handling cases of wife beating and domestic violence is suggested. This will provide a basis for understanding the magnitude of the problem and an avenue to provide solutions.



WRAPA Secretary General, Saudatu Mahdi (MFR) presenting the methodology of its earlier work on Islamic Family Law supported by MacArthur Foundation; and linking it to the continuation supported by Ford Foundation

11. FINDINGS

After the thorough analysis of the provisions of the Penal Code Law and Criminal Code Law of Northern and Southern Nigeria, and after a thorough examination of the provisions of the glorious Qur'an, the traditions of the Prophet (May the peace and blessings of Allah be upon him) as well as a review of the available judicial authorities, the followings are the major findings of the research.

1. That the Shari'ah prescriptions on wife beating can be summarized thus:
 - i) That the noble Prophet of Islam condemns striking of slaves not to talk of striking a married woman.
 - ii) That the Sunnah of the Prophet (S.A.W) condemns husbands who beat their wives and termed them not the best among men.
 - iii) That Maliki Scholars such as Shaikh Al-Adawi Al-Maliki clarify that even where a husband must strike his wife for correction it must be severe i.e the striking must “not break bones, shatter flesh, or disgrace limbs”
 - iv) That under the Shariah wife beating, maltreatment and abuse as a transgression of the husband. See *TAMBAWAL v. TAMBAWAL* supra.
 - v) That even though the Qur'anic injunction in chapter 4:34 permits striking of a wife for correction it was the option of last resort and is not mandatory. A community reading of other verses in the glorious Qur'an emphasizing empathy, compassion, and love between spouses and prophetic traditions proscribing wife beating on the face and beating in general the verse is not a license for wife battery.
2. It is was particularly observed that wife beating is not a cultural or societal norm in Hausa society but rather an individual behavior that has emerged, possibly influenced by external factors.
3. It is also observed that the majority of wife beaters do not support their behavior by the Shah, which they are not even aware of its existence in the Qur'an.
4. That the research did not come across any native and custom in the jurisdiction covered by the research that permits wife beating. Even if one exist, it contravenes human rights declaration and rule of law, hence invalid and unconstitutional as declared by the Supreme Court in the case of **AGBAI & ORS v. OKOGBUE** supra.

5. That there is no judicial interpretation of the provision of Section 55 (1) (a-d) of the Penal Code laws.
6. That in the available databases and law reports, no criminal case exists against a husband for wife beating.
7. That from the cases obtained from Shariah Courts and Area Courts across Kano State and the Federal Capital Territory cases of wife beating are in all the courts under reference brought as civil cases and end up in divorce or are abandoned suggesting the parties might have settled at home or that the husband divorces the wife to avoid coming to court.
8. Section 55 (1) (d) of the Penal Code enacted the provisions of the Glorious Qur'an in Chapter 4:34 that permits the striking of a disobedient wife as well as the provisions of native law and custom that permits wife-beating for correction.
9. Sections 353 and 360 of the Criminal Code made discriminatory provisions differentiating the gravity of indecent assault on men over indecent assault on women. While indecent assault on women is a misdemeanour that attracts two years imprisonment, indecent assault on men is categorized as a felony that attracts three years imprisonment.
10. That from the law reports and other databases, only section 360 dealing with indecent assault on women is activated and judicially interpreted.
11. That a community reading of the provisions of international, regional, and domestic human rights instruments sanctioning the dignity of the human person and prohibiting discrimination, the provision of section 55 (1) (a-d) of the Penal Code permitting wife beating and Section 353 and 360 are unconstitutional and null and void.



12.0 RECOMMENDATIONS

Based on the above highlighted findings of the research the following recommendations are proffered;

1. The provision of section 55(1) a – d should be repealed because it conflicts with the provision of the Constitution Federal Republic of Nigeria, 1999 as amended, and other international and regional human rights instruments.
2. That the discriminatory punishment for indecent assault on women in section 360 of the Criminal Code in contrast with the punishment for indecent assault on men in Section 353 of the same Criminal Code must be removed. Indecent assault against women which is prevalent must be equated with indecent assault on men. The punishment for the former must be higher than the punishment for the latter. Alternatively, section 360 can be deleted and the wordings of Section 353 rephrased to read:
“Any person who unlawfully and indecently assaults **any person (male or female)** is guilty of a felony and is liable to imprisonment for three years.”
Women shall be enlightened to explore the criminal law and the Shari'ah courts and Area Courts should be statutorily empowered to impose a hard punishment on the culprits to serve as deterrence to others.
3. Native law and custom that permits wife-beating wherever and whenever found be declared repugnant to natural justice and barbaric.
4. All states of the Federation should be encouraged to domesticate the Violence Against Persons Act to curb violence against women and children across the country.
5. Further and wider research on the issue of wife beating and the attitudes of spouses and the courts in handling cases of wife beating and domestic violence is suggested. The research may seek to find whether wife-beaters rely on religious scriptures or culture is resort to beating their wives. The research will find whether these men even understand or know the provisions of Qur'an 4:32 which uses the word “wadhribunna.”
6. Muslims especially married, men should be enlightened on what marital relationship is all about and in particular they should be enlightened to emulate the Prophet (SAW) in their relationship with their wives.

13. CONCLUSION

This research concludes that a relationship exists between Nigeria's Common Law framework and the misinterpreted and misapplied view of the Qur'anic term of *Wadribuhunna* in Qur'an 4:34, creating a nexus in the prevalence of some forms of violence against women, particularly that of beating wives. Addressing the issue necessitates a dual approach between sustained theological interpretation and judicial reform that corrects application and removes discrimination while strengthening dignity. The implementation of these measures is imperative to promote shifts and behavior change. In essence, a conclusive reading of Qur'an 4:34, informed by juristic tools like *Sadd al-Dharā'i* and the Prophetic Sunnah, reveals that the verse outlines ethical procedures aimed at preserving marriage, necessitating measures of endurance by husbands over disagreements with wives. The strikes are not but symbolic while the interpretation of the term of *wadribuhunna* must be conceived through the lens of *Maqasid Shari'a* (higher objectives of Islamic law) which prioritise preservation of life, intellect, lineage, and dignity.

Positively viewed within the context of blissful marital relationships, these provisions are only made to encounter contextual and rare behavioural attitudes or recalcitrance on the part of female spouses. Most importantly, the Prophet PBUH lived this strongly and discouraged any form of wife-beating. He admonished male spouses who were reported to have beaten their wives who he PBUH described as those who “*are not the best among you.*” Overall, theological and common law interpretations and applications are achieved by scholars and jurists after deploying many considerations. These may include facts and issues that may be linked and provided in the form of fatwas, case law, legal reforms, and inputs by community social platforms. Improved knowledge, sustained scholarship, awareness, legal and social shifts would contribute to the prevention and protection of women and girls in private and public spaces. Given the growing attention and commitment to ending violence against women and girls, as well as the increasing capacity of survivors to seek redress for abuses, this research provides a tool for survivors to demand justice and compensation.

14.0 STRATEGIES FOR IMPLEMENTATION OF THE RESEARCH RECOMMENDATIONS

1. **Enlightenment Campaigns on the Shariah Prescription on kind treatment to women and the discouragement of wife beating under the Shariah**

In the light of the findings especially concerning the fact that the Shariah highly discourages wife beating, there is the need to engage Muslim scholars on the reorientation and reminder on the Qur'anic provisions and Prophetic traditions prohibiting wife beating and maltreatment. A workshop can be organized with select Imams or Ulamas for agenda setting on the awareness campaigns on the prohibition of wife-beating. This will provide the avenue to address the fear of pushback on the amendments to the Penal and Criminal Codes that may flow from the recommendations proffered in this research.

Radio and television programmes and jingles on the protection of women's rights, and the legal, religious, and cultural prohibition on VAWG can be sponsored across the country, the northern Nigeria in particular.

Media campaigns are further suggested. Social media, print, and electronic media can be utilized to raise awareness and promote positive attitudes towards women's rights and the prohibition of VAWG from religious and cultural perspectives.

2. **Community Engagement:** Engage with the local communities, religious leaders, and traditional rulers to raise awareness on the dangers of VAWG and to promote behavioral change.

3. **Enlightenment Campaigns to Women victims of wife - beating to explore the criminal justice process.**

Women should be engaged and reoriented in deserving cases of domestic violence to explore the criminal justice opportunity to change the current trend of only using the civil justice process for divorce. Radio and television programmes and jingles can be sponsored for this project.

“Any person who unlawfully and indecently assaults any person (male or female) is guilty of a felony and is liable to imprisonment for three years.”

The second bill is for the repeal of the provisions of Section 55 (1) (a-d). Stage Two: Stakeholder Engagement

Stakeholder engagement with Civil Society organisations, the academia and religious groups. A workshop with these groups of stakeholders is to be organized to deliberate on the report and the intention to approach the National Assembly for the repeal and/or amendment of the relevant sections. This will provide avenues for further consultation, awareness and information sharing on the need for the amendments to the sections under review.

Stakeholder engagements with the legislature will be the next strategy for the realization of the amendments. At this stage, the members of the relevant Committees of the National Assembly from the Senate and House of Representatives on Women and children should be invited to a retreat for a presentation of this Report and robust dialogue on the need to repeal the provisions of section 360 of the Criminal Code and the redrafting and/or rephrasing of Section 360 of the Criminal Code to remove the discriminatory aspect thereof.

The retreat will also emphasize the need for the repeal of Section 55 (1) (a-d) of the Penal Code in the light of the identified conflicts with international human rights instruments and the provisions of the 1999 Constitution of the Federal Republic of Nigeria as amended. The emphasis during the retreat will be to further highlight the redundancy of the section and lack of activation for over six decades.

4. Amendment and Repeal of Sections 353 and 360 Criminal Code and Section 55 (1) (a-d) of the Penal Code.

Stage One: Drafting of Bill Two bills should be drafted and sponsored for the amendment and repeal of the Criminal Code and the Penal Code provisions respectively referred to above. The first bill is for the amendment of the Criminal Code on the issue of indecent assault. The bill will delete the provisions of 360 and redraft the provisions of section 353 Criminal Code to be an all-inclusive section. The new draft will be suggested to read:

5. Campaigns and dialogue for the Domestication of Violence Against Persons Act in all the 36 states of the Federation:

A survey of the 36 states that have not domesticated the VAPP Act should be conducted. A retreat should be organized for all the 36 States Attorney Generals/Commissioners for Justice on the need to domesticate the VAPP Act should be organized. At the retreat, experience sharing and strategies Emphasis will however be made on states yet to enact the VAPP Act.

for seamless enactment of the VAPP Act will be obtained from the states that have already domesticated the same.

6. Commission research on the quantum of cases of wife beating filed before the Shariah Courts, Area Courts, and Customary Courts, and the perception of husbands and the society on VAWG

There is the need for comprehensive research on the number and patterns of wife-beating cases filed before the Shariah Courts and Area Courts in at least one state from each of the Six Geo-political zones. Kano State, Bauchi State, Niger State, Lagos State, Rivers State, Enugu State, and the Federal Capital Territory are suggested. This will provide the opportunity to appreciate the gravity of the problem and the attitudes of the courts in handling cases of wife beating and domestic violence.

The research may seek to empirically find what motivates wife-beaters to resort to beating their wives. The research will find whether religious prescriptions or native law and custom are the basis for violence against women in the states under the research scope. In particular, the research will empirically investigate how the relevant Qur'anic verses on AWG are perceived by day-to-day husbands and households, and what to understand how the perceptions influence VAWG or otherwise. The findings will provide avenues for the formulation of strategies for dispelling faith-based justifications for VAWG and how best to promote prevention.

7. Establishment of a national database and a system for reporting cases of VAWG across the country:

A national rapid response system for reporting VAWG and a database to track cases of domestic violence, and monitor progress in addressing the issue are recommended.

8. Education and Training:

Training for law enforcement officials, judges, and legal professionals on handling domestic violence cases and the provisions of the Act are recommended.

9. Support Services:

Establish support services for victims of domestic violence, including counseling, shelters, and legal aid across state of northern Nigeria.

10. **Collaborations:** Foster collaborations between government agencies, civil society organizations, and international partners to leverage resources and expertise.
11. **Accountability Mechanisms:** Establish accountability mechanisms to ensure that perpetrators of domestic violence are held accountable and that victims receive justice.
12. **Addressing root causes:** Programmes to address the root causes of domestic violence, including poverty, unemployment, and lack of awareness about spousal rights and responsibilities before Marriage should be institutionalized and sponsored.
13. **Engaging men:** Engage men and boys in the campaign against domestic violence, as they play a critical role in promoting positive attitudes and behaviors.
14. **Round table discussions for mining additional ideas and approaches in the implementation of the research recommendations:**

It is recommended that a roundtable discussion with selected legal and social practitioners, VAWG service providers, case file managers, as well as survivors to propose clear sensitive, and practical actionable policy, practice, behavior changes, with respective entry points for implementation of the research recommendations be organised.



Jama'atul Nasril Islam Rep, Mall. Abubakar M. Gafai, making a contribution for implementation

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Approval Letters

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30th September 2025

The Chief Registrar,
 Sharia Court of Appeal,
 FCT High Court Complex,
 Gudu District,
 Abuja, FCT, Nigeria.

Dear Sir,

APPLICATION FOR PERMISSION TO USE SHARIA COURT OF APPEAL CASES FOR A CASE STUDY ON VIOLENCE AGAINST WOMEN AND GIRLS (VAWG).

Women's Rights Advancement and Protection Alternative (WRAPA) is a registered non-governmental, non-political, non-profit membership organization founded in 1999 with a mandate of advancing and protecting women's rights through various activities, including providing free or subsidized legal aid and co-counseling services particularly in areas of Violence against Women and Girls (VAWG), mobilization and sensitization efforts, skills training, and advocating for legal reforms.


In furtherance with our organizational mandate, we are conducting a case study research for the documentation on VAWG Prevention & Protection with the aim of understanding and having a broader view of the jurisprudence, legal approach and responses to VAWG, we respectfully seek the kind approval of your esteemed office to access and utilize selected cases of the Sharia Court of Appeal for the purpose of our advocacy-driven case study.


We undertake that all materials accessed shall be treated with utmost confidentiality, restricted strictly to our designated researchers and employed solely for the advancement of evidence-based research on VAWG. This request is made in acknowledgment of the pivotal role of the Judiciary in shaping and safeguarding the rights of the Vulnerable.

As part of our continued collaboration, we shall be pleased to brief your lordships on the necessary findings to promote access to justice and strengthen the rule of law.


We respectfully urge your kind consideration and approval.

Please accept the assurances of our highest esteem.


Yours faithfully,

 Saudatu Mahdi, MFR
 Secretary General, WRAPA.



Incorporated in Nigeria: RC 11814
 Board of Trustees:
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**OFFICE OF THE CHIEF REGISTRAR
 SHARIA COURT OF APPEAL
 FEDERAL CAPITAL TERRITORY**
 P.M.B. 74 Gudu District, FCT - Abuja.



10th October, 2025

The Secretary General,
 Women's Right Advancement and Protection Alternative (WRAPA),
 No. 31, Ekuokinam Street, Beside NUJ Headquarters,
 Utako District,
 FCT Abuja


Dear Sir/Madam,


RE: APPLICATION FOR PERMISSION TO USE SHARIA COURT OF APPEAL CASES FOR A CASE STUDY ON VIOLENCE AGAINST WOMEN AND GIRLS (VAWG)

I am directed to write and convey the approval of the Management of the Sharia Court of Appeal, Abuja, regarding your application on the above subject matter, as contained in your letter dated 30th September, 2025.

You are kindly advised to visit the Court at your convenience whenever you are ready.

Yours Faithfully,


 Jamila Kabir Suleiman
 L.A to Hon. Chief Registrar
 For: Chief Registrar





SHARIA COURT OF APPEAL
 KANO STATE JUDICIARY
 OFFICE OF THE CHIEF REGISTRAR
 ABU BANO BUREAU/SHARIA, KANO STATE
 P.M.B. 3221, Kano State Nigeria
 E-mail: shariacourtban@yahoo.com
 SCA/ADM/131/1/2

9th January, 2026

The Director,
 Center for Islamic Civilization and,
 Inter-faith dialogue (CICID).

RE: PERMISSION TO USE COURT DOCUMENTS

We are in receipt of your letter on the above title and we appreciate same.

I am instructed by the Hon. Grand Kadi to convey to you his approval for your Application, meanwhile we expect you to comply with all what you undertook while using this Document by sticking to the applicable rules and guidelines.

Please accept our warmth regards.

Thanks,


 (Dr.) Abubakar Haruna Khalil Esq,
 Chief Registrar.

Appendix II

Date Entry Form (DEF01) Civil Cases Statistics

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA JIHAR KANO

RAHOTON SHEKARA: Sunan Kotu: City no 25/c kofardu Wata da Shekara Jan - Dec 2023

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
9	Cu/349/023 21-12-023	Fatima Harun vs Auwaki (S)	N-RA Sobabo Dues	03/ 01/023	Aran 14-02-02 kotu + Rufel
10	Cu/225/023 14-8-023	Ashu Asuwaki vs Kubir Abubakar	N-RA Sobabo Ga mutunci	17/ 8/023	kotu + Rufel R-25-10-
11	Cu/280/023 09-10-023	Haruna muhd vs mufta magaji	N-RA Sobabo Dues	26/ 10/023	Aran 16-12 kotu + Sallami
12	Cu/282/023 09-10-023	Hafsa Sani vs muhd Inuwa	N-RA Sobabo Dues	30/ 10/023	Aran 29-11-23 mu ad Waga Shyib Rufel

Reviewed & Certified by: Qasbi Ado

Signature & Date,

Date Entry Form (DEF01) Civil Cases Statistics

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA JIHAR KANO

RAHOTON SHEKARA: Sunan Kotu: City no 25/c kofardu Wata da Shekara Jan - Dec 20

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
5	Cu/271/023 19-9-023	Rumayyatu Ahmed vs Rabihle Ali	N-RA Sobabo Dues	3/ 10/023	Aran 10-224 mu ad Waga kotu + Rufel
6	Cu/327/023 22-11-023	Saidu muhd vs Abdurrahid Salihi	N-RA Sobabo Dues	13/ 12/023	Aran 10-2-02 kotu + Sallami
7	Cu/342/023 11-12-023	Khadifa Ahmed vs LSD Ahmed	N-RA Sobabo Dues Ga mutunci	25/ 12/023	Aran 16-1-23 kotu + Rufel
8	Cu/346/023 19-12-023	Ashu Harun vs Sani Chel	N-RA Sobabo Dues	29/ 12/023	

Reviewed & Certified by: Qasbi Ado

Signature & Date,

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA

JIHAR KANO

RAHOTON SHEKARA: Sunan Kotu: Kwama hudu Shami Gomti Wata da Shekara January-June 2024

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
37	Cu/365/2024 20/5/2024	HASSAN INUSA IBRAHIM ALI	NEMAN R'B'AW SBD YANA CIMTA TA mutunci	21/6/24	Pending
38	Cu/381/24	FATIMA IDRIS SALISU ISHAYICU	NEMAN R'B'AW SBD YANA ZAGIN TA	7/6/24	Pending
39	Cu/400/2024 30/5/2024	ZARA'U MUTTAMMA IDRIS MUTTAMMA	NEMAN R'B'AW SBD YANA OUKAN TA	24/6/24	Pending
40	Cu/403/24 30/5/2024	SALIMA USMAN AHMAD BADA	NEMAN R'B'AW SBD YANA CIN mutunci	24/6/24	Pending

Reviewed & Certified by: THE JUDGE

Signature & Date

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA

JIHAR KANO

RAHOTON SHEKARA: Sunan Kotu: CITY NO 25/C/KANO Wata da Shekara Jan 2023 - Dec 2023

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
1	Cu/15/023 23-1-023	Sakin Sani mubi vs KALLAMI ISYAKU	NIRA Sobodo DUES	14/2/23	Apur res 23-03-23 kotu Rube 009
2	Cu/178/023 22-6-023	Samin Ibrahim Gandji vs Uman Sani & Gandji	NIRA Sobodo DUES	10/6/23	
3	Cu/232/023 15-08-023	Batuwaja H86164 Tsh & Sulaiman	NIRA Sobodo DUES	7/9/23	Apur 20-11-023 to Rube to mubi Wase
4	Cu/249/023 31-8-023	Abdullahi Rebiu Jaffer vs Jaffer	NIRA Sobodo DUES	13/9/23	

Reviewed & Certified by: GASU ALO

Signature & Date

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA
JIHAR KANO

RAHOTON SHEKARA: Sunan Kotu: city no 251c kofe kano Wata da Shekara Jan - Dec 202

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
(13)	Cv/352/023 29-12-2023	Uchochijir Hamza Suerman ^{VS} Aiespin	NS 2a Soboo Sura	17/1/2024	gwa 17 1 2024 kotu to Rube ko.
(14)	Cv/107/023 2-05-2023	Robetu Hamza Ado ^{VS} Idris 9 14	NS 2a Soboo Sura	15/5/2023	koto fery Hulunci 2023. 09 169 Jan 24 6
	/	/	/	/	/
	/	/	/	/	/

Reviewed & Certified by: Cela Ali

Signature & Date

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA
JIHAR KANO

RAHOTON SHEKARA: Sunan Kotu: Upper Sharia Court Kano Wata da Shekara January - December 20

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
05	Cv/582/23	HAWWA YATTA ^{VS} SARISU MUSA	NEMAN RABUNAR AURE SABODA DUILA	5/1/23	KOTU TALI HUKUN DA RABA AURE SABODA DUKA
06	Cv/12/23	AMINU MOTTI ^{VS} YATTA BASHIR SANTI	NEMAN RABUNAR AURE SABODA DUILA	9/1/23	KOTU TALI HUKUN DA RABA AURE SABODA DUKA
07	Cv/303/23	FATIHA SARISU ^{VS} SHAMSI SULAIMAN	NEMAN RABUNAR AURE SABODA KAEI	20/2/23	KOTU TALI HUKUN HULLINCI DA RABA AURE SABODA KAEI
08	Cv/353/23	MARYAM USMAN ^{VS} SARISU AHSAN KUNDA	NEMAN RABUNAR AURE SABODA ACIN MUIUNCHI	29/12/24	KOTU TALI HUKUN DA RABA AURE TA HANYAR CIN MUIUNCHI

Reviewed & Certified by: Usman Abay

Signature & Date

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA

JIHAR KANO

RAHOTON SHEKARA: Sunan Kotu: Darbare Sharig Court Wata da Shekara January-December

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
01	C/06/23	Saudatu Abubakar VS Awwal Umar s/sang	NEMAN RABUWAR AURE SABODA CIN MUTUCI	21/23	KOTU TAYI HUKUNCI DA RABA AURE SABODA CIN MUCI
02	C/14/23	Hauwau Hamisu VS Sani Shehu T/ML	NEMAN RABUWAR AURE SABODA ZAGINA	22/23	KOTU TAYI HUKUNCI DA RABA AURE SABODA
03	C/56/23	Fatima Hussain Kagane VS Balara baba Usman	NEMAN RABUWAR AURE SABODA DUKA	31/02/23	KOTU TAYI HUKUNCI DA RABA AURE SABODA DUKA
04	C/27/23	Zainab Abubakar Adam VS Inusa Umar	NEMAN RABUWAR AURE SABODA ZAGINA	31/02/23	KOTU TAYI HUKUNCI DA RABA AURE SABODA DUKA

Reviewed & Certified by: AHSAI LANAN ABDULLAH

Date Entry Form (DEF01) Civil Cases Statistics

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA

JIHAR KANO

RAHOTON SHEKARA: Sunan Kotu: USC S (Car) Wata da Shekara January - Dec, 20

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
1	C/13/23 6/3/23	Zahra Musq VS Maikano Abdullahi	Cin Mutuci	20/7/23	Magana ts Kare
2	C/152/23 21/3/23	Jamilu Dan Audu VS Adamu Ibrahim	MR ASBO Duka	28/3/23	Aure ya raun aran 3/6/23
3	C/154/23 21/3/23	Fatima Mustapha Abdullahi Muhel	MR ASBO bata Abinci	28/3/23	Kf Janufe 18/7/23
4	C/174/23 4/4/23	Maryam Minda VS Ashiry Adamu Jobe	MR ASBO bata Abinci	12/4/23	Aure ya amby aray 11/7/23

Reviewed & Certified by: _____

Signature & Date

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA
JIHAR KANO

RAHOTON SHEKARA: Sunan Kotu: U S C S (Gasi) Wata da Shekara January - Dec, 2023

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
5	CV/176/23 5/4/23	Shafaatu Idris Jamiyu Yusuf Ubandi	M A A Zawgi da Duce	13/4/ 23	20/6/23 Aure ya - mubi
5	W/298/23 23/5/23	Surayya Ibrahim Ali Muhammad	M A A Duce	30/5/ 23	Kotu ts Aure 13/6/23

Reviewed & Certified by: _____

Signature & Da

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA
JIHAR KANO

RAHOTON SHEKARA: Sunan Kotu: U S C S (Gasi) Wata da Shekara January - December 2023

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
01	CV/89/23	RUKIYATTA DANLADI VS ISAH MOHD ISAMI	NEMAN RABUNAR AURE SABODA DUKA	10/ 2/ 23	KOTU TAYI HUKUNCIN DA RABA AURE SABODA DUKA
02	CV/96/23	SHAMSIYYA HASSAN VS UMAR S-D MOHD BAUCI	NEMAN RABUNAR AURE SABODA ZACI	2/ 2/ 23	KOTU TAYI HUKUNCIN DA RABA AURE SABODA ZACI
03	CV/122/23	FATIHA MOHD MUSA VS SANI IBRAHIM	NEMAN RABUNAR AURE SABODA DUKA	22/ 3/ 23	KOTU TAYI HUKUNCIN DA RABA AURE SABODA DUKA
04	CV/231/23	HADIYA MOHD VS SHAFIU HANNA	NEMAN RABUNAR AURE SABODA CIN MUMUNCI	16/ 15/ 23	KOTU TAYI HUKUNCIN DA RABA AURE SABODA CI

Reviewed & Certified by: USMAN ABDU

Signature & Date

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA

JIHAR KANO

RAHOTON SHEKARA: Sunan Kotu: Kwana Hudu Sharia Court Wata da Shekara: Jan - Dec. 2023

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
01	CV/231/2023 11/4/2023	HABIBA HASSAN ZARUON DAYATA VS DAUDA ABDULLAH Z/DAKATA	NEMAN R/AURE AKARI DUKA DA BABU ABIN CI DA CIN MUTUNCI	8/5/23	Ayan ran 8/6/23 KT ta rufe kara ga kamakon waik DA MK BISA KOTU KK order 9 R.2
02	CV/334/2023 1/6/2023	AMINA HAAUNA K/HUDU VS ISAH ADAMU K/HUDU	NEMAN R/AURE Saboda cin mutun n iyayen kuma Bashi da saqqa	8/6/23	Ayan ran 14/6/23 kotu ta rufe kara KK order 9 R.2 (Law 2021)
03	CV/359/2023 9/6/2023	FATIMA NUSA R/KOZE VS Sulaiman Umar K/Hudu	NEMAN R/AURE Saboda cutar wa	22/6/23	Ayan ran 22/6/2023 MK da WAIK BISA kotu KT ta rufe kara KK order 9 R.2
04	CV/383/23 19/6/2024	FATIMA KIYASU GAMA VS YAZIDU MABASI GAMA	NEMAN R/AURE Saboda zangi	4/7/23	4/7/2023 MK WAIK BISA ko don hake kotu ta rufe kara KK order 9 R.2 2021

Reviewed & Certified by: THE JUDGE /

Signature & Date

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA

JIHAR KANO

RAHOTON SHEKARA: Sunan Kotu: Dankare Sharia Court Wata da Shekara: January - June 2024

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
01	CV/82/24	Ummi Rabiu VS Yahaya Muhammad	NEMAN RABUWAR AURE SABODA DUKA	13/3/24	KOTU TAYI HUKUN DA RABA AURE SABODA DUKA
02	CV/211/24	Maimuna Idnis VS Dahiru Sani	NEMAN RABUWAR AURE SABODA ZAEI	30/3/24	KOTU TAYI HUKUNCHI DA RABA AURE SABODA ZAGI
03	CV/222/24	Hajang Sabiru VS Ishaq Aliyu	NEMAN RABUWAR AURE SABODA CIN MUTUNCI	21/3/24	KOTU TAYI HUKUN DA RABA AURE SABODA CIN MUTUNCHI
04	CV/29/24	Aesha Habibul Kuma VS Aminu Dauda Kedawu	NEMAN RABUWAR AURE SABODA DUKA	18/1/24	KOTU TAYI HUKUNCHI DA RABA AURE SABODA DUKA

Reviewed & Certified by: HAFSAT LAWAN ABDULLAH

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA

JIHAR KANO

RAHOTON SHEKARA: Sunan Kotu: Upper Shani Gant R/Zaki Wata da Shekara January - June ~~December~~ 2024

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
01	CV/82/24	Ummi RABIU VS TAYYA MOHD	NEMMAN RABUWAT AURE SABODA DUILA	13/3/24	LOTU TAYI HUKUNCI DA RABA AURE SABODA DUILA
02	CV/211/24	MATMUNA IBUS VS DARINU SANI	NEMMAN RABUWAT AURE SABODA CIN MUTUNCHI	17/3/24	LOTU TAYI HUKUNCI DA RABA AURE SABODA CIN MUTUNCHI
03	CV/222/24	HAFARA SABIU VS ISHAQ AKIYU	NEMMAN RABUWAT AURE SABODA KACI	30/12/24	LOTU TAYI HUKUNCI SABODA KACI
04	CV/29/24	ANSHA HABIBU KUNTA VS AMINU BRUNTA	NEMMAN RABUWAT AURE SABODA DUILA	18/12/24	LOTU TAYI HUKUNCI DA RABA AURE SABODA DUILA

Reviewed & Certified by: HAECAT IANAN

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA

JIHAR KANO

RAHOTON SHEKARA: Sunan Kotu: City W28C Kofuochu Wata da Shekara Jan - June 2024

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
①	CV/55/024 12-03-024	Samins Ibrahim VS Usman Isah of Gorchu	NIRA Saboda DUILA	27/3/24	Aran 2454-024 lotu + purl wor
②	Cu/110/024 254-024	Abdullah Hassan VS Amiru Ceven	NIRA Saboda DUILA	4/7/24	Ar 0470 lotu + Samin
③	CV/40/024 23-02-024	Codice Idan VS Ali Dertuna	NIRA Saboda Cin mutunchi	11/3/24	aran 0805-0 to 7i Hucun de 288
④	Cu/146/024	Husain Dahir VS Mustapha Umar	NIRA Saboda Cin mutunchi	13/6/24	5971 Hucun goshen si

Reviewed & Certified by: Opis Ato

Signature & Date: [Signature] 16-0

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA
JIHAR KANO

RAHOTON SHEKARA: Sunan Kotu: Nambire Shari Court Wata da Shekara January - June 2024

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
05	CV/29/24	Arsha Ahmad vs NASIM ALIYU	NEMAN RABUWAZ AURE SABODA CIN MUTUNCI	18/11/24	KOTU TAYI HUKUNCIN DA RABA AURE SABODA CIN MUTUNCI

Reviewed & Certified by: HAFSAHAWAN ABDULLATI

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA
JIHAR KANO

RAHOTON SHEKARA: Sunan Kotu: Kwame huda Shari Court Wata da Shekara January - June 202

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
1 (17)	CV/209/24 15/3/24	JAMILA JUSTICE vs ABDULLATI MUHAMMAD	NEMAN R'B'WA SBD YANA DUKAN TA	17/4/24	Pending
22 (18)	CV/26/2024 21/3/2024	JAMILA SURAJA vs AZI IBRAHIM	NEMAN R'B'WA SBD YANA CIN MUTUNCI TA	18/4/24	Pending
23 (19)	CV/226/24 26/3/2024	MARA'ISIYA SANI vs ABDULLATI USMAN	NEMAN R'W'A SBD YANA DUKAN N-TA	17/4/24	Pending
4 (20)	CV/239/24 2/4/2024	RAHAMAT ABDULLATI vs IBRAHIM ALIYU	NEMAN R'B'WA SBD YANA DUKAN TA	29/4/24	Pending

Reviewed & Certified by: THE JUDGE

Signature & Date

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA**JIHAR KANO**

RAHOTON SHEKARA: Sunan Kotu:

Danbare Sharia Court

Wata da Shekara

January - December 20

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
09	CV/341/23	SADIYA MUSA vs IBRAHIM ABUBAKAR	NEMAN RABUWAT AURE SABODA DUKA	23/1/23	KOTU TAYI HUKU DA RABA AURE SABODA DUKA
10	CV/348/23	MARYAM SARISU vs MUNTARI MUSA	NEMAN RABUWAT AURE SABODA ZAGI	3/1/24	KOTU TA RABA WANWAN AURE SABODA CIN MUTUNCHI
	CV/				

Reviewed & Certified by: HAFSAT LAWAN ABDULLATI Signatur**KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA****JIHAR KANO**

RAHOTON SHEKARA: Sunan Kotu:

Kwame hudu Sharia Court

Wata da Shekara

January - June 20

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
13	CV/108/2024 12/2/2024	LUBABATY SANI vs RABIU ABDULLATI	NEMAN R.B.WA SBD YANA DUKA TA DA CIN MURUGA	28/2/24	A ran 6/3/24 mk da watak Sunyi Sulhu d haka kt tan
14	CV/125/2024 15/2/2024	ZAKIYA GARBA vs MUSA ABDULLATI	NEMAN R.B.WA SBD YANA DUKA NA	22/2/24	Pending
15	CV/130/2024 19/2/2024	BINTA MUTHAMMAS vs ALASAN ALI	NEMAN R.B.WA SBD YANA CIN MUTUNCHI	6/3/24	Pending
16	CV/134/2024 20/2/24	UMNIASALAMA BILYA vs BASTIR JIBRI	NEMAN R.B.WA SBD YANA DUKA TA DA ZAGI	7/3/24	Pending

Reviewed & Certified by: THE JUDGE

Signature & Date

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA
JIHAR KANO

RAHOTON SHEKARA: Sunan Kotu: K/Hudu s/c P.R.P Wata da Shekara 2024 janyu

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
9	Cy/75/2024 30/1/2024	HAWWA U UMAR ↓ AMADU HASHIMU	NEMAN R.B.A SBD YANA BUKA WA DA ZAGI	20/2/24	Pending
10	Cy/96/2024 6/2/2024	HALIMA USMAN ↓ SULEMAN ISMAIL	NEMAN R.W.A SBD YANA DUKA N-TA	22/2/24	Pending
11	Cy/97/24 6/2/2024	HAWWA NAUSA ↓ JAMILU SULAIMAN	NEMAN R.B.WA SBD YANA DUKAN TA DA ZAGIWA	22/2/24	A ran 26/4/24 mk da watak basa kotu da haka ta rufe
12	Cy/103/2024 8/2/2024	BILKISU ISA ↓ ALIYU IDRIS	NEMAN R.B W.A. SBD YANA ZAGIWA DA DUKANTA	27/2/24	A ran 27/2/2024 mk da watak basa kotu da haka ta rufe Kara

Reviewed & Certified by: THE JUDGE

Signature & Date

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA
JIHAR KANO

RAHOTON SHEKARA: Sunan Kotu: Kwara huku Shari Court Wata da Shekara Janu - June 2024

/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU D RANA
7	Cy/166/2024 10/3/2024	AMINA SULAIMAN ↓ IBRAHIM MULLAMMAN	NEMAN R.B.WA SBD YANA CIN MILUW CININ	26/3/24	Pending
8	Cy/164/2024 2/3/2024	HAWWA BAHAMAS ↓ ICABIRU DBO	NEMAN R.B.WA SBD YANA DUKA N-TA	27/3/24	Pending
9	Cy/194/2024 14/3/2024	FIDDAUSI USMAN ↓ DALLAMI SA'IDU	NEMAN R.B.WA SBD YANA DUK ANTA	16/4/24	Pending
10	Cy/208/24 15/3/2024	MARYAMA UMAR ↓ IBRAHIM DABO	NEMAN R.B.WA SBD YANA CIN MILUW CININ	27/3/24	Pending

Reviewed & Certified by: THE JUDGE

Signature & Date

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA
JIHAR KANO

RAHOTON SHEKARA: Sunan Kotu: KWame huchu Shang Court Wata da Shekara January - June 20

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
25	Cy/243/2024 15/4/2024	ADAMA ABDULLATI ↓ ISHAK ABUBAKAR	NEMAN R.W.A SBD YANA DUKA TA DA ZAGWITA	2/5/24	Pending
26	Cy/258/24 18/4/2024	SAFIYA ABDULLATI ↓ SAIDU YUSUF	NEMAN R.W.A SBD YANA CIN MURUNCIN TA	9/5/24	Pending
27	Cy/259/24 18/4/2024	SALIMIA MUMHAMMAD ↓ TULCUR MUMHAMMAD	NEMAN R.W.A SBD YANA BUKANTA	9/5/24	Pending
28	Cy/311/2024 6/5/2024	CHADJA AHMAD ↓ GALISA MUMHAMMAD	NEMAN R.W.A SBD YANA CIN MURUNCI	9/5/24	Pending

Reviewed & Certified by: THE JUDGE

Signature & Date

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA
JIHAR KANO

RAHOTON SHEKARA: Sunan Kotu: KHUM S/C P.R.P Wata da Shekara 2024 January - Ju

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
5	Cy/43/2024 12/2/2024	FATIHA ABUBAKAR ↓ HAMISU MUMHAMMAD	NEMAN RABUWA AURE SBD DUKA	17/1/24	A ran 28/2/24 m k da w a k base kotu
6	Cy/45/2024 18/1/2024	UMMI ALI ↓ TIJANI SULEMAN	NEMAN RABUWA AR-AURE SBD YANA BUKANTA	12/1/24	Pending
7	Cy/58/2024 24/1/2024	JAMILA SANI ↓ ABDULSALAM YAU	NEMAN R.W.A SBD YANA CIN MURUNCIN TA	6/2/24	Pending
8	Cy/70/2024 29/1/2024	ASABE ADAMU ↓ ABDULRASID DAYYAN	NEMAN R.W.A SBD YANA DUKA TA	20/2/24	Pending

Reviewed & Certified by: THE JUDGE

Signature & Date

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA**JIHAR KANO**RAHOTON SHEKARA: Sunan Kotu: Khamehuchy Shame hant Wata da Shekara January - June 2024

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
33	Cy/370/2024 13/5/2024	JUMMAN YAKUBU vs BASTIR HARUNA	NEMAN R.B.W.A SBD YANA CIN MUNUNCI TA	6/6/24	Pending
34	Cy/351/24 6/6/2024	MEJIDA USMAN vs USMAN JALLABA	NEMAN R.B.W.A SBD YANA CIMAN MUNUNCI	11/6/24	Pending
35	Cy/354/24 17/5/24	FURETA HAMZA vs BASTIR ADAMU	NEMAN R.B.W.A SBD YANA DUKA DA CIN MUNUNCI	14/6/24	A ran 11/7/24 KT ta Sallami kara KK order Rule 2
36	Cy/357/2024 20/5/2024	SADIWA BARDI vs ZAHARABEEN HARUNA	NEMAN R.B.W.A SBD YANA DUKA TA	10/5/24	Pending

Reviewed & Certified by: THE JUDGE**KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA****JIHAR KANO**RAHOTON SHEKARA: Sunan Kotu: K/HUDA SHARIA COURT PRP Wata da Shekara JAN - JUNE 2024

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
01	Cy/164/2024 1/3/2024	HAWA'U BADA'ASI K/4 VS KABIRU ADO AGADABAWA	NEMAN R/AURE SABO DA DUKA	27/3/2024	Pending
02	Cy/209/24 15/3/2024	JANILA YUSHA'UT/MUNTALI VS ABDULLALI MUHO J/MUNTALI	NEMAN R/AURE SABO DA DUKA	17/4/24	Pending
03	Cy/13/2024 4/1/2024	SADIYA ALI K/HUDU vs ALI GADAR GAYAWA	NEMAN TAMPICOU SHARIA AKAN AURE	29/1/24	Pending
04	Cy/21/2024 8/1/2024	ZARA'U MUHAMMAD vs IDRIS MUHAMMAD	NEMAN R/BUSUNAT AURE SBD YANA DUKA WA	30/1/24	A ran 15/4/24 MK da W.A.K Basa kotu KT ta rufe kans KK order 9 Rule

Reviewed & Certified by: THE JUDGE

Signature & Date

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA**JIHAR KANO**RAHOTON SHEKARA: Sunan Kotu: Kwanan huda Shari'a Court Wata da Shekara January - December 2024

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
13	CV/851/23 11/12/23	Binta Usaini Gaygwa VS Dantadi Bala gaygwa	Neman R/Aure Saboda Duke da zargi da Rabun Kulawa	9/1/24	A ran 29/2/24 Kotu ta rufe Kara saboda mk da w'a'k b.
14	CV/857/23 13/12/2024	Aisha Adamu/Badan VS LSA MUHAMMAD T/BADARU	Neman R/Aure Saboda Duke	21/1/24	A ran 2/2/2024 Kotu ta rufe Kara saboda mk da w'a'k BISAQ
15	CV/859/23 13/12/23	FIDDAUSI RABU'U A/KEBE VS BRATHIM YAHAYA R/KEBE	Neman R/Aure Saboda zargi da Duke	13/12/23 2/1/24	Pending 9/2/24
6	CV/884/23 28/12/23	AISHA KABIR Game VS MALAM YAU UMIR	Neman R/Aure Saboda Duke da cin mutunci	23/1/24	A ran 23/1/24 mk da w'a'k bisi Kotu dan ha'ke ki ta rufe Kara

Reviewed & Certified by: THE JUDGE

Signature & Date

JIHAR KANORAHOTON SHEKARA: Sunan Kotu: Kwanan huda Shari'a Court Wata da Shekara January - December 2024

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
05	CV/469/23 14/7/2023	SUWATIBA HAMISU R/KEBE VS Jamilu ABDULKARIM D/IMAMU	Neman R/Aure Saboda Duke	25/7/23	A ran 16/8/2023 mk da w'a'k b. si Kotu. Kotu ta rufe Kara kis
06	CV/782/2023 6/11/2024	HAJARA JIBRIW BRIGAOE VS MALAM YAHAYA ADAMU ME SHANU	Neman R/Aure Saboda Duke	27/11/23	A ran 25/1/24 mk da w'a'k sun sami masu laha
07	CV/808/2023 20/11/2023	NANA HANISU L/FAMU VS ALFA TAJIR RANGAZA	Neman R/Aure Saboda Duke	12/12/23	A ran 10/1/2024 ki taya hukunci da Raba Aure lida Jini 3
08	CV/844/2023 08/12/2023	KAFAYAT ABUSAKAR BRIGAOE VS HABIBU ISYAKU NA'IBAWA	Neman R/Aure Saboda Duke	3/1/24	A ran 29/1/23 Kotu ta rufe Aure da lida Jini uku

Reviewed & Certified by: THE JUDGE

Signature & Date

KARARRAKIN HAKKI AKAN RIGIMUN CIKIN GIDA**JIHAR KANO**RAHOTON SHEKARA: Sunan Kotu: Kwame huda S/Comit Wata da Shekara January - December 2023

S/N	LAMBAR KARA DA RANAR KARA	SUNAN YAN SHARIA	DALILIN KARA	RANAR SHARIA	HUKUNCIN KOTU DA RANA
09	CV/692/23 6/10/23	FIDPAUSI IBRAHIM Gama VS SHAFIU SALE T/BAOARU	Neman K'Aure Saboda babu abin ci ga cin mutunci	25/10/23	Ayan ran 25/10/23 Kotu ta ruje Kara saboda mk da w'ak B955
10	CV/693/23 6/10/23	MARYAM SAIDU Gayawu VS ABDULLAH ADAMU	Neman K'Aure Saboda yans cin mutunci	25/10/23	Aran 5/12/23 Kotu ta ruje Kara Kk order S SPCL 2021
11	CV/842/23 7/12/2023	ALSTHA IBRAHIM Gayawu VS Hassan Sani Gayawu	Neman K'Aure Saboda cin zafafi da Dakusa	19/12/23	Kotu ta tabbakar da saki da jini S daga yan ran 17/11/2024
12	CV/850/23 11/12/2023	ALSTHA SANI K/K VS MUSA INUSA SHEKA	Neman Taimakon sharia akan Aure saboda yans zangins ga cin mutunci	9/1/24	Aran 9/1/2024 Kotu ta ruje Kara saboda mk da w'ak B955 Kotu

Reviewed & Certified by: THE JUDGESignature & Date [Signature] 18/7/2023

Research Validations Photo Gallery

First Validation (Kano - 22 February, 2025)



WRAPA Secretary General, Saudatu Mahdi MFR, Opening Remarks & Validation Objectives



BUK Director CICID, Dr. Taufiq A. Hussaini Welcoming Experts & Research Contributors



Lead Researcher Prof. Dahiru Usman, presenting Report Findings



FOMWAN Kano Rep. affirming a point in the Research Findings



Sheikh Abdugaffar, Qadiriyya



Dr. Muhd JIBIWIS making some remarks

Second Validation (Kaduna 26 - 27 May 2025)



WRAPA Secretary General sharing Rationale & Objectives for 2-Day Convening 26-27 May, 2025



Cross section of Ulama and Imams



WRAPA Dir of Progs. Mrs. Oluwayemisi Nathaniel making a contribution in Nigeria Project



Feedback collation from Group work



Habiba and CICID Director conferring on program flow



Director Centre International Islamic Banking and Finance BUK, Professor of Islamic Law



FOMWAN Representative making a point on real lived situations



Feedback collation from Group work



Women in Da'awah Rep sharing gender justice gaps being addressed by her organization



CICID Director, Rounding up Consensus issues and next steps



Closing prayers



WRAPA Team after two hard days done!!

Validations Attendance

Validation Meeting CICID-BUK				
Activity Title: Action Research Validation Meeting on Legal Frameworks and Gender Justice: Mitigating Violence Against Women Justification				
Venue: Centre for Islamic Civilization & Interfaith Dialogue, New Site BUK				
Date: 20th February, 2025				
S/N	Names	Organisation	Designation	Phone Number
1	Jamila Abdulaziz Babangida	A1 Family	Amira	0 8065565106
2	Dr. Rabiu Yahya Hassan	CICID-BUK	DD	0 7039036061
3	Sheikh Abdulgaffar Sheikh Nasiru Kabara	Qadiriyya	Imam	0 8023055367
4	Dr. Umar Muhammad Kani	Tijjaniya	Imam	0 8038429143
5	Dr. Nuhu Abdullahi Usman (Giwa)	Isl Stud. BUK	Imam	0 7033291639
6	Sheikh Muhammed Nasir Adam	Committee of Jumuat Mosque	Chairman	0 8073370344
7	Dr. Muhd Aminu Bala	JIBWIS	Member	0 8036462876
8	Sheikh Jamilu Sulaiman Alqadiri Fagge	Qadiriyya	Chief Imam	0 8037901478
9	Abdullahi A. BAture	KNHA	Director	0 8060297888
10	Nafisa Umar Yola	FOMWAN	Secretery	0 8034390123
11	Ahmad Adam Madabo	JIBWIS	Member	0 8067861968
12	Prof. D.J. Usman	BUK Fac. of Law	Chief Consultant	0 7013639171
13	Dr. Taufiq Abubakar Hussaini	CICID-BUK	Director	0 8036866616
14	Saudatu Mahdi	WRAPA	Secretery General	0 8033144905
15	Habiba Ahmad	WRAPA	Prog. Officer	0 7062139252
16	Faith Joshua-Uba	WRAPA	M&E Officer	0 7036933218
17	Fatima Lawal Aliyu	WRAPA	Kano State Coordinator	0 7045992020

Validation Meeting Kaduna State				
Activity Title: Action Research Validation Meeting on Legal Frameworks and Gender				
Venue: Bafra Hotel, Kaduna				
Date: 26th - 27th May, 2025				
S/N	Names	Organisation	Designation	Phone Number
1	Barr. Hajara Jibril Abubakar	FOMWAN	Legal Adviser	07037452063
2	Abdulmusin Ahmad Nuhu	CICID BUK	Admin	08038913877
3	Abba Shehu	WRAPA Kaduna	State Coordinator	08100127508
4	Moh'd I. Maifari	Katsina Islamic Foundation	Programme Manager	08036481770
5	Abubakar Muhammad Gafai	JNI Nat HQ	DA'AWA Sec	08080869903
6	Umar Bawa Musa	B.U.K	CICID	08062139025
7	Usman Muh'd Shu'ab	UBE BUK	IIIBF-Director	08037392195
8	Dr. Fatima Zakari Imam	WRAPA Focal Person, Kaduna	WRAPA Focal Person, Kaduna	08023675394
9	Mai Munat Ibrahim	JNI	Project Officer	08033556363
10	Shuaib Muktar Shuaib	CICID	Resource Person	08099471041
11	Muhammad Nur Muh. Arzai	Tijjaniyyah	Imam	08025601088
12	Ahmad Adam Madabo	JIBWIS	Imam	08067861968
13	Nasir Ahmad	BUK	Lecturer	08035891719
14	Muhd R. Sa'ad	Islamic Scholar	Imam	08033533925
15	Bushrah Muhammed Sulaiman	Women in Da'awah	Official Exco	08186496364
16	Sani Musa Mohammad	Sharia Compl. Namaradda Juma'at Mosque	Imam	08063242812
17	Umar Muhammad Kari PhD	Akals	Scholar	08032429143
18	Umar Haruna Maiturare	Sch. Of Sharia & Civil Law	Tutor	08062248600
19	Taufiu Abubakar Hussaini	CICID BUK	Director	08036866616
20	Mauk Abubakar Hussaini	Ulama	Imam	08034566701
21	Shafir Barde	WRAPA	Dir. Fin & Comms	08038434491
22	Yamisi Nathaniel	WRAPA	Dir. Programmes	09036433248
23	Saudatu Mahdi (MFR)	WRAPA	Secratary General	08033144905
24	Faith John Ude	WRAPA	MEAL Specialist	07036933118
25	Dr. Rabiu Yahya Hassan	CICID BUK	Deputy Director	0703903606
26	Muhammed Maifada	Katsina Islamic Foundation	Programme Officer	08036481770
27	Habiba Ahmad	WRAPA	Programme Officer	0 7062139252

MEDIA PUBLICATIONS

SHORT NEWS

Yobe Govt Signs N22.3bn Damaturu Flyover Contract

BY HUSSAINI JINGA, DAMATURU

Yobe State government under the administration of Governor Mai Mala Buni has signed a N22.3 billion contract for the construction of a state-of-the-art flyover bridge and underpass at Damaturu main roundabout.

The commissioner for Works, Engo Umar Daddaye, signed the contract on behalf of the state government while Engo Habib Gejeon represented the contracting firm, Messrs Triacta Nigeria Limited.

"It is pertinent for me to mention that the governor is giving priority to major infrastructural development which entails the construction of roads, bridges, drainage and all other Civil Engineering works.

"The fly-over bridge and underpass at Damaturu main roundabout will cost N22.3 billion with a completion period of 12 months.

"Also, a contract for the construction of Damaturu-Gambir Road has been signed between the Yobe State government and Messrs Elegance Construction Nigeria Limited with a completion period of nine dry months," he said.

Group Urges Northern Leaders To Foster Unity

BY KHALID IDRIS DOYA, BAUCHI

Chairman of the Bauchi Transformation Agenda, Hon. Abdullahi Shu'aba, has expressed dismay over the lack of support by northerners for their kinsmen from the North East geopolitical zone, stating that such attitude hinder regional progress.

Speaking with LEADERSHIP Weekend yesterday in Bauchi, Shu'aba reacted to the recent wave of criticisms directed at the National Security Adviser (NSA), Nuhu Ribadu, describing them as unwarranted and divisive.

"Anytime a citizen from the Northeast is appointed to a national role or federal position, some of his kinsmen from the North are the first to undermine or reject his leadership," Shu'aba lamented.

He emphasised that such attacks only serve to sow discord among people from the same region, regretting that Northerners often act as their own worst enemies politically, socially and economically.

Referring to the criticism from Hajiya Naja'atu Mohammed against Ribadu, Shu'aba argued that such public condemnations do not contribute to the unity and collective progress of the North.

AfDB, WFP Assist Flood Victims In Northeast

BY FRANCIS OKOYE, MARDUGUI

African Development Bank (AfDB) and the World Food Programme (WFP) have distributed \$1 million (N1.5 billion) worth of food items to 17,236 households in Borno State.

The families, comprising 83,180 individuals, were affected by last September's flood that devastated Maiduguri metropolis and its environs.

Speaking during the distribution exercise on Friday in Maiduguri, the WFP country director in Nigeria,

David Stevenson, said the \$1 million contribution was from AfDB Special Fund to support emergency food response for flood-affected communities in the Northeast.

Mr Stevenson said, "Our support comes at a critical time when humanitarian funding is in short supply, and the country faces alarming high rates of food insecurity."

He lamented that communities that started rebuilding their lives were, however, struck by flood again, displacing about 1.5 million Maiduguri residents.

Stevenson noted that the

recent flood had compounded years of prior displacements, food insecurity and hardship, with disastrous consequences by pushing hunger levels much higher.

The AfDB director general in Nigeria, Abdul Kaman, said, "This additional funding will mitigate the suffering of vulnerable people on the brink of acute hunger," stating that more people required humanitarian assistance.

Meanwhile, WFP in collaboration with the Mastercard Foundation Nigeria, has moved towards strengthening food systems to

promote increased value chain employment opportunities for youth.

WFP country director in Nigeria, David Stevenson, said the programme is implemented in the Northwest and Northeast Nigeria, specifically Borno, Adamawa, Yobe, Jigawa, Sokoto, Zamfara and Kano states.

"This 5-year partnership began in April 2022. The programme is designed to address root causes of post-harvest losses, low productivity and poor commodity quality, while strengthening smallholder-farmers' access to markets to enhance their income, create new jobs across the millet and sorghum value chains, particularly for youth and women.

Bauchi Chief Judge Frees 18 Awaiting Trial Inmates

BY KAMAL IBRAHIM, BAUCHI

Chief Judge of Bauchi State, Justice Rabi Talatu Umar, has freed 18 inmates awaiting trial in the state.

She expressed dismay over the rampant cases of alleged withdrawal in the circle of legal jurisprudence, saying, "If you are not a witch, you cannot know who is a witch. It is an issue that could hardly be established, unless the witch confess-

es to be one."

Justice Rabi warned judges and magistrates against putting outrageous compensation on convicts, especially where the ruling has an option of fine.

She observed that the imposition of heavy compensation often prolongs the stay of convicts in the correctional centre and warned that henceforth, any judge who imposes an outrageous compensation on convicts would be forced to pay or

bear the cost.

The Chief Judge described the imposition of heavy compensation on convicts such as N300,000, N200,000 or even N300,000 as an encouragement for stealing and urged judges to put reasonable compensation where necessary, while tempering justice with mercy.

"I am disturbed with my observation concerning the issue of compensation being imposed by most of the judges. Where

do you expect such an accused or convict to get that amount of money, unless you want them to go back to that same crime when they leave the prison so as to meet up with the demand of the court.

"So, while imposing your sentence, I want you to be reasonable enough in the amount of compensation you will request the convict to pay; you don't look at what he has done in the past.



L-R: Ministers of Livestock Development, Abaji Ili Mukhtar Riha, his Information and National Orientation counterpart, Mohammed Idris, Regional Development Minister, Abdulkar Nurhoh and the Minister of State for Regional Development, Abaji Iliu Magaji-Amadi, at the second edition of the Ministerial Briefing Session in Abuja, yesterday. PHOTO BY IBRAHIM MOHAMMED

Sharia: Stakeholders Brainstorm On Violence Against Women

BY LONGTONG YAKUBU, KANO

Stakeholders from various Islamic groups and scholars met at the Centre for Islamic Civilisation and Interfaith Dialogue (CICID) Bayero University, Kano, to validate a document relating to violence against women and children in Northeast Nigeria.

The meeting which has the theme, "Action Research Validation Meeting on Legal Frameworks and

Gender Justice: Mitigating Violence Against Women Justifications," was organised by the centre in partnership with Women's Rights Advancement and Protection Alternative (WRAPA) and support from the Ford Foundation.

WRAPA consultant, Prof Dahiru Jafar-Uman, said the research focused on the cases related to sections 35(1) A to D of the Penal Code, recommending its repeal and also a review to sections 353

and 360 of the Criminal Code, which address indecent assault on men and women.

He said, there have been no cases decided with section 35(1) of the Penal Code since 1960 and it's in conflict with provisions of the 1999 Constitution as amended and other international human rights instruments, while the provisions of the Criminal Code should be corrected to indecent assault against any person (covering all gender) as a felony, punishable by three

years, not as it is currently prescribed against women.

Speaking on the need for both the federal and state governments to domesticate the Violence Against Person (VAP) Act to curb violence against women and children across the country, he said the research became necessary considering how women are systematically discriminated from accessing justice or affirming their rights as guaranteed by Islam especially in the north.

SHORT NEWS

Association Lauds Kebbi Governor, Minister On Support For Tinubu

BY SUNDAY ISUWA

Leaders of the Renewed Hope Ambassadors Network (RHAN) have attributed the large turnout at the recent political rally in Kebbi State to the commendable efforts of President Bola Tinubu and the goodwill of the state's leaders.

The group, which played a significant role in campaigning for Tinubu during the 2023 presidential election, specifically acknowledged the minister of Budget and Economic Planning,

Senator Atiku Bagudu, and Governor Nasir Idris as the key figures taking charge in the state. It is worth noting that the All Progressives Congress (APC) in Kebbi State launched its campaign for the re-election of President Tinubu and Governor Idris ahead of the 2027 elections on Wednesday.

The mega rally, entitled "We Stand with Tinubu and Kautan: Gwando," took place at the Township Stadium in Illesim Kebbi and attracted prominent political figures, including Minister Bagudu, Governor Idris, Honourable James Falck, Minister of State for Education Yusuf Tanko Sarama and many others.

Infant Mortality Reduced By 26% In Jigawa - UNICEF

BY MUHD ZANGINA KURA, DUTSE

UNICEF has attested that infant and maternal mortality has reduced by 26 percent in Jigawa State due to the collaborative efforts and the government's commitment to strengthening immunisation and improve access to effective public healthcare services in the state.

The Chief of Health, UNICEF Nigeria, Dr Shyam Sharan Pathak, revealed this at the closing and handing over ceremony of the GAVI-funded project which commenced in 2020 after signing an MoU with the Jigawa State government.

He noted that UNICEF, through the GAVI-funded project, has spent over N4 billion to strengthen immunisation coverage and effective primary healthcare services in the state.

Shyam noted that the significant milestones achieved through this programme is a testament to solid partnership and commitment for every child, youth and mother in the state and across the country.

ENDORSEMENTS

Islam explicitly discourages harshness and condemns cruelty towards women and children. The spirit of the faith calls for relationships built on compassion, justice, and tender-heartedness, where the home is a sanctuary of mutual dignity and peace.

**Prof. Emeritus M.S. Zahradeen, OFR JP.
Grand Imam, Kano**

Islam stands firmly against any form of violence and oppression against human beings, with particular emphasis on protecting the dignity and rights of women. Its teachings explicitly condemn forced marriages, the denial of equal access to education, and the imposition of economic disadvantages on women.

**Shiekh Imam Muhammad Nasir Adam
Chief Imam, Shiekh Ahmad Tijjani Mosque & Chairman Council of Jumuat Mosque Committee**

*Treating women with justice is an unequivocal teaching of Islam. Therefore, it is incumbent upon every Muslim to understand what Islam truly requires of them concerning women's rights and to implement it faithfully. Women are our mothers, sisters, daughters, and wives—they are our partners in life and faith, not our subordinates. We will surely be held accountable before Allah on the Day of Reckoning for how we honored and treated them. Let us forever remember the guiding example of Prophet Muhammad (peace be upon him), who said: "**The best among you are those who are best to their families, and I am the best of you to my family.**" This is our standard and our model.*

**Sheikh Husain Yakub Rano,
Chairman Council of Ulama JIBWIS Kano State Branch.**

*Islam categorically condemns brutal and unrestrained violence. Within marriage, the husband's primary role is one of loving kindness (**mu'asharah bil ma'ruf**) and responsible maintenance (**qawwama**), not tyranny. It is imperative to understand the Quranic verse (4:34), which is narrating pre-Arabian culture towards women, thus, we shall not interpret this verse as endorsing domestic violence. Moreover, the Prophetic example is imperative where he never raised a hand against any woman, hence the overarching Quranic imperative of mercy (**Rahmah**) remain the supreme standards.*

**Shiekh Ibrahim Khalil
Chairman, Council of Ulama, Nigeria.**

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