## Contents

1	Nigeria: The Giant of Africa	1
	Introduction	1
	The Meanings of Islamic Law (Shari`ah)	5
	The Development and Emergence of the Islamic Law	9
	The Period of the Prophet Muhammad	10
	The Period of the Companions (sahabah)	
	of the Prophet (632–661 CE)	11
	The Period of Documentation and Establishment	
	of Legal Theories (661–1258 CE)	12
	The Period Between 1258–1900	14
	The Period Between 1900–Present	14
	The Sunni Schools of Law and Their Founders	15
	The Hanafi School and Its Founder, Imam Abu Hanifah	16
	The Maliki School of Law and Its Founder, Imam Malik	17
	The Shafi'i School of Law and Its Founder, Imam Shafi'i	19
	The Hanbali School of Law and Its Founder,	
	Imam Ahmad Bin Hanbal	21
	Notes	23
2	A History of Islamic Law in Nigeria	27
	Introduction: A History of Islam in Nigeria	
	Before the Advent of the Jihad	27
	Islam in the Kanem-Bornu Empire	28
	Islam in Hausa Land	30

xiii

## xiv CONTENTS

	Islamic Law Before the Sokoto Caliphate	31
	Application of Shari`ah Law During the Sokoto Caliphate	33
	Critique of the Application of Islamic Law	2.4
	in the Sokoto Caliphate	36
	Islamic Law During the British Occupation	39
	Islamic Law on the Eve of Independence in 1960	41
	Conclusion	43
	Notes	44
3	Islamic Law (the Shari`ah) After Independence	51
	Introduction	51
	What Is at Stake Regarding the Application	
	of the Shari`ah?	53
	Arguments for the Application of the Shari`ah	53
	Arguments Against the Application of Shari`ah	56
	New Shari`ah Cases	63
	Why Do Northerners Favor the Application of the Shari`ah?	64
	Conclusion	65
	Can the Application of the Shari`ah be Stopped?	66
	Conclusion	67
	Notes	68
4	The Structure of the Islamic Courts in Northern Nigeria	73
	Introduction	73
	Emir Courts	73
	The Chief Alkali And Alkali Courts	74
	Native Courts	74
	Area Courts	<i>7</i> 5
	The Shari`ah Court of Appeal	76
	The Federal Court of Appeal	76
	Case One: The Right of a Female to Marry Whom She Wants	77
	Case Two: A Wife's Right To Divorce Her Husband	87
	Case Three: Seeking Divorce by the Wife and the Shari`ah	
	Court's Disapproval of It	90
	Conclusion	94
	Amina Lawal's Case of Adultery: Free at Last	95
	Notes	106

5	Christians' Response to the Application of Islamic Law			
	in Nigeria Introduction			
				Christian Responses to the Application of Islamic Law in Nigeria Responses from Intellectual Perspectives Responses from Christian Evangelicals and Pentecostal Leaders
	Christian Responses from Political and Social Perspectives	123		
	Conclusion	127		
	Notes	128		
6	Is the Application of Islamic Law in Zamfara State			
	a Success or a Failure?	133		
	Introduction	133		
	A Short History of Zamfara State	136		
	Some Observations	143		
	Conclusion	146		
	Notes	147		
Αį	Appendix			
Bi	Bibliography			
In	Index			