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FREEDOM OF RELIGION AND SHARI'AH JUSTICE ADMINISTRATION IN NIGERIA: SHOULD NON-MUSLIMS BE SUBJECT TO JURISDICTION OF SHARI'AH COURTS?

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Abstract:
Shari'ah Courts have been established in some Northern States of Nigeria with jurisdiction to entertain matters involving Muslims only. Although the Shari'ah Court laws clearly limit the application of Shari'ah to Muslims, the Court can assume jurisdiction over non-Muslim where the non-Muslim gives consent in writing. This is in recognition of the right to freedom of Religion guaranteed in the Constitution and the need to allow non- Muslim parties to voluntarily submit to the Shari'ah Court. However, the research problem is that there seems to be uncertainty in the law surrounding the requirement of consent of the non-Muslim. Thus, the paper examined the right to Freedom of Religion and the Jurisdiction of the Shari'ah Court over non-Muslims while the objective is to determine the following research question: is the consent of a non-Muslim in writing sufficient enough to confer jurisdiction on the Shari'ah Court? This paper relied on doctrinal research method to analyse the foregoing research questions while highlighting the fundamental nature of the issues bordering on consent as they determine the jurisdiction of the Court. The paper found that the consent of the non-Muslims in writing to the jurisdiction of the Shari'ah Court does not ipso facto vest the court with jurisdiction because the right to freedom of Religion is sacrosanct and parties, by their consent, cannot confer jurisdiction on the Court. Therefore, it was recommended that the Shari'ah Court laws should be amended to redefine the jurisdiction of shari'ah courts to exclude non-Muslims from the jurisdiction of the Shari'ah Court.

Keywords: Shari'ah Court, Jurisdiction, Freedom of Religion, Non-Muslim

1.1 Introduction

Islam is not merely a religion; it is a way of life for Muslims. This fundamental principle is what distinguishes Islam from other religions and western practices where religion and secular matters are not only separate but also diametrically opposite in belief and practice.[477] Many critics entertain the fear that *Shari'ah* represents a bundle of barbaric and primitive values and practices which have no place in a civilized society. To others, it stands for a legal system whose punishments are inhuman mutilation, stoning to death and archaic corporal punishments, while to some people, Shari'ah stands for explosives in the hands of fundamentalists in developing countries.[478]

However, Islam as a practical religion and a way of life had been a force to reckon with in many parts of Nigeria. It was a vehicle of development in all facets of life such as education, art of governance and administration of justice for more than two centuries before the appearance of the British in Nigeria.[479] Colonialism, however, limited the scope of the application of Shari'ah to Islamic personal status, and this position was maintained after independence until 1999 when Nigeria returned to democratic rule.

The adoption of *Shari'ah* in Niger State generated controversies like other Northern States where it was introduced with the result that some people thought that they would be subject to *Shari'ah* after its introduction in Niger State. Thus, the Shari'ah Administration of Justice Law was enacted in 2021 providing for jurisdiction of the Shari'ah Courts, persons who can institute proceedings at the Sharia Courts and persons subject to the jurisdiction of the Shari'ah courts.[480] This provision seems to subject non-Muslims to the jurisdiction of the Shari'ah Court despite the constitutional provision which guarantees their freedom of religion. Thus, the question is whether the consent of a non-Muslim in writing is sufficient enough to confer jurisdiction on the Shari'ah Court? The aim of this paper is to examine the right to freedom of religion and the Jurisdiction of Shari'ah court with the objective of determining whether Shari'ah Court has jurisdiction over non-Muslims.

1.2 Concept of Right to Freedom of Religion

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477 M A Ambali, *The Practice of Muslim Family Law in Nigeria* (3rd Edition Princeton & Associates Publishing Co Ltd, 2014), 1

478 ibid

479 ibid 21

480 Shari'ah Administration of Justice Law, 2021, ss 14(1)(2)(3)and 15(a)(b)(c)

This is one of the fundamental rights guaranteed in the Nigerian Constitution to protect an individual's right to profess and practise any religion of his choice. The protection of religion evolved as part of the movement to depart from absolutism and define the relationship between the state and religion.[481] Freedom of religion was first introduced into the American Constitution as First Amendment in 1789 and has since been adopted by other countries.[482] It is important to understand the meaning of 'religion' in the context in order to fully grasp the import of the right to freedom of religion . The American Constitution has not provided any guide to the definition of religion either. Two reasons could have been responsible for the silence of the Constitution to give a clear definition of 'religion'. On one hand, the first approach involves a restrictive conception of religion which limits it to theistic definition.[483] Therefore, to mention theistic religion as the only religion in contemplation will amount to restating the obvious. On the other hand, it can be argued that the Constitution purposefully left it vague so as to adopt a broad rather than a restrictive definition of religion.[484] As such, attempting to define 'religion' in the context of Nigerian legal system is a formidable task fraught with complications which increase in intensity as the society grows more pluralistic.[485] Thus, there is no universal definition of religion as it depends on socio-economic contexts, and jurisdiction.

However, Religion has been defined as a system of faith or worship usually involving a belief in a supreme being and usually containing a moral or ethical code especially such a system recognised and practised by a particular church, sect or denomination.[486] This definition of 'religion' seems to be restrictive. Similarly, Thwackum is reported to have stated that "when I mention Religion, I mean the Christian Religion; and not only the Christian Religion, but the protestant Religion; and not only the protestant, but the Church of England".[487] Although the definition gives a general idea of religion, it is not suitable for such a multi- religious society as Nigeria. This shortcoming in the foregoing definitions is the danger of a restrictive definition and the significance of a broad definition. More so, the religious pluralism makes it difficult to

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[481] Henry Palmer Olsen, 'The Right to Freedom of Religion': A Critical Overview, Scandinavian Studies in Law, (1999-2012) 228.

[482] Ibid, 229.

[483] Sarah Lubin, 'Defining Religion under the First Amendment: An Argument for Anchoring a Definition in Injury',
Vol.28(1) (2019) Review of Law and Social Justice, 102.

[484] ibid.

[485] Justin Collings and Anna Bryner, 'Defining Religion and Accommodating Religious Exercise, Vol.99(2) Indiana Law Journal, 520

[486] *Lagos State Government v. Abdulkarim* (2022) 17 NWLR (Pt. 1859) p.213

[487] T. Jeremy Gunn, 'The Complexity of Religion and the Definition of "Religion" in International Law, Vol.16, Harvard Human Rights Journal, (2003), 189.

provide a general definition of religion that will encompass all religions and set limitations that will eventually discriminate against other religions.[488] Nonetheless, there is question as to whether the right to freedom of religion can be a group right. It has been argued that it is difficult to determine group membership and processes involved in the decision making. Therefore, the right cannot belong to the group because there is no verifiable way that such right can be exercised by the group.[489] However, it has been submitted that even if religious right is accepted as group right, it cannot override individual rights.[490]

The Universal Declaration of Human Rights defines freedom of religion as the right to hold any religion or belief, without compulsion, including the right to change or renounce one's religion or belief, as well as the right not to hold a belief or religion.[491] The Nigerian Constitution has guaranteed the right to freedom of religion in section 38. This right is further buttressed by section 42 which ensures that no individual is discriminated against on the basis of their religion. The effect of sections 38 and 42 of the Constitution is to entrench the principle of equality of all Nigerian, and as a result, no religion should enjoy preference over others.[492] The court therefore does not enquire into the value of any religion and it does not consider the numeral strength of the followers of a partcicular religion provided the religion is in existence.[493]However, the right to manifest or practice a religion can be limited in certain circumstances, especially where it infringes on right of others.[494] According to Usman, the law stands neutral in relation to different religions and makes no distinction between one religion and another.[495] However, it is doubtful whether a religion that is subversive of morality can be considered as a religion for which the right to freedom of religion is guaranteed by the Constitution.[496]

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[488] Dmitry N. Feofanov, 'Defining Religion: An Immodest proposal', Vol.23:309 (1994) *Hofstra Law Review*, pp.312-313.

[489] Anat Scolnicov, The Right to Religious Freedom in International Law, Routledge Research in Human Rights Law, (2011) 24. Retrived from: http://ndl.ethernet.edu.et/bitstream/123456789/53876/1/28.pdf. Accessed on 25/04/25 at 8:15am.

[490] ibid.

[491] Article 18 of the Universal Declaration of Human Rights, 1948.

[492] Enyinna S. Nwauche, 'Law, Religion and Human Rights in Nigeria',Vol.8, *African Human Rights Law Journal*, (2008) 571.

[493] J. O. Fabunmi, *Equity and Trusts in Nigeria* (Second Edition, Obafemi Awolowo University Press Ltd 2006) 252.

[494] Marie Juul Petersen, 'Freedom of Religion or Belief and Freedom of Expression', *The Danish Institute for Human Rights*,p.1.Retrieved from: https://www.humanrights.dk/files/media/document/Brief_no6_04%20FINAL-a.pdf. Accessed 24/04/25 at 10:15pm.

[495] Adamu Kyuka Usman, *Law and Practice of Equity and Trust*, (Malthouse Press Ltd, 2017) 153-154.

[496] Ibid, 154.

Nonetheless, the right to freedom of religion is not absolute as the Constitution has placed certain limitations on the right in the interest of the public. The limitation on the exercise of right to freedom of religion is to ensure that right of others is protected. It is important to note that restrictions placed on the right are interpreted strictly and narrowly so that the restrictions do no operate to deny the right to religion.[497]

1.3 The Jurisdiction of the Shari'ah Court

The jurisdiction of the Shari'ah Courts over Muslims is not in doubt because once a person accepts Islam as his religion, Islamic law applies to all his affairs. This is consistent with the freedom of religion guaranteed by the Constitution. The Kano State Shari'ah Law provides for the jurisdiction of the Shari'ah court as follows[498]:

> 5(1) Subject to the provision of the schedule to this law, the Court shall in addition to such other jurisdictions as may be conferred upon them by a Law of the State and subject to the provisions of the Constitution exercise original jurisdiction in all civil and criminal matters.
> (2) The Shari'a Court shall have jurisdiction to hear and determine civil matters and causes where all the parties are Muslims.
> (3) The Shari'a Court shall also have jurisdiction to hear and determine criminal cases where the accused person is a Muslim.
> (4) Where only one of the parties to a civil cause or matter is a Muslim, the Shari'a Courts shall not have jurisdiction to hear and determine the cause or matter unless where the non-Muslim submits to the jurisdiction in writing.
> (5) Where one or more of the several accused persons are non-Muslims and the non-Muslims refuse to submit to jurisdiction, the Shari'a Court shall not have jurisdiction to hear and determine the case.
> But the Court shall have power to try the Muslims, and refer the case of others to Magistrate Court, or such other Court with competent jurisdiction to try the offence(s).

The jurisdiction of the Shari'ah Court has been eloquently provided by the Niger State Shari'ah Administration of Justice law thus:[499]

> Subject to the provisions of this law and of any other written law, the following persons shall be subject to the jurisdiction of Shari'ah courts:

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[497] Jude O. Ezeanokwasa, 'Religious Freedom and its Limitations under the 1999 Consttution of Nigeria', (2016)
NAUJILJ, 65.
[498] Kano State Sharia Law 2000.
[499] Shari'ah Administration of Justice Law, 2021, s 15

a) any person who is a Muslim
b) any other person not being a Muslim in a cause or matter in which he consents in writing to the exercise of the jurisdiction of the Shari'ah Court.
c) any person who contracted marriage in accordance with *Shari'ah* and the cause or matter involves divorce or custody.

From the above provisions, it is clear that only Muslims are subject to the jurisdiction of Shari'ah and only Shari'ah courts have jurisdiction to adjudicate on matters relating to Islamic law.[500] However, it may be argued that the Shari'ah Court can only assume jurisdiction over a non-Muslim who consents to the jurisdiction of the Shari'ah Court. According to Tabiu, such provision which makes application of Shari'ah to non-Muslims subject to their consent is unusual because it is a departure from the modern practice of enacting laws to reflect their values that are predominant in the legal system and every member of the society is supposed to follows the laws without reservation.[501] However, this position is misconceived because non-Muslims' right to freedom of religion is guaranteed by the Constitution and where such laws are made in a state and imposed on non-Muslims, it will offend the right to freedom of religion of non-Muslims.

1.4 Application of Shari'ah in the Context of Legal Pluralism

One of the issues on Shari'ah justice administration is the application of Shari'ah to non-Muslims who consent to be subject to the jurisdiction of the Shari'ah Court. Section 17(1) of the Shari'ah Administration of Justice Law provides that the Shari'ah Courts shall have jurisdiction in civil and criminal cases where the parties are subject to the jurisdiction of the court. The section provides further that:[502]

2) Where only one or more of the parties to a proceedings in a civil or criminal matter is a Muslim:
   a) The Shari'ah Court or Upper Shari'ah Court shall not be competent to hear and determine the cause or matter unless the non-Muslims

[500] Siti Norhanani Binti Musni, et al ' Secularism: Freedom of Religion or Freedom from Religion? *GeoPolitics Quarterly,* [2023] Vol.19, 155
[501] Muhammed Tabiu, 'An Overview of Shari'ah Law and Practice in Nigeria', in, Jibrin Ibrahim (ed) *Sharia Penal and Family Laws in Nigeria and in the Muslim World: Rights Based Approach* (ABU Press Ltd, 2004) 120
[502] Niger State Shari'ah Administration Justice Law, 2021s 17 (2)(a) (b)(c); Shari'ah Criminal Procedure Rules 2009
Rules 19 & 20.

submit in writing to the jurisdiction of Shari'ah Courts or Upper Shari'ah Court, as the case may be;

b) For the avoidance of doubt, non-Muslim shall not be tried under this law by any Shari'ah or Upper Shari'ah Court in the State except as provided for under sub-section (a) of this section;
c) The non-Muslim who do not submit themselves to the Shari'ah Court shall be tried by any other Court with Jurisdiction to try them.

Due to the fundamental nature of the consent of the non-Muslim, the provision stated above requires that the consent must be given in writing, and not oral or verbal consent. The issue of consent has attained a crucial level in the application of Shari'ah in Niger State so that it is now regarded as a condition precedent for the court's assumption of jurisdiction. In fact, failure to enquire about the religious belief of the parties may be fatal to the whole proceedings. In the case of *Barde Galadima Janmata v Baibida Gibwa*[503], the Appellant who was the plaintiff at the lower court claimed ownership to a farmland which he allegedly lent to the parents of the Respondent but the Respondent refused to return on demand. At the end of the case, judgment was given against the Appellant. However, there was no record or evidence before the trial court as to whether the parties were Muslims, and on this ground, the Appellant appealed. In upholding the appeal, the Niger State High Court Appellate Division held:[504]

> It is thus clear from the provisions of Sections 9(2) of the Sharia law that a Sharia or Upper Sharia Court has a duty first to determine the religious inclination of the parties before it. This is because its jurisdiction to adjudicate is determined by the religious inclination of the parties. This is a condition precedent which the Sharia or Upper Sharia Court must satisfy itself before adjudicating in any matter.
> Section 9(2) of the Sharia Law specifically required the trial court to ascertain the religious inclination of a party. It is wrong for the trial court to have assumed jurisdiction without first ascertaining the religious belief of the parties. It will be wrong for the court to assume that the parties are Muslims simply because they came from an area where the majority are Muslims.

Although the above case was decided based on the provisions of Section 9(2) of the Sharia Administration of Justice Law, 2001,[505] the same provisions were retained as section 17 in the repealed Niger State Administration of Justice Law, 2015 and it is retained in section 17(2) of the Shari'ah Administration of Justice Law, 2021. It is argued that this case is therefore

[503] (unreported) Suit No: APPEAL NO.NSHC/MN/5A/2011.
[504] ibid
[505] The Law came into force on the 5th November, 2002.

a good authority on the extent of the jurisdiction of Sharia Courts over non- Muslims, and it is a necessary requirement of the law that the religious belief of the parties must be ascertained before the court can validly assume jurisdiction over the matter. It is now clear that the Shari'ah Courts have a duty to ascertain the religious belief of the parties before assuming jurisdiction. This provision is therefore necessary and fundamental having regard to the provisions of the Constitution which guarantees freedom of religion. However, it can be argued that the provisions of sections 15(b), & 17(2)(a) of the Shari'ah Administration of Justice Law that require the non-Muslim to submit in writing to the jurisdiction of the shari'ah court tends to promote forum-shopping.[506] It does not seem to ensure effective administration of justice for the defendant to be in a position to choose whether to submit to jurisdiction of the court or not.

Meanwhile, another issue that may arise from section 15 of the Shari'ah Administration of Justice Law[507] is whether the word 'person' includes a company registered under the Companies and Allied Matters Act. Although a company is a person which can sue or be sued in the eyes of the law, how can the religious relief of the company be determined or ascertained? The Sharia Penal Code defines 'person' to include any company or association or body of persons, whether incorporated or not".[508] However, the Shari'ah Administration of Justice Law and Shari'ah Civil Procedure Rules, 2009 have not defined 'person'. Two inferences can be drawn from the definition of 'person' under the said provision of the Shari'ah Penal Code. The first is that companies do not qualify as 'person' for the purpose of determining their religious belief in civil matters to enable the court assume jurisdiction over them. Secondly, in criminal cases, 'person' includes a company as defined by the Shari'ah Penal Code. Therefore, a company can be subject to the Shari'ah Penal Code since Shari'ah Penal Code defines 'person' to include a company. In any case, it is impossible to determine the religious belief of the company since the company is comprised of human agents who run the affairs of the company.

However, it is submitted that the Sharia Penal Code must be read along with sections 15 and 17(2)(3) of the Shari'ah Administration of Justice law which states that only persons that are Muslims can be subject to the jurisdiction of the Sharia Court. The law envisages a situation where the parties before the Court are comprised of both Muslims and non-Muslims. In such circumstance, unless all the non-Muslims consent in writing, the Shari'ah Court will

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[506] Hajed A Alotaibi, 'Can Non-Muslim Courts Bring Legal Change in Sharia Law?' *Journal of Politics and Law,* (2019) (12)(4), 2

[507] Shari'ah Administration Justice Law, 2021, ss 14(1)(2)(3)(a)(b)15(c)17(1)(2)

[508] Shari'ah Penal Code Law, 2014, s 5(1)

not have the jurisdiction to entertain the matter.[509] Where one of the non-Muslim parties does not give his consent in writing, the matter is to be tried by any other court with jurisdiction.[510]

Thus, the Sharia Penal Code Law 2014 cannot enlarge the definition or derogate from the law creating the *Shari'ah* courts by enlarging the scope of the jurisdiction of the Shari'ah Courts in respect of the persons they can try. It will appear, on a literal interpretation of the section 15(1) of the Shari'ah Administration of Justice Law that only natural persons who are capable of holding and exercising their religious belief can be subject to the jurisdiction of the Shari'ah court.

Finally, there is an innovative provision in the Shari'ah Administration of Justice Law which makes non-Muslims who are married to Muslims to be subject to the jurisdiction of the Shari'ah Court.[511] The Law provides that "any person who contracted marriage in accordance with shari'ah shall be subject to the jurisdiction of the court on matters of divorce, custody, maintenance and other related matters". It is instructive to note that this provision deals with persons who can institute proceedings in shari'ah courts. However, in respect of persons subject to the jurisdiction of shari'ah courts, section 15(c) provides that "any person who contracted marriage in accordance with shari'ah and the cause or matter involves divorce or custody". Both sections seem to be fraught with uncertainty and ambiguity. Thus, it is argued that although section 14(3) is more elaborate than section 15(c), the former is a surplusage. More so, While section 14(3) of the law mentions 'maintenance' as basis on which any person who contracted marriage in accordance with shari'ah will be subject to the jurisdiction of the court, section 15(c) of the law omitted 'maintenance'. The rationale for this omission in section 15(c) of the law cannot be discerned.

Notwithstanding the above, the provisions of section 14(3) and 15(c) of the law make 'any person' who contracted marriage in accordance with shari'ah subject to the jurisdiction of the Shari'ah court. The implication is that a non-Muslim who is married to a Muslim will be subject to the jurisdiction of the Shari'ah Court in any proceedings relating to divorce, custody or maintenance. While section 15(a)(b) refers to a Muslim and non-Muslim and when they will be subject to the jurisdiction of the court, section 15(c) of the law refers to 'any person'. It appears that 'any person' in the provision includes non-Muslim. This provision of section 15(c) of the law therefore contradicts the provisions of section 15(b) and 17(2) (a) and the right to

[509] Shari'ah Administration of Justice Law, 2021, s 17(2)(a)(b)
[510] ibid, s (17)(2)(c)
[511] ibid, s 14(1)(3)

freedom of religion in the Constitution. Section 38 of the Constitution has guaranteed the right to freedom of thought, conscience and religion.[512] The right to freedom of religion forbids the imposition of another religion on a person without his consent.[513] Yekini argued that one of the reasons for establishment of Customary Court of Appeal and Shari'ah Court of Appeal is to prevent imposition of shari'ah on non-Muslims.[514] Therefore, it can be considered as imposition of shari'ah on non-Muslims who are married to Muslims and are not ready to submit to the jurisdiction of the Shari'ah Court.

1.5 Conclusion

The re-introduction of Shari'ah in some Northern States in general has generated controversies and arguments among scholars, legal luminaries, and the general public. The significance of these arguments and controversies lies underscore the research on the right to freedom of religion and the jurisdiction of the shari'ah cover with particular reference to non-Muslims. Thus, it is the finding of this paper that although the application of the Law is Constitutional, its application to non-Muslims infringe on their right to freedom of religion. It offends section 38 of the Constitution to impose *shari'ah* on a non-Muslim inspite of their consent. More so, the consent of the non-Muslim before the Shar'iah Court is not sufficient enough to confer jurisdiction on the Court. Therefore, the provision of the shari'ah administration of Justice Law which makes non-Muslims who consent to the Jurisdiction of the Shari'ah Court offends the provisions of the Constitution on freedom of religion and freedom from discrimination.

Based on the findings, it is recommended that non-Muslims should be excluded from the jurisdiction of the Shari'ah Court as jurisdiction is a threshold matter, and provision for consent by non-Muslim creates a temporary waiver of the right to freedom of religion, leading to forum shopping. Mores so, sections 15(b) and 17 (2) (a) of the Sharia Administration of Justice Law should be deleted to avoid forum-shopping, and ensuring equal access to justice to all notwithstanding differences in religion.

References

[512] Ahmed Salisu Garba, 'Permissible Limitations to Freedom of Religion and belief in Nigeria', *Religion and Human Rights*(2020)155, 62.

[513] Ayo Ajomo, New Dimensions in Nigerian Law, (Nigerian Institute of Advanced Legal Studies, 1989) 105-106.

[514] Abubakri Yekini, 'Jurisdiction over Non-Muslim personal Law Disputes in Northern Nigeria: Can the State High Court be a Forum Necessatatis?' *Elizabeth University law Journal*, [2020], 7.

1. M A Ambali, *The Practice of Muslim Family Law in Nigeria* (3rd Edition Princeton & Associates Publishing Co Ltd, 2014), 1
2. Henry Palmer Olsen, 'The Right to Freedom of Religion': A Critical Overview, Scandinavian Studies in Law, (1999-2012) 228
3. Sarah Lubin, 'Defining Religion under the First Amendment: An Argument for Anchoring a Definition in Injury', Vol.28(1) (2019) Review of Law and Social Justice, 102
4. Justin Collings and Anna Bryner, 'Defining Religion and Accommodating Religious Exercise, Vol.99(2)
   Indiana Law Journal, 520
5. *Lagos State Government v. Abdulkarim* (2022) 17 NWLR (Pt. 1859) p.213
6. T. Jeremy Gunn, 'The Complexity of Religion and the Definition of "Religion" in International Law, Vol.16,
   Harvard Human Rights Journal, (2003), 189.
7. Dmitry N. Feofanov, 'Defining Religion: An Immodest proposal', Vol.23:309 (1994) *Hofstra Law Review*,
   pp.312-313.
8. Anat Scolnicov, The Right to Religious Freedom in International Law, Routledge Research in Human Rights
   Law, (2011) 24. Retrived from: http://ndl.ethernet.edu.et/bitstream/123456789/53876/1/28.pdf. Accessed on 25/04/25 at 8:15am.
9. Enyinna S. Nwauche, 'Law, Religion and Human Rights in Nigeria',Vol.8, *African Human Rights Law Journal*, (2008) 571.
10. J. O. Fabunmi, *Equity and Trusts in Nigeria* (Second Edition, Obafemi Awolowo University Press Ltd 2006) 252.
11. Marie Juul Petersen, 'Freedom of Religion or Belief and Freedom of Expression', *The Danish Institute for Human Rights*,p.1.Retrieved from: https://www.humanrights.dk/files/media/document/Brief_no6_04%20FINAL-a.pdf. Accessed 24/04/25 at 10:15pm
12. Adamu Kyuka Usman, *Law and Practice of Equity and Trust*, (Malthouse Press Ltd, 2017) 153-154.
13. Jude O. Ezeanokwasa, 'Religious Freedom and its Limitations under the 1999 Consttution of Nigeria', (2016) NAUJILJ, 65.
14. Siti Norhanani Binti Musni, et al ' Secularism: Freedom of Religion or Freedom from Religion? *GeoPolitics*
   Quarterly, [2023] Vol.19, 155
15. Muhammed Tabiu, 'An Overview of Shari'ah Law and Practice in Nigeria', in, Jibrin Ibrahim (ed) *Sharia Penal and Family Laws in Nigeria and in the Muslim World: Rights Based Approach* (ABU Press Ltd, 2004) 120
16. Niger State Shari'ah Administration Justice Law, 2021s 17 (2)(a) (b)(c); Shari'ah Criminal Procedure Rules 2009
17. Hajed A Alotaibi, 'Can Non-Muslim Courts Bring Legal Change in Sharia Law?' *Journal of Politics and Law*, (2019) (12)(4), 2
18. Ahmed Salisu Garba, 'Permissible Limitations to Freedom of Religion and belief in Nigeria', *Religion and Human Rights*(2020)155, 62.
19. Ayo Ajomo, New Dimensions in Nigerian Law, (Nigerian Institute of Advanced Legal Studies, 1989) 105-106.

20. Abubakri Yekini, ‘Jurisdiction over Non-Muslim personal Law Disputes in Northern Nigeria: Can the State High Court be a Forum Necessatatis?’ *Elizabeth University law Journal*, [2020], 7.