

## WOMEN'S HEALTH

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# Hauwa Ibrahim: What Route to Change Teaching Case

“I was the rebel child; I was the black sheep of the family... I was rebellious on one hand, but on the other hand, I never left my culture. I never left the values of where I was brought up.”<sup>1</sup>

On August 27, 2003, the lawyers defending Amina Lawal, a young impoverished divorced woman, against adultery charges, rested their case before five judges in the Katsina State Shariah Court of Appeal in Northern Nigeria. (Shariah law, a form of Islamic law, had been practiced in Shariah courts in Northern Nigeria for many years but had always focused on civil matters. Only recently had Shariah courts begun to hear criminal cases; adultery, or *Zina*, fell into this category. See **Exhibit 1** for a definition of *zina*.) The case, which had initially begun in March 2002, was at the final stage of appeal. Arguments were being heard in one of the highest courts in the land. If found guilty, Lawal was to die by stoning. Her original sentence had also been execution by stoning but the court had delayed carrying this out until 2004 so that Lawal would have time to wean her newborn daughter. Lawal had given birth to her daughter after the affair—for which she was now on trial—had ended.

Lawal's appeal had been handled by a legal team composed of representatives from various non-governmental organizations such as BAOBAB For Women's Rights, a Nigerian women's organization, as well as solo practitioners. One such individual was Hauwa Ibrahim. Ibrahim was one of Nigeria's few female attorneys practicing in Northern Nigeria. She had worked on the case on a pro-bono basis as she typically did with many of her clients. Prior to joining Lawal's legal team, Ibrahim had successfully defended the first woman charged with adultery by overturning the initial death sentence handed down by the Shariah courts.<sup>2</sup>

Despite not being allowed to speak in court because she was female, Ibrahim had spearheaded Lawal's appeal strategy.<sup>3</sup> Outside of the courtroom, she had worked closely with Lawal and the other legal representatives. Inside the courtroom, Ibrahim sat silently but not still as she continued to hand notes with directives to her junior male colleague who argued the case before the judges. The defense had rested its case; all that was left was to wait for the verdict, which was expected by the end of September 2003.

### Nigeria Country Background

The Federal Republic of Nigeria (Nigeria) was located in the Gulf of Guinea in West Africa with its southwest border touching the South Atlantic Ocean. (See **Exhibit 2** for a map of Nigeria.) Neighboring countries included Benin to the west, Niger to the north, Chad to the northeast and Cameroon to the southeast. Roughly double the size of the American state of California or approximately 924,000 square kilometers, Nigeria was the most populous country in Africa (134,659,400) and the ninth most populous country in the world in 2003.<sup>4,5</sup> A significant percentage of Nigerians were under 15 years of age (44%) and only about 5% of the population was older than 60.<sup>6</sup> More than 250 ethnic groups lived across the country in 36 different

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## Teaching Case: Hauwa Ibrahim: What Route to Change

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states but five ethnic groups made up the majority of the population: Hausa and Fulani (29%) lived in the north, Yoruba (21%) in the southwest, Igbo (18%) in the east, and Ijaw (10%) in the Niger Delta. During the 1970s, some believed that Nigeria had the highest urbanization growth rate in the world.<sup>7</sup> By 2003, it had the tenth largest urban population in the world (58,524,020 people),<sup>8</sup> yet only 47% of the population was urban and overall Nigeria was relatively less urbanized than other countries (127<sup>th</sup> out of 199 countries) when compared to world rankings.<sup>9</sup>

Ethnic and religious tensions especially between Muslims and Christians had often led to conflict within the country.<sup>10,11</sup> Muslims made up approximately 50% of the population and mostly resided in the more rural, poorer north while Christians made up approximately 48% of the population and tended to live in the more urbanized and prosperous south.<sup>12,13</sup> (Lagos, the largest city in Nigeria, was located in the southwestern part of the country.) Historically, Muslims had controlled the government which had often led the Christian population to accuse Muslims of exercising their power unfairly.<sup>14</sup>

In 1960 Nigeria gained its independence after approximately sixty years of British colonial rule. Since independence Nigeria had had a series of democratically elected leaders interspersed with military dictatorships with the Muslim-dominated north serving as a political stronghold for many of Nigeria's past dictators.<sup>15</sup> However, in 1999, Nigeria held democratic elections. The new Christian president hailed from the south and won with approximately 63% of the vote based partially on a base of support from the Hausa, Fulani, and Igbo.<sup>16,17,18</sup> Many predicted that the election of a Christian president would have significant political implications for the Muslim-dominated north.<sup>19</sup> Indeed, in the 2003 elections, the president was re-elected but with only a 60% majority as many of the northerners who had initially supported him felt that the president had begun to favor his own ethnic group, the Southern Yoruba.<sup>20</sup>

In 2003, the annual GDP of Nigeria was US\$55 billion.<sup>21</sup> Agriculture accounted for approximately 26% of the GDP but about 70% of the population worked in the sector as poor subsistence farmers.<sup>22,23</sup> The services sector made up just under 24% of the GDP.<sup>24</sup> The oil industry employed approximately 5% of the population but comprised around 45% of the GDP as Nigeria had extraordinary petroleum resources located in the Niger Delta.<sup>25,26,27</sup> In 2003, Nigeria was the fifth largest oil exporter in the world. Crude oil made up 95% of Nigeria's exports.<sup>28</sup>

Nigeria's reliance on oil revenues made growth unpredictable as fluctuations in oil prices impacted the GDP and government resources and expenditures.<sup>29,30</sup> Oil-related proceeds accounted for over 70% of government revenues.<sup>31</sup> Moreover, the income from oil was disproportionately dispersed. The World Bank estimated 80% of received oil revenues went to approximately 1% of the population due to corruption.<sup>32</sup> Transparency International, a non-governmental organization, that monitored corruption worldwide ranked Nigeria 132<sup>nd</sup> out of 133 countries on its 2003 Corruption Perceptions Index, identifying Nigeria as the second most corrupt nation of those measured.<sup>33</sup> According to the Nigeria Millennium Development Report 2004, corruption was a major challenge to Nigerian development.<sup>34</sup>

In addition to high levels of corruption, other factors made Nigeria a challenging business environment. Nigeria lacked a strong infrastructure, including electricity, transport and communications systems.<sup>35</sup> Other sectors also suffered from a lack of investment and resources. For example, according to an Organization Economic Cooperation and Development (OECD) report on Nigeria, transport infrastructure services were "inadequate and in deplorable condition."<sup>36</sup> Only 15% of the roads were paved and 23% of those were in bad condition.<sup>37</sup>

Great economic and income disparity existed within the country despite Nigeria's significant resources. Approximately 70% of the population lived on less than US\$1 per day.<sup>38</sup> Average per capita income was US\$400. However, if the per capita income of the 4% working in the oil sector (US\$2,000) was not included in the calculations average per capita income dropped to US\$200.<sup>39</sup> The richest 10% of the population

## Teaching Case: Hauwa Ibrahim: What Route to Change

accounted for approximately one-third of the country's income while the poorest 10% accounted for only 1.9%.<sup>40</sup> Prosperity was also somewhat regionally based as the south of the country was much better off than the north based on most socioeconomic indicators.<sup>41</sup>

Although Nigeria had committed to meeting the Millennium Development Goals (MDGs),<sup>a</sup> progress by 2004 was slow and even lagged behind other low income countries in some areas.<sup>42</sup> A United Nations report indicated that improvements had occurred in the areas of providing universal primary education, protecting the environment, and developing a global development partnership.<sup>43</sup> However, ending extreme poverty and hunger, lowering child and maternal mortality, and fighting HIV/AIDS and malaria continued to be significant challenges.<sup>44</sup> (**Exhibit 3** shows Nigeria's MDG status as of 2004.) According to the MDG Report 2004, two challenges stood in the way of achieving these goals. The first was Nigeria's large external debt burden which was approximately 5% of the GDP. (In 2004 this debt burden was three times larger than the education budget<sup>45</sup> or nine times larger than the public health budget.) The second challenge was Nigeria's ongoing battles with poverty and corruption. To combat poverty, Nigeria had recently developed a new national strategy.

While Nigeria had pledged to meet the MDGs and had even made progress, poor health and social conditions still plagued the country. For example, Nigeria's HDI ranking—the UN's measure of basic quality of life indicators—was 151 out of 177 countries measured.<sup>46</sup> Nearly half of all women (46%) and a third of all men (31%) had not attended school.<sup>47</sup> Maternal mortality was among the highest in the world with 800 deaths per 100,000 live births.<sup>48</sup> Infant mortality was 100 deaths per 1,000 live births but this varied according to regional status (121 deaths per 1,000 live births in rural areas versus 81 in urban areas) and a mother's level of education (children of mothers with little or no education were two times as likely to die before five than mothers who had a secondary or higher level of education).<sup>49,50,51</sup>

Nigeria's disease burden remained high. The country had, according to a WHO Summary Country Profile of HIV/AIDS, “a severe and growing epidemic” with a prevalence rate estimated to be between 3.6% and 8%, and an estimated 2.4 to 5.4 million people living with the disease.<sup>52</sup> Nigeria also struggled with malaria; the Nigerian Ministry of Health estimated that roughly half of Nigerians had experienced a malaria episode in the past year.<sup>53</sup> Only 12% of all households had bednets and only 6% of all children slept under a bednet.<sup>54</sup> Nigeria was still one of the few places left in the world with active cases of polio: Despite concerted campaigns to eliminate the disease, 355 cases were recorded in 2003.<sup>55</sup>

Women's lack of access to education and independent employment affected their status in society.<sup>56</sup> Only 58% of women worked and about half of those worked in the service sector. Women had few educational opportunities and as a result were less likely to be literate (only 48% compared to 73% of men) and only about 1 in 5 women had completed secondary or higher levels of education as opposed to about 1 in 4 men. Women were less likely than men to know about HIV/AIDS (86% versus 97%) and only 42% of women knew that condoms or having sex with an uninfected partner were effective preventive strategies as compared to 60% of men. However, of the women that knew of HIV/AIDS, 84% believed that a wife could refuse to have sex with her husband if he had a sexually transmitted disease. At the same time, almost half of all women had never discussed HIV/AIDS with their partners while almost a third of all men felt that it was a man's decision whether to wear a condom. Almost two-thirds of men (61%) and women (65%) felt that husbands could justifiably beat their wives. Moreover, most women (86%) did not share decision-making power with

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<sup>a</sup> “The United Nations Millennium Development Goals (MDGs) [were] eight goals that all 191 UN member states ha[d] agreed to try to achieve by the year 2015... The MDGs are inter-dependent; all the MDGs influence health, and health influences all the MDGs.” World Health Organization, [http://www.who.int/topics/millennium\\_development\\_goals/about/en/index.html](http://www.who.int/topics/millennium_development_goals/about/en/index.html) accessed October 2013. For the list of the specific eight MDGs as they relate to Nigeria refer to **Exhibit 3**.

## Teaching Case: Hauwa Ibrahim: What Route to Change

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their husbands and 60% of women did not necessarily decide what food to cook on a daily basis. (See **Exhibits 4** and **5** for Attitudes Towards Wife Beating and Women’s Participation in Decision Making respectively.) These attitudes persisted despite Nigeria’s 1985 ratification of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW),<sup>57</sup> which was an international bill of rights for women.<sup>b</sup> Moreover, no national law had been passed that allowed CEDAW to be invoked in the courts of Nigeria.<sup>58</sup>

### Life of Hauwa Ibrahim

Ibrahim was born in 1967 and grew up in the small, rural village of Hinnah located in the northern state of Gombe in Nigeria. The family was poor; her mother helped support the family by selling firewood in the local market.<sup>59</sup> Along with her other four siblings she had a religious upbringing in a Muslim household. Her parents did not always agree on the value of education. Ibrahim’s mother always complained that her parents removed her from school to marry at the age of 12 so she insisted that Ibrahim’s older sister attend high school and get married afterwards.<sup>60</sup> Her older sister was one of the first female high school graduates in their community.<sup>61</sup> However, Ibrahim’s father did not believe that his daughters should be educated beyond primary schooling. Ibrahim explained his position, “My father didn’t accept it. I remember him warning my mother that if any of the children would bring disgrace on the family – he meant by getting pregnant without being married – he would kill my mother.”<sup>62,63</sup>

Despite her father’s attitude towards education, Ibrahim had a strong desire to continue her schooling beyond the primary level, usually the highest level of education that most Nigerian girls achieved.<sup>64</sup> Reflecting on why education became so important to her, Ibrahim often told the story of a photograph she had seen as a young girl of “a woman with a graduation mortarboard and gown. The image of the young woman—educated, confident and worldly—was burned into my conscience and became my living dream.”<sup>65</sup>

Traditionally girls in Ibrahim’s village sold goods in the market as a way to afford items they would need once they got married.<sup>66</sup> Instead of saving money for her marriage Ibrahim saved for her education, which became essential for paying her school fees after her family threw her out of her family home for declaring her intention to continue on to university.<sup>67,68</sup> She always remarked about school, “I got there by accident; it was not in my family’s plan that I should be educated. I was supposed to get married like any other girl who was religious.”<sup>69</sup>

Ibrahim enrolled in a teaching college.<sup>c</sup> Although her family had opposed her decision to continue her education, Ibrahim still went to her sister’s home after she graduated. Her sister had married and moved to a village with electricity.<sup>70</sup> One day while watching television, Ibrahim saw a female government official discussing the importance of girls’ education. Watching the minister speak inspired Ibrahim to find the official’s office and seek a meeting with her. She recalled her efforts, “I went maybe 100 times to see her but she was a big person in the government, so it was not easy for a poor person like me to have access to her. Every time I went, the security man sent me away. After 100 times, he said: ‘I’m tired of seeing your face, go in, see her, never come back.’”<sup>71</sup> Ibrahim made an impression on the minister who told Ibrahim she had

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<sup>b</sup> CEDAW set up an agenda for national action to end such discrimination. Specifically CEDAW defined discrimination as “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.” See UNWomen, <http://www.un.org/womenwatch/daw/cedaw> accessed October 2013.

<sup>c</sup> In Nigeria, Teachers’ College was secondary level schooling and lasted six years but was not university level training. For more background on the Nigerian educational system, see StateUniversity.com Education Encyclopedia, “Nigeria: Secondary Education,” <http://education.stateuniversity.com/pages/1104/Nigeria-SECONDARY-EDUCATION.html> accessed October 2013.

## Teaching Case: Hauwa Ibrahim: What Route to Change

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“guts,” gave her five naira, which was a huge sum to Ibrahim but in actuality very little, and gave her a recommendation for Jos University (located in the city of Jos in the central state of Plateau), even though Ibrahim did not meet the English fluency requirement.<sup>72</sup>

Jos University eventually admitted Ibrahim, who was determined to succeed: “I had broken all the rules... I had to make it. I couldn’t go back. I decided to make the library my best friend. When it opened in the morning, I was waiting outside. When it closed at night, I was the last person to leave. My friends changed my name from Hauwa to Library! I had to support myself, so I spent my spare time selling fruit and vegetables.”<sup>73</sup>

After graduating from university, Ibrahim went on to law school and graduated in 1988. Ultimately Ibrahim earned an LLB and a master’s in international law and diplomacy from the University of Jos as well as a BL for legal practice from Nigeria Law School.<sup>74</sup> Her family did not attend the law school graduation ceremony.<sup>75</sup> Initially Ibrahim went to work as a police detective but left fairly quickly to work as a prosecutor for the Minister of Justice where she held the position of Principal State counsel for eight years.<sup>76</sup>

Ibrahim started her own practice, the Aries Law Firm, in 1999 with financial assistance from her Italian husband—what he called “a loan” despite not charging interest.<sup>77,78</sup> (Ibrahim and her husband eventually had two sons.) Her law firm was one of the few owned and operated by a woman in northern Nigeria.<sup>79</sup> In her first two years of practice, Ibrahim did not have a single client that paid fees but represented many clients pro bono and even paid for some of their expenses as many were battered wives or women without many resources.<sup>80</sup> During those years Ibrahim put money intended for household expenses towards her practice. She recalled, “I used very cheap soap, I used very cheap cream. All the savings went into my job. I grew up without milk. So my boys could survive without milk as well.”<sup>81</sup>

### Shariah Law: An Expanding Role in Nigerian Society

The year 1999 ushered in the introduction of a Shariah law penal code by the civilian government in the northern state of Zamfara. Traditionally Shariah law had often been used to settle civil matters involving personal issues in many northern states. Indeed the use of Shariah law to settle such disputes had been sanctioned in the Nigerian constitution: “The Shariah Court of Appeal of a State shall, in addition to such other jurisdiction as may be conferred upon it by the law of the State, exercise such appellate and supervisory jurisdiction in civil proceedings involving questions of Islamic personal law which the court is competent to decide in accordance with the provisions of subsection (2) of this section.”<sup>82</sup> However, Shariah law that had been adopted by the Zamfara State introduced criminal aspects.<sup>83</sup> The new Shariah law criminalized such behavior as adultery and fornication, referred to in Islamic law as *zina*. (See **Exhibit 1** for Zina Penal Code and punishment of *zina*.) While Christians were exempt from Shariah law many voiced concerns that the introduction of a more expansive scope of Shariah law would lead to discriminatory practices towards Christians and discourage or even prohibit behaviors (e.g. the sale of alcohol) considered inappropriate under Shariah law.<sup>84</sup>

Although the Nigerian president initially declared the establishment of a Shariah penal code unconstitutional, a political stalemate ensued with the Zamfara governor challenging the federal government to take the case to court. The Zamfara governor “contended that the Supreme Court could not stop him because Section 38 of the 1999 Constitution guarantees freedom of religion for all Nigerians. He argued that Section 6(4-5) empowers the state to create courts and to provide jurisdiction for such courts. In addition, he argued that Section 4(7) gives the state Houses of Assembly powers to make laws for the good governance of their states.”<sup>85</sup>

At the same time other northern states—Sokoto, Kebbi, Kano, and Niger—also declared supreme Shariah. While the federal government searched for a political solution by calling together the National Council of

## Teaching Case: Hauwa Ibrahim: What Route to Change

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States—an intergovernmental body made up of current officials such as the former heads of state, former presidents of the Senate, and state governors—the president accepted the constitutionality of Shariah law.<sup>86</sup> By 2001, 12 northern states had adopted Supreme Shariah law to varying degrees.<sup>87,88</sup>

The enforcement of Shariah penal codes in the northern states added another level of complexity to navigate in the Nigerian legal system. Prior to colonization, Nigerian laws had been based on customary practices, which in the north often meant following Islamic principles.<sup>89</sup> British influence and colonization changed the legal system. In 1916 the Criminal Code Act—applicable to all of Nigeria and based primarily on English Criminal and Common law—was passed.<sup>90</sup> When Nigeria gained its independence, the legal system continued to be based on the British system with some modifications. However, with independence, the north increasingly “advocated for the passage of Islamic legislation that would reflect its Islamic principles.”<sup>91</sup> To answer this demand, the Penal Code, based on Islamic principles and penal codes of countries such as Sudan and Egypt, was enacted in the north.<sup>92</sup> The south continued to use the Criminal Code for settling civil and criminal disputes.<sup>93</sup>

The Nigerian court system had historically incorporated civil Shariah law into its court system even before many of the northern states had adopted an expanded purview of Shariah law that incorporated a penal code. Within Nigeria, the hierarchy of the court system was as follows: Supreme Court (highest in the land), Court of Appeal, State Courts (the Federal High Courts and the Court of Appeals for both Shariah and Customary Law), District Court, Customary Courts, and Shariah Courts. Supreme Court decisions superseded any rulings by lower courts.<sup>94</sup> The Court of Appeal heard appeals from the High Courts, the Shariah Courts of Appeal, and the Customary Courts of Appeal. Any decision appealed at the Court of Appeals level was heard at the Supreme Court level giving it final jurisdiction over both state and federal courts. Yet at the state level, the State Courts were the most important.<sup>95</sup> (**Exhibit 6** gives more detail on the legal standing of marriage and divorce in Nigeria and Shariah Law.)

### A New Direction

With the beginning of Shariah law, Ibrahim’s legal efforts moved towards defending those that had had criminal charges brought against them in the Shariah courts. Ibrahim’s first Shariah case involved a young rape victim who had been drugged by her assailants. After the unmarried girl became pregnant, charges of fornication were brought against her. Initially she received a sentence of 100 lashes. After the men—whom the victim had identified as her attackers—claimed that she had lied, the judge added 80 more lashings. Working with a local non-governmental organization Ibrahim put together an appeal. While the judge withdrew the additional 80 lashes, the original punishment of 100 lashes stood. Ibrahim later characterized this as “One of my worse cases because the state wouldn’t let us appeal.”<sup>96</sup> Despite this setback, Ibrahim continued to defend cases in Shariah court. She explained, “When the Shariah cases started, I had a focus. My focus was generally to help people—because I am from them—that are voiceless. People that are powerless. People that are illiterate and are poor; they cannot afford a lawyer.”<sup>97</sup>

Ibrahim had just successfully defended Safiya Hussain, a divorced mother of four, against an adultery conviction when a reporter covering the trial told her about the case of Amina Lawal. Lawal had been visited by men in her village after they learned that she was pregnant even though she was divorced.<sup>98</sup> Arrested for her out-of-wedlock pregnancy by the police in early January 2002, Lawal was arraigned on charges of adultery in the Shariah court in Bakori on January 15, 2002.<sup>99</sup> Lawal did not have legal representation and during the court proceedings Lawal’s newborn daughter was used as evidence to prove Lawal’s guilt. In addition, the man that Lawal named as the father, a neighbor, swore in court that he was not the father. According to the court Lawal also offered a confession of her crimes because she acknowledged when questioned by the court that she had given birth while unmarried. Lawal lost her case on March 20, 2002 and was found guilty of *zina* (adultery) based on her confession and that she had a child out of wedlock; she was

## Teaching Case: Hauwa Ibrahim: What Route to Change

sentenced to death by stoning.<sup>100</sup> The court had delayed carrying out the sentence for two years until Lawal's daughter had been weaned.<sup>101</sup>

Learning about the case Ibrahim decided to seek out Lawal. Ibrahim traveled to the small village in the northern state of Katsina where Lawal had grown up. Although Ibrahim offered to assist Lawal pro bono with her appeal, Lawal seemed at a loss and distracted by her mother's serious illness. Ibrahim described Lawal's state during their meeting, "Her attitude was: If you want to help me, okay, and if you don't want to help me, go home, because I don't care."<sup>102</sup> Ibrahim left Lawal with her business card as well as money to cover the medical expenses of Lawal's mother. Several weeks later Ibrahim received a call from Lawal—who had not known how to even hold a phone properly and had asked a stranger for calling assistance—requesting that Ibrahim represent her.

After the initial guilty ruling had been handed down by the Bakori court, other organizations also became involved in Lawal's defense. Ibrahim joined Lawal's legal team which included representatives from two Nigerian women's rights organizations—Women's Rights Advancement & Protection Alternative (WRAPA) and BAOBAB for Women's Human Rights. Together they filed an appeal for Lawal that was held in the Shariah court in Funtua, Katsina State.

The basis of the appeal rested on various issues of law, facts, and procedure that drew on citations from religious sources such as the Koran (holy book of Islam), Sunnah (sayings and deeds of the Prophet Mohammad and his Companions), Hadith (narrations of the Prophet Mohammad), and Qiyas (the process used to determine what Shariah law might be when an explanation is not available in the Koran or the Sunnah), among others. On issues of law, Lawal's team argued that during the initial trial only one judge heard the proceedings although the law required three, and that Lawal's lack of representative counsel violated her fundamental legal rights according to both Shariah law and as the Nigerian constitution (Section 36(1)).<sup>103</sup> Procedurally, Lawal was entitled to withdraw her confession at any time and it was the prosecution's responsibility to prove guilt, not Lawal's responsibility to prove her innocence.<sup>104</sup> Moreover, according to the Nigerian Constitution, Lawal did not receive her entitled fair trial as she had confessed under duress.<sup>105</sup> Other points brought up by Lawal's defense team included: a lack of specific detail about the charges in terms of dates, place, time etc.; Lawal did not fully understand the charges levied against her as *zina* was Arabic, a language that Lawal did not speak; no witnesses were called by Lawal; the court documentation lacked specific detail especially around Lawal's marital status; pregnancy alone did not prove adultery; the pregnancy could have been longer than nine months with Lawal conceiving via her husband thus making the child legitimate;<sup>d</sup> Shariah law had not yet been instituted in the Sokoto state when the alleged liaison had taken place; and that the police had exceeded their constitutional powers when they arrested Lawal for an adultery charge.<sup>106</sup>

Ibrahim played an instrumental role in devising the defense strategy for Lawal although as a woman she was not allowed to speak in court. Instead she passed notes to a junior male colleague who addressed the judge.<sup>107</sup> Commenting on the court proceedings later,

"As a women's rights advocate, I disagreed with this general dismissal of my worth; however, it was important to remind myself that my standing before the court was not the issue at hand. Rather, this case was about something far more important than me, the fact that a woman had been sentenced to

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<sup>d</sup> In court this was referred to as the sleeping embryo theory; under some readings of Shariah, the gestation phase of pregnancy can last up to five years. If this was the case with Lawal, then her baby might have actually been fathered by her ex-husband and not her neighbor. Source: Somini Sengupta, "Facing Death for Adultery," *The New York Times*, <http://www.nytimes.com/2003/09/26/international/africa/26NIGE.html> September 26, 2003 accessed October 2013.

## Teaching Case: Hauwa Ibrahim: What Route to Change

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death by stoning. The true challenge here was to attempt to work within the framework of the SPCL [Shariah Penal Code Law] to try to win her [Lawal's] freedom."<sup>108</sup>

Yet, despite the efforts of Ibrahim and the other members of Lawal's legal team, on August 23, 2002, the Funtua Court upheld the lower court's sentence.<sup>109</sup> The court justified upholding Lawal's guilty ruling based on the following premises: *Zina's* meaning was clear (adultery) and needed no explanation; details such as time, date etc. were irrelevant in the context of the act of adultery; the state of being pregnant while unmarried is proof of adultery; the accused's confession of *zina* was the only evidence needed to prove guilt; a Muslim's duty is to stop a wrong committed so the police were justified in arresting Lawal for adultery; and that it did not matter whether the court had shown whether Lawal was unmarried as she had confessed to adultery thereby making her marital status irrelevant. Lawal's legal team decided to bring an appeal in the Katsina State Shariah Court of Appeal, which was the last court of state appeal for Shariah cases.<sup>110</sup>

### International Efforts

Lawal's case attracted international attention. In August 2002, the human rights organization Amnesty International issued a press release indicating the organization's grave concern:

"This judgment is incompatible with the Nigerian constitution and also with Nigeria's legal obligations under international human rights law and the African Charter for Human and People Rights... the practice of stoning to death is the ultimate form of torture or cruel, inhuman and degrading punishment prohibited by both the International Covenant on Civil and Political Rights (ICCPR) and the Convention against Torture... Amina Lawal should be allowed to fully enjoy her rights of appeal to a higher, impartial, independent tribunal which follows the due process of law. This sentence must not be carried out."

That same month there was a movement for the contestants of the Miss World beauty contest to boycott the pageant which was to be held in Nigeria in November 2002. Later that year, Lawal asked contestants to attend stating to reporters "I really appreciate the support of the contestants who have offered to boycott for me. But I urge them to come. I am not afraid because no man can do me harm without God's permission."

International women's organizations and advocates also demanded that Lawal be freed. The National Organization for Women (NOW) issued a press release that stated, "We call on the U.S. State Department and citizens of the world to pressure the United Nations and Nigeria to enforce all the treaties that Nigeria has committed itself to adhere to—including the Universal Declaration of Human Rights and CEDAW—to ensure that women's basic human rights are respected." The organization also urged members "to send a letter to officials in the U.S., at the U.N. and in Nigeria, expressing your outrage at this inhuman sentencing." In October 2002, the American celebrity TV host Oprah Winfrey devoted an entire episode to Lawal's case entitled, "Can We Save Amina Lawal's Life?"

### What is the Most Effective Way to Advocate for Lawal?

As various international advocacy groups called for Lawal's release some Nigerians found their approach problematic and perhaps even harmful. In May 2003, the executive director of BAOBAB wrote an open letter to the international community expressing concerns about the appropriate role for the international community. First she worried that negative stereotypes of Muslims and Islam were being perpetuated:

"Dominant colonialist discourses and the mainstream international media have presented Islam (and Africa) as the barbaric and savage Other. Please do not buy into this. Accepting stereotypes that present Islam as incompatible with human rights not only perpetuates racism but also confirms the claims of

## Teaching Case: Hauwa Ibrahim: What Route to Change

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right-wing politico-religious extremists in all of our contexts. We appreciate that many who join letter writing campaigns are motivated by the same sense of international solidarity and feminist outrage that leads us at BAOBAB to participate in international actions. But when protest letters represent negative stereotypes of Islam and Muslims, they inflame sentiments rather than encouraging reflection and strengthening local progressive movements.”<sup>111</sup>

Moreover, the director felt that local pressure and participation in the Shariah court system could be far more effective in causing meaningful change. She argued,

“Using local structures and mechanisms (as a means of resisting retrogressive laws or interpretations of laws and the forces behind them) is the priority. It strengthens local counter-discourses and often carries greater legitimacy than ‘outside’ pressure. Further, it can really address the local political power struggles that are behind the political use of religions and ethnicities in Nigeria. The political Islamists and vigilantes threaten (and carry out) acts of violence against those who criticise them, in order to intimidate people. But they have also been promoting the view that any criticism or appeal of conviction is anti-Islam and tantamount to apostasy, and thereby trying to get people to submit quietly and voluntarily. One of the means of countering this was our choice to pursue the appeals in the Shariah system, and thereby demonstrate that people have a right to appeal and to challenge injustices, including those made in the name of Islam.

Every appeal in the local Shariah courts strengthens this process.

Winning appeals in the Shariah courts, as we and others have done, establishes that convictions should not have been made. A pardon means that people are guilty but the state is forgiving them for it. It does not have the same moral and political resonance. A pardon that is perceived as occurring as a result of outside pressure is even less likely to convince the community of its rightness. If we don’t want such abuses to go on and on, then we have to convince the community not to accept injustices even when perpetrated in the name of strongly held beliefs.”<sup>112</sup>

In addition, the director urged the international community to trust the locals—those most closely involved in Lawal’s case—and the decisions they made about how to best proceed with the Lawal case. She stated:

There is an unbecoming arrogance in assuming that international human rights organisations or others always know better than those directly involved, and therefore can take actions that fly in the face of their express wishes. Of course, there is always the possibility that those directly involved are wrong but surely the course of action is to persuade them of the correctness of one’s analysis and strategies, rather than ignore their wishes. They at least have to live directly with the consequences of any wrong decisions that they take.”<sup>113</sup>

The director offered ways that she believed the international community could be most effective. Money was important to support both the victims, who were often poor, as well as legal costs associated with legal proceedings (court and lawyers’ fees, document preparation etc.). Yet, other resources beyond money were equally important: “For the long-term, there are two needs to work on: constructing the cultures of recognizing rights and fighting violations at the local and national levels; and, to develop argumentation and advocacy to change the laws, evidence requirements and procedures.”<sup>114</sup>

To Ibrahim it was important that collaborations with international organizations be balanced. She felt that that it was critical to develop such relationships as they could offer perspective on how “to explore new opportunities and move towards accomplishing goals while developing new approaches [but] based on core values, culture and traditions.”<sup>115</sup> She acknowledged that the interactions “may be complex and challenging given the variation in codes and cultures, but it will be more successful if you maintain your firmness while being flexible.”<sup>116</sup>

## Teaching Case: Hauwa Ibrahim: What Route to Change

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### Ibrahim Appeal Strategy: Seven Principles

While preparing for the appeal a reporter from the British Broadcasting Company (BBC) interviewed Ibrahim about the case and asked if the Koran condoned stoning.<sup>117</sup> Ibrahim's response that she "did not think so" infuriated northern Muslim leaders (mullahs). They pronounced Ibrahim anti-Islam and anti-Shariah and implied that she should be killed. Although Ibrahim was frightened by their threats, she insisted that the reporter arrange a meeting between her and the mullahs. When she went to meet them in a mosque, covered completely as was Islamic custom, there was an empty chair to her left where the mullahs indicated she should sit. Ibrahim, however, demurred and instead looked at the floor asking them, "How can I, Hauwa, your daughter, sit on the chair while you, my fathers are sitting on the chair?"<sup>118</sup> With eyes never leaving the floor, she carried on an entire conversation with the men who wanted to know if she had forgotten her culture. Ibrahim explained to them why she had come, "I am a foolish lawyer, and I truly don't know what I am doing. I came to you because I need your knowledge and wisdom."<sup>119</sup> Eventually she gave them copies of all of her case files. After listening to Ibrahim and praying for her, they told her, "We will not publicly support you, but we will also not publicly be against you."<sup>120</sup> Ibrahim considered this a tacit approval of working in the court, characterizing their actions as "all I needed. It was a huge security."<sup>121</sup> The mullahs ended the meeting by giving her a copy of the Koran.

Ibrahim's preparation for Lawal's appeal was to refine the defense strategy that she had begun to develop during Lawal's other trials. Ibrahim acknowledged that international law was applicable to national law, especially in the area of human rights, and she believed that "the top priority in this case was saving a human life through the law. Counsel's successful defense relied on learning and working within the framework of the Shariah law while also applying principles of human rights, laws of the Federal Constitution, and international laws. It was essential to rely on local custom and tradition."<sup>122</sup> For Ibrahim, this approach involved developing a strategy of seven principles.

#### Ibrahim's First Principle: Understand the Dynamics

The first principle was to understand the context of Shariah both within the court and in society. For Ibrahim, an important skill for an effective lawyer was to understand and analyze a situation from many perspectives. Arguing Shariah laws meant understanding the circumstances—social, legal, and political—of northern Nigeria. She argued,

"Attention to the dynamics... often requires us to step outside our role as lawyers and embrace additional roles, such as that of a psychologist, ethicist, or historian. These dynamics are an essential part of the bigger picture. Any lawyer practicing before a Shariah court could face taking into account these competing factors and learning to work with them, not against them. One must understand the dynamics of any given structure in order to succeed within it."<sup>123</sup>

#### Ibrahim's Second Principle: Know the Details but Prepare to be Creative

Secondly, Ibrahim felt keeping track of details was critically important especially as it might inspire creative approaches to the case. Ibrahim noted that "paying attention to details can help us begin to exert control over our case, and attempt to gain justice for our clients."<sup>124</sup> She thought it her duty as a lawyer practicing in northern Nigeria to understand Shariah law, even though learning about this area of law was not part of her formal legal education.<sup>125</sup>

#### Ibrahim's Third Principle: Be Focused and Stay Focused

Thirdly, Ibrahim believed that lawyers had to stay focused. For Ibrahim focus meant prioritizing the specific case at hand as well as the client's best interests. She wrote, "If we are not careful, we can be drawn into the

## Teaching Case: Hauwa Ibrahim: What Route to Change

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euphoria of another global picture, which can displace attention from the case and the client. It is wise to remind ourselves repeatedly that our primary responsibility as lawyers is to our client and no one else; not ourselves, an NGO, or any other agenda. Our state of mind must remain that of a minister in a temple of justice.”<sup>126</sup> For Ibrahim, the complexity of Shariah law was “very rich and contain[ed] all possible advocacy strategies and defense provisions to enable a lawyer to argue on behalf of his or her client. The number of accepted exegetical interpretations of the religious texts by the courts can provide lawyers with tools to convincingly mount a legal argument.”<sup>127</sup> Case focus did not necessarily mean disregarding information from other sources but rather determining how to best integrate this information into the specific case. She believed that “while remaining focused on a particular case, one may encounter useful thoughts and decisions from the international community that could be persuasive in national courts.”<sup>128</sup>

### Ibrahim’s Fourth Principle: Be Firm and Flexible

Ibrahim’s fourth principle—be firm and also be flexible—could be viewed as a contradiction but she thought this tactic could “actually be mutually beneficial when applied correctly.”<sup>129</sup> She elaborated, “When it comes to the principles of law, we do not budge,” Ibrahim said. “When it comes to flexibility within the society, we are the children of the soil. We understand the soil ... we understand the society.”<sup>130</sup>

### Ibrahim’s Fifth Principle: Know the Law

In keeping with Ibrahim’s fifth principle, one of a lawyer’s greatest sources of strength was the law itself. According to Ibrahim, a lawyer’s duty was to “know your strength and play to it. A lawyer’s strength is the law; its rules, processes, and procedures. It is important for counsel representing an individual accused under Shariah to grasp the dynamics of the Shariah legal system itself, which include the court procedures, the judges’ understanding and perceptions of the issues, and the attitudes and understanding held by the people toward their culture, traditions, and values.”<sup>131</sup>

### Ibrahim’s Sixth Principle: Plan a Defense

Another principle of Ibrahim’s was to plan constantly for a variety of contingencies while proactively engaging one’s natural opponents. Ibrahim found her past professional experience useful when envisioning the challenges that the prosecution might raise against Lawal in court.<sup>132</sup> Additionally, Ibrahim developed various arguments to refute the appeal ruling that she felt would “allow us to introduce concepts in court that framed the issues in new ways, enabling the judge to see the case from a new angle.”<sup>133</sup> Moreover, Ibrahim held that drawing in one’s adversaries and understanding their perspective—even if she disagreed—was a necessary step for developing Lawal’s defense. She commented on this approach,

“People who disagreed with us on issues of the law were not necessarily our adversaries. In fact, we operated on the premise that we had no adversaries. It was our position that anyone who disagreed with us had a right to do so. Instead of ignoring these individuals, we tried to make allies out of people who were willing to hear us out, knowing that we all share a common destiny and have many shared values. We assumed humble postures and avoided being disrespectful, especially when we were granted an audience with our elders.”<sup>134</sup>

This principle also had a very practical element. Ibrahim knew that involvement in such a case put both her life and Lawal’s at risk so she always planned the possibility of having a literal exit plan in case of an emergency.<sup>135</sup>

## Teaching Case: Hauwa Ibrahim: What Route to Change

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### Ibrahim's Seventh Principle: Think Globally and Act Locally

The final principle Ibrahim followed when planning Lawal's appeal was "think globally and act locally." The organization Lawyers Without Borders was instrumental to Ibrahim as she prepared for Lawal's appeal. They provided information on which international conventions Nigeria had signed and how these might be relevant to Lawal's case. Ibrahim used this information to find the same types of ideas in the Koran and Hadith (Shariah law sources) reasoning that "Shariah judges and lawyers are better acquainted with these sources than with international conventions, the latter being largely unknown in local courts."<sup>136</sup> This strategy, coupled with the Lawyers Without Borders expertise, helped Ibrahim "establish an argument that helped us 'speak the language of the court.'"<sup>137</sup> Ultimately, Ibrahim believed that "the pursuit of equality will have to come from a multi-dimensional approach; thinking creatively, identifying and using international norms, and developing common relationships in global advocacy to suit local needs."<sup>138</sup> Indeed Ibrahim viewed the relatively recent introduction of the Shariah penal codes as still "in its inception when compared to other systems of law."<sup>139</sup> She believed this offered opportunities to broaden the interpretation of Shariah law and felt that "global thinking must be incorporated to help shape and build the new Shariah law into a comprehensive and equitable system of laws."<sup>140</sup>

### The Trial

Lawal's appeal began on August 27, 2003, in Shariah Court of Appeal in Katsina. Five judges heard eight hours of testimony.<sup>141</sup> A verdict was scheduled to be handed down on September 25, 2003.

Although the Nigerian president personally opposed the death penalty and had said "no stoning would take place," he had not intervened in the proceedings despite pressure from the international community.<sup>142,143</sup> It was unclear what the president would do if Lawal's appeal failed.

## Teaching Case: Hauwa Ibrahim: What Route to Change

### Exhibit 1 Shariah Penal Code law on Zina

Shariah Penal Code law, Section 41, Zina includes adultery and fornication.

Chapter VIII,

Section 126 defines *zina* as, “Whoever, being a man or woman fully responsible, has sexual intercourse through the genital of a person whom he has no sexual rights and in circumstances in which no doubt exists as to the illegality of the act, is guilty of the offense of Zina.”

Section 127 provides for punishment of *zina*, “Whoever commits the offense of Zina shall be punished as with Caning of one hundred lashes if unmarried, and shall also be liable to imprisonment for a term of one year; or if married, with stoning to death.”

Source: Ibrahim, Hauwa, “Rule of Law Prevails in the Case of Amina Lawal.” Human Rights Brief 11, no. 3 (2004): 39-41 accessed July 2013.

### Exhibit 2 Map of Nigeria



Source: The World Factbook 2013-14. Washington, DC: Central Intelligence Agency, 2013.  
<https://www.cia.gov/library/publications/the-world-factbook/index.html> accessed October 2013.

## Teaching Case: Hauwa Ibrahim: What Route to Change

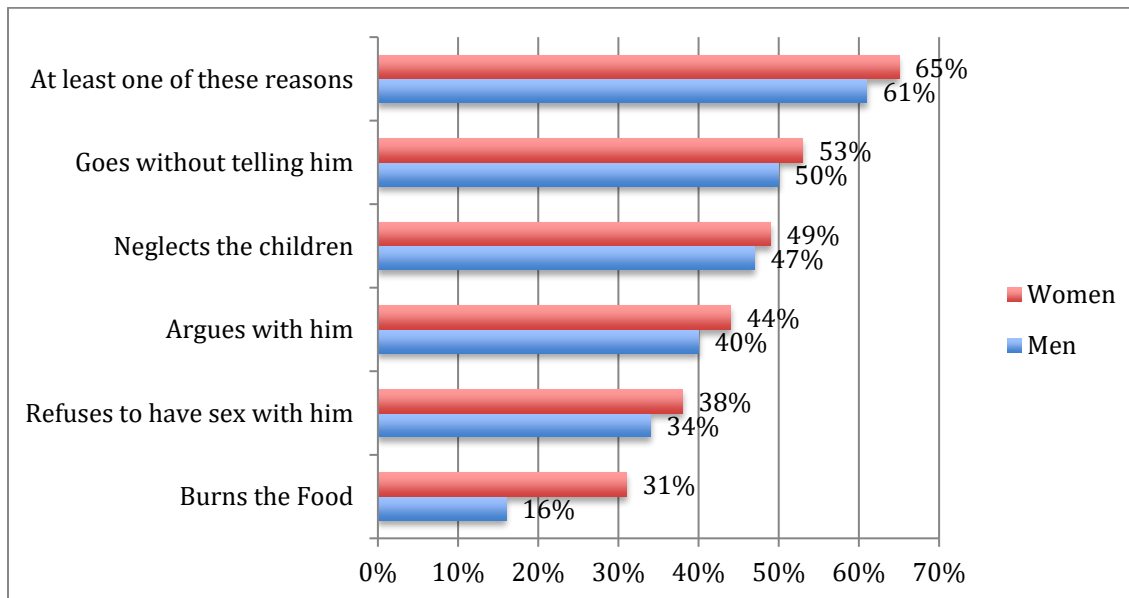
### Exhibit 3 2004 MDG Status as a Glance

GOALS/TARGETS	WILL THE GOAL/TARGET BE MET?				STATE OF SUPPORTIVE ENVIRONMENT			
	Probably	Potentially	Unlikely	Lack of Data	Strong	Fair	Weak but Improving	Weak
<b>1. Eradicate Extreme Poverty &amp; Hunger</b> Halve the proportion of people living in extreme poverty and those suffering from hunger by 2015				X			X	
<b>2. Achieve Universal Primary Education</b> Ensure that by 2015 children, boys & girls alike, will be able to complete a full course of primary schooling		X					X	
<b>3. Promote Gender Equality &amp; Empower Women</b> Eliminate gender disparity in primary and secondary education preferably by 2005, and all levels of education no later than 2015	X				X			
<b>4. Reduce Child Mortality</b> Reduce by two-thirds between 1990 & 2015, the under-five mortality rate			X				X	
<b>5. Improve Maternal Health</b> Reduce by three-fourths between 1990 and 2015 the MMR			X				X	
<b>6. Combat HIV/AIDS, Malaria and other diseases</b> Have halted by 2015 and begun to reverse the spread of HIV/AIDS and the incidence of malaria & other major diseases			X				X	
<b>7. Ensure Environmental Sustainability</b> Reverse loss of environmental resources by 2015		X					X	
<b>8. Develop a Global Partnership for Development</b> Deal with the debt problems to make available the benefits of new ICT		X						X

Source: "Nigeria MDG Report December 2004," United National Development Project, <http://www.undg.org/index.cfm?P=87&f=N> accessed September 2013.

## Teaching Case: Hauwa Ibrahim: What Route to Change

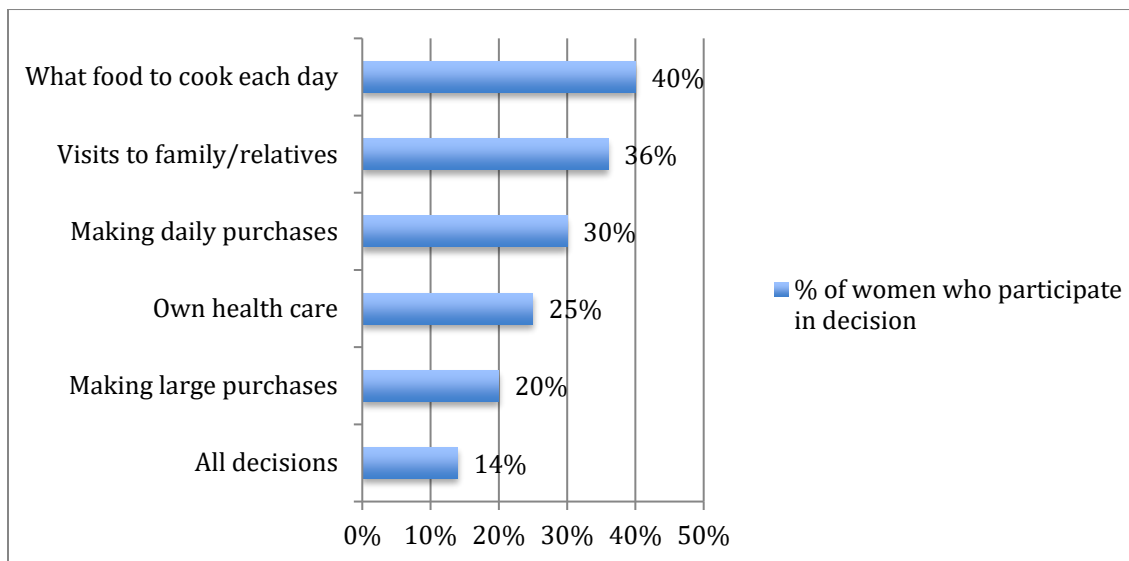
**Exhibit 4 Nigerian Attitudes Toward Wife Beating**



Note: Percent who agree that a husband is justified in beating his wife for a specific reason. (Women's responses always top bar.)

Source: 2003 Nigeria Demographic and Health Survey: Focus On Gender, accessed October 2013.

**Exhibit 5 Women's Participation in Decision Making**



Source: 2003 Nigeria Demographic and Health Survey: Focus On Gender, accessed October 2013.

## Teaching Case: Hauwa Ibrahim: What Route to Change

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### *Marriage in Nigeria:*<sup>e</sup>

There are three legal means to become married in Nigeria:

- 1) Under Shariah (Islamic) law
- 2) Under customary (tribal or traditional) law
- 3) Under civil (statutory) law

Typically marriages that take place in the north do so within Shariah law while those in the south fall under civil law.

### *Divorce in Shariah Law:*<sup>f</sup>

Divorce is permissible in Islamic (Shariah) law. “Islamic law, like other legal systems, recognizes divorce as inevitable when there is a failure to achieve the objectives upon which the marriage is built. Despite its permissibility, the Prophet (SAW) described *talaq* [when a husband initiates a divorce] as “the most detestable of the permissible things in the sight of God” (p.18). However, the report goes on to say, “Divorce in Islam is relatively easy and formally simple. Its revocability is also easy and formally simple. There are also various grounds and mechanisms to dissolve a marriage and there are various alternatives for redeeming it” (p.20). Women can also initiate divorce through *khul*.

### *Shariah Law: Men, Divorce and Punishment:*<sup>g</sup>

Depending on men’s behavior, women may be entitled to a “dowry refund” but generally there was no real punishment for divorced men whereas divorced women might suffer harassment. *Talaq*—husband-initiated divorce—required that the husband provide the woman with a certain level of support for a period of time after the divorce. This support included shelter in the matrimonial home for three months, alimony, and child support as well as custody of the children. Many men, however, did not follow these recommendations, leaving women vulnerable and potentially homeless. Women had little recourse as they held an inferior status to men in court.

### *Definition of Zina*

*Zina* is fornication **and/or** adultery with severity of punishment depending on one’s marital status (death by stoning an acceptable form of punishment if married). In other words, according to *zina*, it was a criminal offense to have premarital sex or sex outside of wedlock.

Source: Developed by casewriter from background sources below.

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## Teaching Case: Hauwa Ibrahim: What Route to Change

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<sup>117</sup> Information from this paragraph based on the following sources: Dina Temple Raston, “A law unto herself,” *O, The Oprah Magazine*, February 2006, 7(2), 206+. Retrieved from [http://ic.galegroup.com.ezp-prod1.hul.harvard.edu/ic/bic1/MagazinesDetailsPage/MagazinesDetailsWindow?query=&prodId=BIC1&displayGroupName=Magazines&limiter=&source=&disableHighlighting=false&displayGroups=&sortBy=&search\\_within\\_results=&action=2&catId=&activityType=&documentId=GALE%7CA143581973&userGroupName=camb55135&jsid=f2fd1871be0106c5241c403a176ecoa1](http://ic.galegroup.com.ezp-prod1.hul.harvard.edu/ic/bic1/MagazinesDetailsPage/MagazinesDetailsWindow?query=&prodId=BIC1&displayGroupName=Magazines&limiter=&source=&disableHighlighting=false&displayGroups=&sortBy=&search_within_results=&action=2&catId=&activityType=&documentId=GALE%7CA143581973&userGroupName=camb55135&jsid=f2fd1871be0106c5241c403a176ecoa1), accessed August 2013; Perper, Emily. “Ibrahim: Practicing in Shariah Court provides a different set of challenges,” *The Chautauquan Daily*, July 29, 2011, <http://chqdaily.com/2011/07/29/ibrahim-practicing-in-shariah-court-provides-different-set-of-challenges>, accessed June 2013; “A law unto herself,” *The Scotsman*, June 22, 2005 retrieved from <http://vlex.com/vid/law-unto-herself-80087856>, accessed August 2013.

<sup>118</sup> As quoted in Dina Temple Raston, “A law unto herself,” *O, The Oprah Magazine*, February 2006, 7(2), 206+. Retrieved from [http://ic.galegroup.com.ezp-prod1.hul.harvard.edu/ic/bic1/MagazinesDetailsPage/MagazinesDetailsWindow?query=&prodId=BIC1&displayGroupName=Magazines&limiter=&source=&disableHighlighting=false&displayGroups=&sortBy=&search\\_within\\_results=&action=2&catId=&activityType=&documentId=GALE%7CA143581973&userGroupName=camb55135&jsid=f2fd1871be0106c5241c403a176ecoa1](http://ic.galegroup.com.ezp-prod1.hul.harvard.edu/ic/bic1/MagazinesDetailsPage/MagazinesDetailsWindow?query=&prodId=BIC1&displayGroupName=Magazines&limiter=&source=&disableHighlighting=false&displayGroups=&sortBy=&search_within_results=&action=2&catId=&activityType=&documentId=GALE%7CA143581973&userGroupName=camb55135&jsid=f2fd1871be0106c5241c403a176ecoa1), accessed August 2013.

<sup>119</sup>As quoted in Dina Temple Raston, “A law unto herself,” *O, The Oprah Magazine*, February 2006, 7(2), 206+. Retrieved from [http://ic.galegroup.com.ezp-prod1.hul.harvard.edu/ic/bic1/MagazinesDetailsPage/MagazinesDetailsWindow?query=&prodId=BIC1&displayGroupName=Magazines&limiter=&source=&disableHighlighting=false&displayGroups=&sortBy=&search\\_within\\_results=&action=2&catId=&activityType=&documentId=GALE%7CA143581973&userGroupName=camb55135&jsid=f2fd1871be0106c5241c403a176ecoa1](http://ic.galegroup.com.ezp-prod1.hul.harvard.edu/ic/bic1/MagazinesDetailsPage/MagazinesDetailsWindow?query=&prodId=BIC1&displayGroupName=Magazines&limiter=&source=&disableHighlighting=false&displayGroups=&sortBy=&search_within_results=&action=2&catId=&activityType=&documentId=GALE%7CA143581973&userGroupName=camb55135&jsid=f2fd1871be0106c5241c403a176ecoa1), accessed August 2013.

<sup>120</sup> As quoted in Dina Temple Raston, “A law unto herself,” *O, The Oprah Magazine*, February 2006, 7(2), 206+. Retrieved from [http://ic.galegroup.com.ezp-prod1.hul.harvard.edu/ic/bic1/MagazinesDetailsPage/MagazinesDetailsWindow?query=&prodId=BIC1&displayGroupName=Magazines&limiter=&source=&disableHighlighting=false&displayGroups=&sortBy=&search\\_within\\_results=&action=2&catId=&activityType=&documentId=GALE%7CA143581973&userGroupName=camb55135&jsid=f2fd1871be0106c5241c403a176ecoa1](http://ic.galegroup.com.ezp-prod1.hul.harvard.edu/ic/bic1/MagazinesDetailsPage/MagazinesDetailsWindow?query=&prodId=BIC1&displayGroupName=Magazines&limiter=&source=&disableHighlighting=false&displayGroups=&sortBy=&search_within_results=&action=2&catId=&activityType=&documentId=GALE%7CA143581973&userGroupName=camb55135&jsid=f2fd1871be0106c5241c403a176ecoa1)

## Teaching Case: Hauwa Ibrahim: What Route to Change

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<sup>121</sup>As quoted in, Dina Temple Raston, “A law unto herself,” *O, The Oprah Magazine*, February 2006, 7(2), 206+. Retrieved from [http://ic.galegroup.com.ezp-prod1.hul.harvard.edu/ic/bic1/MagazinesDetailsPage/MagazinesDetailsWindow?query=&prodId=BIC1&displayGroupName=Magazines&limiter=&source=&disableHighlighting=false&displayGroups=&sortBy=&search\\_within\\_results=&action=2&catId=&activityType=&documentId=GALE%7CA143581973&userGroupName=camb55135&jsid=f2fd1871be0106c5241c403a176ecoa1](http://ic.galegroup.com.ezp-prod1.hul.harvard.edu/ic/bic1/MagazinesDetailsPage/MagazinesDetailsWindow?query=&prodId=BIC1&displayGroupName=Magazines&limiter=&source=&disableHighlighting=false&displayGroups=&sortBy=&search_within_results=&action=2&catId=&activityType=&documentId=GALE%7CA143581973&userGroupName=camb55135&jsid=f2fd1871be0106c5241c403a176ecoa1), accessed August 2013.

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<sup>123</sup> Hauwa Ibrahim, “Practicing Shariah Law,” “Practicing Shariah Law: Seven Strategies for Achieving Justice in Shariah Courts,” American Bar Association, Chicago, Illinois 2012, p.60.

<sup>124</sup> Hauwa Ibrahim, “Practicing Shariah Law,” “Practicing Shariah Law: Seven Strategies for Achieving Justice in Shariah Courts,” American Bar Association, Chicago, Illinois 2012, p.60.

<sup>125</sup> Hauwa Ibrahim, “Practicing Shariah Law,” “Practicing Shariah Law: Seven Strategies for Achieving Justice in Shariah Courts,” American Bar Association, Chicago, Illinois 2012, p.26.

<sup>126</sup> Hauwa Ibrahim, “Practicing Shariah Law,” “Practicing Shariah Law: Seven Strategies for Achieving Justice in Shariah Courts,” American Bar Association, Chicago, Illinois 2012, p.61.

<sup>127</sup> Hauwa Ibrahim, “Practicing Shariah Law,” “Practicing Shariah Law: Seven Strategies for Achieving Justice in Shariah Courts,” American Bar Association, Chicago, Illinois 2012, p.67.

<sup>128</sup> Hauwa Ibrahim, “Practicing Shariah Law,” “Practicing Shariah Law: Seven Strategies for Achieving Justice in Shariah Courts,” American Bar Association, Chicago, Illinois 2012, p.69.

<sup>129</sup> Hauwa Ibrahim, “Practicing Shariah Law,” “Practicing Shariah Law: Seven Strategies for Achieving Justice in Shariah Courts,” American Bar Association, Chicago, Illinois 2012, p.91.

<sup>130</sup> Perper, Emily. “Ibrahim: Practicing in Shariah Court provides a different set of challenges,” *The Chautauquan Daily*, July 29, 2011, <http://chqdaily.com/2011/07/29/ibrahim-practicing-in-shariah-court-provides-different-set-of-challenges>, accessed June 2013.

<sup>131</sup> Hauwa Ibrahim, “Practicing Shariah Law,” “Practicing Shariah Law: Seven Strategies for Achieving Justice in Shariah Courts,” American Bar Association, Chicago, Illinois 2012, p.143.

<sup>132</sup> Hauwa Ibrahim, “Practicing Shariah Law,” “Practicing Shariah Law: Seven Strategies for Achieving Justice in Shariah Courts,” American Bar Association, Chicago, Illinois 2012, p.183.

<sup>133</sup> Hauwa Ibrahim, “Practicing Shariah Law,” “Practicing Shariah Law: Seven Strategies for Achieving Justice in Shariah Courts,” American Bar Association, Chicago, Illinois 2012, p.183.

<sup>134</sup> Hauwa Ibrahim, “Practicing Shariah Law,” “Practicing Shariah Law: Seven Strategies for Achieving Justice in Shariah Courts,” American Bar Association, Chicago, Illinois 2012, p.182.

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<sup>137</sup> Hauwa Ibrahim, “Practicing Shariah Law,” “Practicing Shariah Law: Seven Strategies for Achieving Justice in Shariah Courts,” American Bar Association, Chicago, Illinois 2012, p.187.

<sup>138</sup> Hauwa Ibrahim, “Practicing Shariah Law,” “Practicing Shariah Law: Seven Strategies for Achieving Justice in Shariah Courts,” American Bar Association, Chicago, Illinois 2012, p.210.

<sup>139</sup> Hauwa Ibrahim, “Practicing Shariah Law,” “Practicing Shariah Law: Seven Strategies for Achieving Justice in Shariah Courts,” American Bar Association, Chicago, Illinois 2012, p.185.

<sup>140</sup> Hauwa Ibrahim, “Practicing Shariah Law,” “Practicing Shariah Law: Seven Strategies for Achieving Justice in Shariah Courts,” American Bar Association, Chicago, Illinois 2012, p.185.

<sup>141</sup> “Judgment in Lawal Case Due September 25,” *Feminist Daily News*, August 28, 2003, <http://www.feminist.org/news/newsbyte/uswirestory.asp?id=8018>, accessed August 2013.

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## Teaching Case: Hauwa Ibrahim: What Route to Change

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