

# ***The Art of Judgment Writing***

***A paper presented by***

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**THE ART OF JUDGEMENT WRITING***by*HON. JUSTICE OLASUMBO O. GOODLUCK<sup>1</sup> \***Explanatory Definitions**

Constitutionally, Judgment is classified as a “*decision*” by a Court, which means “*any determination of that Court.*” This includes “*judgment, decree, order, conviction, sentence or recommendation.*”<sup>2</sup> The Sheriffs And Civil Process Act<sup>3</sup> too defined Judgment to include “*order*”. The Apex Court underscored this by the decision in the case of **Williams vs. Daily Times of Nigeria Ltd**,<sup>4</sup> where it held that:

*“A decision of the court means any determination of that court and it includes Judgments, decrees, orders, sentences or recommendations. It is immaterial whether the expression order, Judgment or ruling is used, each is a decision of the court.”*

However, defined as “*a court’s final determination of the rights and obligations of the parties in a case,*”<sup>5</sup> Judgment is the end-product of trial in a case and until it is delivered, the paramount duty of a Judge is not accomplished. whilst the Judge may make interlocutory orders, Judgment is delivered at the conclusion of a case. In the case of **Oredoyin vs. Arowole**,<sup>6</sup> the Supreme Court explained as follows:

*“A judgment is an official and authentic decision of a court upon the respective right and claims of the parties to an action or suit therein litigated and submitted to the determination of the court. It is the decision of the court resolving the dispute between parties and determining their rights and obligations. It is a conclusion of law upon facts as found or admitted by parties. It is a conclusion given by the court upon matters submitted to it. It is the application of the law to the pleadings and the facts as they appear from the evidence in the case as they are found by the court or jury or admitted by the parties or as deemed to exist upon default” .*

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<sup>2</sup> Section 318(1), Constitution of the Federal Republic of Nigeria 199 as Amended

<sup>3</sup> Section 19, Sheriffs And Civil Processes Act, CAP S6, LFN 2010

<sup>4</sup> [1990] 1 NWLR (Pt. 124) 1 @ 24

<sup>5</sup> Black Law Dictionary, 9<sup>th</sup> Edition, at 918

<sup>6</sup> [1987] 3 NWLR (Pt. 114) 172 @ 211

## Content

There is no clear-cut rule for writing of judgment, each judge has his own style of writing. The skill of writing judgment is not acquired by teaching; it is developed over time by continuous writing and adopting models from reading case law or Law Reports.

A judgment, or order in its shape, usually contains, in addition to formal parts:

*“A preliminary or introductory part showing the form of the application upon which it was made, the manner in which and the place at which, the Writ or other originating process was served, the parties appearing, any consent, waivers, undertakings or admission given or made, so placed as to indicate whether they relate to the whole judgment or order or any part of it, and a reference to the evidence upon which the judgment or order is based.”*

**A substantive or mandatory part**, containing the order made by the court. It is imperative that a judge should be articulate in his expression and must always be assertive with the expected dignity in his comportment at all times. A judge must be persuasive and full of reasoning with the objective to do justice and not seen to do justice. Case must flow in a logical sequence in such a manner that the reader of his judgment should be able to understand the progression of the judgment without and difficulty.

Unuseful details should be avoided. The reader must be able to appreciate the facts in summary from the onset. The material facts must be significantly set out, thereafter the next step is to formulate the issues and apply the appropriate law. This includes the consideration of legal principles and the judicial precedents followed by his conclusion.

The judgment is the very essence of being a judicial officer. Depending on the complexity of a case, some judgments are straight forward and mechanical after repeated writing on the subject matter whilst some are more complex and cerebral.

The process of reasoning upon which the judgment of the court is predicated must be subsumed in the judgment.

Clear mindedness is an inextricable part of clear writing. An articulate judgment projects the legal reasoning. A Judge's knowledge of the law is

determined by the working of his mind, his approach and industry. Judgments represent the personality of the Judge, hence it should be written with utmost diligence and maturity.

A judge must not lows on legal principles and case law alone in making his pronouncement as this can distract the Judge from being objective in his judgment.

Though judgments are written day in day out, it plays significant social and civil function: the pronouncement of a judge affects lives.

Judgments must be seen as the instrument for seeking the much desired justice, so that the citizenry will have unalloyed confidence in his justice delivery stem.

Once the public confidence is missing in the justice sector, the effect on the entire system will be devastating.

The conscience of a Judge is mirrored by his judgment, hence in writing judgments, his impartiality, integrity and sincerity of purpose is put to test. Whenever a judge is writing his judgment, he must be mindful that he is performing a public duty hence he must portray fairness and adhere to his oath of office with a high level of morality and integrity.

It is not only the litigant in a case that benefits from judgment, it is the entire legal profession that enjoys the Learning the Art of Good Judgment writing and Judgment Delivery edited by Justice Umoru Eri, OFR, National Judicial Initiative 2013 dividend of a sound judgment. The quality of Judiciary restates the confidence of the citizenry.

The victorious party considers that the rationale for the success of the case of little moment, he is more fulfilled by his righteousness. The losing party is also requires a frank explanation of his defeat. Judgment is not only for the exercise of a party's constitutional rights of appeal but it also serves as a litmus test for the integrity of the judiciary.

The Legal Practitioner requires judgment to brace himself up with the knowledge of his law and for the evaluation of the performance of the judiciary. The judgment opens up the Judge to praise or criticism from the Bar. A Judge can discerned as being intelligent, consummate or even lazy from his judgment.

Judgment is a reflection of the Judge's conscience and it portrays him as being impartial or otherwise, morally upright or complacent in his role as a judge. The lower Bench looks up to the Judge on the higher judicial hierarchy for guidance in the discharge of his judicial role whilst the higher looks forward to a seasoned judgment which pronouncement are upheld rather than setting it aside.

The quality and soundness of a judgment must not be compromised with the attendant backlog of cases which never seem to reduce the volume of cases assigned to judges never drops, instead it increases, but his fact notwithstanding a thorough work must be done as the life of litigant or his fortune is at stake whenever a judgment is being written.

Justice Devendra Kumar Upadhyaya cited with approval the telling remarks of Chief Justice Sabyasachi Mukharji, he stated that:

*"The supreme requirement of a good judgment is reason. Judgment is of value on the strength of its reasons. The weight of a judgment, its binding character or its persuasive character depends on the presentation and contribution of reasons. Reasons therefore, is the sole and spirit of a good judgment"*

One should not focus solely on decided cases to support given a case to avoid loosing. Lecture delivered on 13<sup>th</sup> May 2015 at the Judicial Training and Research Institute, UP during Induction Training Programming for Civil Judges reluctantly nor must one blindly adhere strictly to the principles of law to the extent that one is carried away from objectivity, equity justice and good conscience must be the watchword for adjudication.

A Judge must always be well acquainted with the facts of a case no matter how copious the pleadings may be or the number of witnesses and elaborate submissions. Thus a judge should jot down notes as the case progresses in a manner that he can refer to after lengthy trial.

Judgments should therefore be written with utmost care, as clear mindedness is the route to clear writing. Reasons elicited by a judge mirror the working of his mind, his approach and his depth of knowledge of the law.

### **Written Judgment**

Though there are no clear cuts style or mode of writing judgments, it is recommended that the Judge should set the pace with a clear recital of the facts of a case after having perused the pleadings, identified the issues for

determination, examined carefully the testimony of the witnesses and evaluated the written and/or oral submission of counsels.

No new materials, whether factual or legal, should be introduced by a Judge except for those that have been previously canvassed in the pleadings. Brevity is highly recommended to a judge as unduly long judgments may lead the judge to stray into aspects that are alien to the suit.

Though the Rules of Court in some jurisdictions have made provisions for settlement of issues at the pre-trial stage, a judge must painstakingly go through the pleadings to identify the issues even where counsel have failed to do so. It must be said that a judge speak through his judgment, he should therefore be very clear in his pronouncements and support it with reasons. It is thus advised that counsel should be encouraged to settle issues before taking evidence in civil cases. The judge should remind counsel of the issues so as to save trial time. This is because where parties are consensual on the common facts, both parties, counsel and the litigants are able to focus on the issue of trial. Similarly, all interlocutory applications should be dealt with at the pre-trial stage so that the attention can be paid to where parties have joined issues. This also assists the Judge on the precise matters to be determined.

The Honourable Dennis Mahoney, AO, QC is known to have stated thus:

*In formulating the question, the judge will no doubt employ the assistance, which can be derived from the counsel. It is, I think dangerous to attempt to impose the judge formulation of the issue for determination upon counsel. The form of that question must be drawn out by dialogue with counsel for each side. Unless counsels are involved in formulating the question, they are not commuted to form of it. And dialogue with counsel is important. There is practical wisdom in the aphorisms "How do I know what I think until I hear what I say".*

*The judge must summarise the relevant evidence elicited at trial. The documents recorded in evidence must also be reflected upon by the trial judge with reasons for making reference to documentation and oral evidence unfolding at trial."*

Aside from the irrelevant submissions of counsel, all the submissions of counsel must be considered by the trial Judge. It is ideal to note that no other submissions were canvassed having fully exhausted the averment of counsel. This observation would be paramount at the appellate stage for

purposes of identifying issues which were not in contention before the trial Judge.

It is recommended that before coming to a finding on an issue or on a charge the relevant evidence not be evaluated at a point where a pronouncement is made. The heart of a judgment is predicated on the reasoning informing the decision. It is insufficient to hold that one believes the evidence or agrees with the argument without giving the reasons for such belief or agreement. It must be recounted that a judge in human with the same natural inclination to possess personal preference and free dispositions hence it is not immune from bias and partiality. These instincts may be working in his subconscious it is advised that the judge should follow a logical reasoning and avoid being influenced by external or extraneous factors.

A Judge should refrain from making pronouncements that are alien to the subject matter of the suit before him. He should avoid expressing his view.

A former Chief Judge of the Supreme Court of South Africa, Honourable Justice M. M. Corbeu recommended the foregoing framework for writing judgments

- 1) Introduction
- 2) Setting out the facts
- 3) The law and the issues
- 4) Applying the law to the facts
- 5) Determining the reliefs including costs
- 6) Finally, his order of the court

Each Judge has his style of writing. However, there must be a resonating hallmark in every judgment to which is lucidity. Notable jurists have recommended brief sentences. Lucidity should be the overriding principle in judgment writing. A judge must avoid condensing several points within a single sentence. A straight and simple flow must be sequentially followed in every judgment. Grandiose expressions and language should be avoided as it may derail the Judge's focus and attention to details.

A panacea that should be adhered to ensure that a judgment should not read over twice in order to have a grasp of the judgment. A judgment is not a forum unsavoury or undignified expression. Whilst it is acceptable to recourse to elegance of expression, apt metaphors and illustrations, a judgment should not be above board in a manner that is not in accord with his solemnity or expectation of his temple of justice.

It must be recalled at all times that the litigant has approached the court to redress his grievance, he doesn't perceive the court as a forum for frivolities hence the judge's discharge of his obligations must not be seem as an endeavour for the light hearted. The judge should refrain himself from descending into the arena nor attracts comments from the media that is unworthy of a judge who is held in the highest esteem by the public.

I will now consider some of the hallmarks of a judgment, clarity and eloquence.

In so far as English is the language of expression, particularly as it is the official medium of expression the judge must demonstrate a good command of English language. He must be articulate. It is recommended that the judge must imbibe the reading culture of notable judgment of articulate judges. A judge must not be ambiguous in his expression. His judgment must be clear and devoid of controversy. A judge must express himself in a simple manner so that he can always be comprehensible. Inappropriate metaphors or illustrations which are incongruous to the point being made should be avoided. This does not mean that the judgment should be blond nor should it leave litigants in the limbo, I. A. Auta CJ, Federal High Court is noted to have made the trenchant remarks at a similar workshop such as this when his Lordship stated that:

*"It is a sin that is almost unforgivable for a trial judge to go through the rigours of a full trial only to now write a sloppy or a judgment full of grammatical errors. This obviously will defeat the purpose of his judgment. A judge must personally make conscious efforts to develop his mastery of English language".*

### **Brevity**

The quantity of the judgement does not make the judgment outstanding. The judgment must be long enough to incorporate the relevant issues and facts canvassed by parties. It must be all encompassing, detailed and accurate. It should not be brief to the extent that it discountenances parties submissions and evidence. However, it must not be unduly long, repetitive or hammering on irrelevant points which are not useful for the determination of the real issues in controversy.

Justice Nike Tobi, JSC, in his book entitled "The Nigerian Judge" posits that judgments must be condensed to a manageable size, hence his Lordship recommended thus:

1. The evidence of the witness is dexterously summarised into simple readable story, though in understandably opposing camps. A sound knowledge of précis is very necessary here. Unless in very compelling circumstances, there is no need to reduce the evidence of each witness in turn;
2. Long and verbose quotations of extraction of cases and legal work are avoided; and
3. Reproduction of full length of pleadings is avoided.

### Style And Language

It is impossible to say that a Judge must adhere to a certain manner of writing judgment. There is no statutory provision prescribing the mode of writing judgments. Hence, there is no clear-cut manner in which a judgment is to be written. Above all things, the Judge is expected to have a clear understanding of the law. Counsel may falter in the application of the law. However, the Judge is the fountain of knowledge from which the law is espoused.

Ideally, a judgment must be seen to have reasonably evaluated the evidence elicited by both sides. The law must be adequately applied to leave no room for doubt and the judgment must be firm and not indecisive.

In the case of **Abdullahi vs. The State**, the court of Appeal held thus:

*"... in carrying out his art, although each judge is free to follow his own style to produce a good product. But it is very essential that a judge must show a clear understanding of the facts in that case, the issues involved, the law applicable and from all these draw the right conclusion and make a correct finding on the credible evidence before him."*

*"... In writing judgment, the underlying factor is fairness to the parties to avoid doing anything that would result to accessioning miscarriage of justice."<sup>7</sup>*

Giving credence to the reasoning of the Court of Appeal, in the case of **Adeyeye vs. Alhaji Ajiboye & Ors.** Oputa JSC held:

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<sup>7</sup> [1995] 9 NWLR (Pt. 417) 125

*"I had in the past criticism some judgements of our trial court, which begin by citing and deciding a multitude of cases without first laying factual foundation on which ... decided cases would stand or fall. Please see Stephen vs. The State (1986) 5NWLR pt 46) 978 @ 1005. The proper approach for any trial court is to first set out the case or claims, then the pleadings. Having decided on the issues in dispute the trial judge will then consider the evidence in proof of each issue, then decide on which side to believe and has got to be a believe based on the preponderance of credible evidence and the probabilities of the case. After this the trial court can then discuss the applicable law against the background of his findings of fact"*

In line with our Apex Court's position, in the case of **Asogwa vs. Chukwu** the Court of Appeal held:-

*"that a good legal writing should include accuracy, brevity and clarity".<sup>8</sup>*

Of course, the attendant requirement for the use of an appropriate language are unavoidable requires for the art of good writing.

### **Time of Delivery of Judgment**

It is crucial to state here that the 1999 Constitution of Nigeria, the delivery of judgment, timeously, sacrosanct that it prescribes the time frame judgment is to be delivered.

Section 249 (1) of the 1999 Constitution of the Federal Republic of Nigeria provides that every superior court must deliver judgment within ninety days from the date of the adoption of written address whilst a certified true copy of a judgment must be delivered to parties within seven days from the date judgment was delivered.

The object behind this provision, I believe, is to enable the trial judge to have a clear recollection of the events that transpired at the trial, that is, the testimony of witnesses particularly their demeanour and the attitude of litigants throughout the conduct of the case. These are aspects of the case that resides in the heart and mind of the judge and not on paper. The more the time that efflux from the date of trial the more the unwritten memories ebbs of events which would have aided the Judge in the writing of his judgment. It can be argued that judgments delivered outside the

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<sup>8</sup> [2003] 4 NWLR (Pt. 80) 549

constitutionally prescribed period is incompetent and is liable to be set aside. Assuming this author's view of what informed this constitutional time frame, one wonders whether this reasoning can extend to Originating Summons which are actions which are determined substantially on documentary evidence and there is no trial at all hence his forgoing reasoning will not apply to suit filed principally by way of Originating Summons.

It is instructive to restate here the decision in **J. S. Ltd vs. Ezenwa**,<sup>9</sup> the court held:-

*"It is beyond question that a judgment or order given or made without jurisdiction is a nullity. Lack of Jurisdiction in the court deprives the judgement or order any effect whether by estoppels or otherwise"*

There is no gainsaying that the judge is expected to dispense justice and not to win popularity.

A judge should not be tempted to gain popularity by granting orders or judgements in order to win public sentiments, to resort to this untoward conduct will only damage the very public it aims to curry its favour. It will only subject his society to undue hardship and disaffection for the judiciary. It is not necessary for the judge to over saddle his judgment with all the authorities prescribed by both sides.

### **Types of Judgment**

The most common form of judgment even outside the judicial circle is the final judgment.

A Court's final judgment decides and disposes of all issues in controversy in a suit for the last time after which the court will be considered as acting *fungo officio* should the case be reopened other judgement (except for the correction of clerical mistakes or omissions)

In same legal parlance, it is referred to as final appealable judgment, final decision, final decree, definitive judgment or final appealable order.

### **Interlocutory judgment or order**

These are particularly to decisions made by the court pending the final determination of a case.

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<sup>9</sup> [1996] 4 NWLR (Pt. 443) 391 @ 413

It determines a subordinate point or plea without a final disposition of the case.

### **Consent Judgment**

Parties in a suit may voluntarily elect to settle their dispute amicably out of court. Upon a successful resolution of an out of court settlement, parties may decide to enter into a written Terms of Settlement which they may wish to be entered as consent judgment by the court. Upon filing of such terms of settlement, duly executed by counsel and or their respective counsel, parties may approach the court by applying that the Terms of Settlement is to be enrolled as consent judgment.

Consent judgment are on the same pedestal as the judgment heard on the merit hence the principles for setting it aside and its enforcement are the same. A party cannot apply to unilaterally set aside a consent judgment.

The court in enrolling a consent judgment as a judgment of the court more or less sits assumes an administrative role as the court does not have any input in the writing of the judgment.

With the proliferation of Multi-Door Court Houses and other Alternative Dispute Resolution Settlement institutions, the appearance of Consent Judgment in the judicial terrain is fast increasing.

It is necessary to state that a Judge must not speculate or conjunct facts for litigants. He must restrict his adjudicatory role to the facts that are presented before him. In this regard, a Judge must confine himself to the reliefs sought by a litigant. It has been said time and time again that the court is not a "Father Christmas", hence it can only give less or what is sought from him, he cannot give more or order that which is not sought as a relief.

This is an aspect that is quite worrisome to judges. A judge should not worry that his judgment will be set aside on appeal. Every judge should realise that a judgment will always be corrected on appeal. A judge should remember that he is a human being and is bound to falter. There is no need to sulk or feel disappointed when a case is upturned on appeal. The young Judge should put in his best and write his judgment with utmost diligence and leave the rest for posterity. After all, the trial Judge will be elevated some day to the Appellate Court; hence it is advised that a Judge should perform his judicial office to the best of his capability and in accordance with his oath of office.

Having said the foregoing, it is also needful to state that the obligations of the judge under the Common Law Courts are not at per under the Sharia or Islamic Law.

Abdullahi Maikano Usman, Hon. Grand Khadi, Gombe State, referred to the works of Abdul Karim Az Zaiyani in his book "Administration of Justice"<sup>10</sup> noted thus:-

*"The judge or his court scribe taking the order from him (the judge) to record, shall put down in writing (the judgment) with full details of the complaint, causes, claims and evidence in support of the litigants and how they occupied it in this document that jurist referred to as 'Al Mahdar'. He shall record all the facts, submissions for and against, he shall also record his decisions in terms of orders, rulings and sanctions (judgment). He shall thereafter produce copies for himself, the litigants and the court registry.*

*This document must contain detailed paper presented at the National Judicial Institute titled Judgment writing style and techniques - Sharia Court of Appeal perspective - Information of the parties with address, dates and suit number."*

Flowing from the foregoing, it is posited that the obligations of the Khadi and the conventional court judge in the discharge of our duties in relation to the delivery of judgment are almost identical.

As in the case of the conventional courts, hitherto noted, each Khadi of the Sharia Court of Appeal are at liberty to adopt their own style and structure.

Abdulkarim AA Zaidani<sup>11</sup> reasoned as follows:-

*"It is not a condition that good judgment must follow a restrictive structure, style or expression but it should be conducted in a plain, clear, apt and decisive language. It must be coherent, comprehensive, determine and firm, precise, final and binding free of ambiguity and vague".*

Still on borrowing a leaf from Abdul Nasir Musa, the learned Scholar, Abdul Musa Abol Basil,<sup>12</sup> made mention of certain terminologies which are

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<sup>10</sup> Abdul Karim Az Zaiyani: "Administration of Justice"

<sup>11</sup> Op cit p259

very much at home in our conventional courts. In the course of dispensation of justice, he noted that:

*“The basic formula, according to the Maliki School is that, courts decisions, verdicts or pronouncements do not end in ‘I Rule’, decide, etc. It extends to expression such as I hereby decide or rule; I impose or I order, I transfer the title of this property to so and so or I award to him, I annul this marriage or sale, I confirm or it is established before me that this property belongs to so, so and so.”*

Still on this latitude given to the Judge to develop his style of writing, the Hon. Grand Khadi, Abdullahi Maikani Usman recounted that Hon Justice Udo Udoma of blessed memory identified two types of judgments, based particularly on style as the smooth narrative style; and the Straccato Style.

According to the acclaimed Jurist, the narrative style involves the assimilation of the facts of a case and a narration of the account as an eye witness reporting an event and setting out of the real issues in controversy deserving determination believe the parties

What the ‘Straccato ‘ Style augment canvassed by the parties is reproduced by way of summary, one after the other and the judgment usually end, by the Judge/Khadi or court believing or not believing one side of the parties. The summary of this argument Hon Sir Udo Udoma in his paper presented in 1989, Judicial Conference of Benue State Judges of each party is more often than not repetitive.

One is not left in doubt that for either courts there are reasoning similarities in what is required in delivery a reasoned and clear judgment devoid of long winding, boring or verbose pronouncement.

Justice Denedra Kumor Upadhyaya enunciated these rules in his legal Essays and Addresses for Judgment Writing. I also recommend them for all at this forum.

- a) Reasoning should be intelligent and logical
- b) Reasoning should be intelligible and logical

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<sup>12</sup> Op cit p351

- c) Clarity and precision should be the goal. Prolivity and verbose should be avoided. At the same time, brevity to an extent where reasoning is the casualty should be avoided.
- d) Use of strange and difficult words and complex sentences should be avoided. The purpose of a judgment is not to showcase the Judge's knowledge of language, or legal erudition, but to decide disputes in a competent manner, and state the law in clear terms.
- e) A judge cannot use his personal knowledge of facts in a judgment.
- f) If a judge wants to rely on precedents or decisions unearthed by the Judge by his own research, he has to give an opportunity to the parties to comment upon or distinguish the same.
- g) In civil matters, the judgment should not travel beyond the pleadings or the issues. Recording findings on issues or matters which are unnecessary for disposal of the matter should be resisted.
- h) Findings of fact should be based upon legal testimony. The decision should rest upon legal grounds. Neither findings or fact nor the decision should be based upon suspicion, surmises or conjectures.
- i) All conclusions should be supported by reasons duly recorded. The exceptions are where an action is undefended or where the parties are not at issue, or where proceedings are summary or interlocutory or formal in nature
- j) The findings and directions should be precise and specific.
- k) A judge should avoid use of disparaging and derogatory remarks against any person or authority whose conduct arises for consideration. Even when commenting on the conducting of the parties or witnesses, a judge should be careful to use sober and restrained language. It should be remembered that the judge making the remark is also fallible.
- l) While exercising appellate or revisional jurisdiction, unnecessary criticism of the trial courts' conduct, judgment or reasoning should be avoided.
- m) Before making any adverse remarks, court should consider

- a) Whether the party or the person whose conduct is being discussed has an opportunity of explaining or defending himself against such remarks;
- b) Whether there is evidence on record bearing on the conduct justifying the remark; and
- c) Whether it is necessary to comment or criticize or censure the conduct or action of the person, for decision of the case.<sup>13</sup>

### Conclusion

1. There is no hard and fast rule for judgment writing. A judge grows in experience and writing, the judgment becomes mechanical with his own style.
2. Judgments should be articulate, full of reasoning, clear and impartial notwithstanding the personal views or perceptions of the judge
3. A judge should avoid verbosity, frivolities and long winding judgment. The pronouncement must be specific, definitive without room for doubt of the judge's intention.
4. Plain, simple language must be used in writing judgments and the overriding watchword must be clarity. Recourse to unnecessary quotations, irresponsible criticism and sarcasm should be avoided in order to preserve the reverence and sanctity of the law.

In closing, I will adopt the revered words of the Holy Prophet Mohammed (pbuh) reported by his follower Abu Daud and Ibn Majah. On the authority of Abu Buraid who said:

*“there are three categories of judges (Khadis); two will go to Hell Fire whilst the third one will enter paradise. A judge who knows the truth and passes judgment accordingly will enter paradise. A judge who knows the truth but perverts the course of justice will go the hell and also a judge who knows the truth and passed judgement based on ignorance shall go to hell.”*

May Almighty Allah (SWT) may the job of judging easy for each of us, amin.

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<sup>13</sup> Ibid. 17, p.11

My Lords, I thank you all, for your attention.

Olasumbo O. Goodluck  
Judge  
High Court of the FCT, Abuja