# AFRICAN CUSTOMARY AND RELIGIOUS LAW REVIEW

Volume 3 (2022)



A Publication of the INTERNATIONAL CENTRE FOR LAW AND DEMOCRACY STUDIES, IN CONJUNCTION WITH THE FACULTY OF LAW, NNAMDI AZIKIWE UNIVERSITY, AWKA, NIGERIA

Citation: (2022) 3 ACARELAR

© International Centre for Law and Democracy Studies (ICLDS)

Published, March 2022

All rights reserved. No part of this journal should be reproduced, stored in a retrieval system or transmitted in any form or by any means in whole or in part without the prior written permission of the copyright owner.

ISSN: 2994-7087

Printed and Published by: Thinkers Publishers P. O. Box 306 Agulu, Anambra State E-mail: <u>thinkerspublishers@yahoo.com</u> Website: <u>https://thinkerspublishers.business.site/</u> Whatsapp/Call: 08038393389, 08189979009

# TABLE OF CONTENTS

The Bini Customary Law of Inheritance and Succession: The Intestate Practice of <i>Igiogbe</i> <b>E. O. ENAKIRERU &amp; Faith Osehuotue IGBINEWEKA</b>	-	1
Sanctity of Chieftaincy Declaration on Native Custom: The Attitude of the Nigerian Courts Chijioke Uzoma AGBO	-	7
Emerging Trends in Assisted Reproductive Technologies (ART) and the Repugnancy Test for Customary Law: A Call for Re-Evaluation	Rules of -	15
Discriminatory Cultural Practices of Property Rights of African Women Despite Legal Framew A Call for More Proactive Measures	vork: -	23
Religious Pluralism and the Interaction of the Yorùbá Legal System in Nigeria <b>Yinka OLOMOJOBI &amp; Khadijah Kudirat YERIMA</b>	-	31
Understanding the Concept, History and Dimensions of Domestic Violence against Women Chinwe Patricia ILOKA	-	41
Adoption Practice under the Child's Rights Law of Anambra State Helen Obageli OBI & Onyeka Christian ADUMA	-	48
Customary Law in Nigeria: Interrogating the Issue of Judicial Notice Faith Osehuotue IGBINEWEKA & E. O. ENAKIRERU	-	55
An Evaluation of the Consequences and Legal Paradigm of Child Marriage in Nigeria - Chi-Johnny OKONGWU & Simon Ejokema IMOISI	-	64
Legal Framework for Petroleum Administration and Taxation in Nigeria: A Legal Appraisal of Conflicting Legislations	-	70
The Rule of Law as a Determinant of Good Governance in Nigeria's Democracy	-	81

## EDITORIAL TEAM

### **EDITOR-IN-CHIEF/GENERAL EDITOR:**

Ikenga K. E. ORAEGBUNAM, PhD (Law), PhD (Phil.), PhD (Rel. & Soc.), PhD (Edu. Mgt., in view), MA, MEd, BTh, BL, Professor of Law and Applied Jurisprudence, Faculty of Law, Nnamdi Azikiwe University

## **BOARD OF EDITORS:**

- Aloysius ENEMALI, LLB, LLM, JCL, JCD, BL, BPhil, BTh, Senior Lecturers, Faculty of Canon Law, Catholic Institute of West Africa (CIWA), Port Harcourt
- M. O. IZUNWA, LLB, LLM, MA, MEd, PhD (Phil), BL, BTh, Senior Lecturer, Faculty of Law, Nnamdi Azikiwe University
- Abdulmumini A. OBA, LLB, LLM, PhD, BL, Professor of Islamic Law, Faculty of Law, University of Ilorin
- Jude O. EZEANOKWASA, LLB, LLM, PhD (Law), JCD, BL, BPhil, BTh, Senior Lecturer, Faculty of Law, Nnamdi Azikiwe University
- Aloy OJILERE, LLB, LLM, PhD, BL, Senior Lecturer, Faculty of Law, Imo State University.
- M. K. AMID, LLB, LLM, Lecturer, School of Law, Mettu University, Ethiopia
- Henry C. OKEKE, LLB, LLM, BL, PhD, Lecturer, Faculty of Law, Nnamdi Azikiwe University
- H. C. OKOLOMA, LLB, LLM, BL, Lecturer, Faculty of Law, Nnamdi Azikiwe University

## **EDITORIAL CONSULTANTS:**

- Jude ASANBE, Professor of Canon Law, Catholic Institute of West Africa (CIWA), Port Harcourt
- Mashood BADERIN, Professor of Law and Islamic Studies, School of Oriental and African Studies, University of London
- Edward Kofi QUASHIGAH, Professor of Law, University of Ghana
- A. I. ABIKAN, Professor of Islamic Law, University of Ilorin
- S.C. IFEMEJE, Professor of Law, Nnamdi Azikiwe University
- Edwin O. EZIKE, Professor of Law, University of Nigeria
- Jane ADOLPHE, Professor of Canon Law, Ave Maria School of Law, Ann Arbor, Michigan
- Epiphany AZINGE, SAN, Formerly Professor of Law, Nigerian Institute of Advanced Legal Studies
- Ogugua IKPEZE, Professor of Law, Nnamdi Azikiwe University
- Israel N. E. WORUGJI, Professor of Law, University of Calabar

## **JOURNAL POLICY**

*African Customary and Religious Law Review (ACARELAR)* aims at publishing peer-reviewed papers dealing with issues of customary and religious laws which are of relevance to Africa, Africans, and scholars of Africa. It provides a forum for scholars to report research findings in indigenous and religious laws and their applications towards peaceful harmony, peaceful co-existence, and human development in the light of autochthonous contexts. Well researched and original papers on topical subject matters, which will also contribute to learning and life in a multi-religious society, are therefore welcome. ACARELAR appears once in a year in March. The Review is published online and in print, and is abstracted and indexed with some major indexing outfits. Articles in it appear promptly in Google scholar. Submission of manuscripts can be made all through the year.

#### **Guidelines to Contributors**

#### 1. Language

The language of the manuscript must be English (British standards).

#### 2. Originality

Articles must be original and must not have been submitted for consideration and publication elsewhere. It is the responsibility of authors to ensure that the material submitted does not infringe copyright.

#### 3. Length of paper

The length of the paper should not exceed 6000 words including tables, figures, references and appendices (if any). Articles should be typed in 1.5 line spacing (footnotes and references should appear in single line spacing) on one side of A4 paper only with wide margins. Authors are urged to write as concisely as possible, but not at the expense of clarity.

#### 4. Title Page

The title page should include: (i) The name(s) of the author(s), (ii) A concise and informative title, (iii) The affiliation(s) and address (es) of the author(s), (iv) The e-mail address, and telephone numbers of the corresponding author.

#### 5. Abstract

Please provide an abstract of 150 to 200 words which must include the objectives of the study, methodology, findings/results, method of data collection and summary of recommendations. The abstract should not contain any undefined abbreviations or unspecified references.

#### 6. Keywords

Please provide 4 to 6 keywords which can be used for indexing purposes.

#### 7. Subdivision of the article

Divide your article into clearly defined and numbered sections. Subsections should be numbered 1, 2. (then 1.1, 1.1.1, 1.1.2), 1.2, etc). The abstract is not included in section numbering.

#### 8. References and Documentation

Author(s) should adhere strictly to Nigerian Association of Law Teachers Uniform Citation and Documentation Standards accessible at www.naltng.org.

9. Names of authors cited in the footnotes should start with initials and end with the surname.

10. Online sources should indicate the site and date of visit.

11. All submissions will undergo double blind peer review and plagiarism check.

#### **Submission of Manuscripts**

Interested contributors are to submit their manuscripts/papers to acarelar2020.edu.org@gmail.com and copy to the General Editor at ik.oraegbunam@unizik.edu.ng and ikengaken@gmail.com.