INTERNATIONAL REVIEW

OF

LAW AND JURISPRUDENCE

Volume 3 (1) January, 2020



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

Citation: (2021) 3 (1) IRLJ

© International Centre for Law and Democracy Studies (ICLDS)

Published, January 2021

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.

Published, January 2021

ISSN: 2632-702X

Printed and Published by: Thinkers Publishers

P. O. Box 306 Agulu, Anambra State E-mail: thinkerspublishers@yahoo.com

Website: https://thinkerspublishers.business.site/ Whatsapp/Call: 08038393389, 09031595035

TABLE OF CONTENTS

To Leave or to Die? Refugees Protection in South Africa in the Face of Xenophobic Atta Palmer Prince DAGADU & Chimnomso Elsie IHEDIOHA	cks	1
Legal Aspects of Privately Financed Infrastructure Transactions in Nigeria George NWANGWU -	-	7
Registration of Irrevocable Power of Attorney: The Supreme Court Decision in <i>Ibrahim v Obaje</i> (2019) 3 NWLR (Pt 1660) 339 As A Welcome Development Ikechukwu Okwudili ODIONU & Ikenga K.E. ORAEGBUNAM	-	17
Consent Over Child's Health: Religion, Medicine and Law in Collision - F.O. ILOH & Olufunke AJE-FAMUYIDE	-	23
Taming the African Traditional Perspective in the Fight Against Corruption Ndubuisi J. MADUBUIKE-EKWE & Anya K. ANYA	-	27
Vertical Power Sharing in Nigeria's Federal System: Issues, Challenges and Prospects Abdulkarim Abubakar KANA	-	38
The Role of Law in the Development of Science, Technology and Innovation in Nigeria M.H. ABDULLAHI, M.D. POPOOLA, S. A. BASIRU & M.T. ADEKILEKUN	-	53
Step into the Future: Repositioning Adjudication as a Key Aspect of International Environmental Governance	-	60
Interrogating the Powers of the Governor as Chief Security Officer of the State in Nigeria Any Need for State Police? Vanen Lawrence ANTOM	n: -	70
Foreign Jurisdiction Clauses and the Maritime Jurisdiction of the Federal High Court Vincent IWUNZE	-	77
International Law and Municipal Law: Towards A Unifying Framework of Applicability Ulisan Mogbitse OGISI & Edward Ohwofasa OKUMAGBA	-	87
Protection of Women Under Customary Law in Nigeria: Taking A Cue from South Afric Ibijoke P. BYRON	a	96
Is Energy Justice an Ambitious Paradigm for Nigeria's Energy System? - Daniel U. NNAM	-	106
Worker's Right to Strike Under International Law: Comparing Positions in United Kingd Nigeria And South Africa Prince Chiazor DIARAH & Ifeanyi OGBODO	om,	113
The Threshold of Article II of Additional Protocol II to The Geneva Conventions and the Application of International Humanitarian Law to Asymmetric Conflicts: The Shortfall of Insurgency in North-East Nigeria John Eche OKPE		122
Gender-Based Violence in Situations of Internal Displacement: Realities Faced by Wome Within the IDP Camps in Nigeria Maureen Obiageli UGWU	en -	132

International Review of Law and Jurisprudence

Proof in Nigerian Land Ownership Disputes: An Analysis	s of Co	ntempor	ary Supr	eme Co	urt	
Decisions Kenneth Bawo ATSENUWA	-	-	-	-	-	139
Towards the Entrenchment of Health Rights in Nigeria Hamza Abdulazeez OKENE & Abdullahi DAHIRU	-	-	-	-	-	148
The Challenges of Securing the Nigerian Oil Infrastructur Ejokema Simon IMOISI & Chi Johnny OKONGWU	re throu	gh Guar	ding-the	e-Oil Ap	proach	157
Law and Religion: The Challenges of Citizens as A Result Olubusola Tunde SHEMUDARA & Victor O. AYENI	lt of Co	vid-19 I	Pandemi	e in Nige	eria	166
A Case for the Participation of the Oil Producing States a Control of Petroleum Resources in Nigeria - Benson Okwuchukwu OKORO	nd Con -	nmunitie -	es in the	Ownersl -	nip and -	171
Legal Personality of the Subjects of International Law Eric Chigozie IBE	-	-	-	-	-	181
Access to Justice: Implications of Legislative Oversight F O. D. EJERE	Function	ns in Nig	geria	-	-	190
Examining the Competence of Political or Public Office I Elections and as Witnesses in Election Petition Litigation Perekedou James FAWEI		as Party	Agents	in Gene	eral -	196
Taxing Telecommunications Companies in Nigeria: Lega Telecommunications Industry Emmanuela A. ANIKA & A. E. OBIDIMMA	l Challe -	enges in -	the	-	-	206

EDITORIAL TEAM

EDITOR-IN-CHIEF/GENERAL EDITOR:

Ikenga K. E. ORAEGBUNAM, PhD (Law), PhD (Phil.), PhD (Rel. & Soc.), MEd, BTh, BL, Reader, Faculty of Law, Nnamdi Azikiwe University

DEPUTY EDITOR-IN-CHIEF:

Boniface E. EWULUM, LLB, LLM, PhD, BL, Senior Lecturer, Faculty of Law, Nnamdi Azikiwe University

BOARD OF EDITORS:

Evode KAYITANA, LLB (NUR), LLM (Unisa), LLD (NWU, Potchefstroom), Associate Professor, School of Law, University of Rwanda

C. J. UBANYIONWU, LLB, LLM, PhD, BL, Professor of Law, Faculty of Law, Chukwuemeka Odumegwu Ojukwu University

Maurice O. IZUNWA, M.A. (Rel.), PGDE, LLB, LLM, PhD (Phil.), BL, 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

Chinemelum N. ARINZE-UMOBI, LLB, LLM, PhD, BL, Lecturer, Faculty of Law, Nnamdi Azikiwe University

EDITORIAL CONSULTANTS:

Ifeoma P. ENEMO, Professor of Law, University of Nigeria

Mashood BADERIN, Professor of Law, SOAS, University of London

Edward Kofi QUASHIGAH, Professor of Law, University of Ghana

U. S.F. NNABUE, Professor of Law, Imo State University

A. O. POPOOLA, Professor of Law, Obafemi Awolowo University

Tahir MAMMAN, Professor of Law, Baze University

A. W. OGUTTU, Professor of Law, University of South Africa

Dakas C.J. DAKAS, SAN, Formerly Professor of Law, University of Jos

S. A.M. EKWENZE, Professor of Law, Chukwuemeka Odumegwu Ojukwu University

Meshach N. UMENWEKE, Professor of Law, Nnamdi Azikiwe University

Israel N. E. WORUGJI, Professor of Law, University of Calabar

Ogugua IKPEZE, Professor of Law, Nnamdi Azikiwe University

JOURNAL POLICY

International Review of Law and Jurisprudence (IRLJ) is a scholarly, peer-reviewed and fully refereed journal that publishes high quality research papers in law and jurisprudence including sociolegal issues of contemporary significance. The Review is abstracted and indexed with Nigerian Journals Online and Google Scholar. IRLJ seeks for papers based on doctrinal or empirical or mixed research methodologies. It provides a forum for theoretical cum policy analysis, debate and critique aimed at solving developmental problems. The Review is also dedicated to presenting and reporting research findings on system-wide trends on law and jurisprudence, international or municipal. Well researched and original papers on topical and relevant subject matters, and case/book reviews are therefore welcome. IRLJ appears three times a year in January, May and September, which articles promptly appear 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.

3. Length of paper

The length of the paper should not exceed 7000 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 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.

Submission of Manuscripts

Interested contributors are to submit their manuscripts/papers to <u>irlj2019.edu.org@gmail.com</u> and copy to the Editor-in-Chief at ik.oraegbunam@unizik.edu.ng.