

**INTERNATIONAL REVIEW
OF
LAW AND
JURISPRUDENCE**

Volume 1 (3) September, 2019

**INTERNATIONAL REVIEW
OF
LAW AND
JURISPRUDENCE**

Volume 1 (3) September, 2019



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

Citation: (2019) 1 (3) IRLJ

© International Center for Law and Democracy Studies

Published, September, 2019

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

ISSN: 2632-702X

Printed and Published by:

Amaka Dreams Ltd.

106 Arthur Eze Avenue,

Awka, Anambra State.

Tel: +2348037449926

E-mail: ezeonyamaka@yahoo.com

TABLE OF CONTENTS

<i>Extra Judicial ‘Confessions’ in Nigerian Criminal Trials: The ACJA Legal Revolution and States’ ACJLs Ultra Vires Provisions</i> MUSA Y. SULEIMAN	1
<i>Daubert and Frye Models: Implications for Admissibility of Expert Testimony for Nigeria</i> JUDE U. OKOYE & IKENGA K.E. ORAEBUNAM	10
<i>Requirement of Endorsing Originating Processes with Order to maintain Status Quo under the High Court of the Federal Capital Territory, Abuja (Civil Procedure) Rules 2018: An Appraisal</i> DAUDA UMARU DEWAN & SALMANU MOHAMMED RILWANU	16
<i>HIV/AIDS and Marriage Laws in Nigeria: Towards Providing a Legal Framework for Premarital Counselling</i> VENEN LAWRENCE AN TOM & MOHAMMED AMINU UMAR	23
<i>An Evaluation of the Legal Framework for the Protection of Users of Medical Services in Nigeria</i> UZOAMAKA GLADYS EZE	29
<i>Paradigm Shift on Remedies for Wrongful Termination of Master-Servant Employment in Nigeria</i> DAVID TARH-AKONG EYONGNDI & BUDUKA ISAAC OYAGIRI	37
<i>Innovations in Exceptions to the Hearsay Rule in Nigeria</i> NNAMDI G. IKPEZE	43
<i>Finding a Solution to Nigeria’s Domestic Water Challenges</i> OLUWABUNMI NIYI-GAFAR	48
<i>Disenfranchisement as an Albatross to Credible Electoral Process</i> PETER OBI OKONKWO	55
<i>Defence of Accidental Discharge in the Trial of Police Officers for Murder: Attitudes of Nigerian Courts</i> E.Q. OKOLIE	67
<i>Command Influence in the Administration of Military Justice in Nigeria: An Affront to the Principles of Natural Justice</i> CHINELO CAROLINE ANYAEBUNAM & OGUEJIOFO C.P. EZEANYA	73

<i>Assessment of Legal Frameworks on Environment and Climate Change Enforceable in Nigeria by the National Environmental Institution</i> RAPHAEL OLADELE ADEOLUWA	81
<i>Nigerian Federal Structure: Implications on National Growth and Development</i> AWONIYI A. ALABI	91
<i>Inclusivity and Trans–Border Security under Ecowas Free Movement and Transhumance Protocols</i> DANIEL PHILEMON SAREDAU & PETER CHUKWUMA OBUTTE	99
<i>Constitutional Amendments in Nigeria and the Unites States of America: Issues and Challenges</i> CHINWUBA CHUKWURA	108
<i>Implications of Statutory and Cultural Restrictions of Testamentary Freedom on Validity of Wills</i> FESTUS OKPOTO AGBO	120
<i>The Psychologist as Expert Witness in Court: A Comparative Approach</i> JUDE U. OKOYE & IKENGA K.E. ORAEGBUNAM	128
<i>Requirement of Consent in the Alienation of Interests in Land in the Federal Capital Territory, Abuja: The Case of Una V Atenda Revisted</i> T.A. YUSUF	139
<i>Environmental Impact Assessment and its Implications on the Housing Sector in Nigeria</i> OLUWADARA OLUWASEUN AJIDASILE	143
<i>A Human Rights Approach to Cyber Conflict</i> JORGE C. NKWOH & AUGUSTUS UCHE NNAWULEZI	152
<i>An Appraisal of Existing Legal Framework Aimed at Combating Human Trafficking in Nigeria</i> NNEKA OBIAMAKA UMEJIAKU	157
<i>Challenges of Piracy in the Twenty First Century and Treaty Provisions Relating Thereto under the United Nations Convention on Law of The Sea 1982</i> ZINO UGBOMA	168
<i>An Appraisal of the Legal Dispensation for Oil Spill Compensation in Nigeria</i> THADDEUS (TED) CHUKWUKA EZE	179
<i>Constitution of the Federal Republic of Nigeria 1999 (As Amended): The Will of Nigerians?</i> A. C. AKPUNONU	184

EDITORIAL TEAM

EDITOR-IN-CHIEF/GENERAL EDITOR:

Ikenga K. E. ORAEGBUNAM, PhD (Law), PhD (Phil.), PhD (Rel. & Soc.), MEd, BL, Reader,
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, Associate Professor of Law, Faculty of Law,
Chukwuemeka Odumegwu Ojukwu University

Maurice O. IZUNWA, M.A. (Rel.), PGDE, LLB, LLM, PhD (Phil.), BL, Lecturer, Faculty of Law,
Nnamdi Azikiwe University

Aloy OJILERE, LLB, LLM, PhD, BL, Imo State University, Adjunct Lecturer, Faculty of Law,
Nnamdi Azikiwe University

M. K. AMID, LLB, LLM, Lecturer, School of Law, Mettu University, Ethiopia

Chinemelum N.ARINZE-UMOBI, LLB, LLM, 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 socio-legal issues of contemporary significance. The Review is abstracted and indexed with 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 irlj2019.edu.org@gmail.com and copy to the Editor-in-Chief at ik.oraegbunam@unizik.edu.ng.