

HEBN STUDIES IN NIGERIAN LAW

Family Law in NIGERIA

THIRD EDITION



E.I. NWOGUGU

Family Law In Nigeria

Andrew Bainham



Family Law In Nigeria:

Family Law in Nigeria. Nwogugu, E.I., 2014-05-08 This is the third edition of an established and leading book on family law in Nigeria Since the last edition in 1990 significant judicial and statutory enactments have taken place in the area of study The new edition incorporates these changes and explains their implications The chapters have been comprehensively re written to reflect the changes in the law and to update all relevant information including the Same Sex Bill and the Nigerian Law Reform Commissions draft Marriage Act New chapters have been included on domestic violence and widowhood respectively to reflect the continuing developments in Nigerian family law The new Child s Right Act of 2003 and the similar state legislations have been analysed in the three new chapters The non customary law rules in the intestate succession have been extensively recast to reflect the provisions of the Marriage act as contained in the Lawa of the Federation of Nigeria 2004 This edition has devoted considerable attention to the applicable customary laws on the family and provides extensive treatment of Islamic Law Rules and their interpretations and application by the superior court Family law in Nigeria presents a fresh view not only on the applicable rules on Nigerian family law but also suggest new directions and underlines the socio economic implications *Modern Family Law in Southern Nigeria* Samuel Nwankwo Chinwuba Obi, 1966 *Family and Succession Law in Nigeria* Nwudego Nkemakonam Chinwuba, 2021-10-21 Derived from the renowned multi volume International Encyclopaedia of Laws this concise exposition and analysis of the essential elements of law with regard to family relations marital property and succession to estates in Nigeria covers the legal rules and customs pertaining to the intertwined civic status of persons the family and property After an informative general introduction the book proceeds to an in depth discussion of the sources and instruments of family and succession law the authorities that adjudicate and administer the laws and issues surrounding the person as a legal entity and the legal disposition of property among family members Such matters as nationality domicile and residence marriage divorce and cohabitation adoption and guardianship succession and inter vivos arrangements and the acquisition and administration of estates are all treated to a degree of depth that will prove useful in nearly any situation likely to arise in legal practice The book is primarily designed to assist lawyers who find themselves having to apply rules of international private law or otherwise handling cases connected with Nigeria It will also be of great value to students and practitioners as a quick guide and easy to use practical resource in the field and especially to academicians and researchers engaged in comparative studies by providing the necessary basic material of family and succession law **Family Law, Sex and Society** Peter De Cruz, 2010-02-25 Comparative in both approach and framework Family Law Sex and Society provides a critical exposition of key areas in family law exploring their evolution and development within their historical cultural political and legal context Cross referencing to English law throughout this comparative textbook pays particular attention to the transformation of marriage the development of divorce laws matrimonial property the legal recognition of unmarried heterosexual and same sex cohabitants the universal adoption

of the best interests standard for children in domestic and international legislation and the impact of the Human Rights Act 1998 on family law in a variety of jurisdictions Divided into different sections Family Law Sex and Society includes coverage of a jurisdictional and historical survey of some of the main themes in Family Law as well as consideration of the evolution of the Western family the English law relating to divorce marital property and children and a comparison with the equivalent law in the civil law jurisdictions of France and Germany family law developments in other common law countries such as Australia and New Zealand selected American jurisdictions parts of Africa and some Far Eastern countries and hybrid jurisdictions like Japan and Russia an analysis of the law relating to unmarried cohabitation and domestic partnerships in civil law jurisdictions such as France Germany and Sweden in comparison to Anglo American law a comparative analysis of the laws relating to domestic violence Family Law Sex and Society offers valuable socio legal and socio cultural insights into the practice of family law and is the only textbook that provides a unified coherent and comparative approach to the study of family law as it operates in these particular jurisdictions *The International Survey of Family Law* Andrew

Bainham,1999-04-21 The International Survey of Family Law published on behalf of the International Society of Family Law is the successor to the Annual Survey of Family Law It provides information analysis and comment on recent developments in Family Law across the world on a country by country basis The Survey is published annually and its subtitle reflects the calendar year surveyed Where a country has been regularly surveyed each year the developments discussed correspond to the year in question If certain countries have not been surveyed for some years the contributions will usually attempt to cover the intervening period If countries are being covered for the first time then more background information will be provided about the state of family law in the country in question The Survey also contains an article dealing with the more significant developments in international law affecting the family **The International Survey of Family Law, Volume 4 (1997)** Andrew Bainham,1999-04

The International Survey of Family Law published on behalf of the International Society of Family Law is the successor to the Annual Survey of Family Law It provides information analysis and comment on recent developments in Family Law across the world on a country by country basis The Survey is published annually and its subtitle reflects the calendar year surveyed Where a country has been regularly surveyed each year the developments discussed correspond to the year in question If certain countries have not been surveyed for some years the contributions will usually attempt to cover the intervening period If countries are being covered for the first time then more background information will be provided about the state of family law in the country in question The Survey also contains an article dealing with the more significant developments in international law affecting the family *African Families in a Global Context* Göran Therborn,2004 The family is one of the most important institutions of African societies Where is it going today How is it affected by global processes cultural and political as well as economic How does it compare with family developments in other parts of the world These are questions which this book addresses The contributors deal with the African family in a

comparative global context focusing on patriarchy sexuality and marriage and fertility biological and social reproduction in Ghana under conditions of globalization and structural adjustment Nigerian marriage relations under the impact of current conditions and family changes in the North Britain from a family perspective of the South South Africa **International Family Law** Barbara Stark, 2017-03-02 International law has become part of everyday family law practice as lawyers everywhere are confronted with questions regarding the rights of mail order brides the adoption of children from other countries the abduction of children by foreign parents and domestic violence victims seeking asylum Indeed globalization is transforming family law even as families themselves are being redefined This book provides a practical overview of such issues and also examines the ways in which culture shapes family law in different countries It provides students with a useful introduction to challenging complicated and fascinating issues in international family law Finally by incorporating a comparative perspective it gives readers an opportunity to re examine their own legal systems **Women's Rights and Islamic Family Law** Lynn Welchman, 2004-06 Explores the present day realities of Islamic family law with particular emphasis on the rights of women and focusing on law in its living social context as reflected in public opinion and personal experience **Ideas and Procedures in African Customary Law** Max Gluckman, 2018-09-03 The 18 papers in this volume originally published in 1969 in English and French with summaries in the other language define and analyze in their wider social contexts the fundamental ideas and procedures to be found in African traditional systems of law They assess the needs and problems of adaptation to changing conditions The comprehensive introduction by Allott Epstein and Gluckman provides a framework of analysis It deals with the search for a common terminology in which to analyse and compare the different systems of customary law proceedings and evidence codification and recording reason and the occult the conception of legal personality succession and inheritance land rights marriage and affiliation injuries liability and responsibility **New Dawn for African Women** Michael Muonwe, 2016-12-13 The need for renegotiation of the place and role of women in the family the Church and the society cannot be any more urgent than now especially as people are more aware of the devastating effects of the evils of inequality discrimination and oppression It is a pity that the excellent qualities of bravery industry resilience and perseverance historically attributed to African women with which they negotiated for better place in the family the Church and the society have been manipulated to serve as instruments for their denigration The problem is that the patriarchal articulations of gender relations from the western world that entered Africa through colonialism Christianity western education and globalization allied themselves with the macho elements in African culture and institutionalized the oppression of women a move that women have always resisted both overtly and covertly But how long could they hang on This book provides exceptional and critical assessment of these issues especially from the perspective of the Igbo society of Nigeria Apart from assessing the strengths and weaknesses of the efforts made by women themselves to surmount these challenges it also explores how the autochthonous values of the traditional culture could integrate with

Christian values to enthrone gender equality in the society Fr Muonwe demonstrated in this present publication his pastoral zeal for justice especially on the predicaments of women in African nay Igbo society He regrets as it were that the African Igbo traditional society is still far from realizing the Christian gospel ideal of dignity and equality of human person because of the obvious environment that is strictly androcentric and carefully crafted in patriarchal hegemony I thank Fr Muonwe for this timely publication especially for many Igbo Christian communities today experiencing crisis in several aspects of our culture I hope the Bishops the Priests the Religious and Laity will find in this present work a rare and indispensable treasure for solutions to our pastoral predicaments Rev Fr Prof Anthony B C Chiegboka New Dawn for African Women is encyclopaedic in content and daunting in its wealth of documentation It is a well written book The contents covered much more than Igbo women or gender issues It addressed such other issues as Igbo cosmology Igbo concept of life and death the history of Christianity in Igboland and Igbo social anthropology among others It is a book which every Nigerian especially the Igbo should read The book is inspirational and provocative in the extreme it is original and displays learning lightly carried One cannot but return to it over and over again after the first reading I very strongly recommend it to the Nigerian and African reading public C Ego Uzoezie Ph D **Law, Religion and the Family in Africa** Dr M Christian Green, Dr Faith Kabata ,2021-12-31 The family is a crucial site for the interaction of law and religion the world over including Africa In many African societies the family is governed by a range of sources of law including civil constitutional customary and religious law International law and human rights principles have been domesticated into African legal systems particularly to protect the rights of women and children Religious rites and rituals govern sexuality marriage divorce child rearing inheritance intergenerational relations and more in Christianity Islam and indigenous African custom This book examines the African family with attention to tradition and change comparative law the relation of parents and children to the state indigenous religion and customary law child marriage and child labour and migration diaspora and displacement Women, Business and the Law 2021 World Bank,2021-04-05 Women Business and the Law 2021 is the seventh in a series of annual studies measuring the laws and regulations that affect women s economic opportunity in 190 economies The project presents eight indicators structured around women s interactions with the law as they move through their lives and careers Mobility Workplace Pay Marriage Parenthood Entrepreneurship Assets and Pension This year s report updates all indicators as of October 1 2020 and builds evidence of the links between legal gender equality and women s economic inclusion By examining the economic decisions women make throughout their working lives as well as the pace of reform over the past 50 years Women Business and the Law 2021 makes an important contribution to research and policy discussions about the state of women s economic empowerment Prepared during a global pandemic that threatens progress toward gender equality this edition also includes important findings on government responses to COVID 19 and pilot research related to childcare and women s access to justice THE FORMAL REQUIREMENTS OF THE CELEBRATION OF MARRIAGE: Aloysius

Enemali,2013 The book is an extract from my doctorate degree thesis dealing with the formal requirements for the celebration of marriage a comparative study of canon law Nigerian statutory law and customary law It is universally recognized that consent of parties brings about marriage But for consent to result in marriage it must be validly exchanged manifested Formal requirements for marriage celebration deals with valid exchange of consent The work thus concentrates on what makes a valid matrimonial consent under the Nigerian law

Feminist Advocacy, Family Law and Violence against Women Mahnaz Akhemi,Yakın Ertürk,Ann Elizabeth Mayer,2018-09-20 Around the world discriminatory legislation prevents women from accessing their human rights It can affect almost every aspect of a woman s life including the right to choose a partner inherit property hold a job and obtain child custody Often referred to as family law these laws have contributed to discrimination and to the justification of gender based violence globally This book demonstrates how women across the world are contributing to legal reform helping to shape non discriminatory policies and to counter current legal and social justifications for gender based violence The book takes case studies from Brazil India Iran Lebanon Nigeria Palestine Senegal and Turkey using them to demonstrate in each case the varied history of family law and the wide variety of issues impacting women s equality in legislation Interviews with prominent women s rights activists in three additional countries are also included giving personal accounts of the successes and failures of past reform efforts Overall the book provides a complex global picture of current trends and strategies in the fight for a more egalitarian society These findings come at a critical moment for change Across the globe family law issues are contentious We are simultaneously witnessing an increased demand for women s equality and the resurgence of fundamentalist forces that impede reform invoking rules rooted in tradition culture and interpretations of religious texts The outcome of these disputes has enormous ramifications for women s roles in the family and society This book tackles these complexities head on and will interest activists practitioners students and scholars working on women s rights and gender based violence

Law and Development and the Global Discourses of Legal Transfers John Gillespie,Pip Nicholson,2012-06-28 This volume of essays contributes to the understanding of global law reform by questioning the assumption in law and development theory that laws fail to transfer because of shortcomings in project design and implementation It brings together leading scholars who demonstrate that a synthesis of law and development comparative law and regulatory perspectives disciplines which to date have remained intellectually isolated from each other can produce a more nuanced understanding about development failures Arguing for a refocusing of the analysis onto the social demand for legal transfers and drawing on empirically rich case studies contributors explore what recipients in developing countries think about global legal reforms This analytical focus generates insights into how key actors in developing countries understand global law reforms and how to better predict how legal reforms are likely to play out in recipient countries

Due Process in Nigeria's Administrative Law System Oneyebuchi T. Uwakah,1997 This book which relies on primary and secondary printed sources and a series of interviews with

affected persons lawyers judges and customary court presidents in Nigeria focuses on the place of due process in the Nigerian legal system Uwakah is concerned about the abuse of this important fundamental right in his country The purpose of the book is to examine how due process operates in Nigeria and whether the coexistence of the customary law the English common law the Moslem law and the martial law systems in Nigeria hinders or enhances due process in the country Finally the study investigates the suitability of the British version of due process to Nigeria since the concept is imported to the country The book concludes that the British version of due process is unsuitable to Nigeria because the country's political economic social and religious backgrounds substantially differ from those of Britain This conclusion is premised on the consensus of the interviewees Uwakah recommends the country's immediate transition from military to civilian rule

Contextualizing Africans and Globalization Ibigbolade S. Aderibigbe, Lydia Bosede Akande, Rotimi Williams Omotoye, 2016-11-21 This book consciously interrogates the varieties of opinions with regards to the socio political and religious dynamics of Africans in the African continent as well as in the diaspora in the context of globalization It highlights the significance and the consequences of globalization on these areas with regards to the African world views Through the multi and interdisciplinary discourse in this volume the diversity of opinions necessary for grappling with the complexity and plurality of global dynamics on various African ways of life are captured These should give credence to the conviction that answers to questions about globalization of Africa in the past the present and projected future can only be provided by Africans and Africanists with the interest of Africa as the sole motivation of content and discontent debates This volume contributes to such efforts in searching for viable answers to the challenges of globalization in Africa

An Index to Common Law Festschriften Michael Taggart, 2006-09-01 This is the first ever index of contributions to common law Festschriften and fills a serious bibliographic gap in the literature of the common law The German word Festschrift is now the universally accepted term in the academy for a published collection of legal essays written by several authors to honour a distinguished jurist or to mark a significant legal event The number of Festschriften honouring common lawyers has increased enormously in the last thirty years Until now the numerous scholarly contributions to these volumes have not been adequately indexed This Index fills that bibliographic gap The entries included in this work refer to some 296 common law Festschriften indexed by author subject keyword editor title honorand and date It therefore includes over 5 000 chapter entries In addition there are more than a thousand entries of English language contributions to predominantly foreign language non common law legal Festschriften from Germany Austria Switzerland Denmark Finland Iceland Norway and Sweden

The Nigerian Legal System Charles Mwalimu, 2005 Volume 1 on public law provides an introduction to the Nigerian legal system The various chapters deal with introduction and sources of law jurisprudence and Nigerian perspectives African customary law Islamic law comparative constitutionalism and Nigerian perspectives citizenship immigration and administrative law judicial system and legal profession criminal law evidence and civil procedure statutory

marriage and divorce laws customary marriage and divorce marriage and divorce under Islamic law matters of children gender and law in Nigeria with emphasis on Islamic law Volume 2 has 25 chapters on private law that includes security of the environment and environmental law land and property administration commercial business and trade laws communication media and press laws transportation and carrier laws law enforcement armed forces and military laws investments and intellectual property

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