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CHILD CRIMINAL RESPONSIBILITY UNDER INTERNATIONAL LAW:
ISSUES ARISING

ABSTRACT

Children are widely affected by atrocities as victims and have been specifically targeted for some international crimes. Children are critically affected by crimes under international law as victims, witnesses and potentially even as perpetrators. This is desk-based research which relies on primary and secondary sources. This paper appraises child's criminal responsibility under international law. It addresses the main contours of the normative framework regarding the criminal responsibility of children. The paper also examines the argument for child's accountability as well as other non-judicial mechanisms. There is a concluding remark and recommendations

BY:
PROF. AKOMOLEDE, T.I.
&
ABEGUNDE, B. Ph.D

35 PERCENT AFFIRMATIVE ACTION IN NIGERIA: A BLESSING OR DISCRIMINATION IN DISGUISE?

ABSTRACT

Over the years, women participation in politics in Nigeria has been a thing of concern to many because of the continuous low record of female representation after elections. Whereas men occupy large number of seats in elections, women are constantly left with very few positions. This became worse after the 2011 general elections which had all sorts of promises for women, at the end women scored one of the lowest female representations in the history of elections in the country. This position is in spite of the 35 percent affirmative action and the huge campaign of the women for change initiatives aimed at providing a soft landing for women at the elections. The clamor for 35 percent affirmative action arose as a result of low participation of women in politics be it appointive or elective positions, in order to ameliorate this low and insignificant level, government came out with the policy of giving women a quota of 35 percent in appointive and elective positions. Affirmative action is primarily designed to ameliorate in the best and shortest possible time; rights denied a group of people over a period of time with a view to do justice and bring about peace and development in the society. The truth is that obstacles to women empowerment are numerous and as it has been generally agreed upon, this low ebb of women is traceable to the colonial era and the patriarchal leanings of society. This accounts for the reason why the several policies of the federal government have not effectively addressed the position of women in this country. The question that this research will try to critically address is whether the 35 percent Affirmative action is indeed a blessing or in fact a discrimination in disguise in Nigeria. It also offers recommendations towards solving the identified traditional and social factors that inhibit women from political offices

BY: INE NNADI, Ph.D





**TAX INFORMATION CIRCULARS: PARAPHERNALIA OF AIDING TAX REPORTING AND COMPLIANCE IN
THE NIGERIAN BANKING SECTOR**

ABSTRACT

Under normal circumstances banks are not expected to disclose information concerning their customers' affairs to the third parties. However, in Nigeria, every bank is required to give certain information and report even on their customers' affairs and banking transaction once it receives a notice to that effect from the Federal Board of Inland Revenue Service. The thrust of this paper therefore is to appraise the categories of instances where the law permit bank to reveal information concerning their customers. The paper further examines how tax information circulars can aid and accelerate the meeting of taxman's demand by banks and the consequences for the failure to do so. In the final analysis, the paper posits that tax information circular though not a law but qualifies as veritable paraphernalia for an administrative directive that can aid adequate tax reporting and compliance. To achieve the maximum use of the tax information circulars in this regard, the paper recommends among others for the use of simpler language in couching tax information circulars.

BY:

OLOKOOBA, S.M. Ph.D

ELECTORAL VIOLENCE AND FUTURE OF NIGERIAN DEMOCRACY

ABSTRACT

The 2011 post election violence where some Nigerians were senselessly murdered in the name of protesting an election result brings to the fore the issue of electoral violence and future of Nigerian democracy if this trend is allowed to continue, electorates will no longer exercise their franchise and credible people of integrity, people who have shame, who believe genuinely that they have names to protest at leadership positions will be scored from participating in elections. When this happens, efforts at developing Nigeria will amount to a wild goose chase. This paper examines the incidence, causes, effects of electoral violence and its effect on the future of our democracy.

BY:

UBANYIONWU, C.J.Ph.D

&

ONUOHA, L.I





ABSTRACT

Perennial problems associated with the distribution of Estate in Nigeria can be traced to absence or inadequate estate planning. The inevitability of death and retirement due to old age makes it mandatory for a person to leave a good estate plan to avoid acrimony and other conflicts often associated with improper estate planning. The paper identifies varieties of estate planning now available such as Will, Estate Plan by instrument of Contract, Estate Plan by operation of law, Gift Inter vivos and Trust. The Will option and other forms of Estate planning are commonly being enjoyed whilst Trust is rarely used except for Testamentary Trust. The paper seeks to explore the use of Trust as a tool of Estate planning in Nigeria, its problems and prospects in the light of various development and advocate for its applications the best option in modern Estate planning.

BY:

BABATUNDE ONI, Ph.D

THE ROLE OF DIRECTOR/REGISTRAR IN SETTLEMENT OF COOPERATIVE DISPUTES IN NIGERIA

ABSTRACT

Cooperative society as a human organization is not immune from disputes, thus cooperative laws in Nigeria made provisions for the process of settling cooperative disputes either between cooperative societies or between a cooperative society and its member or between cooperative society and any person transacting business with it. This paper looked at compulsory arbitration which the law prescribed as the only mode of settlement of cooperative dispute, we also discussed the enormous power vested in the Director/Registrar of cooperatives in settlement of cooperative and concluded by recommending a standing arbitration panel instead of the overbearing power of Registrar/Director

BY:

OLUFEMI ABIFARIN Ph.D

&

S.A. BELLO Ph.D





ABSTRACT

The patriarchal African society has evolved rules or customary practices, which have ensured that women are denied rights of inheritance of property at the demise of their fathers or husbands. Nigeria is not immune to this practice. This denial of inheritance rights to property has in turn led to the pauperization of women in Nigeria. A UN-Habitat report in 2006 further demonstrates the precarious denial of women's rights to land when it observed that women owned only between one and two per cent of land worldwide, a situation not too different from what obtains in Nigeria. Though not readily available, statistics of the ratio of land ownership by women in Eastern Nigeria, would paint a dismal picture. By implication, men own between ninety-eight to ninety-nine per cent of land in Eastern Nigeria. In a bid to mitigate this type of gap, the United Nations Development Fund for Women (UNDFW) advocated that strong measures should be taken to ensure women have not only equal rights to land under the law, but that they are able to benefit from these rights. Regrettably however, these measures are being stymied by customary laws, and a whole range of cultural, social, political and other factors which contribute to the denial of women's inheritance rights. This paper takes eastern Nigeria as a case study, and is limited to an examination of some of these customary practices using the doctrinal research method. Discriminatory customary practices such as nrachi and oli-ekpe are examined as the tools used in depriving women in eastern Nigeria of customary land rights. These practices impose obstacles and limitations against land acquisition, through inheritance, by daughters and widows. The paper advocates a re-statement of these laws as a way of eliminating the discrimination against women.

BY:

CHRISTIANA EJURA ATTAH

AN APPRAISAL OF LEGAL RESPONSE TOWARDS CHILD TRAFFICKING IN NIGERIA

ABSTRACT

CHILD TRAFFICKING HAS NOW ASSUMED A GLOBAL PHENOMENON. The forms and dimensions with regard to the recruitment transportation, harboring or receipt of victims of trafficking involve the use of deception, coercion and violence. The menace is generally becoming alarming in Nigeria. There have been various laws both at national and international levels put in place to combat the prevalence of child trafficking. It is doubtful however, if these laws can adequately address the problem of child trafficking taking into consideration the various methods adopted by the people perpetuating this crime and inherent hindrances militating against punishing the offenders. Against the above background, this paper examines the national and international legal responses to the phenomenon of child trafficking. It also sets out to identify the problems, barriers and dilemma against enforcement of these legal instruments in combating the menace of child trafficking with a bid to proffering solutions to the eradication of the practice. Particular attention is paid to the implication of child trafficking on the rights





of a child. This paper concludes on the premise that there is the need for multi-sectoral approach in combating the practice of child trafficking and its negative impacts on the right of a child.

BY:

ABDULRASAQ FUNSHO FATIMAH

AN OVERVIEW OF THE NON-OIL EXPORT INCENTIVES LEGISLATION IN NIGERIA

ABSTRACT

The practice of providing incentives to exporters is near universal and Nigeria is no exception. However, the extent and the form of export incentives vary from country to country depending on the country's economic structure (including its fiscal structure), its overall resource availability, its export potential, and the effectiveness of export incentives in realizing its export potential. Within its overall budget constraint, each country decides how best to structure its export incentives that are consistent with the World Trade Organisation (WTO) rules and at the same time achieve the objective of the export promotion needs of that country. In Nigeria various export incentive laws have been enacted to effectively motivate and sensitize exporters on the need to export. The laws are designed to ensure competitiveness of made in Nigeria products in international markets and also to guarantee high returns on investment in export business. They are structured in such a way as to create sound domestic conditions that would help assuage the adverse effects of external competition and address the major problems of supply, demand and price competitiveness of Nigeria's export. However, the problems associated with these laws have been, among other things, the issue of none implementations or enforcement of the legislation. It is worth noting that Nigeria has created about 16 export incentives since 1986 but, not more than one is working well. While some of these incentives are moribund, like the Duty Draw Bank Schemes (DDBS) which has been abandoned since 2003 without any justifiable reasons others have been merged by Government without amending the enabling laws to accommodate such merger. It is only when proper and proactive laws are enacted and enforced that can make the non-oil tax incentives measures bear the expected results

BY:

JOHN, D.C.





ABSTRACT

Sustainable development programmes must be considered within three spheres of sustainability that is the environment, society, economy and the underlying dimension of culture. Imperatively, the ideas such as equity among generations, peace, poverty reduction and environmental preservation are very importance when considering these three spheres. Instructively therefore, since sustainable development addresses the local contexts of these three spheres, it takes different connotations when considering its various implications. However, scholars have expressed serious concern that the legal education syllabus has not given sustainable development a tokenistic place on the curriculum of law faculties in Nigeria. In view of this, the paper which is essentially doctrinal and library based addresses the challenges identified above and how legal education can be deployed for sustainable development. It further explores the value of legal education as a basis for sustainable development. The paper focuses on the conceptualizing and repositioning legal education for sustainable development as against mere acquisition of literacy or other skills. It argues that the integration of sustainable development in law curriculum in Nigeria is limited. The paper concludes by highlighting the opportunities available in the market if legal education is properly positioned and the law curriculum tailored alongside lifelong learning and training for sustainable development.

BY:

IBRAHIM IMAM, Ph.D

THE DEVELOPMENT OF INTERNATIONAL HUMANITARIAN LAW AND ITS IMPACT ON CONTEMPORARY ARMED CONFLICT

ABSTRACT

International Humanitarian Law(IHL) evolved in the aftermath of the continued horrors and recoils of warfare. Hitherto all was fair in warfare since the ultimate objective is to overcome the enemy irrespective of the means and methods employed in the conducts of such hostilities and the consequential collateral damage to combatants, non-combatants and the environment. However, the emergence of IHL has established limitations on the freedom of choice of the means and methods of warfare and protection of persons not, or no longer participating in armed conflict. The focus of this paper will therefore be to assess the evolution of IHL and its impact on contemporary armed conflicts with specific reference to the Syria, Israel/Hamas and Iraq/ISIL situations. This article concludes that all is no longer fair in war in the light of the restrains imposed by the laws of armed conflict in the conduct of warfare.

BY:

AMANA A. REBERTS





**CONTEMPORARY TRENDS IN THE OPERATION OF THE PRINCIPLE OF SEPARATION OF POWERS/CHECKS
AND BALANCES IN NIGERIA DEMOCRATIC GOVERNANCE**

ABSTRACT

Nigeria is a federal state and this federalism makes it imperative for her to operate at all levels of government. More so, the functions of government are divided into three and these three functions are being performed by three different arms of government, that is, legislature, executive and judiciary at the respective levels of government. The focus of this paper is therefore to examine the concept of separation of powers among the legislative, executive and judicial arms of government, vis-à-vis, the principle of checks and balances and its effects among the three arms of government. The paper also examines how the principles guarantee good governance in Nigeria and lastly, suggests some ways of making the principles more effective to ensure good governance in Nigeria.

BY:

KHADIJAT K. IBRAHIM-ELETU

PROPERTY RIGHTS AS A VEHICLE TO FOSTER ECONOMIC DEVELOPMENT

ABSTRACT

This paper studied the benefits of secured property and contract rights to foster economic development especially for developing economies. It examined this through individuals especially the poor accumulating and protecting properties in accordance with the Laws of the State in order to access finance for wealth creation. It describes the rate and extent to which property rights protected by the state is an indication of how effective or ineffective the Laws of the States are with regards to the branches of government in existence especially the judiciary which is saddled with the responsibility to enforce the Laws of a State. It also showed the harmony between property rights, access to finance and economic development in relation to a market based economy

BY:

HAMEENAT BUKOLA OJIBARA

AFRICAN RESPONSE TO GLOBAL TERRORISM

ABSTRACT

Terrorism is a rising scourge that has engaged global attention in recent times. Africa like all other continents has had its fair share of terrorist acts and in fact is the continent with the second highest casualty after Asia. The paper reviews the theories and causes of terrorism and also examines the history and incidences of terrorism in Africa and the implications for security in Africa and indeed the whole world. It focuses on the various legal responses promulgated under the auspices of the erstwhile OAU and then recently the AU. It assesses these legal responses through their perceived effectiveness in combating international and domestic terrorism especially in the member states of the AU. It also





assesses some sub regional and national laws promulgated to combat the menace of terrorism. Mostly the efforts of the AU and other bodies focus more on the provision of physical security without a corresponding shift to the provision of social security. Many scholars have argued that domestic terrorism in Africa arises mainly from the poor standard of living and lack of democratic and good governance. Thus, it is imperative that the Africa Union in addition to the legal responses ensure that member states entrench the minimum principles of social security in their countries

BY:

OLUWAKEMI AMUDAT AYANLEYE

ADR PROCEEDINGS: ARE SECRETARIES TO ARBITRAL TRIBUNALS FOURTH ARBITRATORS?

ABSTRACT

Alternative dispute resolution mechanisms have come to stay finally as proceedings of universal acceptability. They are operated as substitutes to the regular courtroom business of adjudication. Arguably, they are cheaper, faster and more prone, as a system, to the maintenance of harmony cord between litigants. ADR as a proceeding has gotten a number of typologies. Arbitration is one of them. On the composition of an arbitral panel, the modus operandi is for the parties (litigants) to agree on whatever number of arbitrators to be appointed. Where, however, there is such agreement, the position in most legal regimes is that three arbitrators shall be deemed fit. The main issue in the study at hand is to consider the status of administrative secretaries attached to these arbitrators. Are they to function only as support staff throughout, or there exist situations where they can act as fourth arbitrators, discharging the real arbitral responsibilities of their superiors (appointed arbitrators), possibly on account of busy schedules of the superiors? Answers to these questions and others alike are supplied in this work and the essence is for a busybody type of arbitrator to caution in shifting responsibilities without restraint of any form. The implication of non-caution, which can be avoided if the hint in this paper is taken, is nullification of an arbitral award made at the end of such an exercise

BY:

OLAGUNJU R.I.O

