



# **PENAL CODE ACT**

# Penal Code Laws In Nigeria

**Peter Hodgkinson**



## **Penal Code Laws In Nigeria:**

**Human Rights and Shariah Penal Code in Northern Nigeria**, 2005      *Domestic Legal Pluralism and the International Criminal Court* Justin Su-Wan Yang, 2021-09-20 This book explores how the unique historical development of Islamic Shari a criminal law alongside English common law in northern Nigeria has created a hybridised criminal legal system through a pluralist dynamic of mutual accommodation It studies how this system may potentially be accommodated by the International Criminal Court The work examines how this could be accommodated through the current understanding and operation of complementarity and that it could ultimately prove to be preferable in encouraging the Shari a courts to exercise criminal justice over the radical insurgents in northern Nigeria These courts would have the unprecedented ability to combine binding adjudicative judgments together with religious interpretation and guidance which can directly combat the predominantly unchallenged domain of ideology by extremist actors It is submitted that these pluralist perspectives are timely and welcome given the undeniably Western European foundations of modern International Criminal Law In exploring such potential avenues our shared understanding of modern international criminal justice is widened to necessarily include other stakeholders beyond its Western founders It is the aim and hope that such interactions and engagements with non Western traditions and cultures will lead to a greater shared ownership of the international criminal justice project which will only strengthen the global fight against impunity The book will be essential reading for academics researchers and policy makers working in the areas of International Criminal Law Legal Pluralism Islamic Shari a Law Nigeria and religiously inspired violence

**Legal Maxims in Islamic Criminal Law: Theory and Applications** Luqman Zakariyah, 2015-10-14 Using contemporary illustrations Legal Maxims in Islamic Criminal Law delves into the theoretical and practical studies of al Qawaid al Fiqhiyyah in Islamic legal theory It elucidates the importance of this concept in the application of Islamic law and demonstrates how the concept relates to the objectives of Islamic law maq id al Shar ah generally Included in this examination are the following maxims al Um r bi Maq idih Matters shall be Judged by their Objectives al Yaq n l Yaz l bi sh Shakk Certainty Cannot be Overruled by Doubt al Mashaqqat Tajlib at Tays r Hardship begets Facility L arar wa l ir r No Injury or Harm shall be Inflicted or Reciprocated and al da Mu akkama Custom is Authoritative

**Criminal Law and the Rights of the Child in Muslim States** Nisrine Abiad, Farkhanda Zia Mansoor, 2010 This book is based on a project on the Rights of the Child in Criminal Law in Iran and Other Muslim States carried out by The British Institute of International and Comparative Law The goal of this project is to enhance the implementation of non discriminatory laws relating to children in Muslim States criminal justice systems through training research and providing support to advocacy work The book is the result of a comparative study on the age of criminal liability in Muslim States aimed at providing strong material for advocacy and research on the subject National Rapporteurs from Muslim and European States have participated in completing a questionnaire on the subject The countries involved in the study include Afghanistan Egypt Iran Malaysia Nigeria United

Arab Emirates Pakistan Spain as well as the UK In order to place the study in context it also features chapters covering the history of child criminal law and an introduction to Islamic criminal law as it Religious Freedom and Religious Pluralism in Africa Pieter Coertzen, M Christian Green, Len Hansen, 2016-05-22 Africa continues to be a region with strong commitments to religious freedom and religious pluralism These however are rarely mere facts on the ground they are legal political social and theological projects that require considerable effort to realise This volume compiling the proceedings of the third annual conference of the African Consortium for Law and Religion Studies focuses on various issues which vastly effect the understanding of religious pluralism in Africa These include amongst others religious freedom as a human right the importance of managing religious pluralism and the permissibility of religious practice and observance in South African public schools Religion, Law and Security in Africa M Christian Green, T Jeremy Gunn, Mark Hill, 2018-05-16 Security is a key topic of our time But how do we understand it Do law and religion take different views of it In this fifth volume in the Law and Religion in Africa series radicalisation terrorism blasphemy hate speech religious freedom and just war theories rub shoulders with issues of witchcraft female genital mutilation circumcision child marriage displaced communities and additional issues besides This unique collection of topics is both challenging and inspiring providing illumination in troubled times and forming a sound foundation for future scholarship *Criminal Justice Responses to the Boko Haram Crisis in Nigeria* Victoria Ojo-Adewuyi, 2024-01-01 This book concentrates on the crisis perpetrated by the Boko Haram group in Nigeria which since 2009 has made a definitive impact on both the domestic and international criminal landscape The volume centres on three core issues first an assessment of the criminal legal responses at the domestic level where the legal characterization of the conducts in question including an evaluation of the state of specific domestic prosecutions are assessed Secondly the book gauges the potential for international criminal justice while evaluating the Boko Haram situation at the International Criminal Court This includes an assessment of the jurisdictional aspects the admissibility and the interests of justice requirements in addition to the appraisal of conducts amounting to war crimes and crimes against humanity perpetrated Finally the book explores possible non prosecutorial responses in the form of classic and non classic transitional justice mechanisms that maybe utilized as a response to the crisis in Nigeria Furthermore it draws instructive lessons from Nigeria s past misadventure with specific transitional justice mechanisms while exploring the realities of utilizing the restorative justice mechanisms available in Nigeria The volume concludes by calling for a victim centred approach in the discourse around the Boko Haram crisis This book presents a definitive study of the history of the development of Boko Haram and the related domestic and international criminal legal issues Researchers and anyone seeking to understand the Boko Haram crisis in relation to international criminal law including those looking for a clear overview of the criminal conduct perpetrated by Boko Haram in Nigeria and a view of Nigeria s domestic legal regime will benefit from the information on offer Victoria Ojo Adewuyi is a lawyer called to the Nigeria Bar in 2012 She obtained a

Bachelor of Laws degree LL B in 2011 from the Obafemi Awolowo University Ile Ife Nigeria obtained a Master of Laws Degree LL M from the University of the Western Cape Cape Town South Africa and Humboldt Universit t zu Berlin under the South African German Centre for Transnational Criminal Justice in 2016 and completed her doctorate in International Criminal Law at the Humboldt Universit t zu Berlin Germany in 2022

**Human Rights Manual and Sourcebook for Africa** Keir Starmer, Theodora A. Christou, 2005 At a time when the issue of human rights in Africa is making many advances Human Rights Sourcebook and Manual for Africa introduces easy to use jurisprudence The first section covers key principles and human rights norms which are detailed in straightforward language The second section is devoted to the death penalty detailing the relevant provisions from both international and regional instruments and offering a comparative commentary as to how the principles and relevant rights relate to the death penalty The third section summarizes key case law from international regional and domestic African courts and tribunals The case summaries detail the facts and decisions and include a headnote of relevant concepts for quick reference The fourth section focuses on thirteen African countries yet the reports are a useful comparative resource for all countries From conducting the research and compiling the material for this final section it is apparent that nothing like this has been attempted before in Africa Much of the work emanates from primary research and investigation conducted by local research teams in the individual countries Investigative research includes visiting prisons physically counting the individuals on death row and interviewing the detainees to obtain their age and the length of time they had been on death row

The International Library of Essays on Capital Punishment, Volume 1 Peter Hodgkinson, 2016-12-05 This volume provides up to date and nuanced analysis across a wide spectrum of capital punishment issues The essays move beyond the conventional legal approach and propose fresh perspectives including a unique critique of the abolition sector Written by a range of leading experts with diverse geographical methodological and conceptual approaches the essays in this volume challenge received wisdom and embrace a holistic understanding of capital punishment based on practical experience and empirical data This collection is indispensable reading for anyone seeking a comprehensive and detailed understanding of the complexity of the death penalty discourse

**Islamic Criminal Law in Nigeria** Rudolph Peters, 2003 A survey of Sharia criminal law commissioned by the European Commission and to provide analysis of the re islamification of the Northern Nigerian states based on classical Islamic texts The study clarifies and explains the circumstances and background to these new codes paying special attention to the Koranic offences of fornication theft robbery and alcohol consumption It further identifies conflicts between these codes and the human rights principles guaranteed in the Nigerian federal constitution and in the United Nations conventions on human rights to which Nigeria is a signatory and surmises the views of the local people about the laws The author is Professor of Islamic Law at the University of Amsterdam

Abortion law reform in Africa: A reproductive health and rights perspective Charles Ngwena, Ebenezer Durojaye, Satang Nabaneh, Nkatha Murungi, 2025-05-26 Despite notable legal and policy advancements in post colonial Africa

unsafe abortion remains a pressing public health concern Abortion Law Reform in Africa A Reproductive Health and Rights Perspective spearheaded by the late Professor Charles Ngwenya offers a vital and timely examination of this ongoing challenge This collection of essays moves beyond a mere analysis of legal texts unpacking the deep rooted barriers that continue to limit access to safe abortion services in Africa The authors critically assess the real world impact of current reforms highlighting their shortcomings in providing accessible rights based care They offer concrete strategies aimed at strengthening legal and policy frameworks to promote reproductive autonomy improve reproductive health outcomes and advance gender equality for women and girls confronting unwanted pregnancies Through a compelling exploration of how restrictive laws push countless women towards unsafe procedures often with fatal or debilitating consequences the volume underscores that meaningful reform demands more than legislative change It calls for addressing the broader social economic and cultural determinants that restrict access to abortion care By advocating for the implementation of progressive instruments such as the African Women s Protocol this book stands as a powerful call to action for African policymakers and stakeholders to facilitate access to safe abortion care services It urges the adoption of comprehensive and transformative measures that can truly secure women s rights to safe abortion and prevent needless suffering and death **Law and**

**Religion in the Commonwealth** Renae Barker,Paul Babie,Neil Foster,2022-06-30 This book examines law and religion from the perspective of its case law Each chapter focuses on a specific case from a Commonwealth jurisdiction examining the history and impact of the case both within the originating jurisdiction and its wider global context The book contains chapters from leading and emerging scholars from across the Commonwealth including from the United Kingdom Canada Australia Pakistan Malaysia India and Nigeria The cases are divided into four sections covering Foundational Questions in Law and Religion Freedom of Religion around the Commonwealth Religion and state relations around the Commonwealth Rights Relationships and Religion around the Commonwealth Like religion itself the case law covers a wide spectrum of life This diversity is reflected in the cases covered in this book which include Titular Roman Catholic Archbishop of Kuala Lumpur v Home Minister on the use of the Muslim name for God by non Muslims in Malaysia The Church of the New Faith v Commissioner of Pay roll Tax Vic which determined the meaning of religion in Australia Eweida v UK which clarified the application of Article 9 of the European Convention on Human Rights R v Big M Drug Mart on the individual protections of religious freedom under the Canadian Charter of Rights The book examines how legal disputes involving religion are among the most contested in the courts and shows that in these cases passions run high and the outcomes can have significant consequences for all involved Comparative and International Criminal Justice Systems Obi N. I. Ebbe,2013-05-13

Comparative and International Criminal Justice Systems Policing Judiciary and Corrections Third Edition examines the history dynamics structure organization and processes in the criminal justice systems in a number of selected countries Designed for courses in comparative criminal justice systems comparative criminology and international criminal law it

explores systems in the United States Ireland Israel Argentina Sierra Leone China Russia and Poland A descriptive and quantitative analysis of criminal justice processes this text goes beyond a mere analysis of individual systems Instead the book compares these criminal justice models with each other and contrasts them with United Nations conventions World Courts of Justice International Court of Justice International Military Tribunal International Criminal Tribunal International Criminal Court Understanding these comparisons is crucial for a proper grasp of transnational crimes The book shows how the national criminal justice systems and the United Nations judicial systems complement each other when adjudicating transnational crimes in the international community It analyzes the nature of crime and criminal law explores basic theories of crime and discusses the various sources of international law It also examines the inherent pitfalls in comparing international crime rates and discusses terrorism and its control Unique to this edition is a thorough unbiased study of the Islamic justice system Each chapter focuses on a select region and includes crime data and arrest prosecution and conviction rates where appropriate This allows readers looking for information on the criminal justice systems of any part of the world to easily find the relevant section A sound approach to understanding the laws of various nations and international criminal and humanitarian laws this volume provides sage insight into the sociological explanations of criminal law and crime

**Islamic Law in Practice** Mashood A. Baderin, 2017-03-02 Islamic law influences the lives of Muslims today as aspects of the law are applied as part of State law in different forms in many areas of the world This volume provides a much needed collection of articles that explore the complexities involved in the application of Islamic law within the contemporary legal systems of different countries today with particular reference to Saudi Arabia Morocco Indonesia Nigeria Turkey Malaysia and Pakistan The articles identify the relevant areas of difficulties and also propose possible ways of realising a more effective and equitable application of Islamic law in the contemporary world The volume features an introductory overview of the subject as well as a comprehensive bibliography to aid further research

**Queer lawfare in Africa: Legal strategies in contexts of LGBTIQ+ criminalisation and politicisation** Adrian Jjuuko, Siri Gloppen, Alan Msosa ,Frans Viljoen, 2022-11-21 About the publication This book focuses on the strategies that activists for LGBTIQ equality in Africa deploy to challenge deep seated homophobia and transphobia as well as the politicisation of LGBTIQ issues It is a peer reviewed edited volume with scholarly contributions from lawyers anthropologists and LGBTIQ activists It covers different country situations those where equality is taking root as the case is in South Africa Botswana and Mozambique those where homophobia reigns and LGBTIQ rights are politicised such as Ghana Kenya Malawi Nigeria Senegal Uganda and Zambia and those where traditional LGBTIQ activism is almost a nonstarter such as in Ethiopia Sudan and The Gambia Table of Contents Acknowledgments Acronyms and abbreviations Introduction Queer lawfare in Africa Introduction and theoretical framework Siri Gloppen Adrian Jjuuko Frans Viljoen Alan Msosa PART I LAWFARE IN THE CONTEXT OF LIBERALISATION AND PROTECTION OF THE SEXUAL RIGHTS OF LGBT PEOPLE IN AFRICA Chapter 1 War by other means The law and politics of

sexual minority freedom in post apartheid South Africa Jaco Barnard Naud Pierre de Vos Chapter 2 Progressive legislation in the context of generalised conservative public opinion The case of LGBT rights in Mozambique Carmeliza Ros rio Camila Gianella Chapter 3 Queer lawfare in Botswana Monica Tabengwa Anthony Oluoch PART II LAWFARE IN THE CONTEXT OF ACTIVE POLITICISATION Chapter 4 Queer lawfare in Kenya Shifting opportunities for rights realisation Nicholas Wasonga Orago Siri Gloppen Matthew Gichohi Chapter 5 Court focused lawfare over LGBT rights The case of Uganda Adrian Jjuuko Stella Nyanzi Chapter 6 LGBT rights lawfare in Malawi Alan Msosa Chrispine Gwalawala Sibande Chapter 7 Against the order of nature Towards the growth of queer lawfare in Nigeria Ayodele Sogunro PART III LAWFARE IN THE CONTEXT OF RELIGIOUS AND CULTURAL NATIONALISM Chapter 8 LGBT lawfare in response to heterosexual nationalism and the retention of the anti sodomy laws in Zambia Landilani Banda Chapter 9 LGBTQI lawfare in response to the politicisation of homosexuality in Ghana Ernest Yaw Ako Amanda Odoi Chapter 10 Senegal Mobilising for gay rights in the shadow of HIV AIDS Vegard Vibe Chapter 11 From a crusade to root out homosexuality like malaria to a non issue The absence of sexual minority lawfare in The Gambia Satang Nabaneh Chapter 12 Digital lawfare and activism by lesbian gay and bisexual persons in Ethiopia Getnet Tadele Woldekidan Amde Chapter 13 Activism from the closet Fear of a double backlash against a nascent queer movement in Sudan Liv T nnessen Samia al Nagar Samah Khalaf Allah Conclusion The kaleidoscope of queer lawfare in Africa Adrian Jjuuko Frans Viljoen Siri Gloppen Alan Msosa

Nigeria: an Experiment in Nation Building Charles Akujieze, 2019-05-08 In this painstakingly updated and comprehensive political masterpiece Charles Nnaemeka Akujieze explores Nigeria s pre colonial colonial and postcolonial history and current affairs in Nigeria politics and administration and presents a nuanced explanation of events and circumstances that have dangerously flung this complex dynamic and troubled giant to the brink It is one of the most updated and comprehensive analysis of Africa s most important and populous nation that has been undermined in recent decades by ethnic and religious conflict political instability rampant corruption and an ailing economy

**The Laws of England** ,1909 *The International Criminal Court and Africa* Charles Chernor Jalloh, Ilias Bantekas, 2017-10-06 Africa has been at the forefront of contemporary global efforts towards ensuring greater accountability for international crimes But the continent s early embrace of international criminal justice seems to be taking a new turn with the recent resistance from some African states claiming that the emerging system of international criminal law represents a new form of imperialism masquerading as international rule of law This book analyses the relationship and tensions between the International Criminal Court ICC and Africa It traces the origins of the confrontation between African governments both acting individually and within the framework of the African Union and the permanent Hague based ICC Leading commentators offer valuable insights on the core legal and political issues that have confused the relationship between the two sides and expose the uneasy interaction between international law and international politics They offer suggestions on how best to continue the fight against impunity using national ICC and regional justice mechanisms while



taking into principled account the views and interests of African States      Changing Law in Developing Countries J. N. D. Anderson, 2021-12-19 The 1960s in retrospect may be chiefly remembered for the unprecedented constitutional developments it witnessed in countries emerging from colonial rule Originally published in 1963 an examination of these constitutional developments from the authoritative pens of the previous Legal Adviser to the Colonial and Commonwealth Relations Offices and the Legal Adviser to the Colonial Office at the time was therefore particularly timely for no two men in human history can have had to draft so many constitutional instruments One after another of these new constitutions had moreover included certain Fundamental Rights so a discussion of this subject by a recognised academic authority together with an examination by an ex Chief Justice of Allahabad of the constitutional writs which have been so widely used in India to protect these rights was particularly appropriate An erudite examination of the origins of the famous phrase Justice Equity and Good Conscience by the Reader in Oriental Laws in the University of London fittingly concludes the first half of this volume Legal developments in these emergent countries had however by no means been limited to the sphere of constitutional law So the series continues with contributions on the legal profession in African territories by a former President of the Law Society and on the problems posed by Islamic law in that continent by the Professor of Oriental Laws Criminal Law is represented by a consideration of Liability under the Nigerian Criminal Code by an ex Chief Justice of the Western Region matters economic and sociological by papers on Legal Development and Economic Growth in Africa and Women s Status and Law Reform by two experts in Africa law and developments in Asia by an examination of recent legislation on family law in Pakistan and of the sources of Chinese Law in Hong Kong by other members of the staff of the School of Oriental and African Studies      **Law of Adverse Possession** Imran Smith, 2023-11-25 The book examines the Law of Adverse Possession in both the UK and Nigeria and gives a critique of the ways in which it is regarded by both the State and the judicial system in these jurisdictions Although much has been written about adverse possession from an Anglo American perspective the Nigerian aspect of this book is unique and brings an important point of difference when thinking about the right to settle work and own land in an international arena This book will be of interest to students of law especially comparative and property law to scholars and activists with an interest in land settlement by indigenous and dispossessed peoples a useful guide for the court in the dispensation of justice and a pilot for the State in managing property relations

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