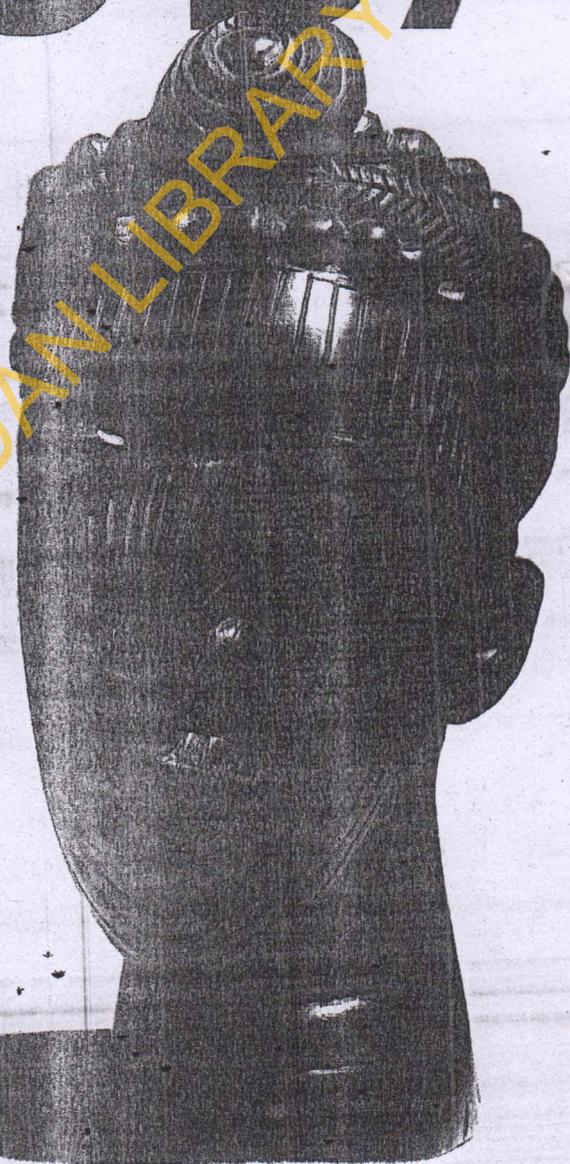


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TOYIN FALOLA and  
AKINTUNDE AKINYEMI



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Olúyémisí Bámgbósé

Paper 3

LAW: MODERN

Modern Nigeria dates to 1914. This was when the then Protectorate of Southern Nigeria was amalgamated with the Protectorate of Northern Nigeria to form the Colony and Protectorate of Nigeria. As a result of Nigeria's historical link with Great Britain, English law has become a major source of Nigeria's modern law. The Common Law of England, the doctrines of equity, as well as Statutes of General Application in force in England on January 1, 1900, form an integral part of Nigerian law. In addition, certain English statutes that have been received into the laws through local legislation are important parts of Nigerian law. Other modern sources of Nigerian law include local legislation, case law, the Constitution, and laws from various courts.

Local legislation consists of enacted laws that emanate from the major legislative arm of government: either the National Assembly, comprising the Senate and House of Representatives, or a state House of Assembly serving the federal and state legislative interests, respectively. Case law has been defined by John Asien as "that body of principles and rule of law which over the years have been formulated or pronounced upon by the courts as governing specific legal situations." Thus, the principle of judicial precedent is a fundamental part of Nigeria's legal system. The modern legal system in operation in Nigeria is the adversarial system of court proceedings, which is similar to other common law countries. However, the jury system is not used in the Nigerian system of administration of justice.

The 1999 Constitution of the Federal Republic of Nigeria, which is the supreme law of the country, is binding on all authorities and persons in Nigeria. It is another source of law. The Constitution makes provisions for the establishment and constitution of courts, thus making a hierarchy of courts a fundamental part of the Nigerian legal system. The courts provided for by the constitution are the Supreme Court, the apex court in the hierarchy of courts, and the Court of Appeal, with judicial divisions that sit in various states for administrative conveniences. There are judicial divisions in some major cities in Nigeria, such as the Federal High Court and judicial divisions in different states of the federation for administrative convenience. The High Court is present in each of the thirty-six states as well as the Federal Capital Territory. The Sharia Court of Appeal has appellate and supervisory jurisdiction in civil proceedings involving questions of Islamic personal law. The Customary Court of Appeal has appellate and supervisory jurisdiction in civil proceedings involving questions of customary law. The Magistrate Courts, District Courts, Area Courts, and Customary Courts are established in various states by state laws.

See also: Law: Customary

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Olúyémisí Bámgbósé

LIBATION

Rituals of libation have gained a permanent place in the Yorùbá culture. It is a significant aspect of the traditional religion; it is customary that libations be offered to deities. Oral tradition claims that there are 401 deities in Yorùbá traditional religion, and each requires daily or weekly libations, depending on the deity. Libation is the offering of blood, water, or liquor to deities and sometimes food to ancestral spirits.

The two most common types of libations in the culture are water and liquor. The water libation usually involves complete submergence of the deity's symbols, which represent the deity, or sprinkling water on