Crescent University Law Journal (CRULJ) Vol. 10 2025 – Overview and Commentary

Babafemi Odunsi, PhD (Ife), Barrister at Law*

I. *Introduction*

According to the *International Journal of Innovative Research and Development*,

> …journals serve as the backbone of research and development, playing a vital role in disseminating knowledge, driving scientific progress, and shaping the future of various disciplines. Researchers, institutions, and society at large benefit from the important role played by journals in driving scientific progress. Understanding their significance empowers researchers, policymakers, and society at large to harness the full potential of journals in advancing knowledge and innovation.[1]

Along that axis, by and large, the roles, functions or purposes of academic journals can be stated, in relation to two broad categories of stakeholders, the following:[2]

(For researchers) –

a. Dissemination of knowledge - Journals constitute the basic means for researchers and scholars to share new discoveries and findings with the global academic community.
b. Credibility and quality – through the mechanism of peer review, journals ensure the quality, accuracy, and credibility of published research before it is shared.
c. Career advancement - Publication in reputable academic journals is an important measure of a researcher's productivity and success, influencing career progression, funding, and appointments.
d. Building a scholarly community - Journals serve as a forum for researchers to communicate with each other, engage in debates, and collaborate on new ideas.

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* **Professor & Former Dean,** Faculty of Law, Obafemi Awolowo University, Ile-Ife, Nigeria;
MacArthur Fellow, Faculty of Law, University of Toronto, Toronto, Canada;
Formerly: **Research Associate**, AIDS and Human Rights Research Unit, (Centre for Human Rights and Centre for the Study of AIDS) Faculty of Law, University of Pretoria, South Africa,
Research Associate, Faculty of Law, University of the Free State, Bloemfontein, South Africa

[1] International Journal of Innovative Research and Development, '7 Crucial Roles of Journals in Research and Development' online at https://ijird.com/7-crucial-roles-of-journals-in-research-and-development

[2] See e.g., Rallison SP, 'What are Journals for?' *Ann R Coll Surg Engl.* 2015 Mar; 97(2):89-91. doi: 10.1308/003588414X14055925061397. PMID: 25723682; PMCID: PMC4473415; Jason Priem and Braley M.Hemminger, 'Decoupling the Scholarly Journal' Frontiers in Computational Neuroscience 6:19 April 2012, DOI 10.3389/fncom.2012.00019, p.1; The European Institute of Knowledge and Innovation, 'The Importance of Academic Journals in Advancing Research' online at https://eikipub.com/index.php/learning-resources/the-importance-of-academic-journals-in-advancing-research (accessed on17/10/2025)

(For institutions and society) –

a. Advancing fields of study - Journals are crucial to the progress of science, humanities, and other fields by allowing scholars to build on previous work.
b. Enhancing institutional reputation - A strong publication record in reputable journals increases the prestige and rankings of universities and other academic institutions.
c. Foundation for future work: Journals afford a reliable source of information, original research, and literature reviews that students and researchers can use for their own work and to generate new research questions.

Particularly, for academics or scholarly researchers,

> [t]he importance of journals in academic life goes beyond providing a means of communication and a permanent record. Journal articles are the final output of most research, and a researcher's performance and productivity are judged largely on the number of publications as well as where they appear. Journals have become deeply embedded in academic infrastructure. They are central to career paths, including both funding and appointments. Author surveys confirm that 'furthering my career' and 'future funding' are important motivations in publishing their work.[3]

Bola Ajibola College of Law (BACOLAW) of the Crescent University, Abeokuta, Nigeria by means of its *Crescent University Law Journal* (CRULJ) has been in the league of institutions providing veritable, reputable and eminent avenue for the performance and realisation of the roles, functions or purposes of academic journals. Notably, the journal, in spite of the relatively young age of BACOLAW, has elevated to become an unmissable role player among the corps of academic journals in Nigeria and beyond. The 10th edition of the journal, focus of this review has been adopted as symbol of the odyssey and commendable of BACOLAW in the project of dissemination of knowledge, and contribution to same, along with the other earlier noted roles and importance of academic journals globally.

II. *Crescent University Law Journal (CRULJ) Vol. 10 2025 – A Review*

CRULJ Vol. 10 2025 is the latest edition in approximately 10 years of unbroken, steadfast and regular publication by the publication by BACOLAW.[4] The edition under review is a compilation of 12 different works of devoted and illustrious scholars who have respectively showcased their profound intellectual and research capacities as independent and collaborating scholars. Manifestly, the illuminating, uncompromising 'without fear or favour' editorial and peer-review mechanism of the Editorial and Editorial Advisory Boards of the journal has ensured that the 12 papers are the ones which have been deservedly chosen for publication among the many that were called. The 12 papers, respectively, are found to be of good research quality, written in easy-to-read and readily comprehensible formats. Devoid of unwarranted linguistic

[3] Rallison SP, *ibid.*
[4] The importance of this consistency will be highlighted in latter part of this paper.

mumbo jumbo of lawyers' vocabulary, the 12 papers can easily and beneficially be read and understood by even non-lawyers or legal academics. The papers have made good contributions to knowledge and are of practical values in their specific contexts of discourse and legal scholarship generally.

The 12 respective papers published in the 10th edition as herein discussed illustrate the enriching fountain of the multi-perspective spring of knowledge which Crescent University Law Journal (CRULJ) as an academic resource constitutes. The papers are now considered *seriatim.*

1. Prof Abdulkadir Bolaji Abdulkadir & Abimbola Raseedat – 'Legal Framework on the Protection of Marine Environment in Nigeria' pp. 1-17

   This co-authored paper engages the richness of Nigeria's marine biodiversity and its critical importance in general economic and allied development, future of humanity and inter-generational equity. In that context, it calls attention to attention to the growing threats facing marine ecosystems, including pollution from industrial waste, untreated sewage, agricultural runoff, mining operations, and oil spills. As response to the noted challenges, the paper notes the diverse policy and legal measures deployed by the Nigerian government over the years. Poignantly, the topicality and contemporaneity of the paper, for example, is underscored by the Nigerian Federal Government devoting a distinct Federal Ministry of Marine and Blue Economy to the realm of discourse.

2. Oluwatosin Oluwole Akanle, 'The Role of Artificial Intelligence in Enhancing Legal Services Delivery in Nigeria: Challenges, Opportunities and Future Prospects' pp. 18-50

This paper is a discourse of the important role of Artificial Intelligence (AI) in the delivery of legal services in Nigeria's justice and legal system generally. Delving into the historical and extant modes of legal services delivery in Nigeria, the paper highlights the associated challenges such as dependence on manual documentation and physical court appearances. Lamenting the challenges, the paper advocates the deployment of AI technologies encompassing, among others, machine learning and natural language processing as means of significantly improving legal research and streamlining operations, with examples including the increasingly popular LawPavilion's Artificial intelligence research tools, DIY Law's automated business registration, and the National Judicial Council's Case Management System. The essence of the paper can be readily related to the role of AI in diverse facets of human activities as a trending issue across the world.

3. Damilola Seun Adesanya, 'Mediation in Nigeria: A Review of Part II of the Arbitration and Mediation Act, 2023' pp. 51 -66

The paper is an analysis and review of Part II of the *Arbitration and Mediation Act* (AMA) 2023, an Act establishing the legal structure for mediation as a form of alternative dispute resolution (ADR) in the Nigerian Legal System. In context, the paper discusses some salient sections of the

Act which are pivotal in the mediation scheme. It notes Section 67 which defines the procedures and limitations of mediation along with Section 68 which underscores the need for good faith and consistency in the implementation of *mediation* decisions. Proceeding further, the paper presents an overview of sections 72 to 77 touching on, *inter alia*, the roles and responsibilities of mediators, including fee structures and confidentiality provisions. From that level, the paper delves into analysis of sections 78 to 83 relating to issues of conclusion of mediation proceedings, mediator immunity, and the enforcement of settlement agreements resulting from mediation. By way of recommendation, the paper advocates the inclusion of defined timelines for Alternative Dispute Resolution (ADR) processes in the constitution and calls for expedited enforcement of mediation outcomes.

4. Prof. Mike A. A. Ozekhome (SAN), 'Nigerian by Blood or Paper: How Kemi Badenoch Citizenship Debate reopened Old Wounds'

This paper engages critical themes of citizenship, identity, belonging, and legal equity. It draws attention to a CNN interview between Fareed Zakaria and Kemi Badenoch, a senior British Conservative politician, which highlighted the issue that Nigerian women are currently unable to confer citizenship on their children. The paper analyzes the gender equality provisions in Section 25 of the 1999 Nigerian Constitution, along with the frameworks for citizenship by birth, registration, and naturalization outlined in Sections 25 to 27. It recommends amending Section 26 to permit both men and women to register foreign spouses, clarifying and enforcing Section 25, and aligning immigration regulations with constitutional mandates.

5. Barakat Adebisi Raji, Isreal Adekunle Adeniyi, Mubarak Adekilekun and Imam Abdurrasheed Ahmed, 'Mediation: Therapeutic Approach to Medical Disputes In Nigeria' pp. 68-80

   This paper, flowing from a scholarly collaboration of the 4 authors, reflects on the use of mediation as an effective form of Alternative Dispute Resolution (ADR) in medical disputes arising in doctor-patient relationship. Noting the complexities and challenges inherent in medical litigations, due to Nigeria's adversarial justice system, the paper recommends mediation as a more beneficial and proactive approach. On a comparative basis, with lessons from other countries such as USA and UK, the paper advocates for mediation modes (in its different approaches - facilitative, evaluative, and transformative) for the settlement or resolution of medical disputes in Nigeria, with a call for the establishment of necessary legal framework. No doubt, this paper stands as an important contribution to the discourse for devising more charitable means for resolving medical disputes in Nigeria, in comparison to adversarial litigation which academic and allied literature acknowledge as imposing onerous burdens on victims of medical negligence or malpractice, or those consequentially affected by such.[5]

[5] See e.g., Babafemi Odunsi, 'Glancing back at Eden: A Note on Medical Negligence in Nigeria' paper presented as

6. Oladimeji Sanya Olaleye, 'From National to Regional Patent Systems: A Case Study of Divergence and Convergence' pp. 81-105

This paper is a comparative discussion of the respective patent systems in Europe and Africa. In setting its tone of discussion, the paper analyses the theories of convergence and divergence in international patent law, tracing its historical evolution back to the European Industrial Revolution (1760–1911). These theories, in essence, reflects the growing internationalization of national patent frameworks without prejudice to the dominance of national patent systems due to their inherent appeal as key sources of technology, machinery, and innovation. Further, paper notes that the limitations of national patent regimes spawned the creation of the Paris Convention, now signed by over 150 countries, along with other treaties within the European Union. In response, African countries, excluded from the global patent system, created two regional intellectual property organizations: ARIPO for Anglophone nations and OAPI for Francophone ones. However, as the paper posits, the African organizations lack the sophistication and integration embedded in systems like the EU Patent framework and the Paris Union. Hence, the African patent legal landscape remains fragmented, devoid of unified enforcement or coordination, as well as the non-membership of key industrial nations like Nigeria and South Africa in the overseeing organisations. Flowing from this, the paper advocates the need for an African multilateral treaty to harmonize the continent's diverse national and regional patent systems for greater impact and efficiency. In this regard, the paper recommends a platform entailing an interplay between Convergence and Divergence serves as a foundational dynamic in the evolution of international patent systems.

7. Hauwa C. Abiri, 'Clicking Through Invitations to Treat In Nigeria**'** pp. 106 -122

The paper is a discussion on the widespread use of mobile and ICT tools in accelerated electronic transactions in Nigeria, while legal frameworks remain relatively underdeveloped. The paper makes some elucidation in its general discourse. E-contracts share core elements with traditional contracts—offer, agreement, consideration, intention, and capacity—but are harder to identify due to their digital nature. EDI (electronic data interchange) and emails facilitate e-contract formation, while shrink-wrap and browse-wrap agreements raise enforceability concerns due to lack of explicit consent. Courts emphasize that e-contract terms must be conspicuous and accessible, with click-wraps gaining stronger legal recognition for requiring active user assent. Nigerian law, rooted in English Common Law, treats website product displays as invitations to treat unless clear intent to be bound is shown. Offers must be definite and can be terminated by revocation, rejection, lapse of time, or death. Acceptance must be communicated and received, with click-wraps treated as equivalent to signatures. Consideration remains essential for enforceability, and parties must have legal capacity. Despite growing digital commerce, Nigeria lacks legislation regulating e-contracts, especially click-wraps. The paper recommends the

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Guest Lecturer as Ogun State Bar and Bench Forum, 10th Public Lecture, High Court of Justice, Abeokuta, Nigeria – 18th October 2019. See also, Babafemi Odunsi, 'Medical Negligence and its Litigation in Nigeria' *Beijing Law Review* Vol.14 No.2, June 30, 2023, DOI: 10.4236/blr.2023.142058

passing or amending the Electronic Transactions Bill to clarify electronic invitations to treat and align with global standards.

8. Dr. Idris Odekunle 'Authoritarian Legalism and the Rule Of Law: Interrogating AMCON's Enforcement Powers In Nigeria' pp. 123-144

This article critically examines the constitutional implications of the Asset Management Corporation of Nigeria (AMCON) Amendment Act 2019, which significantly expanded AMCON's powers beyond its original financial stabilization mandate. The Act authorizes unilateral asset seizures, warrantless access to financial records, and public naming of debtors—raising serious concerns about fair hearing, privacy, property rights, and judicial independence. Scholars argue that these powers reflect a shift toward administrative authoritarianism, undermining constitutional safeguards and the rule of law. Comparative insights from South Africa, the UK, and India highlight the importance of procedural fairness and judicial oversight in debt recovery frameworks. The paper concludes by advocating for legislative reform, judicial neutrality, institutional accountability, and strategic litigation to realign AMCON's enforcement regime with Nigeria's constitutional values.

9. Yahaya Ibrahim Abikan Phd, 'Examining the Legality or otherwise of Euthanasia under Nigerian Law and Islamic Law' pp.145 - 165

This paper is a discussion of the highly emotive issue of euthanasia, with reflection on the legal, ethical, and religious perspectives of different protagonists and antagonists. Noting that the objection to euthanasia dovetails into the element of sanctity of life, grounded in the prescriptions of prominent religious tenets of predominant religions in Nigeria, with Islam as illustration. Further the paper touches on how courts in different jurisdictions have been addressing the legal and ethical complexities of euthanasia, referring, *inter alia*, to the English cases of *R v Cox and Airedale NHS Trust v Bland* as illustration. In context, the paper examines the Nigerian legal position on euthanasia through the prism of the constitutional provision on the right to life. In further elucidation, it refers to the cases of *State v Okezie and Medical and Dental Practitioners Disciplinary Tribunal v Okonkwo* in positing that consent does not absolve criminal liability in cases of homicide. In conclusion, the paper recommends legislative reform in explicitly criminalising euthanasia in Nigeria beyond and doubt or room for debate. It then reiterates the author's position that Nigerian law and Islamic doctrine uphold the sanctity of life with utter disapproval of euthanasia as incompatible with constitutional and religious values.

10. Kazeem O. Olaniyan and Adekunle Saheed Abiola, 'Judiciary and National Unity in a Democratic Nigeria' pp. 166- 181

Essentially, this paper is a critique of the Nigerian judiciary's constitutional role in promoting good governance and national integration, tracing its evolution from colonial legal traditions to its current position as a key democratic institution. It observes that while the Nigerian judiciary is empowered to interpret laws, resolve disputes, and uphold civil rights, its effectiveness has been

repeatedly undermined by corruption, executive interference, and financial dependence—particularly during and after military rule, which eroded judicial autonomy and public trust. The paper highlights how landmark cases such as *Abacha v. Fawehinmi*, *Amaechi v. INEC*, and *Onnoghen v. FRN* illustrate the judiciary's potential in either reinforcing or destabilising national unity. It also explores how judicial corruption and politicized rulings, especially in election and anti-corruption cases, threaten democratic consolidation and fuel ethnic and regional tensions. Drawing on comparative examples from India and the United States, the paper emphasizes that a truly independent judiciary is not only a dispenser of justice but a pillar of national cohesion. The paper concludes with some strategic recommendations, including strengthening judicial autonomy, combating corruption, promoting legal education, and encouraging alternative dispute resolution - all aimed at restoring public confidence and ensuring that the judiciary fulfils its constitutional task and promise as a guardian of democracy and unity.

11. Professor Momodu Kassim-Momodu, 'The Impact of Naturalist and Positivist Legal Theories on Modern Day Legislation' pp. 181-215.

This paper is an enriching re-enactment of the primordial philosophical 'rivalry' between the opposing adherents of the Naturalist and Positivist schools of Jurisprudence and Legal Theory. Following a comprehensive and analytical analysis of the respective pros and cons of the 2 schools on modern legal systems, the paper adroitly offers balancing takeaways from the 2 in highlighting a critical necessity of harmonising normative ethical considerations with practical legislative instruments to adapt governance frameworks to dynamic global legal landscapes. The paper offers a line of thought for legislation making in Nigeria, with a legal system deeply rooted in the positivist ideology inherited from Britain through colonial relationship. A scenario that has recurrently spawned debates on the existence of 'bad and good law' dovetailing into public misgivings on strict judicial application of 'bad laws'.[6]

12. Prof. Auwalu Hamisu Yadudu, 'Tribulation & Trophies: Bola Ajibola in his own Words' pp. 216-221

This paper is a *book review* of the autobiography of Prince (Judge) Bola Ajibola. The reviewer, generally, makes a compact but comprehensive analysis of the life and times of the late illustrious jurist, as told by the jurist in "his own words". The paper reviews the erudite judge and legal luminary's personal first-person account of his life from early childhood in "dusty surroundings of Totoro also called Alebiosu compound in Abeokuta", journey through life confronting and overcoming challenges up to the time of Judge Bola Ajibola's departure from life and return to his Maker. Put simply, this paper is a skilful, pragmatic and dramatic abridged synopsis of the autobiography of a luminous Nigerian and gift to the world in the realm of law and other areas.

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[6] See generally, e.g., Babafemi Odunsi B & Bukola Odunsi, 'Administration of Justice in Nigeria: Ideological Constraints and Allied Challenges', *Strathmore Law Journal*, 8(2), December, 2024, pp. 69-90 - DOI: https://doi.org/10.52907/slj.v8i2) (Published: 2025-04-28).

III. *Conclusion: Crescent University Law Journal as a Project – The Beginning, the Present and the Future*

Crescent University Law Journal emerged on the academic publishing scene with its first edition in 2016. It was midwifed under the deanship of Professor A. T. Oyewo (S.A.N), now of blessed memory as the pioneer Editor in chief. The baton was later taken over by the current Dean, Professor Momodu Kassim-Momodu as the Editor in chief from 2017. Professor MKM, as popularly known, has and consistently and commendably led the zealous and devoted editorial relay team since then to date.

Remarkably, the journal has consistently sustained its regular annual publication, unbroken, up to the present 10th adopted as symbol of the trajectory of the journal in the approximately in the about 10 years. This achievement is not a mean feat that should be taken for granted. Those familiar with the terrain of academic journal publishing can attest that many journals in Nigeria and beyond, institution-based or domiciled in other realms had emerged in a 'flashing' manner only to descend into oblivion, hibernation or inactivity after one or two editions, to be heard of no more. Since 2019, the journal has been hosted on the dedicated BACOLAW website making it one of the very few University based law journals available in both electronic and print editions. It is indexed on google-scholar and other online scholarly websites as a reputable source of well research and peer reviewed articles.

In 2021, the journal signed a memorandum of understanding with Lawpavilion to make the journal available on the electronic legal resource portal, making CRULJ only the second in the country to achieve that feat.

The journal has gained reputation as a widely circulated journal and a destination of choice in publication by legal researchers, law teachers and practitioners because of its objective selection and peer review processes, consistent publication and dedicated editorial board which has grown over the years to include two international members.

This 10th edition is, indeed, a landmark in the history of the journal series.