



JUDICIAL IDIOSYNCRACIES AND THE PLACE OF RELIGION IN
JUDICIAL LAW MAKING

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ABSTRACT

Law and religion are like two inseparable siamese twins. Every law has a religious undertone. That accounts to a great extent why most laws are flavoured with religious colouration. The duty of a judge, primarily, is to adjudicate on disputes brought before him. In so doing, the judge is influenced by a number of factors before arriving at a decision. This underscores the point that it is not only pure legal issues or consideration that could influence a judge's decision. Religion is one potent weapon that has continued to shape how laws are made. It follows that in settling disputes between rival parties, religion has a place in a judge's minds eye. This is helped by the fact that a particular case has to be treated on its merit. A judge of a particular religious faith would be more favourably disposed in upholding the tenets of that faith. When this happens, there is a deliberate 'interference' with the judge's adjudicatory function. Whether or not such interference is needed is a subject of our inquiry in this paper.

Keywords: Law, Religion, Judicial Powers, Nigeria.