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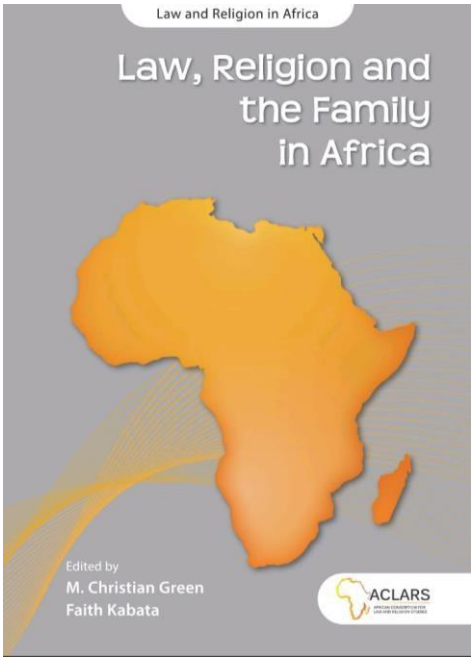
Law, Religion and the Family in Africa: Book Review

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Law, Religion and the Family in Africa, M. Christian Green, African Sun Media, 2021, 422, ISBN. 978-1-991201-56-0, (e) ISBN. 978-1-991201-57-&, link of the book: https://books.google.co.id/books?id=8fFeEAAAQBAJ&printsec=frontcover&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=false

INTRODUCTION



The intersection of law, religion, and family structures in Africa presents a dynamic and complex landscape influenced by historical, cultural, and legal pluralism (Green & Kabata, 2021). In Law, Religion and the Family in Africa, M. Christian Green and Faith Kabata provide a comprehensive examination of how these elements interact, sometimes harmoniously and at other times in conflict. This volume, published by African Sun Media, brings together diverse perspectives from scholars across the continent, highlighting key legal, religious, and social challenges that shape family life in Africa.

Structured into six thematic sections, the book delves into marriage laws, gender rights, customary legal practices, religious influences, child protection issues, and the impact of migration and displacement on family structures. Originally conceptualized for the Kenya 2020 ACLARS (African Consortium for Law and Religion Studies) conference, which was later adapted into a virtual format due to the COVID-19 pandemic, the book integrates contemporary developments, including how the pandemic has reshaped family life across Africa.

Key Themes and Analysis

1. Challenges to Traditional Family Structures

The book's first section explores how African family traditions are being challenged by legal reforms, gender rights activism, and societal changes. Analyzing Zimbabwe's Draft Marriages Bill of 2019, Molly Manyonganise and Lillian Mhuru examine how legal attempts to grant greater protections to cohabiting partners sparked intense religious and cultural opposition. This reflects broader tensions between progressive legal reforms and conservative religious views, a recurring theme in African legal discourse. Pauline Wanjiru Njiru and Brian Muyunga contribute a compelling chapter on marriage preparation in Christian communities,

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highlighting how gendered advice often reinforces patriarchal norms rather than equipping couples with essential conflict-resolution skills. The authors argue that many churches prioritize ceremonial aspects over substantive marital guidance, leading to long-term relationship instability and high divorce rates.

2. Comparative Law, Religion, and Family

The second section expands the discussion by incorporating international legal frameworks such as the African Charter on Human and Peoples' Rights (ACHPR) and the European Convention on Human Rights (ECHR). Carmen Garcimartín provides a comparative analysis of family-related rights in African and European contexts, highlighting how regional interpretations of marriage, parental roles, and inheritance rights differ. Meanwhile, Cristiana Cianitto and Rossella Bottoni explore the sensitive issue of apostasy laws in Judaism, Christianity, and Islam. They investigate how renouncing one's religion can lead to familial and social ostracization, creating legal and emotional dilemmas for affected individuals. This chapter provides a valuable discussion on religious freedom and its implications for family relations across different cultural and legal settings.

3. Parents, Children, and the State

One of the book's most impactful sections addresses the role of the state in regulating family affairs, particularly concerning children's rights, education, and discipline. Edmore Dube examines the controversial issue of corporal punishment in Zimbabwe, where recent legal rulings banning the practice have clashed with Christian and Islamic justifications for physical discipline. The analysis provides an insightful look into how religious doctrines influence legal debates on child welfare. Additionally, E. Okelloh Ogera's chapter explores the Kabonokia sect in Kenya, which opposes child vaccination on religious grounds. This case study raises critical legal and ethical questions about parental rights, public health, and the limits of religious freedom in state governance.

4. Indigenous Religion and Customary Law

African societies often operate under multiple legal systems, blending customary law, civil law, and religious law. The book's fourth section focuses on how customary legal traditions interact with modern legal frameworks, particularly regarding women's rights and property inheritance. A standout chapter by Excellent Chireshe discusses the Karanga people of Zimbabwe, analyzing how patriarchal customs shape gender roles, property rights, and family structures. The author argues that while customary practices hold cultural significance, they often conflict with constitutional protections for women's rights, leading to legal and social tensions.

5. Child Marriage and Child Labor

Child marriage remains a pressing human rights issue in many African countries, and the book dedicates an entire section to analyzing legal efforts to combat the practice. Muyiwa Adigun's chapter on Nigeria's high child marriage rates examines how Islamic interpretations of marriage laws influence legal policies, sometimes enabling practices that contradict global human rights standards.

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Similarly, Georgina Kwanima Boateng's discussion on child labor in Ghana provides a historical and legal perspective on the blurred lines between household duties, cultural expectations, and exploitative labor practices. The chapter critiques colonial-era Christian teachings that reinforced the idea of children contributing to family labor, an issue that continues to complicate efforts to regulate child labor laws today.

6. Migration, Displacement, and Diaspora

The final section shifts focus to how migration and displacement affect African family structures. Jean-Baptiste Sourou provides a moving analysis of economic migration's impact on families left behind, particularly the wives of West African men who migrate to Europe for work. The chapter highlights the legal and emotional challenges faced by these families, including inheritance disputes and social stigmatization.

Meanwhile, Anne Kubai and Ezekia Mtewa examine African immigrant families in Sweden, highlighting clashes between traditional parenting practices and European child welfare laws. The authors argue that cultural misunderstandings between African parents and Western legal institutions often lead to family separation and legal conflicts.

Strengths of the Book

One of the book's greatest strengths is its diverse range of perspectives and case studies. By including scholars from multiple disciplines and regions, the book provides a well-rounded discussion on law, religion, and family in Africa. The comparative legal analyses also make this volume particularly valuable for scholars interested in how international human rights frameworks interact with African customary and religious legal systems.

Additionally, the book successfully highlights real-world implications of legal and religious debates, offering practical insights into ongoing legal reforms and policy discussions. The inclusion of COVID-19's impact on family structures also makes this book timely and relevant to contemporary discussions on family law in Africa.

Criticism and Areas for Further Research

While the book provides an extensive overview, some chapters could benefit from deeper analysis of specific case studies. For instance, discussions on child marriage and gender rights could have included more empirical research or interviews with affected individuals. Additionally, while the book covers Christianity and Islam extensively, there is less focus on African Traditional Religions (ATR) and their role in family law, which could have further enriched the discussion.

CONCLUSION

Law, Religion and the Family in Africa is a thought-provoking and comprehensive exploration of the interplay between legal systems, religious traditions, and family structures across the continent. The book effectively challenges conventional legal narratives by demonstrating how African families navigate legal pluralism, gender rights, and cultural expectations in their daily lives. For scholars, policymakers, and legal practitioners interested in African family law, religious studies, and human rights, this book serves as an essential resource. While some areas could have been explored in greater depth, the book remains a significant contribution to the field, offering valuable insights into the evolving nature of African law and society.

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