



Customary Law and Statutory Law in Family Matters: An Interdisciplinary Analysis in Ghana

Customary Law and
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Abstract

Customary law in Ghana plays a significant role in family matters, alongside statutory laws enacted by the government. The interface between these two legal systems is complex and often results in conflicts or ambiguities. The study employs a qualitative approach, analysing case studies from legal clinics and interviews with practitioners who deal with both customary and statutory law applications. A notable finding is the persistent preference among litigants to invoke customary laws in family disputes, despite the availability of statutory laws that might offer clearer guidance or protections. The analysis underscores the need for harmonization efforts between customary and statutory legal frameworks to ensure coherence and fairness in addressing contemporary family issues. Recommendations include the drafting of comprehensive legislation that integrates traditional practices into statutory law, alongside public education campaigns aimed at promoting awareness about both legal systems.

Keywords: *African jurisprudence, customary law, gender relations, legal pluralism, family law, methodology, intersectionality*

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