



OSUN STATE UNIVERSITY, OSOGBO
COLLEGE OF LAW, IFETEDO CAMPUS
RAIN SEMESTER, 2019/2020 SESSION
PART TWO LL.B EXAMINATIONS

PUL 202 — CONSTITUTIONAL LAW
TIME ALLOWED: 3 HOURS

C 205
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INSTRUCTIONS:

1. Answer any four questions.
2. Make your handwriting legible.
3. Credit will be given for logical and clear presentation of materials.
4. Support your answers with judicial and statutory authorities.

1. "The above constitutional provisions clearly show that the process of creation of new local government councils is entirely a State affair. This is why it is provided in ... that the National Assembly is only required to make "consequential provisions" with respect to the names and headquarters of local government councils as provided for in section.... I believe that the process of creating the new local government councils has been completed before the National Assembly is called upon to perform its own role under section... of the Constitution. It is therefore not correct to say that the process of creating the new local government councils ... was incomplete or inchoate until the National Assembly carries out its role under section... of the Constitution" (per Akintan JSC in Attorney-General of Lagos State v. Attorney-General of the Federation [2004] 9-12 SCM (Pt.1) 1 at 99-100).

Appraise the above position of His Lordship in relation to creation of new local government council areas under the Constitution of the Federal Republic of Nigeria (CFRN) 1999. (17.5 marks)

2. Ahmed, Kunle and Alfred are friends. Ahmed was born in Kano in 1970 to Lebanese parents who became Nigerian citizens by naturalization in 1968. Kunle was born in Ghana in 1969 to a Nigerian father who himself was born in Ghana in 1943. Kunle's grandfather, an indigene of Ifetedo had in 1939 migrated to Ghana where he lived, died and was buried. Alfred was born in 1966 in Enugu to a Chinese father who out of wedlock impregnated his (Alfred's) mother. His mother, who all her life has resided in Enugu, is an indigene of a community in the Bakassi Peninsula which by a decision of the International Court of Justice now belongs to the Republic of Cameroon. Ahmed, Kunle and Alfred got interested in politics and recently contested the gubernatorial elections of Kano, Osun and Enugu respectively. Their opponents during the polls are however challenging their election before respective election tribunals primarily on the basis of their not satisfying the constitutional requirement that candidates for the post of State Governor must be citizens of Nigeria by birth.

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Write a legal opinion on the citizenship status of Ahmed, Kunle and Alfred. (17.5 marks)

3. Nosa and Salam operate an online news blog. They recently had a dispute with a neighbour (Tunji), a senior police officer in charge of a unit of the special anti-robbery squad (SARS). The next day, as Nosa and Salam were going to the office in Nosa's car, Tunji set loose members of his unit on them. The two friends were battered, wounded and eventually whisked away in handcuffs. They were locked up at the police station for a week without being told what their actual offense was. The beating and battery continued while in police custody. All attempts by Nosa and Salam to consult their counsel were rebuffed. After spending a week behind bars in the police station, the two friends were subsequently charged with the offence of operating an illegal news medium and of publishing stories meant to ridicule and embarrass the Federal Government of Nigeria. They were arraigned before a magistrate who compelled them to explain why they should not be convicted of the offence. While Nosa refused to say anything during the trial until he was allowed to see his counsel, Salam complied and tried to intimate the court with the correct narrative that led to their arrest. The magistrate acceding to the request of the prosecution however adjourned the case to 10 months' time and ordered that they should be detained at a correctional facility pending the date. Nosa and Salam have finally been able to reach you for assistance.

Advise them on their constitutional rights. (17.5 mark)

4. Former President Jonathan in April, 2015 declined assent to the Constitution of the Federal Republic (Fourth Alteration) Act 2015. According to him:

Section 4 of the Fourth Alteration Act, 2015 seeks to alter Section 9 of the 1999 Constitution by the insertion of a new subsection 3A, which dispenses with the assent of the President in the process of constitutional amendment. However, this alteration can only be valid if the proposal was supported by the votes ... provided by Section 9(3) of the 1999 Constitution. This is a fundamental requirement of the Constitution and in the absence of credible evidence that this requirement was met in the Votes of Proceedings of the National Assembly, it will be unconstitutional for me to assent to this Bill.

(a) The current chairperson of the Senate Constitution Review Committee has approached you for legal advice on the issue(s) raised above by the former President. Advise him. (12.5 marks)

(b) Will your answer be different were the alteration bill focused on sections 8 and 14? (5 marks)

5. "It shall be the duty and responsibility of all organs of government and of all authorities and persons, exercising legislative, executive or judicial powers to conform to, observe and apply the provisions of this Chapter of this Constitution." [CFRN, 1999 (as altered), section 13].

Taking this provision and others into consideration, extensively engage with the issue of justiciability of chapter two of the Nigerian Constitution. (17.5 marks)

6. The House of Assembly of one of the States of the Federal Republic of Nigeria recently successfully removed the State's Governor from office in purported exercise of its impeachment power. Twenty-one members out of the thirty-member strong House signed the notice of allegation against the Governor which notice was brought to his attention through piecemeal newspaper publications. Subsequently, two members including the Speaker withdrew from the impeachment proceedings. Upon this, the remaining 19 members appointed a pro tempore Speaker and continued with the impeachment proceedings until the final stage. All the proceedings took place in a hotel room as according to the legislators, "the House Chamber was not conducive to the impeachment proceedings." The chairperson of the panel that investigated the allegations against the Governor is a former chairman of a political party, now a businessman and the panel's powers, functions and procedure were prescribed by a resolution of the House. The Governor describing the entire proceedings a nullity has now approached you for legal advice.

Advise him.



OSUN STATE UNIVERSITY, OSOGBO

COLLEGE OF LAW, IFETEDO CAMPUS

BACHELOR OF LAWS (LLB) – PART II

RAIN SEMESTER EXAMINATION, 2021/2022 ACADEMIC SESSION

PUL 202 – CONSTITUTIONAL LAW II

TIME ALLOWED: 3 HOURS

- INSTRUCTIONS:**
1. Answer two questions each from section A and section B making four questions in all.
 2. Make your handwriting legible.
 3. Credit will be given for logical and clear presentation of materials.
 4. Support your answers with statutory and judicial authorities.

SECTION A (Answer any two questions from this section)

1. "Although the presidential constitutions recognise the political nature of impeachment exercise, each of them contains some provisions intended to prevent abuse in the use of that power by the legislature. The goal, perhaps, is to strike a balance between the politics of impeachment and the imperatives of a constitutional order" [MOA Alabi and I Imam (2014:18)]

Examine the judicial attitudes of the Supreme Court in this regard in the light of the provisions of Section 188(10) of the Constitution of the Federal Republic of Nigeria 1999 (as amended).

2. Examine, succinctly, the key features of the 1999 Constitution of the Federal Republic of Nigeria, highlighting the areas of commonalities and differences between this and the 1979 Constitution.

3. Based on the logic that a constitution should "reflect the collective will of the people and not that of any dominant segment of them", would you consider the Preamble of the 1999 Constitution – "*We the people of the Federal Republic of Nigeria ... Do hereby make, enact and give to ourselves the following Constitution*" – as meeting the important criterion of autochthony, which is essential for its legitimacy"?

SECTION B (Answer any two questions from this section)

Answer either Question 4(a) or 4(b)

4(a). "The above constitutional provisions clearly show that the process of creation of new local government councils is entirely a State affair. This is why it is provided in ... that the National Assembly is only required to make "consequential provisions" with respect to the names and headquarters of local government councils as provided for in section.... I believe that the process of creating the new local government councils has been completed before the National Assembly is called upon to perform its own role under section... of the Constitution. It is therefore not correct to say that the process of creating the new local government councils ... was incomplete or inchoate until the National Assembly carries out its role under section... of the Constitution" (per Akintan JSC in Attorney-General of Lagos State v. Attorney-General of the Federation [2004] 9-12 SCM (Pt.1) 1 at 99-100).

Appraise the above position of His Lordship in relation to creation of new local government council areas under the Constitution of the Federal Republic of Nigeria (CFRN) 1999. (17½ marks)

4(b). Ahmed, Kunle and Alfred are friends. Ahmed was born in Kano in 1970 to Lebanese parents who became Nigerian citizens by naturalization in 1968. Kunle was born in Ghana in 1969 to a Nigerian father who himself was born in Ghana in 1943. Kunle's grandfather, an indigene of Ifetodo had in 1939 migrated to Ghana where he lived, died and was buried. Alfred was born in 1966 in Enugu to a Chinese father who out of wedlock impregnated his (Alfred's) mother. His mother, who all her life has resided in Enugu, is an indigene of a community in the Bakassi Peninsula which by a decision of the International Court of Justice now belongs to the Republic of Cameroon. Ahmed, Kunle and Alfred got interested in politics and recently contested the gubernatorial elections of Kano, Osun and Enugu respectively. Their opponents during the polls are however challenging their election before respective election tribunals primarily on the basis of their not satisfying the constitutional requirement that candidates for the post of State Governor must be citizens of Nigeria by birth.

Write a legal opinion on the citizenship status of Ahmed, Kunle and Alfred. (17½ marks)

Answer either Question 5(a) or 5(b)

5(a). Nosa and Ahmed operate an online news blog. They recently had a dispute with a neighbour (Tunji), a senior police officer in charge of a unit of the special anti-robbery squad (SARS). The next day as Nosa and Ahmed were going to the office in Nosa's car, Tunji set loose members of his unit on them. The two friends were battered, wounded and eventually whisked away in handcuffs. They were locked up at the police station for a week without being told what their actual offence was. The beating and battery continued while in police custody. All attempts by Nosa and Ahmed to consult their counsel were rebuffed. After spending a week behind bars in the police station, the two friends were subsequently charged with the offence of operating an illegal news medium and of publishing stories meant to ridicule and embarrass the Federal Government of Nigeria. They were arraigned before a magistrate who compelled them to explain why they should not be convicted of the offence. While Nosa refused to say anything during the trial until he was allowed to see his counsel, Ahmed complied and tried to intimate the court with the correct narrative that led to their arrest. The magistrate acceding to the request of the prosecution however adjourned the case to 10 months' time and ordered that they should be detained at a correctional facility pending the date. Nosa and Ahmed have finally been able to reach you for assistance.

Advise them on their constitutional rights. (17.5 mark)

5(b). Socioeconomic Rights Initiative is an international organisation committed to the advancement of socioeconomic rights in Nigeria and other countries. The Nigerian office is particularly focussed on the progressive realisation of the right to health and the right to employment. The organisation recently decided to increase its activities in the areas of mass mobilisation, advocacy and lobbying. It has also decided to employ the litigation option, if necessary, as top management of the organisation believes there are sufficient bases for the recognition and enforcement of the right to health and the right to employment under chapter II of the Constitution of the Federal Republic of Nigeria (CFRN) 1999 (as altered). The litigation option has been referred to the organisation's legal unit for advice.

As a legal officer in the unit, advise Socioeconomic Rights Initiative on possible means of enforcing the said rights in Nigeria.

Answer either Question 6(a) or 6(b)

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6(a). 'Some have contended that the President is the modern-day version of the all-powerful potentates of ancient times. He stands in the same office and may therefore not be limited in the exercise of powers necessary for the performance of his duty – the good governance of the state. Others have however contended that the essence of a constitutional democratic order is the necessary delimitation of the scope of powers and duties of each constitutional office with the presidential office not excepted.'

Bearing in mind the above, comprehensively engage with the powers and duties of the President under the CFRN 1999.

6(b). The Senate President due to differences between the Senate and the House of Representatives on the 2022 Personal Income Tax Bill decided to convene a joint meeting of both houses of the National Assembly. Deliberations at the joint meeting proved successful as the differences were resolved and the bill was promptly passed. The bill was subsequently sent for presidential assent but before the President could assent, the two central labour unions in the country sent a powerful petition to the President, urging him not to give his assent as the process of passing the bill by the National Assembly was fraught with alleged constitutional breaches. The National Assembly after waiting in vain for 30 days for the President's assent, decided to override his veto by passing the bill by two-thirds majority votes of members present and voting. The two labour unions now intend to challenge the constitutionality of the 2022 Personal Income Tax Act in court.

Advise the labour unions.

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OSUN STATE UNIVERSITY, OSOGBO

COLLEGE OF LAW, IFETEDO CAMPUS

BACHELOR OF LAWS (LLB) – PART II

RAIN SEMESTER EXAMINATION, 2021/2022 ACADEMIC SESSION

PUL 202 – CONSTITUTIONAL LAW II

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SECTION A (Answer any two questions from this section)

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Advise the labour unions.



OSUN STATE UNIVERSITY, OSOGBO
P. M. B. 4494, OSOGBO
COLLEGE OF LAW, IFETEDO CAMPUS
BACHELOR OF LAWS (LL.B) – PART II

RAIN SEMESTER EXAMINATION
2018/2019 ACADEMIC SESSION

JPL 202 - LAW OF CONTRACT II

CHOICE OF QUESTIONS: ANSWER ANY FOUR QUESTIONS

TIME ALLOWED: 3 HOURS

Legible handwriting and logical expression of answers are important. Support your answers with legal and statutory authorities

Instructions:

Section A: Answer any Two Questions

1. Bonyface dressed in the regalia of a Navy Captain and posing as Captain Jack. He selected oil paintings and ivory carving to the value of N50,000.00 at an art exhibition. He made out his cheque of N50,000.00. The promoter of the exhibition remembered seeing him in one of the National dailies the previous week a rather blotted photograph of a Captain Jack launching a new warship on behalf of the Navy. He took leave of Bonyface ostensibly to fetch a new receipts book but he, in fact went to look for the newspaper in which he saw the Captain so that he could cross-check Bonyface's identity. When he returned, Bonyface, noticing the apprehension of the promoter about accepting his cheque, offered to leave the goods until his cheque was cleared. The promoter, however, apologized saying he never doubted Bonyface and asked him to take away his purchase. Bonyface, however did not go back to the promoter to redeem his pledge. Bonyface sold the paintings and carving to Rhajastan for N250,000.00. The promoter has brought an action against Rhajastan for conversion.

What are his chances of success?

2. In 2005, Mr. Jaiyeola, the General Manager of Jensenemi Plastic Manufacturing Company, let a property from Madam Kowope at the rate of N1,500,000.00 per annum for the purpose of keeping life ammunitions, and paid two years rents in advance. In 2009, he was forcefully dismissed from the industry and could no longer meet his financial obligation towards Madam Kowope.

By 2012, he indebtedness had accrued to N6,000,000.00 (Six Million Naira), which affected his psyche thoughts day in, day out; his reputation in the community began to wane and he decided to commit suicide so that his

off-springs, Dauda and Ojo, would at least collect indemnity from his insurance company to offset his debt upon his death. Madam Kowope decided to recover her rents from Mr. Jaiyeola through an action in court and has approached you. Mr. Jaiyeola eventually committed suicide. His off-springs, (Dauda and Ojo) have sought your services for the recovery of their father's insurance money.

Advise the parties.

3. Mr. Olorunlogbon- Elder and Deacon of the Redeemed Church of God, Odi Olowo Parish, rented one of his duplexes to Mr. Janduku at the rate of N500,000.00 (Five Hundred Thousand Naira) only per annum in 2010. After a year of the initial payment, Mr. Janduku stopped payment. This informed Mr. Olorunlogbon, an illiterate, to have a formal agreement signed between him and his tenants. He requested Mr. Janduku, an undergraduate and a part IV student of law, to prepare a tenancy agreement for the parties to sign in which he intended to waive all the arrears of rent owed him by Mr. Janduku. The tenancy agreement was prepared by Mr. Janduku and he also interpreted it to Mr. Olorunlogbon. However, the contents of the agreement, unknown to Mr. Olorunlogbon, were not only to waive the arrears of the rent, but also to transfer his freehold interest in the property to Mr. Janduku.

In March 2014, upon the consistent defaults in payment by Mr. Janduku, Mr. Olorunlogbon decided to recover his premises, relying on the document executed between the parties. Mr. Janduku resisted the action at the Osun State Rent Tribunal sitting in Ifetedo.

Advise the parties on their respective chances of success.

Section B: Answer Question 4 and any other Question.

4. Baron de Montesque, a Paris based Businessman sometimes in 2018 entered into a contract for the supply of automobiles to Shiek Ibn Dantata a Kuwaiti and an oil magnate. In the course of the negotiation leading to the contract, Baron De Montesque in a telephone chat with Shiek Ibn Dantata exclaimed carelessly **"the machines will surely be on the road for the next 20 years while you service them only once or twice"**. However upon the shipping and delivery of the Automobiles to Kuwait, they only worked for one year before they started developing mechanical faults. Displeased with the outcome of the transaction Shiek Ibn Dantata has demanded for a refund of the purchase price of \$5M claiming that he was prompted by the exclamation of Baron De Montesque in entering into the contract. With the aid of decided cases identify the legal issues involved. *Would your answer have been different if Shiek Ibn Dantata had sent automobile experts to France who certified the automobile "FIT FOR PURPOSE" before entering into the contract?*



OSUN STATE UNIVERSITY, OSOGBO

P.M.B. 4494, OSOGBO

COLLEGE OF LAW, IFETEDO CAMPUS

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BACHELOR OF LAWS (LL.B.) – PART II

RAIN SEMESTER EXAMINATION, 2021/2022 ACADEMIC SESSION

COURSE TITLE: LAW OF CONTRACT II

COURSE CODE: JPL 202

INSTRUCTIONS: ANSWER ANY TWO QUESTIONS FROM EACH SECTION

LEGIBLE HANDWRITING AND LOGICAL EXPRESSION OF ANSWERS ARE IMPORTANT.

TIME ALLOWED: 3 HOURS

SECTION A:

1. (a) Mr Box who owns Crawford filling station, has agreed to sell the filling station to Steve. Both parties concluded the contract sale at 2pm 12th July 2022, Unknown to both of them that the filling station had been engulfed by a fire incident at 7am on that fateful day. With the aid of Judicial authorities, advise the parties on their rights and liabilities.

(b) Steve is also a car dealer who deals in Exotic cars at No. 5 Mapo Road, Ibadan, Mayor approached him to purchase a car and to pay on credit. Mayor claimed to be the son of a famous footballer, and Steve was happy with this after a quick check of his name and address, and let him take the car away. Subsequently, Mayor sold the car to a third party and has disappeared. Steve intends to recover his car. Advise the parties on their respective rights and liabilities using judicial authorities.

(2) Ajolagbe Construction Company was engaged to build a 1,200 capacity hostel for Life Forte University. The construction of the hostel is set to be completed by October 30th 2022 when the University will be admitting students for the commencement of 2022/2023 academic session. On the 1st of October 2022, Ajolagbe Construction Company has decided to abandon the building of the hostel if the university does not pay 20% extra over the agreed amount. Advise the parties.

(3) Write explanatory notes on the following:

- a. Discharge of contract by performance
- b. Discharge of contract by agreement

SECTION B:

- (4) In the laws of England, certain principles are fundamental, one is that only a party to the contracts can sue on it, Thus, our laws knows nothing of *Jus quaesitum tertio* arising by the way of contract. - **Lord Halden** in **Dunlop pneumatic Tyres V Selfridge**. Discuss the authenticity of the statement using statutory and judicial authorities.
- (5) The Maxim in **pari delicto portio Est conditio defendentis** must not be construed to mean that where a transaction is vitiated by illegality, the person in possession of goods after its completion is always and of necessity entitled to keep them. How correct is this statement?.
- (6) Discuss the notion whether or not silence can constitute misrepresentation.



OSUN STATE UNIVERSITY, OSOGBO
P. M. B. 4494, OSOGBO
COLLEGE OF LAW, IFETEDO CAMPUS

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BACHELOR OF LAWS (LL.B.) – PART II

RAIN SEMESTER EXAMINATION, 2015/2016 ACADEMIC SESSION

JPL 202 – LAW OF CONTRACT II

INSTRUCTIONS: ANSWER ANY FOUR QUESTIONS

LEGIBLE HANDWRITING AND LOGICAL EXPRESSION OF ANSWERS ARE IMPORTANT

SUPPORT YOUR ANSWERS WITH STATUTORY AND JUDICIAL AUTHORITIES

TIME ALLOWED: 2^{1/2} HOURS

1. Lagoon boy dressed in the full regalia of a Brigadier and posing as Brigadier Goodface selected five carvings in ivory worth ₦2,400 from Usman's shop. He made out his cheque for ₦2,400. Usman, who remembered seeing Brigadier Goodface's photograph in the Daily Times Newspapers of the previous Saturday, took leave of Lagoon boy ostensibly to switch off an electric kettle, but in fact he went to look for the newspaper to reassure himself that Lagoon boy was not a fraud. He did not find the paper. When he returned, Lagoon boy noticing that Usman was apprehensive about accepting his cheque in return for the release of the carvings, produced an identity card apparently signed by the Chief of Staff of the Nigerian Army. This satisfied Usman, so he released the carvings to Lagoon boy. Lagoon boy, now dressed as a wealthy Northern trader, sold the carvings to Kio Toe for ₦2,000. Usman has brought an action for conversion against Kio Toe to recover the carvings or the value.

What are the chances of success?

2. In 2005, Mr Jaiyeola, the General Manager of Jensetemi Plastic manufacturing Company rented a property from Madam Kowope at the rate of ₦1.5 million per annum for the purpose of keeping life ammunitions. He paid two years rent in advance. In 2009, he was forcefully dismissed from the industry and could no longer pay his rents as and when due to Madam Kowope.

By 2012, his indebtedness had risen to ₦6m (Six Million naira), which affected his psyche. His reputation in the community began to wane and he decided to commit Suicide so that his off- springs, Dauda and Ojo, would at least collect indemnity from his insurance company to offset his debts upon his death. Madam Kowope decided to recover her rents from Mr, Jaiyeola through an action in court and has approached you, just as the off- springs of Late Jaiyeola (Dauda and Ojo) have sought your services for the recovery of their father's insurance money

Advise the parties on their legal rights.

3(a). Mr. Brilliant promised Mrs Dollard that he would sit and write May/ June 2016 West African School Certificate Examination for her. As a security for Mr. Brilliant's performance of the agreement, Mrs Dollard deposited her necklace Gold chain worth ₦100,000 (One Hundred Thousand Naira) with Mr. Brilliant. On the examination day, a heavy torrential rain fell and Mr Brilliant could not write the examination on English language slated for that day. Mrs Dollard brought an action for the recovery of her necklace Gold which Mr. Brilliant resisted. Discuss the legal position with the aid of decided authorities

(b) The maxim *in Pari- delicto potio est conditio defendentis* is a universal tenet of law which is sacrosanct in all ways. Do you agree.? Justify your assertion with relevant authorities.

4. It is now settled that exception clauses in a contract, assuming that they are valid, do not operate to the benefit of a third party – Andrew Otutu Obaseki, JSC in *Charcharous v Ekimpes Ltd.* (1988) 1 NWLR (Pt 68) 68 at 116.

Appraise the validity or otherwise of this statement.

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5. Mr. Olorunlogbon, an Elder and a Deacon of the Redeemed Christian Church of God Ifetedo Parish, rented one of his duplexes to Mr. Janduku at the rate of ₦ 500,000 (Five Hundred Thousand Naira) per annum in 2012. Barely a year after the initial ₦ 500, 000 paid, Mr. Janduku stopped payment. This informed Mr. Olorunlogbon, an illiterate, to have a formal agreement signed between him and his tenants. He requested Mr. Janduku, an undergraduate Part IV law student to prepare a tenancy agreement for the parties to sign in which he intended to waive all the arrears of rent owed him by Mr. Janduku. The tenancy agreement was prepared by Mr. Janduku who interpreted it to Mr. Olorunlogbon. However, the contents of the agreement, unknown to Olorunlogbon were not only to waive the arrears of rent but also to transfer freehold interest in the property to Mr. Janduku. In March 2015, upon the consistent defaults in payment by Mr. Janduku, Mr. Olorunlogbon decided to recover his premises, relying on the document executed between them.

Mr. Janduku resisted the action at the Osun State Rent Tribunal sitting at Ifetedo.

Advise the parties on their respective chances of success.

6. Duress and undue influence are one and the same thing. Do you agree.?

7. Dango Carriers Ltd contracted with Blue Sea Shipping Company Ltd for the sale of Sudanese groundnuts to be shipped to Hamburg. Unfortunately, the canal was closed and Blue Sea Company failed to make shipment simply because shipping the Sudanese groundnut en route Bombay would result in additional costs and expenses too harsh for Blue Sea Shipping Company to bear.

At the suit of Dango Carriers, it was contended that the contract had been frustrated.

Advise the parties on their respective rights and liabilities.



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OSUN STATE UNIVERSITY OSOGBO
COLLEGE OF LAW
IFETEDO

2018/2019 RAIN SEMESTER EXAMINATION

NIGERIA LEGAL SYSTEM 2

TIME: _3hrs

INSTRUCTION: ANSWER QUESTION 1 AND ANY OTHER 3
QUESTIONS.

1. The defendant's appellants were charged and tried on an information for arson and wilful damage. The information was signed by a Senior State Counsel and on behalf of D.P.P of the State pursuant to Ondo State Legal Notice No.4,1980 dated 11th March , 1980 whereby the then Attorney General of Ondo State had delegated his powers under section 191 of the 1979 Constitution. Critically examine the following
 - a) Constitutionality of the legal notice and consequently the delegation of the powers of the Attorney General to the Legal officers of the Ministry.
 - b) The power of Attorney General as guaranteed by the constitution.
 - c) What distinguish the withdrawal of case by the prosecution team/counsel from other form of terminating matter in Court.


2. (a) "In a country like Nigeria, where diverse cultural background subsists, of course, it will be inevitable not to have conflict in their respective customary laws" Nasir M.A (2019). Critically examine the above postulation with the aid of legal authority.

(b.) There are different tribes and tongues in Nigeria, leading to disparity in the customary laws regarding the devolution of property on intestacy. Issues of conflict of laws are bound to occur whenever there is a clash between two or three of these different customary laws and the court must choose which one should apply. With the aid of relevant authorities and decided cases where necessary, explain three circumstances in which English law is applicable on parties in Nigeria.



3. (a) What is summary judgement? Briefly explain circumstances that can lead to obtaining judgement from Court summarily.
(b) With the aid of relevant constitutional provisions, highlights the jurisdiction vested on the Supreme Court of Nigeria.
4. Write short note on the following:
- i. Bail
 - ii. Plea
 - iii. Pleadings
 - iv. Accusatorial procedure
 - v. Inquisitorial procedure
5. (a) Kayode Eso JSC stated that "The discretion of the Attorney General to enter *nolle prosequi* in favour or on behalf of any accused person is absolute". Examine this statement with the aid of statutory and judicial authorities.
(b) Explain the various methods of instituting criminal proceedings in the Magistrate Court.
6. (a) Victoria an Igala Christian woman of Kogi State extraction sold a plot of land to Madam Jeleelat a Yoruba Muslim woman at Kano and a receipt was issued in favour of Madam Jeleelat. However, Madam Jeleelat was prevented from building on the land. Madam Jeleelat subsequently brought action against Victoria through her counsel Barrister Tijani Oyeniyi in the Alkali Court and obtained judgement. Consequently, Victoria contacted Barr. Apo-Eso for the possibility of appeal. Advise Victoria and her counsel on the propriety of the judgement or otherwise.
(b) With aid of statutory and judicial authority highlights the sources of civil procedure rules in Nigeria.

Good luck.





OSUN STATE UNIVERSITY, OSOGBO

P. M. B. 4494, OSOGBO

COLLEGE OF LAW, IFETEDO CAMPUS

BACHELOR OF LAWS (LL.B.) – PART II

**RAIN SEMESTER EXAMINATION, 2017/2018 ACADEMIC
SESSION**

JPL 204- NIGERIAN LEGAL SYSTEM II

INSTRUCTIONS: ANSWER TWO QUESTIONS FROM EACH SECTION

**LEGIBLE HANDWRITING AND LOGICAL EXPRESSION OF ANSWERS ARE
IMPORTANT. SUPPORT YOUR ANSWERS WITH STATUTORY AND JUDICIAL
AUTHORITIES.**

TIME ALLOWED: THREE (3) HOURS

SECTION A

1. Any defect in the competence of a court is fatal, for the proceedings are a nullity however well conducted and decided: the defect is extrinsic to the adjudication.

Discuss.

2. The Osun State University is defending a claim for breach of contract brought against it by Chief Gbajue at the Ifetedo High Court. The writ of summons and Statement of Claim were issued and signed thus:

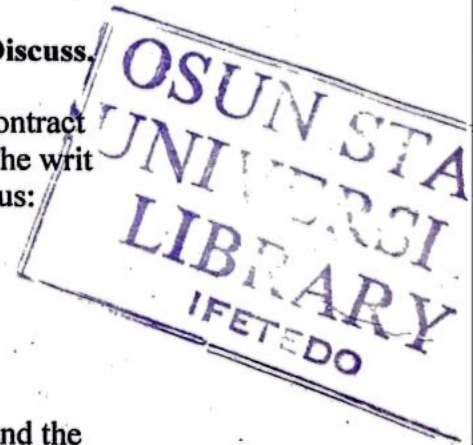
Otunba A. Z. Senayo SAN & Co
12 Oke Bale Street
Ifetedo, Osun State.

Shortly after filing of the suit, Chief Gbajue changed lawyers and the newly appointed attorney filed an amended Statement of Claim that was signed thus:

Chief Ajibike Ogbeni SAN and Co.
4 Oke Awona Street
Ifetedo, Osun State.

The University has forwarded these papers to you for a legal opinion.

Advise the University.



3. The Governor of the State of Konigba is unhappy with the State's Judiciary. His perception is that the judges are over-sympathetic to civil society agitations and that damages awarded against the government for alleged infringement of human rights are excessive and hurtful to the executive purse. He is convinced that this situation cannot be dissociated from the fact that the Chief Judge was a human rights advocate before coming onto the Bench. He wants the Chief Judge removed.

Advise the Governor.

SECTION B

4. (a) Mutiyat a Yoruba Muslim bought a land from Orluchukwu an igbo man at Kaduna and receipt was issued in favour of Mutiyat. Mutiyat was prevented from building on the land, Mutiyat thereafter sued Orluchukwu in the Alkali Court and obtained judgement.

Advise Orluchukwu on the propriety of the judgement or otherwise

- (b) Explain how conflict of choice of law is resolved under the internal conflict of law within the customary law in areas of law known to you.

5. (a) Write short notes on the following:

- I. Nolle prosequi
- II. Plea bargain

- (b) Explain the various methods of instituting criminal proceedings in the Magistrate Court.

6. (a). With the aid of relevant authorities and decided cases where necessary, explain three circumstances in which customary law is applicable on parties in Nigeria.

- (b) All members of the Bench must have been members of the Bar at one time or the other.

In the light of the above, discuss the relationship between the Bar and the Bench in Nigeria.

1. Write an essay on Islamic law and Customary Law as the *Corpus Juris* of Nigerian Law.
2. A Statute is not necessarily one of general application because it was in force in England on the 1st day of January, 1990. In order to be applicable as a Statute of General Application, the Statute must be one, which was of general application in England on the 1st of January, 1990. The test that a court should apply to determine whether such a statute is one of general application are the general applicability of the statute; the nature of the statute; whether it was in force in England on the 1st of January, 1990; the limits of local jurisdiction and the formal verbal alteration. These afore-stated tests cover the provisions of Section 45 of the Interpretation Act.- *Lawal v Ejidike* (1997) 2 NWLR (pt. 487) 319 C. A. Critically analyse this assertion.
3. "Customary Law is the organic or living law of the indigenous people of Nigeria regulating their lives and transactions. It is organic in that it is not static. It is regulatory in that it controls the lives and transactions of the community subject to it. It is said that custom is a mirror of the culture of the people." *Oyewunmi v Ogunesan* (1990) 3 NWLR (pt. 137) 182 at 207. Discuss.
4. The Supreme Court decision in *Olagbenro v Ajagunbade III* that "solitary instance of proof as basis of judicial notice of custom is not enough but may be enough if it satisfies S. 14(2) of Evidence Act" is nebulous and ambivalent. Discuss this statement with relevant statutory and judicial authorities.
- 5 a. All facts before the Court must be proved by evidence. Does this rule afford of any exception? Discuss.
- 5 b. What is 'Shift of Burden of Proof' in Criminal cases.?

Discuss the principles governing 'Shift of Burden of Proof' in Criminal cases.

6. Write brief notes on the following:

- i. Doctrine of *Stare Decisis*
- ii. Jurisdiction and Importance of Sharia court
- iii. Jurisdiction and composition of the Supreme Court
- iv. *Res Judicata*
- vi. Municipal and International Law
- vii. Equity will not permit a statute to be a clock for fraud
- viii. *Audi Alteram Partem*
- ix. *Nemo Judex in Causa Sua*





OSUN STATE UNIVERSITY, OSOGBO
P. M. B. 4494, OSOGBO
COLLEGE OF LAW, IFETEDO CAMPUS

BACHELOR OF LAWS (LL.B.) – PART II

RAIN SEMESTER EXAMINATION, 2017/2018 ACADEMIC
SESSION

BUL 202- LABOR LAW II

INSTRUCTIONS: ANSWER ANY FOUR QUESTIONS

LEGIBLE HANDWRITING AND LOGICAL EXPRESSION OF ANSWERS ARE IMPORTANT. SUPPORT YOUR ANSWERS WITH STATUTORY AND JUDICIAL AUTHORITIES.

TIME ALLOWED: THREE (3) HOURS

Question 1

- a. *"Where the rights of workers are concerned, the rights of the employer are conditioned by the rights of the men to give or withhold their services. The rights of the workmen to strike are an essential element in the principle of collective bargaining". PER LORD SIMMONS in CROFTER HAND WOVEN HARRIS v. VEITCH (1942) 1 ALL ER 142 at p.158-9.*

Discuss the status of strike in the Nigerian labour laws.

- b. It has been argued that there is a distinction between the right to strike and freedom to strike.

Give a thorough analysis of this assertion.

Question 2

- a. Explain the role of parties to a Trade Dispute?
- b. The Association of Finished Products of Nigeria was involved in a dispute with their workers on terms and conditions of employment. At a meeting of the association, it was suggested by the secretary that the workers be dealt with for daring to disagree with their employers. However, the chairman is of the opinion that due process of the law be followed in resolving the dispute. The union eventually resolved in favour of the chairman's suggestion but they are however confused on the procedure for settling trade dispute in Nigeria.

Advise the Association.

Question 3

Write a short note on the effects of Industrial laws on the growth of the Nigerian Economy.

Question 4

- 64-1182
- a. In the recent decision of the Supreme Court in *Skye Bank Plc. v. Victor Anaemem Iwu* the right of appeal from National Industrial Court was altered.

Discuss.

- b. Enumerate the powers of the National Industrial Court.

Question 5

- a. Examine the major purpose of the Industrial Training Fund (Amendment) Act 2011.
- b. In view of the level of unemployment in Nigeria, has the Industrial Training Fund (Amendment) Act being able to achieve its purposes? If not what is the solution?
- c. Who are the major contributors to the fund?

Question 6

Write short notes on the following:

- a) Vicarious Liability
- b) Productivity and Incomes Board
- c) Collective Bargaining



OSUN STATE UNIVERSITY, OSOGBO

P. M. B. 4494, OSOGBO

COLLEGE OF LAW, IFETEDO CAMPUS

BACHELOR OF LAWS (LL.B.) – PART II

RAIN SEMESTER EXAMINATION, 2017/2018 ACADEMIC SESSION

BUL 202- LABOR LAW II

INSTRUCTIONS: ANSWER ANY FOUR QUESTIONS

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COLLEGE OF LAW, IFETEDO CAMPUS

BACHELOR OF LAWS (LLB) – PART II

RAIN SEMESTER EXAMINATION, 2019/2020 ACADEMIC SESSION

PUL 206 – HUMAN RIGHTS LAW II

TIME ALLOWED: 3 HOURS

INSTRUCTIONS:

1. Answer any four questions.
2. Make your handwriting legible.
3. Credit will be given for logical and clear presentation of materials.
4. Support your answers with judicial and statutory authorities.

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1. "Drawing from experiences of decisions from foreign jurisdictions with similar provisions as Nigeria, the provisions on Economic, Social and Cultural Rights contained in the African Charter on Human and Peoples' Rights as well as the rights contained in Chapter IV of the Constitution of the Federal Republic of Nigeria, 1999, can be successfully explored to test the enforceability and justiciability of matters contained in Chapter II of the Constitution." *Discuss.*
 2. Write explanatory notes on the following supporting your answers with authorities:
 - a. Ratification and Domestication of International Instruments and Treaties on Human Rights.
 - b. Interpretation of International Instruments and the Nigerian Constitution.
 3. With the insurgent of the dreaded Boko Haram sect in Borno State, Dr Wale decided to resign his appointment with the University of Maiduguri and relocated to his native state of Ekiti with the intention of securing appointment with the newly established Federal University, Oye-Ekiti. Though he attended the institution's interview and did very well, he was told that he cannot be appointed because the University needed only two staff in his department. He was alarmed! How can he feed his five children and pregnant wife? The state owned Ekiti State University has recently increased its tuition fees by 100% amounting to a whopping N550,000.00 per session for his three children in the school. He could not afford the fees and the children have now dropped out of school. Their mother who could no longer hold herself broke down and wept profusely until the unexpected happened. She went into premature labour and was rushed to the Ado-Ekiti Federal Medical Centre but unfortunately, she

was turned back on the ground that there was no vacant bed space and that the doctors on duty were busy with other patients. She was referred to Tee-Morgan Specialist Hospital owned by Mr. Bluestone whereby the hospital handed her a bill of N300,000. Dr Wale's three bedroom bungalow located at GRA that he had wanted to sell as last resort was swept away by flood and till date no compensation has been paid to him or the house rebuilt by the government despite assurances to that effect by the government when the flood occurred 3 years ago. Frustrated by the whole system, Wale took his wife back home where she died two days later. In his grief, Dr. Wale had resolved to do battle with the government in court querying the necessity of living when the ingredients of life itself are not there. *Taking the issues as they arise, advise him on his chances of success or otherwise.*

4. Recently the ECOWAS Court in a landmark judgment held that every Nigerian child has a right to education. Discuss the legal challenges and constitutional hurdles that may confront Nigerians in their determinations to ensure that the judgment is enforceable or implemented.
5. Appreciating the fact that the world is a global village, Nigeria remains a player in the comity of nations entering into treaties and ratifying international instruments in the process. However, the implementation and observance of these treaties and international instruments is hampered by Nigerian domestic laws and the approach of her Courts to the interpretation of these instruments. Do you agree?
6. The Fundamental Objectives and Directive Principles of State Policy contained in the Nigerian Constitution of 1999 as amended have been likened to a dog that can only bark but cannot bite. Nevertheless they remain the platform and yardstick in which the people assess and measure the success or failure of any government. Critically examine this statement stating at least five areas in which government have tried to give effect to these Fundamental Objectives and Directive Principles.

been breached. Onome who later got employed by the Federal Ministry of Justice had the employment terminated when the Chief Medical Director of UBTH, turned in his report that Onome was HIV positive. Efe and Onome have now dragged the Federal Government before the Federal High Court for breach of their rights under international conventions as well as domestic laws.

- (a). Advise the parties supporting your answer with relevant authorities.
- (b). Would your answer be different if Onome's HIV status was negative, nevertheless he was sacked because the government needed to downsize its work force?

5. Write short note on the following:

- a. Ratification and Domestication of International Instruments and Treaties on Human Rights.
 - b. ECOSOC Rights and the Dignity of man.
6. The provisions of the Economic, Social and Cultural Rights contained in the African Charter on Human and Peoples' Rights as well as the rights contained in Chapter IV of the 1999 Constitution of the Federal Republic of Nigeria, can be successfully explored to test the enforceability and justiciability of items contained in Chapter II of the Nigerian Constitution drawing from experiences of decisions from foreign jurisdictions with similar provisions as Nigeria.

Discuss.



OSUN STATE UNIVERSITY, OSOGBO

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COLLEGE OF LAW, IFETEDO CAMPUS

BACHELOR OF LAWS (LL.B) – PART II

RAIN SEMESTER EXAMINATION

2018/2019 ACADEMIC SESSION

PUL 206 – Human Rights Law II

CHOICE OF QUESTIONS: ANSWER FOUR QUESTIONS

TIME ALLOWED: 3HOURS



1. The provisions of the Economic, Social and Cultural Rights contained in the African Charter on Human and Peoples' Rights as well as the rights contained in Chapter IV of the 1999 Constitution of the Federal Republic of Nigeria, can be successfully explored to test the enforceability and justiciability of items contained in Chapter II of the Nigerian Constitution drawing from experiences of decisions from foreign jurisdictions with similar provisions as Nigeria. *Discuss.*
2. Write short note on the following supporting your answers with authorities:
 - a. Ratification and Domestication of International Instruments and Treaties on Human Rights.
 - b. ECOSOC Rights and the Dignity of man.
3. With the insurgent of the dreaded Boko Haram sect in Borno State, Dr Wale decided to resign his appointment with the University of Maiduguri and relocated to his native state of Ekiti with the intention of securing appointment with the newly established Federal University, Oye-Ekiti. Though he attended the institution's interview and did very well, he was told that he cannot be appointed because the University needed only two staff in his department. He was alarmed! How can he feed his five children and pregnant wife? The state owned Ekiti State University has recently increased its tuition fees by 100% amounting to a whopping N550,000.00 per session for his three children in the school. He could not afford the fees and the children have now dropped out of school. Their mother who could no longer hold herself broke down and wept profusely until the unexpected happened. She went into premature labour and was rushed to the Ado-Ekiti Federal Medical Centre but unfortunately, she was turned back on the ground that there was no vacant bed space left for her and that the doctors on duty were busy with other patients. She was referred to Tee-Morgan Specialist Hospital own by Mr. Bluestone whereby the hospital handed her a bill of N300,000. Dr Wale's three bedroom bungalow located at GRA that he had wanted to

sell as last resort was swept away by flood and till date no compensation has been paid to him or the house rebuilt by the government despite assurances to that effect by the government when the flood occurred 3 years ago. Frustrated by the whole system, Wale took his wife back home where she died two days later. In his grief, Dr. Wale had resolved to do battle with the government in court querying the necessity of living when the ingredients of life itself are not there. *Taking the issues as they arise, advise him on his chances of success or otherwise.*

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6. The Fundamental Objectives and Directive Principles of State Policy contained in the Nigerian Constitution of 1999 as amended have been likened to a dog that can only bark but cannot bite. Nevertheless they remain the platform and yardstick in which the people access and measure the success or failure of any government. Critically examine this statement stating at least five areas in which government have tried to give effect to these Fundamental Objectives and Directive Principles.



OSUN STATE UNIVERSITY, OSOGBO
FACULTY OF BASIC AND APPLIED SCIENCES
DEPARTMENT OF INFORMATION AND COMMUNICATION
TECHNOLOGY

2019/2020 RAIN SEMESTER DEGREE EXAMINATION

CSC 112 — INTRODUCTION TO COMPUTER PROGRAMMING
TIME ALLOWED: 2 HOURS

INSTRUCTIONS:

1. Answer question one any other two (2) questions.
2. Make your handwriting legible.
3. Credit will be given for logical and clear presentation of materials.

1(a) Define the following terminologies: Program, Programming, Programming Language and Programmer

(b) Differentiate between Pseudocode and algorithm.

(c) Design an algorithm to compute and output average of three numbers a, b and c.

(d) Draw and label five program flowchart symbols

(e) Briefly write on the following: (i) Language (ii) Syntax (iii) Semantic (iv) Lexicon

(f) Why do we need to design and use problem-solving approaches in programming? State the problem-solving steps

(g) List the supported datatype in Python

(i) Differentiate between Reserved words and User defined words in python programming Language

2(a) State whether the following identifiers are valid or invalid giving reason(s) for your answer:

(i) 1sum (ii) sum num (iii) *sum* (iv) sum_two_numbers (v) while

(b) Design an algorithm and draw a flowchart to exchange value of two variables x and y

3(a) "Fake news proliferation is one of the current challenges of social media usage in Nigeria and there have been yearnings to eradicate it." Design an algorithm to guide



social media users on information or content to spread or disregard to stop the fake news.

(b) Draw a flowchart to find the total marks scored in four subjects by a student. If the total mark is less than 200, display the word "FAIL", otherwise display the word "PASSED". The marks are: a, b, x, y

4 (a) Differentiate between variable and constant

(b) Draw a flowchart to determine minimum of 3 integer numbers assigned into variables x, y and z.

5(a) Write Python equivalence of the following:

(i) $x = AB/3$ (ii) $y = (A+B)^3 / D$ (iii) $R = 2ML/(P(N+1))$

(b) Draw a flowchart and write a python program to implement $1 + 3 + 5 + 7 + \dots + N$.



OSUN STATE UNIVERSITY, OSOGBO

FACULTY OF BASIC AND APPLIED SCIENCES
DEPARTMENT OF INFORMATION AND COMMUNICATION TECHNOLOGY
2018/2019 RAIN SEMESTER DEGREE EXAMINATION

COURSE CODE: CSC 112

COURSE TITLE: INTRODUCTION TO COMPUTER PROGRAMMING

TIME ALLOWED: 2 HRS

UNITS: 2

INSTRUCTION: ATTEMPT ANY THREE (3) QUESTIONS ONLY

1(a) Define the following terminologies: (i) Program (ii) Programming (iii) Programming Language
(iv) Programmer

(b) Differentiate between Pseudocode and algorithm. Design an algorithm to compute and output average of three numbers a, b and c.

(c) Draw and label five program flowchart symbols

2(a) State whether the following variables are valid or invalid with reasons

(i) B\$(I) (ii) -B (iii) LET (iv) B<=1 (v) IJ(I)

(b) Draw a flowchart and write a BASIC program to exchange value of two variables x and y

(c) What is the purpose of END statement in BASIC? State rules associated with the use of END statement

3(a) Are there errors in this program? If yes state the errors. Re-write this program correctly.

```
10 CLS
20 REM SAMPLE
30.1 INPUT A, BS
40 LET A = "ADE"
-50 LET BS = 20
60 PRINT A, BS
```

(b) Specify the type of the following variables and constants

(i) 25 (ii) 0.005 (iii) Rice (iv) "Rice" (v) "25" (vi) A1\$

(c) Draw a flowchart to find the total marks scored in four subjects by a student; If the total mark is less than 200, display the word "FAIL", otherwise display the word "PASSED". The marks are: a, b, x, y

4 (a) Differentiate between variable and constant

(b) Write a BASIC program to determine minimum of 3 integer numbers assigned into variables x, y and z.

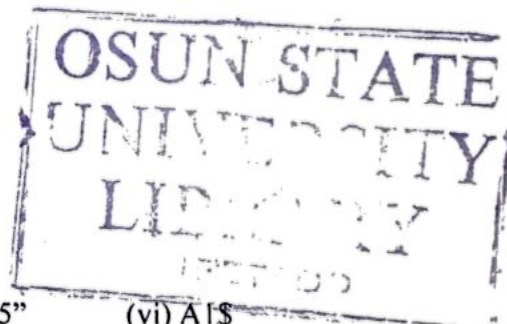
(c) Briefly write on the followings: (i) Language (ii) Syntax (iii) Semantic (iv) Lexicon

5(a) (b) Write BASIC equivalence of the following

(i) $x = AB/3$ (ii) $y = (A+B)^3 / D$ (iii) $R = 2ML/(P(N+1))$

(b) Draw a flowchart and write a Basic program to implement $1 + 3 + 5 + 7 + \dots + N$.

(c) Differentiate between Reserved words and User defined words in BASIC programming Language





OSUN STATE UNIVERSITY, OSOGBO

P. M. B. 4494, OSOGBO

COLLEGE OF LAW, IFETEDO CAMPUS

BACHELOR OF LAWS (LL.B) – PART III

RAIN SEMESTER EXAMINATION, 2018/2019 ACADEMIC
SESSION

JPL 204 – SOURCES OF ISLAMIC LAW

CHOICE OF QUESTIONS: ANSWER FOUR QUESTIONS

TIME ALLOWED: 3HOURS



1. Expatriate on the genesis and the major causes of the proliferation of Islamic Legal School of thought in Islamic jurisprudence.
2. What are the sources of Islamic Law during the prophetic era and what account for the additional sources propounded by the Muslim Jurists later?
3. Give a brief report on the major jurisprudential & controversies between the Sunni and Shiite legal school of thought.
4. Elaborate on the cardinal issues that distinguish each of the four Sunni Schools of thought from one another and pinpoint the areas of concentration of the followers of each one of them around the globe.
5. Islamic bank is an interest free modern banking system that proved its efficient in risk management and poverty alleviation mechanism to the world banking sector in the last few decades. Explain the mainstream of its operation in Nigeria and other part of the world.
6. Takaful, the Islamic Insurance is practiced all over the world by either of two means: *Wakalah* (agency) and *Mudarabah* (-business partnership), both Muslim jurists unanimously endorsed as legitimate. Adduce the legal basis for the authority of *Takaful* as a lawful business transaction.



OSUN STATE UNIVERSITY, OSOGBO

COLLEGE OF LAW, IFETEDO CAMPUS

BACHELOR OF LAWS (LLB) – PART II

RAIN SEMESTER EXAMINATION, 2019/2020 ACADEMIC SESSION

JPL 204 – SOURCES OF ISLAMIC LAW II

TIME ALLOWED: 3 HOURS

- INSTRUCTIONS:**
1. Answer any four questions.
 2. Make your handwriting legible.
 3. Credit will be given for logical and clear presentation of materials.
 4. Support your answers with judicial and statutory authorities.

1. Ameenah was arraigned at Kwara State Sharia Court of Appeal for alleged smoking of cocaine substance. She pleaded not guilty on the ground that the provisions of the Quran did not forbid such act.

As a learned Islamic law expert and amicus curiae in the said court, lend your opinion to the court.

2(a). Compare and contrast the surahs of the Holy Quran revealed in Mekkan and that of Medinah.

(b) "The door of Ijtihad is said to have closed and no new issues could attract Ijtihad again."

Given the dynamic nature of Islam, examine the concept of Ijtihad and its operation in the modern world. Relate your submissions to the known school of thoughts.

3. With the aid of examples and Islamic authorities, state and discuss the principles of Istisan and Istislah as they relate to Islamic Jurisprudence.

4. Critically examine the level of obligations imposed under Islamic Law. With the aid of examples illustrate these obligations.

5. "Rights, duties, and privilege are fundamentals under Islamic law." Critically examine the rights of non-Muslims in an Islamic environment.

6(a). Define Istisan and Istislah.

(b). With the aid of examples and Islamic authorities, state the position of the Quran and Hadith on Islamic Jurisprudence.

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OSUN STATE UNIVERSITY, OSOGBO

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COLLEGE OF LAW, IFETEDO CAMPUS

BACHELOR OF LAWS (LL.B.) – PART II

RAIN SEMESTER EXAMINATION, 2015/2016 ACADEMIC SESSION

JPL 204 – SOURCES OF ISLAMIC LAW

INSTRUCTIONS: ANSWER ANY FOUR QUESTIONS

LEGIBLE HANDWRITING AND LOGICAL EXPRESSION OF ANSWERS ARE IMPORTANT. SUPPORT YOUR ANSWERS WITH STATUTORY AND JUDICIAL AUTHORITIES.

TIME ALLOWED: 2^{1/2} HOURS

1. Mr Jalil, a former staff of the Federal Ministry of Justice, was married to four wives: Fauziyyah, Stella, Qudrat and Lateefah. He, being a person that has a soft spot for light women generally, was contemplating proposing in marriage, one Zeenah, a former beauty pageant, thereby, taking up the fifth wife. Alternatively, he is also considering divorcing Qudrat, one of his wives, for no reason whatsoever. This case has been brought before you as an Islamic Law expert. You are therefore expected to advise Mr Jalil in respect of a fifth wife; divorcing Qudrat for reason whatsoever. Assuming Mr Jalil has the right to divorce Qudrat, what are the conditions that he has to fulfil before marrying Zeenah.
2. Fully elaborate the impediments to Marriage and state evidence from the Quran and Sunnah.



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3. Give a brief historical account of Malik bin Anas and explain the application of his school of law in the Nigeria.
4. Describe the rules of the waiting period (iddah) by referring to the Quranic provision and Sunnanic teachings.
5. Write a brief notes on any of the **three** following:
 - a. Ba'in (Irrevocable divorce)
 - b. Raj'I (Revocable divorce)
 - c. Khul' (Redemption)
 - d. Tafwid (delegation in divorce)
6. Give the historical development of Shari'ah in Nigeria and evaluate the effects of colonial administration on Shari'ah.
7. What are the major problems with the application of the Maliki law in Nigeria?

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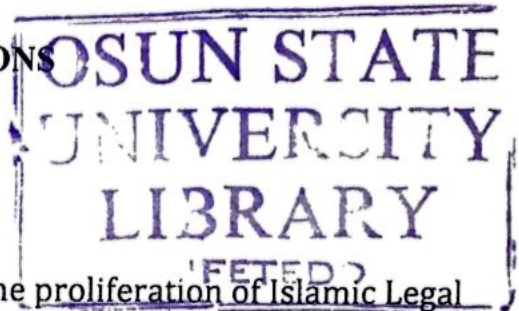
BACHELOR OF LAWS (LL.B) – PART III

RAIN SEMESTER EXAMINATION, 2018/2019 ACADEMIC
SESSION

JPL 204 – SOURCES OF ISLAMIC LAW

CHOICE OF QUESTIONS: ANSWER FOUR QUESTIONS

TIME ALLOWED: 3HOURS



1. Expatriate on the genesis and the major causes of the proliferation of Islamic Legal School of thought in Islamic jurisprudence.
2. What are the sources of Islamic Law during the prophetic era and what account for the additional sources propounded by the Muslim Jurists later?
3. Give a brief report on the major jurisprudential & controversies between the Sunni and Shiite legal school of thought.
4. Elaborate on the cardinal issues that distinguish each of the four Sunni Schools of thought from one another and pinpoint the areas of concentration of the followers of each one of them around the globe.
5. Islamic bank is an interest free modern banking system that proved its efficient in risk management and poverty alleviation mechanism to the world banking sector in the last few decades. Explain the mainstream of its operation in Nigeria and other part of the world,
6. Takaful, the Islamic Insurance is practiced all over the world by either of two means: *Wakalah* (agency) and *Mudarabah* (-business partnership), both Muslim jurists unanimously endorsed as legitimate. Adduce the legal basis for the authority of *Takaful* as a lawful business transaction.



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BACHELOR OF LAWS (LL.B.) – PART II

RAIN SEMESTER EXAMINATION, 2017/2018 ACADEMIC SESSION

PUL 202- CONSTITUTIONAL LAW

INSTRUCTIONS: ANSWER ANY FOUR QUESTIONS

LEGIBLE HANDWRITING AND LOGICAL EXPRESSION OF ANSWERS ARE IMPORTANT. SUPPORT YOUR ANSWERS WITH STATUTORY AND JUDICIAL AUTHORITIES.

TIME ALLOWED: THREE (3) HOURS

1. The National Assembly after its failure, while sitting at a joint meeting, to successfully resolve the differences between the two Houses on the 2018 Company Income Tax Bill and the 2018 Enhanced Political Participation Bill returned the Bills to the Joint Finance Committee which subsequently resolved the differences and sent them to each House of the National Assembly for passage and this was expeditiously done. The President, citing alleged breach of constitutional provisions, refused to assent to the Bills. The National Assembly after 21 days of waiting for the President to sign the Bills thereafter proceeded to pass them at a joint sitting. The President has refused to implement the new Acts and the National Assembly intends to take the matter to court to obtain mandatory court orders on the President.

Advise both parties.

2. "The unitary features of the CFRN 1999 (as altered) are no doubt more vigorously presented in matters relating to the judicature. Indeed, the negation of federal principles concerning the appointment, tenure, emoluments, discipline, removal and control of judges in Nigeria have negative impacts on the constitutional assessable indices of judicial independence. Urgent reforms are no doubt needed."

Discuss.

3. Agnes was born in Lagos on 1st September, 1960 to Mr. & Mrs. Dickson. Her father is a Canadian while her mother was born to a Nigerian mother of the Yoruba stock and a father who was a Kanuri immigrant from Chad. Agnes had been living with her dad in Toronto since 1970

