

OLABISI ONABANJO UNIVERSITY, AGO-IWOYE
CENTER FOR CONTINUING EDUCATION
FACULTY OF LAW
DIPLOMA IN LAW

2016/2017 HARMATTAN SEMESTER EXAMINATION

DIL 101 - NIGERIAN LEGAL SYSTEM

DURATION: 2 1/2 HOURS

ANSWER ANY FOUR (4) QUESTIONS

1. (a). Legislation is the prime source of law and is valuable to setting social standards and norms at all levels of government including the national, state and local level.

Discuss *Local enactment Nigerian legislation*

(b). List and explain the components of a legislation.

2. (a). Law does not have a universally accepted definition though different scholars have proffered various ways of defining law. Define "Law" as stated by these scholars and explain the characteristics of law.

(b). Discuss the various classifications of law known to you.

3. (a). The Nigerian legal system is typified by certain features which sets it apart from other legal systems. Define what constitutes a legal system and explain the features of the Nigerian legal system. *complexity, Diversity, strong influence of English law, military interference*

(b). Explain the purpose of law in the society.

4. (a). As a result of Nigeria's historical connection with England, English law is a major source of Nigerian law. Discuss

(b). Briefly explain five maxims of equity known to you.

5. (a). A rule of customary law must be shown to be in existence before it can be applied by a court of law. With the aid of decided cases and relevant legislation, discuss the ways of establishing the existence of customary law.

(b). With the aid of decided cases, list and explain the 3 tests which a custom must pass before it can be regarded by the court as a valid rule of customary law.

6. "In law, a precedent is an adjudged case or decision of a court of justice, considered as furnishing a rule or authority for the determination of an identical or similar case afterwards arising, or of a similar question of law".

William M. Lile et al, Brief Making and the Use of Law Books (1914) cited in Black's Law Dictionary (Ninth Edition) Page 1295.

Discuss the above quotation as it applies in the Nigerian legal system.

7. (a) Explain the circumstances under which the Supreme Court of Nigeria may set aside or overrule its own decision.

(b). Identify and discuss the sources of the Nigerian legal system.