

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

2013/2014 HARMATTAN SEMESTER EXAMINATION
DIL 101 - NIGERIAN LEGAL SYSTEM

DURATION: 2 1/2 HOURS

ANSWER ANY FOUR (4) QUESTIONS

1. (a) "Law depends for its existence and practice upon vast concepts that stretch across time, space, causation, and agency. Vast concepts are fundamental from legislation and interpretation to enforcement and adjudication; from weighing evidence to establishing motive and intent; and from imposing fines or sentences to awarding compensation".
- McCubbins & Turner (2013)

What is law?

- (b). Discuss the various classifications of law

Public & Private
International & Municipal
Civil & Criminal Law
Substantive and Procedural Law

2. (a) Define and state the characteristics 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.

3. (a) Explain the features of the Nigerian legal system

- (b). 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, examine the ways of establishing the existence of customary law.

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

5. Discuss the jurisdiction and constitution of the following courts

- (a) The Supreme Court of Nigeria
(b) The Court of Appeal
(c) The Federal High Court
(d) State High Courts

6. (a) Legislation is a vital instrument of social engineering and nation building specially suited to the abrogation and reform of existing laws, the provision of anticipatory remedies and the making of contingency provisions to cope with future developments.

In view of the above statement, explain what you understand by 'Nigerian legislation'.

- (b). Describe the components of legislation.

long title, short title, commencement date, schedule, establishment
Preamble, interpretation