



**NATIONAL OPEN UNIVERSITY OF NIGERIA  
14-16 AHMADU BELLO WAY, VICTORIA ISLAND LAGOS  
SEPTEMBER/OCTOBER 2015 EXAMINATION**

**SCHOOL OF LAW**

**COURSE CODE: LAW 243**

**COURSE TITL: CONSTITUTIONAL LAW 1**

**TIME ALLOWED: 2 ½ Hrs.**

**INSTRUCTION: ANSWER ANY FOUR QUESTIONS, ALL QUESTIONS CARRY  
EQUAL MARKS**

1. Before the 2014 general elections in Bongobongo Republic, various states were owing workers' salaries for periods running into several months. After assumption of office, President Bruhaha came under immense pressure from the Governors of the various states to grant financial relief to the states to enable them discharge their financial obligations to their workers. In his magnanimity, the President approved financial relief running into hundreds of billions of Naira. The money was approved and released without appropriation by the National Assembly. The President has also made appointments without the approval of the Legislature; appointments which, under the Constitution, requires the approval of the legislature. As a constitutional law student, using the 1999 Constitution Nigeria as a point of reference, identify the most relevant constitutional principle violated by the president carrying out the functions of the National Assembly and analyse it bearing in mind the 1999 Constitution.
2. According to Lawrence Tribe, "the constitution is a historically discontinuous composition, it is the product, overtime, of a series of not altogether coherent common promises; it mirrors vision or philosophy but reflect instead, a set of sometimes reinforcing and sometimes conflicting ideas and notions". Discuss. 14 Marks
3. The principle of constitutional supremacy and parliamentary supremacy cannot co-exist being mutually inconsistent. Discuss. 17.5 Marks
4. Aristotle stated that "the rule of law is preferable to that of any individual" Bracton equally affirms that "the king himself ought not to be subject to man but subject to God,

and the law because the law makes the king. **Critically examine these statements.** 14 Marks

5. According to Ben Nwabueze, federalism is an “arrangement where by powers of government within a country are shared between a national country wide government and a number of regionalized (i.e. territorially) localized governments in such a way that each exists as a government separately and independent from others, operating directly on persons and property within its territorial area, with a will of its own and its own apparatus for the conduct of its affairs and with an authority in some matters exclusive of all others”. Discuss. 14 Marks
6. A. Discuss the differences between the 1963 and the 1979 Constitutions of Nigeria.  
  
B. Discuss two of the following:
  - (i) Written and Unwritten Constitutions,
  - (ii) Presidential and Parliamentary systems,
  - (iii) Rigid and Flexible Constitutions.