



NATIONAL OPEN UNIVERSITY OF NIGERIA
14-16 AHMADU BELLO WAY, VICTORIA ISLAND LAGOS
SCHOOL OF LAW
MAY/JUNE 2012 EXAMINATION

LAW 111 – LEGAL METHODS I

Time allowed: 2 Hours

Attempt any four questions. All questions carry equal marks.

1. With the aid of relevant examples, explain the following perspectives of law:
 - a. Natural law
 - b. Modern perspective
 - c. Judicial perspective
2. With the aid of relevant authorities, state the different kinds of justice and give examples of vices which would be seen as violations of each kind of justice.
3. 'Man is born free but everywhere he is in chains'. Discuss with reference to relevant authorities.
4.
 - a. Distinguishing of cases renders the notion of *stare decisis* a hollow sham. Discuss with reference to relevant authorities.
 - b. Define and give examples of the following
 - i. Ration decidendi
 - ii. Obiter dictum
 - iii. Judicial precedent
5.
 - a. With the aid of a table, classify the following statements into the kinds of ambiguity you know:
 - i. Flying aeroplane is dangerous at night
 - ii. A person who has divorced on the 1st day of January 2000
 - iii. The employer shall ascertain from the employee whether he is a graduate
 - iv. An owner or a lessee or a person operating an industrial plant shall pay tax to the Government
 - v. A clear water container
 - b. With the aid of relevant authorities, explain the sources of vagueness in words

- c. Differentiate between the following words, giving examples of their interpretation in decided cases.
 - i. 'SHALL' and 'MAY'
 - ii. 'AND' and 'OR'
6.
 - a. In your opinion, which is the most important rule of interpretation and why is that it so?
 - b. The town of Sodom is infamous for immoral solicitation by homosexual prostitutes. In order to put an end to this terrible practice, the town council enacted the Anti-Solicitation Act which stated in Section 1 that 'any prostitute who solicits or molests persons on the street for the purpose of engaging in immoral acts will be guilty of an offence'. In order to continue in his business without running foul of the law, Gay, a male prostitute, would stay indoors but leave the window facing the street open, during lunch hour when the street is busiest, he would stand naked by the wind and wiggle his waist.
 - i. Using the referential approach to legislative interpretation, suggest whether Gay will be held to have breached Section 1 of the Anti-Solicitation Act. Support your answer with relevant case law.
 - ii. Using the purposive approach to legislative interpretation, suggest whether Gay will be held to have breached Section 1 of the Anti-Solicitation Act. Support your answer with relevant case law.
7.
 - a. With the aid of relevant authorities and examples, explain the following:
 - i. Golden rule
 - ii. Ejusdem Generis rule
 - iii. Ut res magis valet quam pereat
 - iv. Expressio unius est exclusion alterius
 - v. Nositur a sociis
 - vi. Contra proferentes
 - b. State the enacting formula for the following
 - i. A federal law made during military rule
 - ii. A state law made during military rule
 - iii. A federal law made during civilian rule
 - iv. A state law made during civilian rule
8.
 - a. To be a good legislative drafter, all that is required is an intricate knowledge of English Language. Discuss.
 - b. List the stages of the drafting process and explain what they entail.

