



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

LAW 243: CONSTITUTIONAL LAW 1
TIME ALLOWED: 3Hours

INSTRUCTION(S): Answer any 5 questions. All questions carry equal marks.

1.
 - a. Highlight the major differences between Constitutional and Administrative law.
 - b. "Alleged police brutality is a matter of Administrative procedure and should be treated as such by the Courts". Is this statement true, discuss with the aid of decided cases and make your suggestions.
 2.
 - a. State and briefly discuss five duties and functions of the President of the Federal Republic of Nigeria as outlined in the 1999 Constitution.
 - b. The potential for abuse of power exists in every individual so vested. Briefly discuss this position with regards to None's theory.
 3.
 - a. What are the fundamental characteristics of a Federal State?
 - b. Briefly State and describe three matters each which are exclusive to the:
i) Executive List ii) The Concurrent List
 4.
 - a. State and describe the is the main focus of the 17th Century theory propounded by John Locke.
 - b. What were the limitations of this theory as propounded above.
 - c. propagated a constitutionally limited government and distribution of governmental functions into two main arms "crime statistics" and what are the objectives and or benefits of studying and gathering such statistics. Illustrate your answer using 3 types of statistical studies conducted in detail.
- 5a. The legislature, Judiciary and Executive arms of government all function separately and independently of one another in theory only. Discuss.
- 5b. Briefly highlight the limitations of the Supreme Military Counsel as it was then constituted and contract these limitations with the existence of an effective and functional House of assembly.

6. The rule of law postulates that: 'we are to have our actions guided and restrained in certain ways for the benefits of society in general and individual members in particular' briefly discuss this provision with the aid of decided cases.

7a. Discuss the major differences between a written and an unwritten Constitution, using states which practice both to illustrate your position.

7b. briefly discuss the doctrine of separation of powers.

8a. What does the CDCC represent. What were the main objectives of its creation.

8b. Briefly discuss the outcome of the submission of the CDCC's and its recommendations.

9a. Alex has finished secondary school. His parents cannot afford to send him to the university. What is the position theoretically under the 1979 constitution.

9b. Is there any relief he may benefit from, and under what provision of the constitution. Discuss the provisions thereunder and the major limitation of the said provision.