



NATIONAL OPEN UNIVERSITY OF NIGERIA
PLOT 91, CADASTRAL ZONE, NNAMDI AZIKWE
EXPRESS WAY, JABI - ABUJA
FACULTY OF LAW
DEPARTMENT OF PUBLIC LAW
OCTOBER/NOVEMBER EXAMINATION 2016

COURSE CODE: LAW241 (PUL 241)

COURSE TITLE: HUMAN RIGHTS LAW I

CREDIT UNIT: 4

TIME ALLOWED: 2 ½ HRS

INSTRUCTIONS: ANSWER ANY FOUR QUESTIONS.

QUESTION ONE IS COMPULSORY

QUESTIONS

1. Ali and his friend Adam, both medical doctors in Ibadan were driving along Lagos/Ibadan expressway, he was accosted by the police and told to bring out his driver's license and vehicle particulars. He obliged with the vehicle particulars. However he told them that he forgot his driver's license at home but he had a photocopy with him. The police officer refused to accept the photocopy, he told Ali to step out of the vehicle and that Ali would follow him to the police station. Suddenly as Ali was going to where the police van was he remembered he has his license in his right pocket of his trouser. As Ali put his hands into his pocket in an attempt to bring out the license, a second police officer shouted "He is about to bring out a gun, put your hands up", but Ali replied "No, I want to get my license from my pocket." Immediately Ali finished his statement, the police officer shot at him twice. He fell down and died on the spot. Adam relayed the incident to other colleagues in the hospital. Adam and his colleagues organised a peaceful protest at the state house against police brutality and against the death of Ali. The governor sent military officers to disperse them. The officers went throwing tear gas and shooting in the air. Two protesters were badly injured and are currently receiving treatment in the hospital. Discuss the legal issues and advice the parties on the jurisdiction for the enforcement of their fundamental rights. (25 marks).
2. Joshua is a veterinary doctor. He is also in the business of buying pet animals from people and selling at a higher price. Any pet he buys, he nurtures as his own till he sells the pet off. He recently bought a dog from a friend and named the dog Martin, as the day he got the dog was the anniversary of Martin Luther King, one of Joshua's heroes. Sam, Joshua's neighbour is unhappy, as his father's name is Martin. Sam calls his friends who also threaten Joshua saying "if we see you in this

neighbourhood, we will deal with you.” Sam further reported the incident to the police who arrested Joshua immediately. Joshua was arraigned in court the next week and charged for his “unreasonable action”. He was convicted and given a 3 months imprisonment sentence. He represented himself since he could not afford the services of a lawyer. Discuss the legal issues. (15 marks).

3. What is a writ of *feri facias*? In what way is it different from a committal order? Discuss the attitude of Nigerian courts in violation of human rights. (15 marks).
4. Discuss the historical inception of human rights with reference to the teaching of various philosophers. (15 marks).
5. Crystal and Joe have been dating for 5 years. Crystal recently found out she was pregnant. Joe got angry saying that he was a student and is not yet to father a child. Crystal was aggrieved and went to meet her best friend Rachael who is also Joe’s cousin. Rachael took Crystal to a doctor to terminate the baby. Rachael talked Joe into giving her ₦30,000 for the hospital fees which Joe obliged. Discuss the legal issues and advice the parties. (15 marks).
6. Hilary is the editor of Earlybird Newspaper. He published that the Ministers of Finance and Labour have been awarding government contracts to their family members. The affected Ministers are furious and have set up a tribunal inviting Hilary to appear before the tribunal to answer further questions relating to the publication. Is this a right step to remedy the situation? If no, advice the Ministers. (15 marks).