



**NATIONAL OPEN UNIVERSITY OF NIGERIA**  
**14/16 AHMADU BELLO WAY, VICTORIA ISLAND, LAGOS**  
**SCHOOL OF LAW**  
**MARCH/APRIL 2014 EXAMINATION QUESTIONS**

**COURSECODE: LAW322**  
**COURSE TITLE: ENVIRONMENTAL LAW II**  
**TIME ALLOWED: 3 HOURS**  
**ANSWER FOUR QUESTIONS, [QUESTION 1 IS COMPULSORY]**

1. ALASIA COMMUNITY IS A COMMUNITY WITHIN GREENADE STATE IN NIGERIA. THE RESIDENCE OF ALASIA COMMUNITY HAVE ALL BUILT THEIR HOUSES AND HAVE RESIDED IN THE SAME PLACE UNDISTURBED FOR A LONG PERIOD OF TIME, NOTWITHSTANDING THE RESIDENCE LAW OF GRENADE STATE WHICH STATE THAT EVERY RESIDENCE MOST OBTAINED APPROPRIATE LAND PLANNING CERTIFICATE BEFORE BUILDING. MR EMEKA IS THE PRESIDENT OF THE ALASIA COMMUNITY AND HAS A LAND WHICH HE DUG A WELL FROM WHERE MAJORITY OF THE COMMUNITY FETCHES WATER. THE LAND REGULATION AUTHOURITY OF GREENADE STATE SUDDENLY ON ONE MONDAY MORNING MOVED TO THE ALASIA LOCALITY AND DISPLACED THE RESIDENTS ON THE GROUND THAT THEY DID NOT OBTAIN PROPER CERTIFICATION UNDER THE LAW. THE AGENCY ALSO DESTROYED AND FILLED UP MR EMEKA'S WELL. THE ALASIA COMMUNITY IS PRESENTLY PROTESTING AGAINST THE GOVERNMENT ACTION BY WHICH IT DISPLACED THEM AND MR. EMEKA IS MAKING A CLAIM FOR COMPENSATION FOR THE DESTRUCTION OF HIS WELL AGAINST WHICH THE LAND AGENCY REFUSED TO HEED ON THE GROUND THAT THE WELL CANNOT IN ANYWAY BE QUALIFIED AS A PROPERTY UPON WHICH ANYONE CAN MAKE A CLAIM FOR POSSESSION. THE COMMUNITY IS ALSO MAKING A CASE FOR THE RESTORATION OF THEIR LOCATION. AS A LEGAL PRACTITIONER, THE ALASIA COMMUNITY AND MR. EMEKA HAVE CONTACTED YOU IN ORDER TO RETAIN YOUR SERVICE TO FIGHT OUT THEIR CASE. KINDLY ADVISE THE PARTIES AS TO THE LIKELIHOOD OF SUSTAINING THEIR CLAIM.
  
2. [A.] WHAT DO YOU UNDERSTAND BY THE WORD "THEORY]

[B.] ENVIRONMENTAL PROTECTION IS A CONCEPT ASSOCIATED WITH A VARIETY OF THEORIES ABOUT MANKIND AND THE ENVIRONMENT, IDENTIFY AND DISCUSS THESE THEORIES.

3. THE ENVIRONMENT CAN BE DEFINED FROM A LAYMAN PERSPECTIVE AND EQUALLY FROM A NARROW AND BROADER VIEW. DISCUSS
4. NO MATTER HOW PLEASANT AND LAUDABLE AN IDEA SOUNDS TO BE, IT WILL CERTAINLY NOT BE WITHOUT CERTAIN CRITICISM, AND THIS ALSO IS APPLICABLE IN THE CASE OF THE IDENTIFIED ECONOMIC THEORIES OF THE ENVIRONMENT. DISCUSS
5. ENUMERATE THE FACTORS THAT CONTRIBUTED TO THE DELAY IN PROMULGATING A BROADER LEGISLATION BEYOND ENVIRONMENTAL SANITATION.
6. HUMAN RIGHTS EXPERTS HAVE CLASSIFIED RIGHTS UNDER CERTAIN IDENTIFIED CONCEPT OF GENERATION, IDENTIFY AND DISCUSS THESE RIGHTS GENERATION.