



**NATIONAL OPEN UNIVERSITY OF NIGERIA  
PLOT 91, CADASTRAL ZONE, NNAMDI AZIKWE EXPRESS WAY,  
JABI, ABUJA  
FACULTY OF LAW  
2020\_2 EXAMINATION**

**COURSE CODE: PPL343**

**COURSE TITLE: FAMILY LAW I**

**TIME ALLOWED: 3HOURS**

**Instruction: ANSWER QUESTION 1 (ONE) AND ANY OTHER 3 (THREE) QUESTIONS. (QUESTION 1 (ONE) ATTRACTS 25 MARKS)**

**Question 1**

The epicentre of family life has always revolved around the institution of marriage. Attempt a definition of marriage from a legal perspective.

**Question 2**

Japheth and Koko started a love relationship six years ago. After a while, Japheth moved into Koko's in the Republic of Sambiz house where she has been living for the past 10months. Just after the government of Sambiz state relaxed the COVID 19 lockdown, Japheth's friend, Meg brought her wedding invitation to Japheth. On sighting the wedding invitation, Japheth started to counsel Meg against going into a statutory marriage, suggesting that Meg is going into slavery by entering into a statutory marriage with her boyfriend Tiamiyu. Japheth advised Meg that it is better to live together as lovers than be in a marriage relationship. Educate Japheth on the rights and obligations peculiar to persons who have acquired the status of a husband and wife through statutory marriage.

**Question 3**

'The issue of domicile is a threshold one which must first be considered because if it is found that the petitioner is not domiciled in Nigeria, the question whether the trial court has jurisdiction to entertain divorce petition will forthwith be settled and that will be the end of the matter'. Bhojwani v, Bhojani. Examine this statement, highlighting the various types of domicile and its significance on jurisdiction in matrimonial causes.

#### **Question 4**

Tami's parents enrolled her at a computer school while waiting for her JAMB result into the university. At the computer school, she met Jomo Kenyatta, a 45year old Trinidad and Tobago who lives in Nigeria. Tami, aged 15 and Jomo Kenyatta became inseparable and six months later, proposed to her. Tami's parents refused to give their consent but when she threatened to commit suicide, the parents had to reluctantly, give their consent to the marriage. Tami and Jomo Kenyatta decided to have a customary law marriage to honour Tami's father who is a high chief in the village. On the wedding day, Jomo Kenyatta = refused to pay the bride price as it conflicts with his custom. Rather, he brought three purses full of golden chains earrings and bracelets. After the ceremony, Tami's father refused to hand over Tami to Jomo Kenyatta insisting that Tami stays over in his house till she gains admission into the university. Jomo Kenyatta initially agreed but after three weeks demanded that Tami moves into his house. Tami's father persistently refused. Jomo Kenyatta became annoyed and decided to dissolve the marriage. He filed an action at the customary court, Tami's counsel responded to the petition by stating the purported marriage was fundamentally defective. Identify and discuss the defects.

#### **Question 5**

With the aid of relevant authorities, distinguish between void and voidable marriages.

#### **Question 6**

Write short notes on the following:

- i. Animus desirendi
- ii. Respondent's grave and unbearable conduct