



**NATIONAL OPEN UNIVERSITY OF NIGERIA
UNIVERSITY VILLAGE, PLOT 91 CADASTRAL ZONE
NNAMDI AZIKIWE EXPRESSWAY, JABI, ABUJA
2020_1 EXAMINATION**

COURSE CODE: PPL343

COURSE TITLE: FAMILY LAW I

COURSE UNIT: 4

TIME: 2 ½ HRS

INSTRUCTION: Answer Question One (1) and any 3. Question one is compulsory and carries Twenty-five (25) Marks, while other Questions carry Fifteen (15) Marks each.

1. Esther and Job were married under the statute. Since their marriage of 12 years, Job has been charged for three different offences of sexual assault, reckless driving and child abuse. Even though Job has a good job, he refused to support Esther to take care of their three children. Esther had to take up menial jobs in order to send their children to school. Recently, they have been ejected from the accommodation where they stay due to rent default. Esther, being tired of the marriage, has come for advise on the grounds upon which she can sue for divorce. Advise her.

1b. Even though customary marriage differs in every respect from statutory marriage, there are still legal effects. **Discuss the legal effects of a customary marriage.**
2. Ola and Yemi both live in the same neighbourhood and attend the same higher institution of learning. After their courtship, Ola informed her parents of her desire to marry Yemi. Ola has asked you to be her chief bridesmaid and also ensure that all the formal validity is fulfilled. As a law student, discuss your knowledge of the formal validity of a marriage and the effect of a non-compliance with this formality.
3. Nene and Koko after their marriage travelled and settled down in the eastern party of the country. Due to irreconcilable differences between the two of them, the marriage was dissolved and Nene got custody of the two children of the marriage and she relocated to the United States of America. Koko, on the other hand, settled in Nigeria and remarried. Twenty years after, Nene's first son, Tade started dating a girl he met in his second year at the medical school in Boston, USA. After a whirlwind courtship, both of them decided to marry. Since the girl in question is from Nigeria, Nene decided to use the opportunity to visit Nigeria. On the date of the engagement, it was discovered that Labi and Tade are cousins, Labi being Koko's elder sister's daughter. **Discuss the legal issues herein, stating the effect of such a marriage.** Would your answer be different if Tade and Labi have married in USA and already have children?

4. Ahmed and Bilkisu both from the north central geopolitical zone in Nigeria, The two of them are from religious families. Bilkisu has made her intentions of marrying Ahmed known to her parents. Since the two families are muslims, they agreed that the marriage be celebrated under Islamic law. Advise the family of the requirements of an Islamic marriage.
5. (a) Mr. Coker, in his Will, provided that:
“I leave and bequeath my present dwelling place to the whole of my family or blood relatives and their children’s children throughout;

I further hereby device and direct that my lawful son, Kilanko and my first daughter, Seeni will immediately after my demise hold the property as guarantors as both joint tenants and tenants in common and use the property as a common dwelling house and not to be sold without the written consent of all the beneficiaries.

In the light of the two clauses provided in Mr. Coker’s Will, analyse the nature of this property and its validity as a family property.’

- 5b. What actions does our law permit in cases where a third party interferes with a marriage relationship?
6. The child is not without rights. And the law imposes an obligation on the state to protect the rights of children with legal instruments, standards, national and international instruments. Discuss the relevant instruments governing children’s rights, stating whether the Nigerian government is fulfilling the obligation imposed by law towards the protection of children’s rights?