



NATIONAL OPEN UNIVERSITY OF NIGERIA
FACULTY OF LAW
DEPARTMENT OF PUBLIC LAW
2021_2 EXAMINATION QUESTIONS

COURSE CODE: PUL244

COURSE TITLE: CONSTITUTIONAL LAW II

CREDIT UNITS: 4

TIME ALLOWED: 3 HOURS

INSTRUCTION: ANSWER QUESTION 1 (ONE) AND ANY OTHER 3 (THREE) QUESTIONS. QUESTION 1 (ONE) ATTRACTS 25 MARKS WHILE OTHERS ARE 15 MARKS EACH.

1. (a) There is an on-going debate on a bill presented to the House of Representatives seeking to reduce the items in which they can make laws for the federation on matters contained in the second schedule to the 1999 Constitution of Nigeria. Enumerate 10 items on the Exclusive Legislative list. **15 marks**
- (b) You have been asked by your client whether the House of Assembly of a state has powers to legislate on all matters contained in the Concurrent Legislative list. Enlighten him citing relevant authorities. **10 marks**
2. There was an argument in your Constitutional Law class to the effect that no one can question the authority of the legislature to make laws in Nigeria. How true is this assertion? Discuss with the aid of relevant statutes. **15 marks**
3. The State social order should be founded on ideals of Freedom, Equality and Justice in line with the provisions of section 17 of the 1999 constitution. Expatriate. **15 marks**
4. The rule of fair hearing is not a technical doctrine. It is one of substance. The question is not whether injustice had been done because of lack of hearing. It is whether a party, entitled to be heard before deciding, had in fact been given the opportunity of hearing. Analyze this statement with the aid of case law. **15 marks**
5. Your friend, Christian has come to you for assistance on some issues bothering him which has to do with why he could not secure an injunction in an interlocutory application brought before the court. Explain to him the instances when the court will not grant an order of injunction **15 marks**
6. General Musa has just taken over YZ Republic through a coup d'etat and immediately suspends the Constitution of that country. Briefly discuss the law-making processes under military regimes as distinct from what obtains in a democracy. **15 marks**