



NATIONAL OPEN UNIVERSITY OF NIGERIA

DEPARTMENT OF JURISPRUDENCE AND INTERNATIONAL LAW

2023\_2 EXAMINATIONS

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**COURSE CODE: JIL 515**

**COURSE TITLE: JURISPRUDENCE AND LEGAL THEORY 1**

**INSTRUCTION: ANSWER QUESTION 1 AND ANY OTHER 3**

**Time Allowed: 3hrs**

- 1a. People depend on customs and are governed by them, knowingly or not. The English Common law can be interpreted as a formalization of existing customs, and therein lies the importance of having the right customs in society. Customs therefore, are the earliest sources of law and form the basis of the English Common Law system as we see it today. Identify and discuss the origin of three types of customs, and five requisites of customs in jurisprudence. **25 Marks**
2. Law plays an essential role in ensuring the freedom of Association and practice of one's religion, without any interference by government or individual, guarantee by Constitution of most countries of the world that practice democracy. Is this recognized and practice in Nigeria? **15 Marks**
3. What do you understand the word "Legislation"? Trace the historical development of legislation in Nigeria and the merits and demerits of Legislation. **15 Marks**
4. Judicial Precedents is a rule to be followed by lower court of the decision of a superior court based on rationale of the decision. Salmon a renowned jurist pointed out that Stare Decisis should be distinguished from Res Judicata. Discuss the differences between Judicial precedent and Res Judicata. **15 Marks**
5. Critically analyze the emerging worldwide jurisprudence of anti-corruption law with particular reference to Nigeria. **15 Marks**
6. What is the relationship between law and morality? **15 Marks**