

**NATIONAL INSTITUTE FOR LEGISLATIVE STUDIES (NILS)/UNIVERSITY
OF BENIN (UNIBEN) POSTGRADUATE PROGRAMME
MASTERS IN LEGISLATIVE STUDIES (MLS)/MASTERS IN
PARLIAMENTARY ADMINISTRATION (MPAD)
2nd Semester 2015/2016 Examinations.**

Time Allowed: 3 hours

COURSE TITLE: Constitutional Law

COURSE CODE: MLS 804/MLS 802

COURSE LECTURER: Professors Richard Idubor & Nathaniel Inegbedion

Answer any other four (4) questions.

1. “There are ideals of federalism propounded and developed by constitutional law scholars and political scientists the world over. These ideals and ideas are goals set up to achieve true federalism. No constitution can really achieve such goals which are largely utopia [sic]. Such goals are ideals but by and large, and at the end of the day, judges must interpret the provision of the constitution and not the ideals” Per Niki Tobi in *Adebiji Olafisoye v. Federal Republic of Nigeria* [2004] 4 NWLR (Part 864) 580 at 592 (S.C)

Critically examine this statement in the light of the distribution of powers under the Constitution of the Federal Republic of Nigeria 1999. (17 ½ marks)

2. In modern constitutional practice, governmental powers is hinged on the doctrine of separation of powers. With reference to the Constitution of the Federal republic of Nigeria 1999, discuss the theoretical and constitutional framework of the doctrine. (17 ½ marks).
3. (a) Under what circumstances may the right to life be tampered with under section 33 of the 1999 Constitution? (8 marks).

(b) “If the right to fair hearing must be a real right, it must carry with it all the material ingredients necessary for the true enjoyment of the right” How wide is the scope of the right to fair hearing? (9½ marks).
4. Musa, an undergraduate of a State University, is about to commence the writing of his final year project work. He desires to know the various ways Nigerian

citizenship status can be acquired under the relevant section of the 1999 Constitution. He also desires to know how the status could be lost. Advise him. (17 ½ marks).

5. (a) How significant is the distinction between the various classes of rights? (9 marks)

(b) Discuss the true implication of the Fundamental Objectives and Directive Principles of State Policy under the 1999 Constitution. (8 ½ marks)

6. In spite of the constitutional provisions to the contrary, the procedure for the removal of the President under the Constitution of the Federal Republic of Nigeria 1999 is subject to judicial review. Discuss (17 ½ marks).