NATIONAL OPEN UNIVERSITY OF NIGERIA

UNIVERSITY VILLAGE, PLOT 91 NNAMDI AZIKIWE EXPRESS WAY, JABI, ABUJA

FACULTY OF LAW

OCTOBER 2019 – 2nd SEMESTER EXAMINATION

COURSE CODE: **JIL 100**

COURSE TITLE: **INTRODUCTION TO LAW**

COURSE UNIT: **4 UNITS**

TIME ALLOWED: **2 ½ HOURS**

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

1.Mr. Tochi Ibe wants to sue Mr. Adeleke Ayanda under the law of torts. He understands that there is some debate amongst commentators in this area as to whether there is a law of tort or a law of torts. In other words, is there a unifying principle or set of elements that is common to all actions based on tort or is the law in this area just a group of miscellaneous wrongs that do not necessarily bear any relation to each other? Probably the answer lies somewhere in the middle. One of the leading legal writers in the field, Professor Fleming, suggests it would be “bold” to attempt to

reduce the law of torts to a single principle but on the other hand, it is incorrect to view it as nothing but "shreds and patches". What is reasonably clear is that there are certain notions of features that are common to at least most torts. Mr. Tochi Ibe has come to you, as a student offering this course requesting that you assist him, by discussing these features that are common to at least most torts.

(25 marks)

2 .Discuss how one should approach the study of precedent.
(15 marks)

3. i. Name the major courts with federal jurisdiction. (5 marks)

3.ii. Name the courts of major importance in Nigeria in ascending order of authority (5 marks)

3.iii. Mention the aspects of the limits of a court's jurisdiction (5 marks)

4.(a) Define Jurisdiction (3 marks)

(b) Discuss ways in which a court's jurisdiction can be defined and determined
(12 marks)

5.Discuss how later courts decipher the ratio of a case immediately it is handed down through the process of distinguishing or extending the ration. 15 marks.

6. (a) List out three types of contract that you know
(3 marks)

(b) Discuss, two ways court can determine the type of contract in existence between parties, where there has been a dispute.
(12 marks)