

**BOWEN UNIVERSITY, IWO, OSUN STATE**

**COLLEGE OF LAW**

**SECOND SEMESTER EXAMINATION 2022/2023 SESSION**

**CONSTITUTIONAL LAW II- PIL 204**

**TIME: 3 HOURS**

**INSTRUCTIONS:** Answer **TWO** questions from each Section and a total of **FOUR** questions.

**Section A**

1a. Recently, issues were raised concerning the dual citizenship of the President of the Federal Republic of Nigeria, Bola Ahmed Tinubu. Some said he cannot be the President because he possesses dual citizenship. Explain to the Bowen Community the true position of dual citizenship under the Constitution of the Federal Republic of Nigeria 1999 (as amended) and state whether the President's election is in order.

b. Identify, making reference to the necessary provisions of the Constitution, if the following persons are citizens of Nigeria:

i. Wale was born in France. His Father is a Nigerian and his mother is from Mexico.

ii. Daniel Wilson was born in Owerri before independence. His parents and grandparents were from England. Judith was also born in Kano before independence. Her mother was from Ghana while her father was from Abeokuta.

iii. Mr Robert, an American is married to Joke from Oyo State while Mr Ebuka from Imo State is married to Cindy, an American.

2. Identify and explain the Fundamental Human Rights issues in Nigeria in the following:

a. Emeka was convicted for murder and sentenced to death at Osun State High Court. He has just been executed by hanging.

b. Adeolu entered Femi's property and while trying to protect his property, Femi hit Adeolu with a stick on the head and Adeolu died.

c. Umaru was shot by Sergeant Bello while Umaru was running away from Asabi Bank where he and members of his gang had carted away Millions of Naira.

d. Feyisetan's appeal was pending at the Court of Appeal when the Ogun State Government executed her.

e. Chika is 14 years old and has told her parents that she is no longer interested in completing her Secondary School education. However, her parents say she must complete her Secondary School.

3. Chapter 2 of the Constitution of the Federal Republic of Nigeria 1999 is not justiciable by virtue of Section 6(6)(c) of the Constitution. However, there are some provisions of the Constitution and decided cases that could make Chapter 2 justiciable. Discuss.

### **Section B**

4a. Dr. Obidient is contesting the validity of the election of Dr. Olule as the President-Elect of the Federal Republic of Nigeria. Discuss the appropriate court that will sit over the matter.

b. Assuming the judgment of the above court can be appealed against, mention the court that can entertain the matter and other matters it can entertain in its appellate jurisdiction.

c. Explain the Establishment, Appointment and Constitution of the Court of Appeal.

5a. Write a concise note on Judicial Review.

b. Write short notes on the following remedies:

(i) Habeas Corpus.

(ii) Prohibition.

(iii) Mandamus.

(iv) Certiorari.

6a. Enumerate the Superior Courts of Record in Nigeria.

b. Explain the Establishment, Appointment and Constitution of the Supreme Court.