



**NATIONAL OPEN UNIVERSITY OF NIGERIA
FACULTY OF LAW
DEPARTMENT OF PUBLIC LAW**

2023_1 POP EXAMINATION.

COURSE CODE: PUL241
COURSE TITLE: HUMAN RIGHTS LAW I
CREDIT UNIT: 4
TIME ALLOWED: 3 HOURS

**Instruction: ANSWER QUESTION 1 (ONE) AND ANY OTHER 3 QUESTIONS.
ALL QUESTIONS CARRY EQUAL MARKS (15 MARKS) EXCEPT
QUESTION 1 WHICH CARRIES 25 MARKS.**

QUESTIONS:

1. Advocates of the natural law principles have argued that there exist certain rights as a higher law than the legal system or any positive law of any state. Such rights are universal and absolute, and are not limited by space or time. For example, the social contract theory postulates the existence of inalienable right to life, liberty and property, which serves as a powerful restraint on arbitrariness. accordingly, *The United States Declaration of Independence of 1776* was a restatement of the Natural Law postulate.
 - (a) (i) What concept does the above discourse explain? **5Marks**
 - (ii) Briefly discuss the difference between the concept in (i) above from positive rights. **10Marks**
 - (b) Concisely discuss the Historical Perspectives of Human Rights. **10Marks.**
2. Mr. and Mrs. *Rukai* are having serious issue with *Doctor Ifememunma* a medical specialist who owns a private clinic *Generous Hospital and Maternity* in *Obosi* community. The first daughter of Mr. and Mrs. *Rukai* (Miss *Stainless* aged 17) and an SSIII student in *High Hope College* out of carelessness, took in and has nurtured the pregnancy for quite some months before the disappearance of the pregnancy was noticed by her family. Success has confessed that *Doctor Ifemelunma* has helped in

evacuating the stomach which she herself believes is the best option to enable her pursue her academic goal and save herself from the attendant shame and scandals. Mr. and Mrs. *Rukai* furious concerning this development and are now intending to file a suit against *Doctor Ifemelunma*. The Doctor has however maintained consistently, that he had done the operation out of sympathy and philanthropist spirit to help *Stainless* realise her carrier goals and as such he has breached no law(s).

(a) What offence if any, did *Doctor Ifemelunma* commit?

5Marks

(b) Under what circumstance(s) can that offence be excused by the law. **10Marks**

3. (a) Give a short and clear account of a Historical Survey of the content of the International Human Rights Norms bearing in mind the declaration of the Magna Carter. **10Marks**

(b) What is 'Euthanasia'. **5Marks**

4. During the 1997s, *Karel Vasak* introduced the concept of generations into the corpus of human rights discourse. Since then, the debate on this topic has taken many forms and shapes. *Vasak* traced the developments of human rights and concluded that, basically, rights are of three generations. Succinctly discuss these three generations of rights in accordance with *Karel Vasak's* theory. **15Marks**

5. Briefly discuss the right to freedom from discrimination as contained in 1999 Constitution citing a case that buttresses this right. **15Marks**

6. State and briefly discuss any five types of Euthanasia you know. **15Marks**