

THE KENYA SCHOOL OF LAW



DIPLOMA IN LAW (PARA-LEGAL STUDIES)

1ST YEAR TERM II EXAMINATION



GENERAL PRINCIPLES OF CONSTITUTIONAL LAW & LEGAL SYSTEMS II-DPS 104

2nd December 2019

DURATION: 2 HOURS

Instructions to Candidates

- (a) Answer Question **ONE** and **ANY OTHER THREE** Questions
- (b) Question **ONE** carries **25 Marks**
- (c) All other questions carry **15 Marks** each

PLEASE TURN OVER

Question One:

- a) Explain the meaning of the terms "Constitution" and "Constitutionalism" (10 Marks)
- b) Discuss FIVE (5) ways of classifying constitutions and indicate Kenya's status with regard to each classification. (15 Marks)

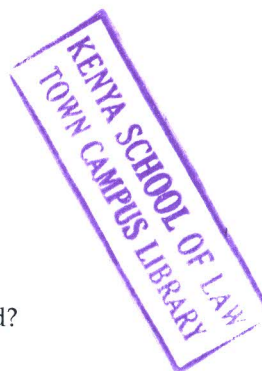
Question Two:

Using Kenya's constitutional framework as a reference point, explain the meaning of the following:

- a) Supremacy of the Constitution;
- b) Separation of powers;
- c) Rule of Law. (15 Marks)

Question Three:

- a) Distinguish between a "state" and a "nation" (4 Marks)
- b) Identify and explain three types of "sovereignty" (6 Marks)
- c) In what ways can Kenyan citizenship be acquired? (5 Marks)



Question Four:

- a) What do you understand by "Legislative Power"? (2 Marks)
- b) Set out the structure and composition of the Parliament of Kenya as provided for under the Constitution of Kenya, 2010. (7 Marks)
- c) Discuss THREE main functions of the Kenyan legislature. (6 Marks)

Question Five:

- a) What is meant by the expression "Executive Power" in the context of Constitutional Law? (3 Marks)
- b) Explain the structure and composition of the National Executive in Kenya. (6 Marks)
- c) Explain the structure and composition of the County Executive under Kenya's Constitutional framework. (6 Marks)

Question Six:

- a) Outline FOUR non-derogable rights under Kenya's Bill of Rights. (8 Marks)
- b) Explain FOUR pillars of Independence of the Judiciary under Kenya's Constitution. (7 Marks)

END