

THE KENYA SCHOOL OF LAW



DIPLOMA IN LAW (PARA-LEGAL STUDIES)

1<sup>ST</sup> YEAR TERM II EXAMINATION

GENERAL PRINCIPLES OF CONSTITUTIONAL LAW & LEGAL SYSTEMS 1

27<sup>TH</sup> NOVEMBER, 2017

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 qualifications and disqualifications for appointment as a Member of Parliament. (7 Marks)
- b) Explain the functions performed by the President under the 2010 constitution. (6 Marks)
- c) Is the Kenyan Judiciary Independent? Discuss. (7 Marks)
- d) Explain at least FIVE features of the Kenyan Constitution. (5 Marks)

**Question Two:**

- a) Discuss FIVE differences between the 1963 and 2010 constitutions. (10 Marks)
- b) "Sovereignty of the people can be exercised in difference ways" anonymous. Explain any two ways where people can exercise their sovereignty directly. (5 Marks)

**Question Three:**

- a) Explain the principles upon which devolved governments were established. (8 Marks)
- b) How may a judge of the Supreme Court be removed from office? (7 Marks)

**Question Four:**

Edna, a Government nurse has been employed for the last twenty (20) years. Under the 2010 Constitution, healthcare is a devolved function. In the past four months nurses have been on strike. This has prompted Edna to seek for a better working environment overseas. Edna successfully secured a job in Austria where she is earning four times her local salary. In view of the foregoing and the ongoing nurses' strike, is devolution a fortunate development in our country? Discuss. (15 Marks)

**Question Five:**

Write explanatory notes on the following:



- a) Freedom of expression. (3 Marks)
- b) Bicameralism. (5 Marks)
- c) Functions performed by the Director of Public Prosecution. (5 Marks)
- d) Removal of the Deputy President from office. (2 Marks)

**Question Six:**

- a) Using relevant examples, explain three ways in which the Judiciary controls the Executive. (5 Marks)
- b) Explain at least Five functions performed by the Kenya National Human Rights and Equality Commission. (10 Marks)

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