

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

(OLD CURRICULUM)

7TH JUNE, 2021

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

Explain the meaning of the following concepts and show their relevance in the context of the Constitution of Kenya 2010:

- (a) Sovereignty (5 Marks)
- (b) Supremacy of the Constitution (5 Marks)
- (c) Separation of Powers (5 Marks)
- (d) Rule of Law (5 Marks)
- (e) Independence of the Judiciary (5 Marks)

QUESTION TWO

Discuss THREE ways of classifying constitutions and show the application of each classification to the Constitution of Kenya, 2010. (15 Marks)

QUESTION THREE

- (a) Explain the meaning of the expression "Legislative Power". (3 Marks)
- (b) Discuss the composition and functions of the Parliament of Kenya under the Constitution of Kenya, 2010. (12 Marks)

QUESTION FOUR

- (a) Explain the qualifications and procedure of election of the President of Kenya. (10 Marks)
- (b) How can a vacancy in the office of the President of Kenya occur? (5 Marks)

QUESTION FIVE

- (a) In the context of the Constitution of Kenya 2010, explain the concept of independence of the judiciary and show how the courts exercise control over the other arms of government. (10 Marks)
- (b) What is the role of the County Assembly? (5 Marks)

QUESTION SIX

What is the meaning of the following terms as used in constitutional law?

- (a) Democracy. (5 Marks)
- (b) Human rights (5 Marks)
- (c) Constitutionalism (5 Marks)

END