



**KISII UNIVERSITY**  
**UNIVERSITY EXAMINATIONS**

**SPECIAL EXAMINATIONS**  
**FIRST YEAR EXAMINATION FOR THE AWARD OF THE**  
**DIPLOMA IN LAWS**  
**FIRST SEMESTER, 2021/2022**  
**(FEBRUARY - JUNE, 2022)**

**DLAW 0111: GENERAL PRINCIPLES OF CONSTITUTIONAL LAW**

**STREAM: Y1 S1**

**TIME: 2 HOURS**

**DAY: TUESDAY, 8:00 – 10:00 A.M.**

**DATE: 22/07/2022**

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**INSTRUCTIONS**

- 1. Do not write anything on this question paper.***
- 2. Answer question ONE (Compulsory) and any other TWO questions.***
- 3. Illustrate your answer with relevant cases and statutory provisions where applicable.***

**QUESTION ONE**

- a) Discuss the meaning and scope of the principle of the Rule of law and indicate the extent to which the principle is the constitution of Kenya. (10 marks)
- b) Nantume a renowned constitutional lawyer says "there's no such thing as an independent judiciary anywhere. The judiciary has always been created by the politics of the economic base and vice versa Examine the specific techniques that have been utilized to secure measure of independence as is thought desirable by the judiciary. (20 marks)

## **QUESTION TWO**

- a) Discuss the principle of separation of powers and explain how has been modified by the principle of cheques and balances. (10 marks)
- b) Describe the manner in which the arms of Government a check on each other. (10 marks)

## **QUESTION THREE**

- a) Citing the constitution 2010provisions, discuss the major institutions of state. (10 marks)
- b) Discuss the relationship between the institutions cite/stated above. (10 marks)

## **QUESTION FOUR**

In accordance with the constitution of Kenya 2010, an arrested person has rights. Citing the specific article of the constitution briefly analyze those rights.

(20 marks)

## **QUESTION FIVE**

- a) What do you understand by the term democracy? (5marks)
- b) Discuss the forms /types of democracy. (8 marks)
- c) Most nations have incorporated the liberal democracy, briefly outline elements of liberal democracy (7 marks)