



THE CATHOLIC UNIVERSITY OF EASTERN AFRICA

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MAIN EXAMINATION

AUGUST - DECEMBER 2014 TRIMESTER

FACULTY OF LAW

REGULAR PROGRAMME

CLS 105 : CONSTITUTIONAL LAW I

Date: DECEMBER 2014

Duration: 2 Hours

INSTRUCTIONS: Answer Question ONE and any other Two Questions

- Q1. Constitutionalism in a narrow sense is the practice of limited of government brought about through the existence of a constitution. Constitutionalism in this sense can be said to exist whenever government institutions and political processes are effectively constrained by constitutional rules. Discuss. **(30 marks)**
- Q2.a) Separation of powers is a doctrine that proposes that the three functions of government should be entrusted to separate branches of government. Identify the three arms of government and their Roles. **(10 marks)**
- b) A referendum is a vote in which the electorate can express a view on a particular issue of public policy. What is the importance of a referendum? **(10 marks)**
- Q3. A president is a formal head of state a title which is held in some states by a monarch or emperor. However constitutional presidents differ from executive presidents. Discuss and give examples **(20 marks)**

Q4. Parliaments occupy a key position in the machinery of government. In what way is parliament important, and what are its chief functions

Q5. A mandate is an instruction or command from a higher body that demands compliance. Policy mandates can be distinguished from governing mandates. Discuss **(20 marks)**