



THE CATHOLIC UNIVERSITY OF EASTERN AFRICA

A. M. E. C. E. A MAIN EXAMINATION

MAY – JULY 2019 TRIMESTER

FACULTY OF LAW

REGULAR PROGRAMME

CLS 103: CONSTITUTIONAL THEORY

P.O. Box 62157

00200 Nairobi - KENYA

Telephone: 891601-6

Date: JULY 2019

Duration: 2 Hours

INSTRUCTIONS: Answer Question ONE and ANY OTHER TWO Questions

- Q1. “In the system of separation of powers the three governmental branches namely the executive, the legislature and the judiciary, mutually check and balance each other in the discharge of their mandates”. ... Per anonymous jurist. Discuss. **(30 marks)**
- Q2. With the aid of decided cases and statutory law, explain the meaning of the following:
- a) An unwritten constitution. **(10 marks)**
 - b) A confederal constitution **(10 marks)**
- Q3. “The functions of the senate under the 2010 Kenyan constitution are a duplication of those performed by the National Assembly.”... Per anonymous jurist. Discuss. **(20 marks)**
- Q4. With the aid of decided case, statutory law and concrete examples, explain the functions of the following bodies:
- a) Office of Director of Public Prosecutions **(10 marks)**
 - b) Commission on Revenue Allocation **(10 marks)**

Q5. With the aid of decided cases and statutory law, explain the meaning of the following terms.

- a) Parliamentary sovereignty (10 marks)
- b) Constitutional supremacy. (10 marks)

END