

1410/202
LAW, HISTORY AND
GOVERNMENT
Oct./Nov. 2018
Time: 3 hours



THE KENYA NATIONAL EXAMINATIONS COUNCIL
NATIONAL CERTIFICATE IN SOCIAL DEVELOPMENT

LAW, HISTORY AND GOVERNMENT

3 hours

INSTRUCTIONS TO CANDIDATES

This paper consists of TWO sections; A and B.

Answer ALL the questions in BOTH sections in the answer booklet provided.

Maximum marks for each part of a question are as indicated.

Candidates should answer the questions in English.

This paper consists of 3 printed pages.

Candidates should check the question paper to ascertain that all the pages are printed as indicated and that no questions are missing.

SECTION A (40 marks)

Answer ALL questions in this section.

1. Identify **five** implications of the Devonshire White Paper of 1923. (5 marks)
2. State **four** features of an 'artificial person' in accordance to the law of persons. (4 marks)
3. Explain **two** advantages of judicial precedents in law. (4 marks)
4. Identify **four** functions of the County Executive Committee (CEC). (4 marks)
5. Highlight **five** roles of the Speaker of the National Assembly. (5 marks)
6. Explain the meaning of each of the following terms as applied in the law of contract:
 - (a) offer; (2 marks)
 - (b) acceptance. (2 marks)
7. Differentiate between a tort and a crime. (4 marks)
8. Highlight **four** decisions that were reached at during the first Lancaster House Conference in 1960. (4 marks)
9. State **four** demands of the Young Kikuyu Association (YKA) during the struggle for independence in Kenya. (4 marks)
10. Explain the meaning of the term 'malice' as applied in the law of torts. (2 marks)

SECTION B (60 marks)

Answer ALL questions in this section.

11. (a) Outline **five** differences between a crime and a civil wrong. (10 marks)
- (b) Highlight **five** ways in which an offer is terminated under the law of contract. (5 marks)
12. (a) Explain **five** fundamental human rights contained in the constitutional bill of rights in Kenya. (10 marks)
- (b) Identify **five** challenges facing the judiciary in Kenya. (5 marks)
13. (a) (i) State the symbols of national unity in Kenya. (3 marks)
- (ii)* Explain **seven** factors that limit national unity. (7 marks)
- (b) Highlight **five** effects that resulted from the Luo migration into Kenya. (5 marks)
14. (a) Explain the meaning of each of the following general defences in the law of tort:
- (i) volenti non-fit injuri;
- (ii) act of God;
- (iii) self-defence;
- (iv) necessity;
- (v) mistake. (10 marks)
- (b) Identify **five** problems faced by early political organizations in Kenya. (5 marks)

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