



MACHAKOS UNIVERSITY

University Examinations 2016/2017

SCHOOL OF HUMANITIES AND SOCIAL SCIENCE

DEPARTMENT OF SOCIAL SCIENCES

FOURTH YEAR FIRST SEMESTER EXAMINATIONS FOR BACHELOR OF ARTS

APH 408: PHILOSOPHY OF LAW

DATE: 1/8/2017

TIME: 8:30 – 10:30 AM

INSTRUCTIONS

Answer Question One and Any Other Two Questions

QUESTION ONE (COMPULSORY) (30 MARKS)

- a) Explain the following:
 - i) Philosophy of law (4 marks)
 - ii) Legal jurisprudence (4 marks)
- b) Discuss the main themes of legal philosophy (12 marks)
- c) Show the relationship between law and ethics. (10 marks)

QUESTION TWO (20 MARKS)

Using a philosopher of your choice, describe the role of natural law in formulating civil law (20 marks)

QUESTION THREE (20 MARKS)

The theory of social contract contributed to the contemporary notion of law. Elucidate this statement. (20 marks)

QUESTION FOUR (20 MARKS)

In reference to any works of literature discussed in class, explain how philosophy of law manifests itself. (20 marks)

QUESTION FIVE (20 MARKS)

Explain meaning of the following legal terminologies:

(20 marks)

- i) De facto et de jure
- ii) Mens rea et actus rea
- iii) Motive versus intent
- iv) Criminal liability
- v) Civil liability
- vi) Issue estoppe,
- vii) Autrefois
- viii) Nolle prosequi
- ix) Ignorantia juris
- x) Animus nocendi