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**COURSE**

**MASTERS OF LEGAL STUDIES**

**CONSTITUTION LAW**

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**COURSE NAME**

**CONSTITUTION LAW 2**

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 **INTRODUCTION**

Across the world, independents or un independents Nations, Empires, Kingdoms, Countries, United States or Federations, have laid down laws, rules, regulations or governing policies and principles. These governing laws may be in a compounded drafts or multiple drafts that are used in laying down order in any nations.

Constitution laws may exist in two main form that are worldly know. The common one and the most used, accepted, recommended and well know is written constitution laws where all governing laws are compiled in one booklet. Kenya, United States of America, France, Brazil, Iran, Russia and China are examples of great nations across the world that uses written constitutions.

Other nations have their constitution in multiple drafts, statues, courts precedency, religion doctrines and scholars’ opinions. All these drafts are compiled to form the common unwritten constitution that is used in countries like Great Britain and Canada.

**DEFINATION**

Constitutional laws refer to fundamental principles or drafted precedents in which a state, country, kingdoms, or other organization is governed. The fundamental law of the state, country, kingdoms, or other organization, contains the principles through which government is formed and founded while regulating sovereign powers and directing citizens on each of these powers and to be confided in a manner they need to be exercised like Kenya constitution on 2010.

**COMPONENTS OF A CONSTITUTION LAWS**

Any constitution contains the following components:

1. Contains laws that shows duties and responsibilities of citizens
2. Contains fundamental laws on rights of citizens
3. Clearly outlines laws that shows the composition of the executive organ in the governments including the cabinets, office of the prime minister and all their duties.
4. Constitution laws shows how power is distributed in various arms of the governments.
5. Constitution laws show and clearly outline duties of head of states.
6. Constitution laws show and defines composition of legislature, its duties and leadership in various offices.
7. Constitution laws shows and clearly outline the composition and role of judiciary.

**CONSTITUTIONAL LAWS**

**Introduction to Jurisprudence**

The study on jurisprudence focuses on general law theory and examines each section's constitutional, civil, and criminal law concepts integrated and relates in their operations.

The principles of courts operations, fiduciary duty in managements, and prohibition of abuse of rights as general principles of civil law, as well as knowledge of various basic laws and systems concerning natural persons in legal matters, legal entities, objects, legal acts, conditions and deadlines of representation of persons, and statutes of limitations are well anchored and outlined in study of jurisprudence law.

**International Law**

The laws focus on rights and obligations of nations in the international society in the context of abiding to international law. International laws are responsible for governing the relationship between countries, nations, states and empires. International laws form the basis of compliance of governments, abiding to national territory, abiding to maritime law, operating space, and state institutions in international negotiations in abiding to world laid laws and promoting international cooperation and diplomacy.

**Administrative Law**

administrative law focuses on general administrative behavior and the remedies of administrative. The fundamental theories and case law on its application forms two mainstreams of administrative law in modern countries and across the world. Administrative laws are commonly adopted across all the continents.

**Computer Science in Law**

As a global community, we are living in a period were information in society and study to utilize it in legal practice actively increasing than ever before. Use of computer logic and informatics methodology to increase perfection in all field of practice is widening than ever before. In legal practice high technology research and with efficiency towards alternatives new or existing legal methodology are being expounded from all directions focusing of a well centered precedents, acts and statutory interpretation. All this aims in coming up with improved justice system.

**Constitutional Law 1**

On Constitutional Law1 the focus is on the structure of state power in ruling and separation of powers among various arms of the governments in relation to the ruling theory. The organization of governments, its capabilities in responsibility dispensations, interrelationships with other arms is well anchored part one of the law.

**Corporation Law**

In this area, the focus is on commercial laws and the legal relations related while doing business and their applications while under functions. All commercial operations from establishment, operation, dissolution, reorganization, and merger of joint-stock companies, partnerships, limited liability companies, and joint-stock companies are well touched and discussed in this part. The laws on joint-stock companies and domestic companies in comparison multinational commercial enterprises is well anchored in corporate law.

**Law of Science and Technology**

Across the world, we have nations that have laws governing national science, technology policy and technology transfer policy in their operations and legal system. Through this, they ensure their science and technological operations are in line with the world demands in terms of compliance and meeting standard in relations with other nations across the world.

Then it compares and examines the relevant legal systems of developed countries.

**Contracts and Torts Law**

The law covers the nature of contracts in parties engaged and possible actions to occur in breach of contract.

While dealing with contracts, issues of estates administrative, unjust enrichment on parties involved, tort representations in comparison with case law and other noteworthy causes of action is well discussed.

**Law of Bill and Check**

The laws focus on governing issuing to all the arms of governments involved and exercising and transferring bills of exchange between arms of governments. promissory notes on financial matters and checks on the same is well anchored on laws of bill and checks

**Philosophy of Law**

In Legal Studies, it is fundamentally good for one to understand all theories in relations to jurisprudence of the law, fundamental requirements to understand the validity of the law, its application, interpretation and philosophy needed in its application. Understanding of jurisprudence in all times in relation to the concept of law and it effects is well discussed and outlined. The relationship between law and morality in all time across different societies and divine is well outline in philosophy of law.

**The Law of Environment**

The focus on the law is to have well-structured laws aims in protecting the environment from pollution and creating a comfortable living environment. This is a continental course and its philosophy when it come clean environments is well emphasized.

**Private International Law**

The study focusses on current laws and all theories applicable in relation to case law while dealing and determining the applicable laws. Law applied on all contingency fee case or all Legal Services and various issues in applying the applicable law are well anchored in this course of the law.

**Comparative Constitutional Law**

Across the world, there are different laws. The Application of the laws, context and time is very important.

The study of comparative law provide legal students with knowledge is comparing various countries' constitutional systems and constitutional views and their applicability in various jurisdictions.

**Copy right Law**

Across the world, there is production of vital information’s, documents like research work, music albums and all creative art work that need to be regulated under law.

Through the course, systematically knowledge on basic concepts of copyright, the rights and obligations of copyright holders to their resources and the rights of access to works is well anchored on the copy right law.

**Law of Cultural Industry**

Across the world, there are different cultures that forms an industry that performs very important functions such as broadcasting media, telecommunication media and operating copyrights. Important skill based on the study are of importance.

**Family Law**

Families are the basic fundamental focus on laws. On family their children that need protection, there issues around spouses like divorce, cohabitation, violence and deaths.

There is protection of family assets such as estates and administration through trusted fiduciary and inheritance.

Issues of next of family kin in that form the basis of democratic families and with harmony context.

**Insurance Law**

In life, we leave in societies full of eventualities, like death, loss of properties, owning properties that need protection because of their sensitivity and all forms of incidences that their occurrence led to financial loss. through the insurance, some restitution may be used to indemnifying of the affected person.

Insurance law in modern society and the legal theories of various insurance policies and coverage systems are well exonerated that legal students required for their future progress in their carrier path.

**Civil Procedure Law**

 Across various divine, there are two group of citizens. The military and the civilian.

Military matters are heard in martial courts while the normal civilian matters are heard in public court.

This is where the plaintiff through advocate file a petition in written form and litigant respond to them in written form.

The trial process begins where the judge will use is authority in determining the facts and issuing directives to both parties for compliance.

**Law of International Transaction**

Across the world, traders, economic trading, involving multinational national corporation, bilateral and multilateral exchanges transactions daily.

Through the study, law governing international transactions of goods, the technology involved in transactions, monetary payments between different parties are well anchored in this study.

National laws on commerce on all nations involved customary law form the base of the course.

**Tax Law**

Across the world, every government and citizen understand the importance of compliance to issues relating to tax. Tax form the basis through which the progress of any nation rest.

Taxation law, taxes obligations, procedural taxation law, means of imposing and collecting taxes are well anchored in this study.

 Remedies on tax remedies noncompliance, resolving disputes on tax matters, penalties and punishing offences are discussed, studies and anchored in tax law.

**Readings in English Law**

In law, there are technical terms in relation to the basic principles of Anglo-American law and it major publications from scholars to improve their ability to read English texts, apply, internalize and synthesizes in wide use.

**Special Criminal Acts**

In our societies, we live among criminals and criminal related crimes come with results that affects our operations either physically, emotionally or socially.

Criminal law enables us to access justice in face of all these and to also understand nature of criminal activities, punishments, code and all laws that relates to criminal activities.

 **Laws of the Settlement of International Disputes**

Across the world, there is and there will be pressure, violations of diplomatic ties and general issues that will lead nations to arise against other nations. Through Laws for International settlements, international system and organizations set for resolving international disputes arise tie after time, the laws help the parties involved in resolutions process. that inevitably arise due to the significant increase in international exchanges today.

The establishments of settlements procedures and issues of specialized disputes, maritime and trades issues are also anchored in this course.

**Electronic Transaction Law**

The Laws rotates around the world of e-commerce. All e-commerce's opportunities for businesses in engagements, financial institutions involved, governments agencies, ministries, commission and departments and consumers roles and protections are well anchored in this course.

The law forms a fundamental based for domestic trades and formation of Basic Electronic Transaction Act and the Funds Transfer Act.

**Banking and Finance Law**

We leave in a world of banking and financial related transactions. Financial organization on institutions levels, operations of security institutions and domestic banks operates within banking and financial law.

All obligations concerning transactions activities are well anchored in this course.

**Constitutional Procedure Law**

The laws focus on claims and procedural characteristics that reference is Constitution Law. All nature of constitutional court system, the general review procedure, the unconstitutionality of laws in the special review procedure when responding, constitutional petitions from various sources, judgment on competence disputes all are in Constitutional Procedure Law.

Also, Constitutional Procedure Law on impeachment proceedings from various sources including, governments entities and all justified dissolution proceedings are anchored in this Law.

**Law of Special Economic Zone**

Across the various Special Economic Zones across in modern countries and local governments, are regulated by Law of Special Economic Zone.

Laws on regulation them and various legal issues related to their development are anchored in this Laws.

**Business law**

Business laws focus of legal issues on formation of business enterprises, formation of joint companies, dissolution and liquidations of business and cooperative societies.

All legislative and laws interpretive analogy is well anchored in this course.

**Sports Law / Enterprise Law**

Across the world, there are legal matters that touches on regulation of sports, athletics and all events that touches on field events.

 **Labor Law**

The Laws focuses on creation and development of social laws, social background, and social legislation that applies on working field or service provisions areas.

Through the Labor Basic Law, theories including:

1. labor standards law
2. trade union law
3. labor dispute settlement law.

Are well expounded in Labor Law.

**Administrative Adjudication Law**

In our lives, issues of unfairness, injustices, deception and fraud are daily order of occurrences. Through the judicial process, the administrative of justice and it remedies including administrative on damages and compensation for losses incurred and possible administrative appeals are well studied. The study on administrative litigation and cases related to the studies are also well studied.

**Law of Succession**

In families there are large vast wealth that need to be legally passed on from one person, community, clan or family to the other entities.

With wave of changes across the world, understanding family law systematically and utilizing the contents of inheritance law among family law forms the reliable base for averting conflicts among all entities that could have been involved in tussle.

The importance of amicable relationships between family members and close relatives and a well succession of property as alternative resolution disputes is well anchored in succession law.

**Maritime Law**

This course explores the concepts and specificities of maritime law and the legal relations between the physical organization of maritime enterprises (ships), corporate entities, corporate assistants (captains), business activities of maritime enterprises, and risk measures and financing of maritime enterprises.

**Sociology of Law**

The sociology of law is a field that explores the "social reality" of law in respects to understanding law as behavior in one’s life and respecting it rather punitive norms.

By society understanding all factual effects of laws, the legal theory and reality is well understood.

**Internet Law**

Use of internet has become a global issue, culture and concern. Law related to fair operation of the Internet, the domain, trademark in usage, copyright ownership and the phenomenon of Internet culture are well exposed and expounded through a comparative study in different divines, culture and languages.

**Insolvency law**

This course introduces Bankruptcy and Reconciliation Law, which are legal fields that deal with the deterioration of a company's or individual's financial condition. It also covers Corporate Reorganization Law, a legal field that revives insolvent companies that can be rehabilitated.

**Economic Criminal Law/ Economic Law**

Economy progress of any nations, empire, corporation and private empires is priority number one in world of economy. The law that checks and regulates economic criminals and legal rules for economic crimes such as unfair trade practices are well anchored in this study. All securities related crimes, private and public insurance crimes, computer crimes, credit card crimes, illegal money laundering, and tax crimes are well regulated in Economic Criminal Law.

**Patent Law**

The course form basis for regulating use:

1. patents
2. utility models
3. designs,
4. trademarks
5. designs for economic activities.

**Investment Law**

Across the world, there are nations and societies that have well investment constitutional laws. The laws are responsible for governing all public or private institutions in investment policies. All economic models either capitalist or socialist programs are well monitored and regulated by investments laws.

**Private Land Law and Public Land Law**

On private land laws, legal knowledge and judicial rights in real estate and how to be grounded on those rights is well laid. Issues of defecting publicizing rights are well emphasized.

On public land laws, legal issues related to land from a public law, the perspective, administrative and regulatory perspective is well studied rather than a judicial attached to the land. The concept of the laws on open land and owning rights are well anchored in this study.

**Medical Law**

As human beings, we leave in a world full of eventualities, risk, disasters that concerns real-life. Concerns including death penalty, adultery, artificial insemination, abortion among teens, and organ transplantation as an immerging issue need to be regulated.

Through medical laws, lawyers and the legal ethics of lawyers are there to ensure that medial right are accorded, administered and diagnosed according to the constitutional laws and statutes.

**IMPORTANTS OF STUDYING THIS COURSE**

Through the study of the course, the course will help me to Demonstrate

Knowledge of constitutional laws in the Kenyan and behold context and its applicability.

Critically analyze the basic constitutional principles in reference to various world nations constitution.

Demonstrate good practice with respect to legal research on both primary and secondary uses of laws and application within Kenya laws and in liaison to Kenya constitution laws and other nations of the world.

Demonstrate excellent analytical skills when constructing rational arguments before court of laws and in all areas where principles of laws will be required within the global jurisdiction.

The knowledge learnt will help me in guiding society in all matters about law and Kenya constitution laws and other nations of the world.

The knowledge learnt will help me in guiding my clients and especially on matters about constitution laws and application within the context in reference Kenya constitution laws and within international arenas.

**CONCLSIONS**

Constitution laws as a legal and accepted documented laws serves in stamping or bringing and restoring order that human being needs while leaving in this un fair world. Through proper dispensation of constitution laws and full enforcements to it full compliance, a just society is created.

Due to the immerging issues and trends and especially with millennials, there is and there will be a need to have a regular review and amendments aimed in accommodating the growing needs in the societies across the world by developing more accommodative constitutional laws.

Lastly, there are constitutional laws that is perfect. It is our duty as human being to conduct ourselves in ways through which we shall be abiding to the rule of the law for better world and to find ourselves on the rights side of the law. Constitution laws as a single document or multiple documents needs to be respected because they contain sovereign power of the people.

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