



REPUBLIC OF KENYA

The Constitution of Kenya

2010

Constitutional Problem In Kenya

P.L.O Lumumba, Kiwinda Mbondenyi



Constitutional Problem In Kenya:

"The Constitutional Problem in Kenya" ... Edward William Macleay Grigg Baron Altrincham, 1933 The constitutional problem in Kenya Edward William Macleay Grigg Baron Altrincham, 1933 *The Making of the Constitution of Kenya* Charles O. Oyaya, Nana Poku, 2018-05-11 Kenya like the rest of Africa has gone through three sets of constitutional crises The first related to the trauma of colonialism and struggle for independence The second a period of constitutional dictatorship and the clamor for reform The third most recent crisis being one of identity legitimacy and the inability of the state to discharge its functions which has resulted in civil unrest violent ethnic conflicts poverty social exclusion and inequality The Making of the Constitution of Kenya examines the processes issues and challenges of constitution making governance and legitimacy in that country and the lessons that can be learned for others on the continent Equipping the reader with a sound historical perspective on constitutional developments and the crisis of constitutional legitimacy in Kenya it gives an invaluable insight into the normative and political complexities involved in evolving a truly democratic and widely acceptable constitutional order in Africa Kenya's Independence Constitution Robert M. Maxon, 2011-04-01 Kenya's Independence Constitution Constitution Making and End of Empire is a narrative of the evolution of the constitution that was put into effect as Kenya's history as a colonial possession came to an end It details the attempts of the colony's political elite and the British Colonial Office to find a constitutional means to move Kenya to the status of independent state As this process moved forward political ethnicity assumed central significance This produced an environment in which demands for a federal constitution popularly termed majimbo came to dominate constitutional discourse Deep disagreement among Kenya's political elite over this issue marked the remainder of the colonial period That elite now represented by the Kenya African National Union KANU and the Kenya African Democratic Union KADU advocated different constitutional paths to independence KADU's demands for a majimbo constitution dominated discourse during 1962 and early 1963 but deep disagreement characterized the constitutional negotiations This resulted in a constitution for self government introduced on June 1 1963 that was regional in character but fell short of a federal system Almost as soon as it came into existence this constitution faced pressure for substantial change from KANU the party that won the 1963 general election As a result the British government was forced to make alterations in what became the independence constitution The latter proved a prelude to the destruction of majimbo a year later Kenya's Independence Constitution provides the first in depth description of the final stage of colonial Kenya's constitutional evolution This book not only provides a detailed account of the process of constitution making including definitive treatments of the final two constitutional conferences of 1962 and 1963 Utilizing British and Kenya cabinet papers and secret intelligence reports never featured in earlier accounts the narrative also destroys many of the myths A Critique of the Constitutional and Legislative Framework in Kenya. For the Impeachment of County Governors Michael Mutinda, 2020-09-10 Bachelor Thesis from the year 2018 in the subject Law Public Law

Constitutional Law Basic Rights grade A Moi University course LAWS language English abstract This legal research paper investigates the gubernatorial impeachment motions proceedings and cases in the Kenyan devolved system since 2013 when the first governments took power under the new Constitution of Kenya 2010 The constitutional legal and institutional framework for the removal of county Governors from office through impeachment in the Kenyan devolved system is examined The removal process of county Governors effectively for the realization of the objects of devolution in Kenya is accessed Nigerian jurisprudence on gubernatorial impeachment is used because it provides instructive lessons on interpreting the Kenyan constitutional provisions on the removal of county Governors through impeachment The result of this study is that the gubernatorial impeachment process in the Kenyan devolved system is a three way process The starting point is the County Assembly CA where the Member of County Assembly can table an impeachment motion against the county Governor Secondly should the impeachment motion succeed against the sitting county Governor the Speaker of the CA forwards the resolution to the Senators who then investigate the impeachment claims made against the county Governor Lastly where the county Governor facing impeachment proceedings feels that their rights are being violated and or the CA and Senate are not following the stipulated procedure they are allowed to access the courts to be granted appropriate reliefs The jurisprudence emerging from the Kenyan courts has been useful in this research Nigerian jurisprudence on gubernatorial impeachment has also been useful on providing instructive lessons on how the Kenyan constitutional provisions on the removal of county Governors from office can be interpreted This legal research paper concludes that for the intended purpose of gubernatorial impeachment to be achieved the people must not only be informed and involved in the removal process of their county Governors but the CAs and Senators must also demonstrate political goodwill while conducting this constitutional process This is because one of the ways through which the objects of devolution can be achieved in the Kenyan devolved system is through accountable governance from the State Officer *Report of the Kenya Constitutional Conference, 1962* Great Britain. Colonial Office, 1962 *Kenya National Assembly Official Record (Hansard)*, 2001-10-31 The official records of the proceedings of the Legislative Council of the Colony and Protectorate of Kenya the House of Representatives of the Government of Kenya and the National Assembly of the Republic of Kenya **A Guide to the Constitutional Development of Kenya** Brack E. S. Brown, 1970 **The Constitution of Kenya: Contemporary Readings** P.L.O Lumumba, Kiwinda Mbondenyei, 2011 The Constitution of Kenya Contemporary Reading provides an in depth assessment of the interface between constitutionalism and Kenyas new Constitution Focusing on the historical trajectory on the search for a new Constitution Chapter One lays the groundwork upon which the fault line between constitutionalism and the issue areas are articulated in the other chapters in relation to the new Constitution The superb chapters on the carefully selected issue areas make this edited volume an essential reading The book makes an important contribution to the evolving constitutionalism and policy clarification on Kenyas new Constitution It is a welcome and timely intervention by legal

scholars and practitioners on the new constitution and the challenges facing Kenya in its implementation The book is an excellent teaching and reading manual for students in law history politics diplomacy and international relations as well as for the practitioners **The Constitutional Review Process in Kenya** ,2002 *Racial Problems in Africa* ,1957 Crisis in Kenya Sam Aaronovitch,K. Aaronovitch,1947 *Readings in Constitutional Law and Politics in Africa* Kivutha Kibwana,1998
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