



Strathmore  
UNIVERSITY

**STRATHMORE INSTITUTE  
DIPLOMA IN INTERNATIONAL RELATIONS  
END OF SEMESTER EXAMINATION  
DIR 1204: INTRODUCTION TO ISSUES OF INTERNATIONAL LAW**

DATE: 5<sup>th</sup> December 2018

Time: 2 Hours

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**Instructions**

1. This examination consists of **FIVE** questions.
2. **Question ONE** is **COMPULSORY**. Answer **Question ONE** and any other **TWO** questions.

**QUESTIONS**

**QUESTION ONE (COMPULSORY)**

- a) (i) Explain positivism theory (5 marks)  
(ii) Illustrate the positivism theory applies to international law (7 marks)  
(iii) Outline one criticism of the positivism theory (3 marks)
  
- b) You have been approached by the president of Nchi Nzuri republic. The president seeks your advice on enforcement of international law. In your advice, discuss three methods States can use to enforce international law (15 marks)

**(Total: 30 marks)**

**QUESTION TWO**

- (a) (i) Define the term sovereignty (1 mark)  
(ii) Discuss two circumstances when the international community can intervene in the actions happening in the territory of a sovereign state (4 marks)
  
- (b) (i) Distinguish between *de jure* recognition and *de facto* recognition (2 marks)  
(ii) Describe four characteristics an entity must possess before it is recognized as a state under international law (8 marks)

**(Total: 15 Marks)**

**QUESTION THREE**

Alpha is a business law student at Biashara University. Recently, he heard two law students talking about international law and relations. In particular, these law students were talking about the relationship between international law and national law. They were using a lot of legal jargon and this ignited Alpha's interest in this matter. Alpha has been told that you are an expert in the area of international law and relations. He has come to you seeking an explanation on the link between international law and national law. Explain to him:

- a) The monist theory (5 marks)
- b) The dualist theory (5 marks)
- c) The place of international law in the Kenyan legal system (5 marks)

**(Total: 15 Marks)**

#### **QUESTION FOUR**

Analyse whether:

- (a) States are generally allowed to use force in solving international disputes (5 marks)
- (b) Two circumstances when states can resort to use of force in international law ( 10 marks)

**(Total: 15 marks)**

#### **QUESTION FIVE**

Discuss five subjects of international law (15 marks)

**(Total: 15 marks)**