

Manmohan Technical University
Office of the Controller of Examinations
Exam Year: 2082, Bhadra (Model Question)

School: SOASTL	Level: Master	Time: 3 Hours
Program: LLM	Year/Part: I/I	Full Marks: 50
Subject: Constitutional Governance & Federalism (MCL503)		Pass Marks: 25

- ✓ Candidates are required to give their answers in their own words, providing appropriate legal reasoning and relevant illustrations where applicable.
- ✓ The figures in the margin indicate Full Marks.
- ✓ Assume suitable data if necessary.

GROUP A : (Analytical Question)

[1x15=15]

1. Analyze whether Nepal can be considered a rule of law country. Does the Constitution of Nepal explicitly incorporate this principle? In your opinion, is the *rule of law* preferable to the "*rule of rulers*" (i.e., Ruler's law, like that of North Korea)?

GROUP B (Long Questions: Attempt any TWO Questions)

[2x10=20]

2. Define constitutionalism. Discuss its relevance in a democratic republican state. How does constitutionalism act as a safeguard against authoritarianism?
3. Is the study of comparative federalism relevant? Compare and contrast the federal frameworks of Switzerland and Nepal. What best practices from the Swiss model could be adapted in the Nepalese context? Support your answer with relevant constitutional practices.
4. "Federalism is one of the basic structures of the Constitution of Nepal." Explain how federal provisions are structured in the 2015 Constitution. Compare Nepal's approach to federalism with that of India and the USA, especially regarding residual powers, the legislature, power distribution, and the judiciary.

GROUP C (Short Questions: Attempt any THREE questions)

[3x5=15]

5. "Corruption remains a major challenge in Nepal." Critically examine the systemic causes behind the persistence of corruption.
6. What is judicial review? Explain your answer with case laws.
7. What is good governance?
8. Explain the salient features of the Constitution of Nepal.

The End