

Public Law Review Questions

Constitutional Law

Part One: Choose the best answer

1. One of the following is *not* correct about a State?
 - A. It has a sovereign power.
 - B. It has defined territory.
 - C. Monopoly of violence.
 - D. Government.
 - E. Permanent establishment.
 - F. All of the above.
 - G. None of the above.
2. Which one is *not* an external checking mechanism of government's power?
 - a) Decentralization,
 - b) Separation of powers,
 - c) Judicial review,
 - d) Bill of rights,
 - e) All of the above,
 - f) None of the above.
3. One of the following explains the Ethiopian Constitution relating to sovereignty:
 - a) Parliamentary Sovereignty,
 - b) Federated states' Sovereignty,
 - c) Monarchical Sovereignty,

- d) Popular Sovereignty,
 - e) b & d are the right answers,
 - f) All of the above,
 - g) None of the above.
4. One of the following is true about state and nation:
- a) A nation may not exist without a state,
 - b) A state may exist without even a single nation,
 - c) A state may not exist without at least a single nation,
 - d) Only one nation for the entire state is a reality everywhere in the globe
 - e) All of the above
 - f) None of the above
5. The concept of constitutionalism refers to;
- a) Existence of a State with and constitution.
 - b) Development of constitutional culture.
 - c) Existence of liberal constitution.
 - d) State/Government which operates abiding by the constitution.
 - e) All of the above.
 - f) None of the above.
6. One of the following is not given in the FDRE Constitution as expression of the sovereign power of the Nations, Nationalities, and People of Ethiopia:
- a) The Constitution itself,
 - b) Through the representatives whom they elect periodically,

- c) Through direct exercise of their sovereign power in such instances as public discussions on piece of legislations,
 - d) All the above,
 - e) None of the above.
7. One of the following doesn't represent the basic feature of constitution?
- a) Generality
 - b) Permanency
 - c) Transitivity
 - d) Supremacy
 - e) All of the above.
 - f) None of the above.
8. Principle of Secularism refers to _____?
- a) State and religion are separate.
 - b) There shall be no state religion.
 - c) None interference of State on the affairs of religion and vice-versa.
 - d) All of the above.
 - e) None of the above.
9. One of the following is comprises the fundamental principle of an ideal Constitution?
- a) Supremacy of the Constitution.
 - b) Popular Sovereignty
 - c) Separation of powers and the principle of checks and balances

- d) Separation of State and Religion (*Principle of Secularism*)
- e) Rule of Law
- f) Independence of the Judiciary
- g) Independence of the Judiciary
- h) All of the above.
- i) None of the above.

10. The national oppression thesis and the question of nationalities in the history of modern Ethiopia represents_____?

- a) The land to the tiller catchphrase which emancipated the Ethiopian peasantry.
- b) The ethno-nationalist movements
- c) The class struggle which holds the rights of the working class.
- d) All of the above.
- e) None of the above.

11. One of the following perspectives of nation building processes holds the idea of a central government devolving political authority to the regions to maintain a single unified state.

- a) Coming to together.
- b) Holding together.
- c) Asymmetric federalism.
- d) Symmetric federalism.
- e) a) & b)
- f) c) & d)
- g) None of the above.

12. One of the following is not related with constitution-making process;

- a) Constituent Assembly,
- b) Initiation,
- c) Federalism,
- d) Promulgation,
- e) All of the above.
- f) None of the above.

13. In polities founded by convent/compact, the constitutional making process often involves _____?

- a) Series of acts negotiated among the established bodies that share in the governance of the polity.
- b) Convention of the partners to the pact, or their representatives.
- c) Process of handing down a constitution from the top.
- d) Constitutional making and change come in bits and pieces - on a piecemeal basis.
- e) Constitutional making process based on concerted elite bargain.
- f) All of the above.
- g) None of the above.

14. One of the following statements is **not** true about unwritten constitution?

- a) It refers to a constitution through which its rules are scattered in different documents and sources.
- b) It refers to a constitution which is not available in a written form.
- c) It is prominently known for being flexible.

- d) Hierarchically speaking of the constitution *vis-à-vis* ordinary laws is the same.
- e) All of the above.
- f) None of the above.

15. Parliamentary constitution refers to _____?

- a) It is also known as congressional system.
- b) The executive branch presides over the legislative branch of the State.
- c) The executive branch remains unaccountable to the legislative organ.
- d) There is no clear-cut separation of powers between the executive and legislative branches.
- e) The president is both head of state and head of government.
- f) All of the above.
- g) None of the above.

16. By looking at the nature of the executive branch, constitutions can be classified as _____?

- a) Republican and monarchical constitutions.
- b) Mono-cephalous, Bi-cephalous and A-cephalous.
- c) Presidential and Parliamentary Constitutions.
- d) Unicameral, Bicameral, Tri-cameral and Tetra-cameral.
- e) All of the above.
- f) None of the above.

17. One of the following statements is correct about presidential system?

- a) The President has a fixed tenure in office.
- b) The legislative organ can hardly remove the president from office before the expiry of his/her term of office.
- c) The president's leadership is much looser than that of the prime minister.
- d) As the president is directly chosen by the people, it is more democratic than a leadership chosen by a parliament.
- e) All of the above.
- f) None of the above.

18. One of the following statements doesn't represent the merit of parliamentary system?

- a) Comparing to presidential system, there is strong separation of powers and check and balance in parliamentary system.
- b) The party or coalition of parties which has won majority vote in the parliament forms government.
- c) The executive-legislative relation is one of co-ordination.
- d) Parliamentary system is a lot easier to pass legislation.
- e) Parliamentarianism has attractive features for nations that are ethnically, racially, or ideologically divided.
- f) All of the above.
- g) None of the above.

19. One of the following is not majoritarian election system?

- a) Proportional representation system
- b) First Past the Post
- c) Absolute majority
- d) All of the above.
- e) None of the above.

20. One of the following statements is not correct about purposive theory of

interpretation?

- a) It doesn't seek to identify either the literal meaning of a provision or the intent of the law-giver.
- b) It simply strives to discover the purpose of the ruling.
- c) It is objective and general with regard to the interpretation of a rule or regulation.
- d) It often looks at the intention of the law-giver.
- e) The interpreter has to use a *contextual approach*.
- f) All of the above.
- g) None of the above

21. One of the following *doesn't* represent the intentional (*subjective*) theory of interpretation?

- a) It serves best when there is a discrepancy between the will of the law-giver and wording the constitution.
- b) It is also known as historical approach.
- c) The literal and intentional theories share similar features in some cases.
- d) It can scrutinize drafts, parliamentary discussions, and the like of resources.
- e) All of the above.
- f) None of the above.

22. One of the following statements *doesn't* qualify with the very meaning and elements of Systematic (*comparative*) theory of interpretation _____?

- a) It shares elements of the intentional theory.
- b) It shares elements of purposive theory.
- c) In countries like Ethiopia, it could have interpretative importance.
- d) It shares elements of the teleological theory.
- e) It shares elements of contextual theory.

- f) All of the above.
- g) None of the above.

23. The method which prescribes for an interpretation to consider factors external to the law or interests of the disputants such as inconvenience, administrative overburden, efficiency of governmental operations, spillover effect, or response to political pressure often refers; _____?

- a) Doctrinal.
- b) Prudential
- c) Natural.
- d) Functional.
- e) Equitable
- f) All of the above.
- g) None of the above.

24. One of the following statements is ***not*** consistent with general concept, principles and legal traditions *visa-vis* constitutional interpretation?

- a) Common Law Countries prefer a *strict* interpretation of statutory law.
- b) Civil law legal opts to legal interpretation.
- c) Strict or literal way is not applicable to the Ethiopian.
- d) Intentional interpretation plays essential role in common law legal system.
- e) In both legal systems constitutional interpretation often start with literal theory.
- f) All of the above.
- g) None of the above.

25. The creation of associated federating units represents to a situation where_____?

- a) Various groups or communities inhabit a region with cooperative spirit on matters of common concern and subsidiary principle towards their exclusive interest.
- b) Member states are recognized as independent states under international law, nevertheless constitutional wise members of a federal state.
- c) Richard Nixon's thought of federalism.
- d) The separatist theory of federalism exists.
- e) It fits all the features of dual federalism.
- f) All of the above.
- g) None of the above.

26. One of the following doesn't fit with the general concept of federalism?

- a) It creates coordinate relationship between/among the center and the federating units.
- b) It principally presupposes engagement of common interests jointly and internal affairs severally.
- c) It requires the existence of written constitution.
- d) All of the above.
- e) None of the above.

27. Centripetal linking refers to a _____?

- a) Situation where decentralized unitary units are converted into a federation.
- b) Member states which are according to international law designated as independent States.
- c) Federalism in which various groups or communities inhabit the same region.
- d) Situation where independent states move closer together to create a federal state.
- e) All of the above.
- f) None of the above.

28. Under conventional discourse of federalist power distribution schemes, one of

the following assertions holds true?

- a) The field of defense is considered mostly an exclusively federal power.
- b) The power to conduct foreign relations in the hands of the federal government.
- c) Legislative power having extra-territorial effect should only conferred national parliament and not on the state legislatures.
- d) Shared powers represent the meeting point of power of two tiers of governments, which otherwise, remain exclusive power of either of federal or state powers.
- e) All of the above.
- f) None of the above.

29. The legislative organ of either government under federal system can delegate any of its power, except _____?

- a) Procedural rules of a certain area of law.
- b) Substantive rules of a certain area of law.
- c) Legislations determining implementations of specific local context
- d) Its function of laying down legislative policy.
- e) All of the above.
- f) None of the above.

30. Delegation of legislative power to the executive organ often considers _____?

- a) Efficacy of specific technical expertise towards the subject matter of the law.
- b) The need for rapid for enactment and amendment of laws with specific areas of concern and application.
- c) Emergency of situations such as war, insurrection floods, epidemics, economic depression and others, which primarily necessities the intervention executive organ often call the need for such delegation.
- d) All of the above.
- e) None of the above.

31. One of the following *doesn't* fall under the constitutional mandate of the HoF?

- a) Interpret the Constitution.
- b) Promulgates legislations determining electoral constituencies.
- c) Organize the Council of Constitutional Inquiry.
- d) Determine the division of revenues derived concurrent revenues and subsidies/grants the Federal government may provide to the States.
- e) Jointly with the HPR determine the power of undesignated revenue powers.
- f) All of the above.
- g) None of the above.

32. In strict sense the HoF represents a chamber of _____?

- a) A *non-legislative* upper house.
- b) A political chamber assembly of politically elected representatives.
- c) Constitutional interpretation and dispute resolutions.
- d) All of the above.
- e) None of the above.

33. With regard to the composition of the HoF, one of the following statements is ***not*** correct?

- a) It is forum of representatives of Nation and Nationality.
- b) Each Nation or Nationality shall be represented by one additional representative for each one million of its population.
- c) Similar to the HPR, it is majoritarian.
- d) All of the above.
- e) None of the above.

34. One is ***not*** correct about distribution of judicial power under the FDRE Constitution?

- a) There is exclusive powers of the federal and States,
- b) There is concurrent powers of the federal and States,
- c) It duly recognizes delegation of judicial power.
- d) Jurisdiction of courts follows the pattern of legislative power.
- e) There are judicial residual powers.
- f) All of the above.

g) None of the above.

35. The FDRE Constitution takes the principle of dual court structure seriously, in this context one of the following statements holds not true?

a) Federal Supreme Court has the highest and final judicial jurisdiction over federal matters.

b) State Supreme Court has the highest and final jurisdiction over State matters.

c) As far as first instance judicial jurisdictions is concerned, there is no appeal from State Courts to Federal Courts and *vice-versa*.

d) Federal Supreme Court has the cassation power over decisions State courts, so long as it is final and there is a fundamental error of law.

e) All of the above.

f) None of the above.

36. Besides the judiciary organ, the FDRE constitution recognizes other organs of control, such organs doesn't comprise _____?

a) Ombudsman;

b) Anti-Corruption Commission.

c) Human Rights Commission;

d) Auditor General;

e) House of Federation and Council of Constitutional Inquiry;

f) All of the above.

g) None of the above.

37. All but one doesn't hold correct with the essence of fundamental rights and freedoms which are prescribed under the FDRE constitution?

a) They are rights and freedoms emanating from nature of mankind.

b) They are inviolable rights and freedoms.

c) They are inalienable rights and freedoms.

d) They are rights and freedoms emanating from being citizens of a State.

e) All of the above.

f) None of the above.

38. As per verbatim of FDRE constitution, human rights are classified as _____?

- a) Human and Democratic rights.
- b) Norms of Aspiration and Enforceable rights.
- c) Civil and political rights.
- d) Rights of citizens and Rights of peoples.
- e) Economic, social and cultural rights.
- f) All of the above.
- g) None of the above.

39. With regard to the **hierarchically** status of international human rights instruments under the FDRE constitution one of the following statements holds **not** true?

- a) They have equal status with the constitution.
- b) They are below the constitution, but above proclamation.
- c) They have equal status with proclamation.
- d) They are below proclamation.
- e) All of the above.
- f) None of the above.

40. The State's Obligation to towards right to life relates to _____?

- a) Obligation to respect.
- b) Obligation to fulfill.
- c) Obligation to protect.
- d) a) & b) are answers.
- e) b) & c) are answers.
- f) a) & c) are answers.
- g) All of the above.

41. One of the following **doesn't** fit with idea of right to security of person and liberty under the FDRE constitution?

- a) The right to liberty is prescribed in its negative sense.
- b) The right to security of persons is related to safety of bodily integrity and protection from any form of bodily harm.
- c) The right to life is not inviolable under the constitution.
- d) The right to security is absolutely inviolable under the constitution.
- e) All of the above.

f) None of the above.

42. The constitutional right of accused person refers to _____?

a) The right to fair trial.

b) The right to be presumed innocent.

c) The right to defend and appeal.

d) All of the above.

e) None of the above.

43. Right of arrested persons under the FDRE constitution doesn't comprise _____?

a) The right to be informed.

b) The right to speedy trial.

c) The right to the writ of habeas corpus.

d) The right to be released on bail.

e) All of the above.

f) None of the above.

44. All of the following, but ***not*** one is embedded under right of convicted persons?

a) The right to be presumed innocent.

b) The right against prohibition of double jeopardy.

c) The rights to be visited by their lawyer.

d) The Right to be visited by their lawyers, close relatives and religious counselors.

e) The right against torture and inhuman or degrading treatment or Punishment.

f) All of the above.

g) None of the above.

Criminal Law

1. One of the following **doesn't** represent the fundamental principle of criminal law?
 - a) The Principle of Legality,

- b) The Principle of Equality
 - c) The principle of territoriality
 - d) The Principle of Individual Autonomy.
 - e) All of the above.
 - f) None of the above.
2. The general objective of criminal law can be described as _____?
- a) Protection of persons and property.
 - b) Deterrence of criminal behavior.
 - c) Punishment of criminal activity.
 - d) Rehabilitation of the criminal.
 - e) All of the above.
 - f) None of the above.
3. The principle of legality comprises all but not one of the following doctrines?
- a) Principle of maximum certainty of crimes and penalties.
 - b) Principle of double effect of euthanasia.
 - c) Principle of strict interpretation and prohibition of analogy.
 - d) Prohibition of double jeopardy.
 - e) Principle of non-retroactivity of criminal law
 - f) All of the above.
 - g) None of the above.
4. In contrast with private law, one of the following statements correctly describes the nature of criminal law?
- a) Often private law inclines towards regulating coordination, whereas criminal law concerns with regulation of prohibitions that can dismantle social bonds.
 - b) Violation of criminal law is regarded as public wrong whereas violation of civil is considered as private wrong.
 - c) Criminal law assumes interest of the society while civil law devotes to private individuals.
 - d) Criminal law often entails sanctions of physical restraint, fines and other

- penalties, whereas, penalty for civil wrong are limited to payment of damages.
- e) All of the above.
 - f) None of the above.
5. The main objective of criminal science is _____?
- a) To discover the causes of crime.
 - b) To devise the most effective methods of reducing crime.
 - c) To devise a perfect machinery dealing with crimes.
 - d) All of the above.
 - e) None of the above.
6. One of the following statements is ***not*** correct about the scope of derivative criminal jurisdiction of Ethiopian courts?
- a) Crimes committed by members of Ethiopian defence forces against the 'ordinary law' of a foreign country.
 - b) Crimes committed in a foreign country against international law or international crimes specified in Ethiopian legislation.
 - c) Crimes committed against an international treaty or convention to which Ethiopia has adhered.
 - d) Crimes committed in a foreign country against public health and morals specified under the criminal code of Ethiopia.
 - e) All of the above.
 - f) None of the above.
7. In order to have a whole body of efficient criminal law, one of the following element must exist?

- a) Politicality
- b) Sepecificity
- c) Uniformity
- d) Penal sunction
- e) All of the above
- f) None of the above

8. One of the following statements correctly depicts the relationship between criminal law and morality?

- a) All crimes are often morally indefensible.
- b) Morality is the sole impute of criminal law.
- c) All moral wrongs are not crimes and *Vice versa*.
- d) Criminal wrong often evolves from moral wrongs which are duly recognized by criminal law.
- e) a) & b)
- f) c) & d)
- g) All of the above.
- h) None of the above.

9. The principle of equality before the law strictly prohibits making differences or discrimination in the treatment of criminals, except in case of _____?

- a) Immunities sanctioned by Public International law.
- b) Immunities sanctioned by Constitutional law.
- c) Requirements of individualization of Criminal Justice.
- d) All of the above.

e) None of the above.

10. One of the following statements doesn't depict the essence of the principle of individual autonomy?

a) Individuals should be treated as responsible agents of their own behavior.

b) As per the factual element of autonomy, individuals possess sufficient free-will to make meaningful choices.

c) As per the normative element of autonomy, individuals have free-will of choosing their commissions/omissions and are recognized as moral persons.

d) All of the above.

e) None of the above.

11. Negative conditions of criminal liability under the FDRE criminal law represent _____?

a) To the existence of criminal irresponsibility of an offender.

b) To the existence of circumstances that do not negate the presumption of rationality and Autonomous behavior.

c) To the existence of acts that enable the accused to invoke the affirmative defenses.

d) All of the above.

e) None of the above.

12. One of the following doesn't fit with the elements of Advertent (*conscious*) Negligence?

a) Existence of a clear foresight.

b) Acceptance of consequence.

c) Rejection of consequence.

d) All of the above.

e) None of the above.

13. As the FDRE criminal code envisages the extra-territorial application of criminal jurisdiction of Ethiopian courts comprises _____?

a) Crimes committed by any person in a foreign country against interests of Ethiopia.

- b) Crime committed by foreign diplomats residing in Ethiopian.
- c) Crimes committed by an Ethiopian enjoying immunity in a foreign country.
- d) Crimes committed by a member of Ethiopian Defense Forces in a foreign Country.
- e) All of the above.
- f) None of the above.

14. One of the following statement ***doesn't*** hold true about territorial application of criminal jurisdiction of Ethiopia courts?

- a) It assumes jurisdiction on crimes committed by any person, except persons with immunity.
- b) It tries crimes punishable under the Ethiopian law.
- c) The crime must have been *committed on the Ethiopian territory*.
- d) All of the above.
- e) None of the above.

15. In assessing appropriate punishment of a perpetrator court in Ethiopia are dutybound to consider the special aggravating circumstances which comprise all but note one of following cases?

- a) Notional concurrence
- b) Material concurrence of the offence
- c) Recidivism,
- d) Antecedents
- e) All of the above.
- f) None of the above.

16. One of the following ***doesn't*** represent the element of indirect intention?

- a) A clear foresight of consequences,
- b) Lack of desire for the consequences.
- c) Rejection of consequence.
- d) Acceptance of consequences.

- e) All of the above.
- f) None of the above.

17. The physical element also known "*actus reus*" of a crime often refers to _____?

- a) Legal element of the crime
- b) Material element of the crime
- c) Moral element of the crime
- d) Moral and Material elements of the crime
- e) Legal and Material element of the crime
- f) All of the above
- g) None of the above.

18. One of the following crimes is typical example of offence of conduct?

- a) Crime of homicid
- b) Crime of perjury
- c) Crime of burglary.
- d) Crime of theft.
- e) All of the above.
- f) None of the above.

19. Material element of a crime refers _____?

- a) To the element embracing the act or omission of the offender and causal relationship with the offence and the material circumstances involved for such crime .
- b) To the moral blame worthiness of the offender.
- c) To the legal prescriptions which determine crimes and their corresponding penalty.
- d) All of the above.
- e) None of the above.

20. One of the following *doesn't* comprise the element of criminal attempt?

- a) Clear criminal intent,
- b) Overt criminal act,

- c) Reckless criminal act,
- d) Failure to achieve the intended result.
- e) All of the above.
- f) None of the above.

21. Which of the following correctly depicts the concept of *Sin qua non*?

- a) The existence of adequate/substantial cause.
- b) But for test.
- c) Point of no return.
- d) Intervening cause.
- e) Contributing cause.
- f) All of the above.
- g) None of the above.

22. One of the following *doesn't* represent the element of direct intention?

- g) A fixed object,
- h) A clear foresight of consequences,
- i) A desire for consequences.
- j) A clear rejection of consequences.
- k) All of the above.
- l) None of the above.

23. As provided under the FDRE criminal code accident refers to _____?

- a) An effect is occurred without *mens rea* on the part a suspect,
- b) An effect is caused by force majeure,
- c) An effect occurred by mishap,
- d) All of the above.
- e) None of the above.

24. One of the following statement is *not* correct about affirmative defenses?

- a) It assume the charges to be correct but raises other facts, if true, that would establish valid justification, or excus to the charge.

- b) Such defense often relates with intentional crimes.
- c) It simply justifies conduct of the perpetrator does not deserve punishment because such behavior lacks blame worthiness.
- d) All of the above.
- e) None of the above.

25. With regard to defense of superior order which one of the following systems adopted under the FDRE criminal code?

- a) Blind or Passive Obedience System,
- b) The Intelligent Bayonets or Infantry is System.
- c) The Manifest is Illegality system, (obedience and independence system)
- d) All of the above.
- e) None of the above.

26. One of the following mode of penalty doesn't qualify as principal penalties under the FDRE criminal code?

- a) Pecuniary penalties
- b) Corporal penalty
- c) Punishments restricting or depriving liberty
- d) Death penalty
- e) All of the above.
- f) None of the above.

27. In principle preparatory act are often precisely because _____?

- a) Criminal law punishes overt acts
- b) It is mere intentions which doesn't necessarily mean to have materialized.
- c) Apart from the criminal motive it is often harmless act.
- d) It is incomplete offenses which has the potential to be renounced.

- e) It doesn't go beyond point of no return and *locus poenitentiae*.
- f) All of the above.
- g) None of the above.

28. One of the following tests of identification for crime of attempt holds similar idea with concept of "*point of no return*"?

- a) Reasonable inference test.
- b) Commencement of execution test.
- c) Proximity test.
- d) *Locus poenitentiae* test
- e) Social danger test
- f) All of the above.
- g) None of the above.

29. All but one *doesn't* suffice/suit to be a valid element of legitimate defense?

- a) Actuality and imminency of the attack.
- b) Exerted against legally protected right.
- c) It must be option of last resort.
- d) Proportionality of the means used and force exerted to avert such attack.
- e) All of the above.
- f) None of the above.

30. One of the following crime *doesn't* represent participation in secondary capacity of an offender?

- a) Crime of incitement,

- b) Crime of complicity,
- c) Crime of conspiracy,
- d) All of the above.
- e) None of the above.

31. The concept of moral criminal refers to _____?

- a) A person who fully associates with the commission of the crime.
- b) A person who commits crime as his/her own though not present at the time and place the crime was committed.
- c) A person who plays no part physically in the commission or omission of the offence.
- d) A persons who is involved as a master mind of an offence.
- e) All of the above.
- f) None of the above.

32. One of the following cases doesn't serve to negate criminal responsibility?

- a) Insanity
- b) Imaturty
- c) Infancy
- d) Intocxication
- e) All of the above
- f) None of the above

33. Legitmate defense refers to _____?

- a) Defenses involving what so ever mechanism including preemitive strike and

retaliation.

- b) Protective action required at any time so long as it averts unlawful attack.
- c) To the use of force to prevent unlawful attacks against individuals, their homes, property and the right of another person.
- d) It involves self-help measures using any means so as to effectuate self defense.
- e) All of the above.
- f) None of the above.

34. One of the following *doesn't* serve as a valid element of defense of necessity?

- a) True state of necessity
- b) It must be option of Last resort
- c) Exerted against legally protected right
- d) Proportionality
- e) All of the above.
- f) None of the above.

35. As provided under the FDRE criminal code there are some valid grounds of aggravating circumstance of punishments. In this regard all but one *doesn't* qualify as general aggravating circumstance of punishment?

- a) Recidivism,
- b) Base motive,
- c) Cruelty
- d) Antecedents

- e) Professional nature of the crime
- f) Time and circumstances of the commission of the crime
- g) All of the above.
- h) None of the above.

36. One of the following statement holds **not** true about the concept of *battered women syndrome*?

- a) It refers causing death or harm intentionally following gross provocation.
- b) It is the doctrine often recognized in the common law legal system.
- c) It is well recognized doctrine under the FDRE criminal law.
- d) It is a valid defense which serve to extenuating punishment.
- e) All of the above.
- f) None of the above.

37. With regard to the defense of consent the FDRE Criminal Code has adopted one of the following theory?

- a) The relatively protected right theory.
- b) Purpose of the harm theory.
- c) Crime of Predominantly, Private Nature Theory.
- d) Absolutely protected right theory.
- e) Relatively protected right theory.
- f) All of the above.
- g) None of the above.

38. One of the following **doesn't** represent among the valid cause of excusable act?

- a) Irresistible coercion,
- b) Superior order,
- c) State of insanity
- d) Intoxication.
- e) All of the above.
- f) None of the above.

39. In contemporary criminal science the main purpose of punishment is _____?

- a) Retribution,
- b) Deterrence,
- c) Prevention/Incapacitation,
- d) Reformation /Rehabilitations,
- e) The Integrative view,
- f) All of the above.

40. One of the following penalties doesn't fall under secondary penalties?

- a) Caution,
- b) Reprimand,
- c) Admonishment,
- d) Deprivation of rights,
- e) All of the above.
- f) None of the above.

41. One of the following doesn't qualify to serve as extenuating factors relating to

circumstances preceding the commission of the crime under the FDRE criminal law.

- a) Moral or material distress,
- b) Intelligence,
- c) Threat,
- d) Provocation
- e) Sincere repentance
- f) All of the above.
- g) None of the above.

42. One of the following statements depicts the distinction between pardon and amnesty?

- a) Pardon is remittance of penalty while amnesty is a general pardon especially for political crimes against government.
- b) In pardon, the remission of sentence may be whole or in part where as in amnesty, it is often complete remission.
- c) Pardon may apply to all penalties and measures whether principal or secondary where as amnesty may be granted in respect to certain crimes and certain classes of criminals only.
- d) All of the above.
- e) None of the above.

1. One of the following is ***not*** correct about taxation?
 - a) Tax is a compulsory contribution of persons toward the needs of government.
 - b) Taxation is one means to shape the political and socio-economic aspects of a state.
 - c) Taxes are the main means of public goods and services.
 - d) Non-rivalry and non-excludability are the main characteristics of tax and public goods and services.
 - e) None of the above.
 - f) All of the above.
2. Efficiency of taxation is often measured against the following costs, ***except*** _____?
 - a) Administrative costs,
 - b) Externality cost
 - c) Compliance costs
 - d) Excess costs
 - e) All of the above.
 - f) None of the above.
3. One of the following statement ***doesn't*** comprise as underlying rationales for transfer of revenue in Ethiopia?
 - a) Lack of locally generated own revenue to finance own expenditure,
 - b) Differences in level of economic development among regional states,
 - c) Differences in endowment with natural resources lead to the formation of a

fiscal gap,

- d) All of the above.
- e) None of the above.

4. The very purpose of taxation is _____?

- a) Rising revenue to fund public goods and services.
- b) As a means of achieving an acceptable distribution of income.
- c) As instrument to optimize the tradeoff between distribution and economic distortion.
- d) To correct externalities and other objectives, notably economic stabilization.
- e) All of the above.
- f) None of the above.

5. One of the following statements holds *incorrect* about the essence of Fiscal federalism?

- a) It refers to the study of how expenditure and revenue powers of a government devolved.
- b) It is exclusively relevant for States with federal system.
- c) It often takes the form of vertical and horizontal structures.
- d) Its ultimate purpose is to Improve efficiency of public resource utilization,
- e) None of the above.
- f) All of the above.

6. Exise tax in Ethiopia refers to _____?

- a) One variety of sales tax.
- b) Tax imposed on luxury and basic goods and services which are demand inelastic.

- c) Tax imposed on goods and services which are hazardous to health and
 - d) Tax imposed on goods and services societal problems.
 - e) All of the above.
 - f) None of the above.
7. One of the following statements doesn't represent the essence of FDRE income tax law?
- a) Income tax is levied based on global jurisdiction on residents.
 - b) Income tax is levied based on source jurisdiction on non-residents.
 - c) It adheres to Global system of taxation.
 - d) It adheres to scheduler system of taxation.
 - e) None of the above.
 - f) All of the above.
8. The VAT which is one of the tax bases levied in Ethiopia is criticized to have some drawbacks, thus, which one of the following statements clearly shows the demerit of the VAT regime?
- a) It is regressive in nature,
 - b) It requires advanced economic structure,
 - c) Administration wise it is uneconomical.
 - d) Taxpayers could over report sales of zero rated goods;
 - e) Taxpayers could use invoices they received for personal purchase to claim tax credit;
 - f) It enables buyers and sellers to strike secret deals with regards the issuance of receipts;
 - g) All of the above.
 - h) None of the above.
9. In strict sense one of the following doesn't represent the obligation of a VAT registered person/

- a) Collection of VAT payment,
- b) Preparation of tax invoice,
- c) Tax records
- d) Reverse taxation
- e) Tax return.
- f) None of the above.

10. One of the following statements correctly depict the meaning of excess cost of taxation?

- a) It refers costs incurred by the government to administer the tax system.
- b) It refers to costs of making tax payments to the government.
- c) It refers to tax-induced changes in the behavior displayed by tax payers.
- d) All of the above.
- e) None of the above.

11. With regard to deductible expense one of the proceeding ideas doesn't fit with rules under the schedules of income tax proclamation?

- a) Income under schedule 'A' is subject to adjusted standard deduction rate.
- b) Income under schedule 'B' is subject to deductible expenses paid on land and buildings.
- c) Schedule 'B' tax payers who don't maintain books of account are subject to deduction of one fifth ($1/5$) of the gross income received.
- d) Deductible expenses under schedule 'C' consists costs incurred to drive the business income.
- e) All of the above.
- f) None of the above.

12. One of the following statements holds not correct about Equity principle of

taxation?

- a) This principle holds the idea that the amount of taxes that people pay should be based on their ability to pay.
- b) People in equal position should be treated equally.
- c) Practically it holds the idea of progressive taxation.
- d) People who earn more should pay more than those people who make income.
- e) It also imbeds the element of benefit principle.
- f) All of the above.
- g) None of the above.

m. Customs duty in Ethiopia represents to _____?

- a) A tax like other taxes but imposed on imported goods or exported goods.
- b) An of exclusive power the federal government.
- c) An instrument of the federal government to prevent or reduce import of goods and service.
- d) A tax which serves to protect infant domestic factories or industries from stiff competitions from foreign companies or importers.
- e) All of the above.
- f) None of the above.

14. One of the following arrengments of revenue power doesn't qualify under the FDRE constitution?

- a) Federal/ central revenue powers,
- b) Regional revenue powers,

- c) Manicupal revenue powers,
- d) Concurrent revenue powers,
- e) Undesignated revenue powers,
- f) All of the above.
- g) None of the above.

15. Contemporarily, transfer of revenues through grants/subsidies in Ethiopia fall under one of the following categories, *except* _____?

- a) Conditional grants,
- b) Unconditional grants,
- c) Equalization grants,
- d) Technical support of the federal government towards regional states.
- e) All of the above.
- f) None of the above.

16. The concept of Stamp duty in Ethiopia represents _____?

- a) Tax imposed on official services provided to individuals through affixing seals.
- b) Official mark or seal placed on a document especially to indicate that a requirement tax has been paid.
- c) One kind of revenue to the government's treasury.
- d) All of the above.
- e) None of the above.

17. With regard to turn over tax (TOT) in Ethiopia, one of the following statements is

not correct?

- a) It is one family of sales tax.
- b) It is imposed on supply of goods and services provided by persons not registered for VAT.
- c) It is imposed on taxable transaction is below 500,000 birr annual transaction.
- d) Its main is the need to equalize and enhance fairness in commercial relations.
- e) All of the above.
- f) None of the above.

18. One of the following clearly reveal the merit of the VAT in Ethiopia?

- a) It avoids cascading effect of a tax (Tax on Tax).
- b) It is neutral,
- c) It improves productivity,
- d) It promotes capital investment and saving,
- e) It enhances exports,
- f) All of the above.
- g) None of the above.

19. Global system of taxation refers to _____?

- a) A system of taxation where income is separately identified by its sources with peculiar procedures and rates of income determination.
- b) A system of taxation where an individual taxpayer is required to declare his aggregate income for the purpose of taxation.
- c) A system of taxation where individual taxpayer is required to declare his income from each source separately.
- d) All of the above.

e) None of the above.

20. In Ethiopia the very purpose of equalization grant is to _____?

- a) Narrow developmental gap and balance the capacity of regional governments.
- b) Address the differences in endowment with natural resources lead to the formation of a fiscal gap.
- c) Create uniform and improved national standard level of provisions of goods and services.
- d) Address *vertical imbalances*.
- e) To address the lack of locally generated own revenue to finance own expenditure.
- f) A & C are answers.
- g) B & D are answers.
- h) All of the above.
- i) None of the above.