

**UNIVERSITY OF SWAZILAND**  
**INSTITUTE OF DISTANCE EDUCATION**  
**DEPARTMENT OF LAW**  
**SUPPLEMENTARY EXAMINATION, JULY 2006**

**TITLE OF PAPER :                    CONSTITUTIONAL LAW**

**COURSE CODE     :                DL 021**

**TIME ALLOWED    :                THREE (3) HOURS**

**INSTRUCTIONS    :**

- 1.     THERE ARE FIVE (5) QUESTIONS IN  
       IN THIS PAPER, ATTEMPT ANY  
       FOUR (4) QUESTIONS.**
- 2.     ALL QUESTIONS CARRY TWO FIVE  
       (25) MARKS.**

**THIS PAPER IS NOT TO BE OPENED UNTIL PERMISSION HAS BEEN  
GRANTED BY THE INVIGILATOR TO DO SO.**

**QUESTION 1**

The doctrine of separation of powers maintains that in a well organised state the functions of government ought to be divided among the three organs of government and their sphere of operation should be strictly separated. Is this relevant to the Kingdom of Swaziland? What is the minimum separation that is needed?

[25 MARKS]

**QUESTION 2**

(a) What are fundamental human rights? Outline the main forms that constitutional guarantees of such rights may take. (15 marks)

(b) How are fundamental rights currently protected in Swaziland? (10 marks)  
[25 MARKS]

**QUESTION 3**

What are constitutional conventions? How do they differ from laws, if at all? Give examples of constitutional conventions. [25 MARKS]

**QUESTION 4**

- (a) Outline the sources of constitutional law. (15 marks)
- (b) What is the difference, if any, between individual ministerial responsibility and collective responsibility? (10 marks)  
[25 MARKS]

**QUESTION 5**

Write short notes on all of the following:

- (a) Responsible government (5 marks)
- (b) Autochthony (15 marks)
- (c) The doctrine of Constitutionalism (5 marks)  
[25 MARKS]