

UNIVERSITY OF SWAZILAND
INSTITUTE OF DISTANCE EDUCATION
DEPARTMENT OF LAW
MAIN EXAMINATION, MAY 2007

TITLE OF PAPER : CONSTITUTIONAL LAW

COURSE CODE : IDE-DL 021

TIME ALLOWED : THREE (3) HOURS

INSTRUCTIONS :

- 1. THERE ARE SIX (6) QUESTIONS IN
 IN THIS PAPER, EACH QUESTION
 CARRIES 25 MARKS.**
- 2. ANSWER ANY FOUR (4) QUESTIONS.**

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

QUESTION 1

Describe the role of the judiciary in modern constitutional governance and show in what ways its independence may be safeguarded.

[25 marks]

QUESTION 2

Discuss the ways in which the Tinkhundla Parliamentary System is similar to and different from the Westminster model system.

[25 marks]

QUESTION 3

Under the Constitution of the Kingdom of Swaziland 2005:

- (a) What is the composition of Parliament? [15 marks]
- (b) What class of persons may be elected or appointed as Senator? [10 marks]
- [25 MARKS]

QUESTION 4

What are fundamental rights? In what ways can they be incorporated into a country's legal system? [25 MARKS]

QUESTION 5

- (a) What are Constitutional Conventions and how do they differ from laws, if at all? [15 marks]
- (b) What is the main purpose of Constitutional Conventions? [10 marks]
- [25 MARKS]

QUESTION 6

What is the difference, if any, between individual ministerial responsibility and collective responsibility.

[25 MARKS]