

UNIVERSITY OF SWAZILAND
INSTITUTE OF DISTANCE EDUCATION
DEPARTMENT OF LAW
FINAL EXAMINATION PAPER, MAY 2008

TITLE OF PAPER : **CONSTITUTIONAL LAW**

COURSE CODE : **IDE-DL 021**

TIME : **TWO (2) HOURS**

INSTRUCTIONS :

- 1. THERE ARE SIX (6) QUESTIONS IN THIS PAPER; THE COMPULSORY QUESTION CARRIES 25 MARKS AND THE REST 25 MARKS.**
- 2. QUESTION ONE (1) IS COMPULSORY AND MUST BE ANSWERED. IN ADDITION, ANSWER ANY OTHER TWO (2) QUESTIONS.**

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

QUESTION 1

- (a) In whom is the Executive authority of Swaziland vested? [10 Marks]
- (b) In terms of the Constitution of the Kingdom of Swaziland Act 2005 is the King bound to act in accordance with any set principles or guidelines in appointing the Prime Minister. [15 Marks]
[25 Marks]

QUESTION 2

Under the Constitution of the Kingdom of Swaziland 2005, what measures have been put in place to ensure that more women are either elected or appointed into Parliament?

[25 Marks]

QUESTION 3

Fundamental rights are written into modern constitutions ostensibly to safeguard the liberties of the individual from the oppressive acts of government and its agencies. Discuss this statement. Can a country that does not have a written constitution adequately protect the liberties of citizens?

[25 Marks]

QUESTION 4

Under the constitution of the Kingdom of Swaziland 2005:

- a) What is the composition of Parliament? [5 Marks]
- b) What class of persons may be elected or appointed into the House of Assembly? [20 Marks]

[25 Marks]

QUESTION 5

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

[25 Marks]

QUESTION 6

- (a) What is responsible government? [10 Marks]
- (b) Outline the main features of responsible government. Does the principle of responsible government apply in Swaziland [15 Marks]
[25 Marks]