

**UNIVERSITY OF SWAZILAND**  
**INSTITUTE OF DISTANCE EDUCATION**  
**DEPARTMENT OF LAW**

**SUPPLEMENTARY EXAMINATION PAPER, MAY 2009**

**TITLE OF PAPER** : **CONSTITUTIONAL LAW**

**COURSE CODE** : **IDE-DL 021**

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

**INSTRUCTIONS** : **1. THERE ARE SIX (6) QUESTIONS 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**

Critically discuss the key features of the Tinkhundla system of Government. What in your view are its major short comings? [25 Marks]

### **QUESTION 2**

Outline the key features of the Westminster Parliamentary system. Are these features present in the Parliamentary system of Swaziland? [25 Marks]

### **QUESTION 3**

Discuss four Privileges of Parliament. Is the Parliament of Swaziland sovereign? [25 Marks]

### **QUESTION 4**

In order that judges may freely administer justice, it is important that they enjoy independence. Discuss this statement. To what extent can the judiciary in Swaziland be said to be independent? [25 Marks]

### **QUESTION 5**

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 its citizens? [25 Marks]

### **QUESTION 6**

What is the difference if any in the application of the doctrine of ministerial responsibility in Britain and in Swaziland? [25 Marks]