

**UNIVERSITY OF SWAZILAND**  
**INSTITUTE OF DISTANCE EDUCATION**  
**DEPARTMENT OF LAW**  
**SUPPLEMENTARY EXAMINATION PAPER, JULY 2010**

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TITLE OF PAPER : CONSTITUTIONAL LAW  
COURSE CODE : DL021  
TIME ALLOWED : THREE (3) HOURS  
INSTRUCTIONS : 1. ANSWER ANY FOUR (4) QUESTIONS  
2. CAREFULLY READ AND UNDERSTAND THE QUESTIONS  
3. PUT YOUR THOUGHTS IN AN ORGANISED MANNER WITH YOUR  
ANSWERS

THIS PAPER SHOULD NOT BE OPENED UNTIL PERMISSION HAS BEEN GIVEN BY THE  
INVIGILATOR

QUESTION 1

Distinguish between a flexible and a rigid constitution. Indicate, in your answer, whether the 1968 constitution, the 1973 Proclamation to the Nation and the Decrees, and the 2005 constitution can be said to be flexible or rigid.

(25)

QUESTION 2

What do you understand by sources of constitutional law? List these.

(25)

QUESTION 3

Discuss what constitutional law is about and what constitutionalism is.

(25)

QUESTION 4

Discuss, in an abbreviated form, the history of the events from 1973 onwards culminating in the adoption of the Tinkhundla system of government (in 1978) and the present constitution.

(25)

QUESTION 5

What role does the judiciary play in the constitutional system of Swaziland?

(25)

QUESTION 6

Write short notes on the following classification of constitutions:

- a) A written constitution and an unwritten constitution.
- b) Supreme and subordinate.
- c) Unitary and federal.
- d) Separated powers and fused powers.
- e) Republican and monarchical.

(25)