

**UNIVERSITY OF SWAZILAND**  
**FACULTY OF SOCIAL SCIENCE**  
**DEPARTMENT OF LAW**  
**RE-SIT EXAMINATION, JULY 2016**

**TITLE OF PAPER: CONSTITUTIONAL LAW**

**COURSE CODE: LAW103**

**TIME ALLOWED: THREE HOURS**

**INSTRUCTIONS: 1. ANSWER ANY FOUR QUESTIONS.**  
**2. ALL QUESTIONS CARRY EQUAL MARKS.**

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GRANTED BY THE INVIGILATOR**

### **QUESTION ONE**

The concept of supremacy of the constitution is synonymous with the concept of supremacy of parliament. Do you agree? Critically examine the validity of this statement and illustrate your answer with examples.

(25 Marks)

### **QUESTION TWO**

The reality about the concept of the Rule of law is that it applies differently in different countries; it is not a one cap fits all. Do you agree? Discuss fully and illustrate your answer with examples.

(25 Marks)

### **QUESTION THREE**

Discuss the different ways human rights can be protected in a country that does not have a written constitution. Which way is most preferable? Give reasons for your answer.

(25 Marks)

### **QUESTION FOUR**

The principle of separation of powers is anathema to parliamentary sovereignty. Is this an accurate statement of constitutionalism? Give reasons for your answer.

(25 Marks)

## **QUESTION FIVE**

Critically evaluate the (mis)application of the principle of an independent judiciary in Swaziland.

(25 Marks)