

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

TITLE OF PAPER: CONSTITUTIONAL LAW

COURSE CODE: LAW 104

TIME ALLOWED: THREE HOURS

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

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QUESTION ONE

Africa is renowned for perverting processes and institutions of constitutional governance. Do you agree? In what ways, if at all does the process of perversion occur? Illustrate your answer with examples.

(25 Marks)

QUESTION TWO

The case of Doo Aphane v The Registrar of Deeds & Others is a classic example of the superior court's power of judicial review. Discuss the power of courts to engage in judicial review and explain how the court went about its business in the case at hand.

(25 Marks)

QUESTION THREE

The Constitution of Swaziland of 2005 is the King's Proclamation reincarnate. Do you agree? Critically evaluate the validity of this statement. Support your answer with authorities.

(25 Marks)

QUESTION FOUR

The electoral process in Swaziland has undergone radical change since its inception in 1978. Critically evaluate the validity of this statement citing authority to support your answer.

(25 Marks)

QUESTION FIVE

Compare and contrast the salient features of the Constitution Act, 1968 and the Constitution Act of 2005. Cite instances where the two legal instruments converge.

(25 Marks)