

CONSTITUTIONAL LAW – STUDY GUIDE ANSWERS
CHAPTER 8

CHAPTER 8:

1. Section 43 – The highest legislative authority in the Republic on the national level vests in Parliament.

Section 42(1) – Parliament consists of the National Assembly and the National Council of Provinces.

2. **Representative government:** the persons who are members of parliament must be representative of the people and must be elected by the electorate. Methods to ensure a representative government are the protection of the right to vote, the right to regular elections, the right to form political parties and the right to engage in political activities.

Responsible government: this means that cabinet/executive authority can only remain in power with the support of parliament (or at least that the cabinet is held accountable toward the voters) and also that there are various methods of control over the government. Examples of these methods of control are: motions of no-confidence, question time, commissions of enquiry and institutions like the Public Protector.

3. Country A: one house of parliament

Country B: two (or more) houses of parliament

When a state's population is very large and diverse, like that of country B, it may be necessary to have more than one parliamentary house, since this would lead to better representation for the population, more thorough consideration of matters before parliament and alleviation of the parliament's workload.

If a state's population is small and homogenous, like that of country A, it may not be necessary to have more than one parliamentary house.

4. The following limitations can be set on an individual's parliamentary right to vote:

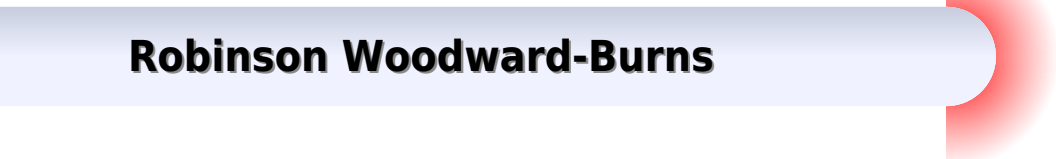
- Fraudulent registration application
- Mentally incompetent
- Not resident in the voting district
- Not registered as a voter
- No bar-coded ID

These limitations will have to comply with section 36, while the limitation on the voting age of 18 years does not need to comply with this section.

Imprisonment is no longer a reasonable limitation on the right to vote – the section in the Electoral Act that made provision for prisoners to be excluded, was declared invalid by the court in *Minister of Home Affairs v NICRO*.

American Constitutional Law Study Guide

Robinson Woodward-Burns



American Constitutional Law Study Guide:

American Constitutional Law Donald P. Kommers, John E. Finn, Gary J. Jacobsohn, 2004 Designed for an undergraduate course in US constitutional law the casebook takes a liberal arts approach tracing constitutional doctrine and policy back to their foundation in social moral and political theory and prompting students to engage the great questions of political life addressed by the Constitution and its interpretation Opinions of the US Supreme Court constitute the core of the documents The first edition was published in 1998 the second adds and updates topics Annotation 2004 Book News Inc Portland OR booknews com

Handbook of American Constitutional Law Henry Campbell Black, 1897

Notes of a Course of Lectures on American Constitutional Law John Innes Clark Hare, 1885

American Constitutional Law Alpheus Thomas Mason, Grier Stephenson, 2015-08-07 This classic collection of carefully selected and edited Supreme Court case excerpts and comprehensive background essays explores constitutional law and the role of the Supreme Court in its development and interpretation Well grounded in both theory and politics it endeavors to heighten students understanding of and interest in these critical areas of our governmental system

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American Constitutional Law John Innes Clark Hare, 1889

The Practice of American Constitutional Law Jefferson Powell, 2022-05-19 A comprehensive ideologically neutral description of the practice of constructing and evaluating constitutional law arguments

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Woodward-Burns,2021-06-29 How state constitutional reform guides and stabilizes American constitutional and political development State constitution reform guides and stabilizes American constitutional and political development Using data sets and historical case studies Robinson Woodward Burns shows how the federal government has repeatedly deferred to state constitutional reform to manage or address difficult national constitutional controversies including conflicts over the regulation of slavery banking and taxation women s suffrage labor and welfare rights voting and civil rights and gender discrimination **Teaching of Rights and Justice in the Law School** Stephen Hurley,Chris Monaghan,2025-03-04 This

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Phillip Munoz, 2019-07-23 American Constitutional Law 11e Volume I provides a comprehensive account of the nation's defining document examining how its provisions were originally understood by those who drafted and ratified it and how they have since been interpreted by the Supreme Court Congress the President lower federal courts and state judiciaries Clear and accessible chapter introductions and a careful balance between classic and recent cases provide students with a sense of how the law has been understood and construed over the years The 11th Edition has been fully revised to include several new cases including Trump v Hawaii 2018 in which Chief Justice Roberts held that Korematsu v United States has been overruled in the court of history Murphy v National Collegiate Athletic Association 2018 in which Justice Alito's majority opinion provides the most compelling argument to date against federal commandeering of state officials and Svein v Melin 2018 a Contract Clause case that shows the Court's continuing refusal to give a textualist reading of that provision even in the face of Justice Gorsuch's compelling and amusing dissent A revamped and expanded companion website offers access to even more additional cases an archive of primary documents and links to online resources making this text essential for any constitutional law course

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