

UNIVERSITY OF SWAZILAND

INSTITUTE OF DISTANCE EDUCATION

DEPARTMENT OF LAW

SUPPLEMENTARY EXAMINATION, MAY 2007

TITLE PAPER : LEGAL SYSTEM AND METHODS

COURSE CODE : DL 011

TIME ALLOWED : THREE (3) HOURS

- INSTRUCTIONS :**
- 1. ANSWER ANY FOUR QUESTIONS OF YOUR CHOICE.**
 - 2. MARKS FOR QUESTIONS OR PARTS OF A QUESTION ARE SHOWN IN BRACKETS.**

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

QUESTION ONE

Distinguish between public and private law. Demonstrate your understanding by providing and explaining three (3) examples under each category. (25)

QUESTION TWO

- (a) What is meant by a *prima facie* case in a criminal case? Provide an appropriate example to demonstrate your understanding. (15)
- (b) What is the *ratio decidendi* of a case? (10)

QUESTION THREE

Explain the meaning and purpose for the Independence of the Bar and the Independence of the Judiciary. (25)

QUESTION FOUR

Write short notes on the following;

- (a) When does a bill become law
- (b) Identify four (4) types of lawyers
- (c) Distinguish between a Judge and a Magistrate
- (d) Distinguish between a Decree and a King's Order-in-Council
- (e) The role of the Director of Public Prosecutions

QUESTION FIVE

Clearly outline and explain the Five Postulates of Justice. (25)

QUESTION SIX

What are the main differences between law and other normative or social control mechanisms, and what makes law supreme? (25)