

UNIVERSITY OF SWAZILAND

FACULTY OF SOCIAL SCIENCE

DEPARTMENT OF LAW

SUPPLEMENTARY EXAMINATION

JULY 2009

TITLE OF PAPER: ROMAN LAW

COURSE CODE: L102

TIME ALLOWED: THREE (3) HOURS

INSTRUCTIONS:

- (a) ANSWER ANY FOUR (4) QUESTIONS.**
- (b) EACH QUESTION CARRIES A TOTAL MARK OF 25.**
- (c) THE CONTENT OF YOUR ANSWERS, CLARITY OF EXPRESSION AND LEGIBILITY OF YOUR HANDWRITING ARE ALL EXTREMELY ESSENTIAL.**

DO NOT OPEN THIS PAPER UNTIL SO PERMITTED BY THE INVIGILATOR.

Question one:

The distinction between ownership and possession under Roman law was merely cosmetic, true or false? Discuss this in relation to how the rights of owners were protected.

(25 Marks)

Question two:

- (a) Roman dissidents were responsible for the twelve tables being set up. True or false? Enunciate. (10)
- (b) In early Roman law, a certain category of human beings was classified as things, chattels to be sold and bought at will. Discuss the creation and termination of this category of people. (15)

(25 Marks)

Question three:

When Justinian ascended to the throne, he had very high aspirations in his administration of Rome. These included pursuits of legal reform. Critically analyze these with reference to the critique that was levied against them.

(25 Marks)

Question four:

Discuss a marriage in *manus* and the consequences thereof.

(25 Marks)

Question five:

- (a) During the Dominate the emperor was afflicted by a number of weaknesses. Outline these and how they were eventually resolved. (10)
- (b) Discuss the creation of tutorship, outlining the duties thereunder, as well as the safeguards for proper discharge of the tutor's duties. (15)

(25 Marks)