

UNIVERSITY OF SWAZILAND
INSTITUTE OF DISTANCE EDUCATION
DEPARTMENT OF LAW
SUPPLEMENTARY EXAMINATION PAPER, JULY2009

TITLE OF PAPER : LEGAL SYSTEMS AND METHOD
COURSE CODE : IDE - DL011
TIME ALLOCATION : THREE (3) HOURS
INSTRUCTIONS : ANSWER ANY FOUR (4) QUESTIONS
TOTAL MARKS : 100

THIS PAPER IS NOT TO BE OPENED UNTIL PERMISSION HAS BEEN GRANTED BY
THE INVIGILATOR.

Question 1

Discuss the promulgation procedure of a statute in Swaziland.

(25 marks)

Question 2

With reference to the case of **R v Daniel And Another 1936 CPD 131** define and discuss the Golden rule of statutory interpretation.

(25 marks)

Question 3

(a) Discuss the three methods of appointing judges.

(15 marks)

(b) What is meant by independence of the judiciary?

(10 marks)

(Total marks=25)

Question 4

Discuss the doctrine of judicial precedent and the doctrine of *stare decisis* highlighting the distinction (if any) between the two doctrines.

(25 marks)

Question 5

Discuss custom as a source of law in Swaziland.

(25 marks)

Question 6

Discuss the principal differences, as well as similarities between law and morals in society. (25 marks)