

**UNIVERSITY OF SWAZILAND**  
**FACULTY OF SOCIAL SCIENCE**  
**DEPARTMENT OF LAW**  
**FINAL EXAMINATION, MAY 2016**

**TITLE OF PAPER : PRINCIPLES OF SWAZI LAW AND CUSTOM**

**COURSE CODE : LAW 106**

**TIME ALLOWED : THREE (3) HOURS**

**INSTRUCTIONS : ANSWER ANY FOUR (4) QUESTIONS**

**DO NOT OPEN THIS PAPER UNTIL PERMISSION HAS BEEN GIVEN BY THE INVIGILATOR.**

### **QUESTION 1**

Since Swazi Law and Custom is not codified it is said that Chiefs in Swaziland greatly abuse their powers.

Discuss this statement giving illustrations of your answer.

[25 MARKS]

### **QUESTION 2**

Discuss the contract of Lobolo under Swazi Customary Law.

[25 MARKS]

### **QUESTION 3**

Nomthandazo an unmarried mother of five girl children is desirous of getting a piece of land under the customary land tenure system (kukhonta). Upon seeking advice from various relatives, the conclusions is that she as a female cannot approach a Chief with the view to khonta under his jurisdiction, further that it would have been better if she had a male child since she would khonta using the child.

She has approached you for advice.

[25 MARKS]

### **QUESTION 4**

Sipho impregnated Zulu's daughter out of wedlock. Zulu is seeking damages under the customary law remedy of seduction.

Will he succeed.

[25 MARKS]

### **QUESTION 5**

Discuss the customary law offence of witchcraft.

[25 MARKS]