

UNIVERSITY OF SWAZILAND
FACULTY OF SOCIAL SCIENCE
DEPARTMENT OF LAW
SUPPLEMENTARY EXAMINATION, JULY 2017

TITLE OF PAPER: ROMAN LAW

COURSE CODE: LAW 107

TIME ALLOWED: THREE (3) HOURS

INSTRUCTIONS:

- 1. ANSWER ANY FOUR (4) QUESTIONS**
- 2. ALL QUESTIONS CARRY EQUAL MARKS**

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GRANTED BY THE INVIGILATOR.**

QUESTION ONE

Outline the reasons between the struggle between the patricians and the plebeians. What lesson can be learnt from the struggle between the orders?

(25 Marks)

QUESTION TWO

“The Senate’s legislative power in the Republican constitution is summed in the maxim *quod principi placuit legis habet vigorem*” Discuss fully.

(25 Marks)

QUESTION THREE

The *ius honorarium* and the *ius respondendi* is the fulcrum on which the Roman constitution revolved during the Roman republic. Do you agree? Critically evaluate the validity of this statement.

(25 Marks)

QUESTION FOUR

“The development of Roman law in the monarchical and Republican era ensured that royal decrees and customary law were at the heart of the ancient Roman legal system.” Do you agree? Critically evaluate the validity of this statement. Support your answer with examples.

(25 Marks)

QUESTION FIVE

Compare and contrast the constitution and functions of the Senate and the *Comitia*. In what way was the development of Roman law impacted by the Senate and the *Comitia*?