

UNIVERSITY OF SWAZILAND
INSTITUTE OF DISTANCE EDUCATION
DEPARTMENT OF LAW
SUPPLEMENTARY EXAMINATION PAPER- JULY 2018

TITLE OF PAPER : ROMAN LAW 1

COURSE CODE : IDE-LAW 107 (IDE LLB & DIP. LAW)

TIME ALLOWED : THREE (3) HOURS

INSTRUCTIONS : 1. ANSWER ANY FOUR (4) QUESTIONS
2. ALL QUESTIONS CARRY EQUAL MARKS

TOTAL MARKS : 100 MARKS

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QUESTION 1

- (a) Discuss the role of the Praetor in the development of Roman Law. (10)
- (b) Why is Roman Law still relevant in Swaziland today? (5)
- (c) What do the following concepts mean?
 - (i) Reception (2)
 - (ii) patria potestas (2)
 - (iii) Status (2)
- (d) Discuss the role of the jurists in the development of law. (4)

[25 Marks]

QUESTION 2

The development of early Roman law was a result of the struggle for equality between the Patricians and the Plebeians. Do you agree? Discuss how, if at all the Plebeians were finally allowed a share in the matters of governance in early Roman law.

[25 Marks]

QUESTION 3

Critically evaluate the development of Roman law through the era of the Monarchy, the Republic and the Empire era. Illustrate your answer with examples.

[25 Marks]

QUESTION 4

Compare and contrast the functions of the *praetor urbanus*, *praetor peregrinus* and the Censors under early Roman law.

[25 Marks]

QUESTION 5

What were the sources of early Roman law? Are those sources still relevant to the emergence of Roman Dutch Common law today? Discuss.

[25 Marks]