

**UNIVERSITY OF ESWATINI
DEPARTMENT OF LAW**

MAIN EXAMINATION PAPER, DECEMBER 2018

TITLE OF PAPER : ROMAN LAW I
COURSE CODE : LAW 107
TIME ALLOWED : THREE (3) HOURS
TOTAL MARKS : 100
INSTRUCTIONS : ANSWER ANY FOUR (4) QUESTIONS

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

Question 1

How did the *formulary system* apply under Roman law and are there any similarities between that system and the way civil proceedings are instituted in our courts?

(25 marks)

Question 2

Discuss the later Republic stage of the development of Roman law and point out any differences and similarities, if any, with the Principate stage of the Empire.

(25 marks)

Question 3

What was the *Corpus Iuris Civilis* and what role did it play in the development of Roman law?

(25 marks)

Question 4

What was known as the Institutes of Gaius and of what significance was it?

(25 marks)

Question 5

What role did the Praetor play in the development of Roman law? (25 marks)

Question 6

Under Emperor Diocletian the empire was found to have defects. What were these defects and how did the Emperor find remedies to the defects? (25 marks)