



UNIVERSITY OF ESWATINI

FIRST SEMESTER RE-SIT EXAMINATION PAPER, JANUARY
2020

FACULTY OF SOCIAL SCIENCES

DEPARTMENT OF LAW

COURSE CODE: LAW 101

TITLE OF PAPER: LEGAL SYSTEM

TIME ALLOWED: 3 HOURS

Instructions

1. This paper consists of Five (5) Questions.
2. Answer any Four (4) questions of your choice.

Special Requirements

None

Additional Material (s)

None

*Candidates may complete the front cover of their answer book when instructed by the Chief Invigilator and sign their examination attendance cards but must **NOT** write anything else until the start of the examination period is announced.*

No electronic devices capable of storing and retrieving text, including electronic dictionaries and any form of foreign material may be used while in the examination room.

DO NOT turn examination paper over until instructed to do so.

Question One

- a) With reference to the authorities of *Shaw v DPP*, *R v Brown* and the Wolfenden Committee Report, discuss the proper relationship between law and morals. **15 Marks**
- b) In one sentence for each, draw out the essential differences between law and morals. **5 Marks**
- c) Explain, in your opinion, whether all laws are infused with morality. **5 Marks**

Total 25 Marks

Question Two

Explain what you understand to be the 'nature of law.'

25 Marks

Question Three

Render a critical discussion of the reception of Roman-Dutch common law in eSwatini.

25 Marks

Question Four

Write short notes on the following (**5 Marks each**):

- a) Feudalism
- b) Supreme Court of eSwatini
- c) Eiusdem Generis
- d) Procedural law
- e) The supremacy clause

25 Marks

Question Five

Critically explain the legislative making process in eSwatini.

25 Marks