

14:00

08/06/07

F. HALL

EXAMS OFFICE
USE ONLY

University of the Witwatersrand, Johannesburg

Course or topic No(s)

LAWS 1004

Course topic names(s)
Paper Number & title

FOUNDATIONS OF SOUTH
AFRICAN LAW

Examination / Test* to be
held during month(s) of
(*delete as applicable)

MAY / JUNE 2007

Year of study
(Art & Science leave blank)

FIRST

Degrees / Diplomas for which
this course is prescribed
(BSc (Eng) should indicate which branch)

LLB / BA (LAW) / BCOM (LAW)

Faculty/ies presenting candidates

COMMERCE, LAW AND
MANAGEMENT

Internal examiner(s)
and telephone extension
number(s)

PROF A DOMANSKI	X 78424
PROF G ABRAHAM	X 78459
MR J-L SERFONTEIN	X 78464
MS T SEFTON	084 840 4055

X 78489

External examiner(s)

PROF. H. VAN DEN BERGH
(UNISA)

Special materials required
(graph/music/drawing paper maps, diagrams,
tables, computer cards, etc)

NONE

Time allowance

Course no: LAWS 1004 Hours: 2

Instructions to candidates
Examiners may wish to use this space to indicate,
inter alia, the contribution made by this
examination or test towards the year mark, if
appropriate

- Write your lecturer's name on the front cover of every answer book that you hand in.
- This examination counts 40% of the overall year mark for the Foundations course.

Internal Examiners of Heads of
Departments are requested to sign
the declaration overleaf

LAWS 1004: FOUNDATIONS OF SOUTH AFRICAN LAW

MAY / JUNE 2007 EXAMINATION

- ANSWER:
- QUESTION 1 (COMPULSORY), AND
 - ANY TWO OTHER QUESTIONS

QUESTION 1 (COMPULSORY)

- (a) Identify and discuss the factors responsible for the survival of Roman law in Western Europe during the period 400–1100 AD.
- (b) Give a critical evaluation of the work of the Glossators, the Commentators and the Humanists.

[20 marks]

QUESTION 2

Identify and discuss the different kinds of *peculium* in Roman law.

[10 marks]

QUESTION 3

To what extent can the Roman praetor be said to have been a legislator? Use concrete examples of the praetor's work to illustrate your answer.

[10 marks]

QUESTION 4

Explain how the role of the Roman jurists changed in the transition from the Republic to the Principate.

[10 marks]

QUESTION 5

How did the class struggle between the orders during the period 494 BC to 287 BC assist in the shaping of Roman law?

[10 marks]

[TOTAL MARKS = 40]