

ZIMBABWE EZEKIEL GUTI UNIVERSITY

Department of Private law

History of the Zimbabwean Legal System and Foundations of
the Roman and Roman- Dutch Law

LLB 103

EXAMINATION

13 JUNE 2018

Instructions

- (i) Answer question 1 from section A. This question carries 25 marks.
- (ii) Answer any three questions from section B. Each question carries 25 marks.
- (iii) Students may bring into the exam un-annotated and clean texts of applicable legislation and the 2013 Zimbabwean Constitution. Copies with notes inside shall not be allowed and may be confiscated. No student is allowed to share his/her copy with another.
- (iv) Number your answers accordingly

Section A This question is compulsory

Question 1

What do you understand by the concept of “Law” and “state”. Provide an explanation of what scholars regard as the historical origins of these concepts. [25 marks]

Section B

Question 2

Identify and describe the institutions that contributed to the development of Roman Law, showing the manner and method of the contribution of each institution as a mirror to the Zimbabwean legal system. [25 marks]

Question 3

Write short notes on the following;

- a. The role played by Glossators and Commentators in the Reception of Roman Law in Europe. (10 marks)
- b. The cause and effect of plebian discontent under the Republic. (10 marks)
- c. The causes for the demise of the Republic (5 marks). [25 marks]

Question 4

Explain the nature of the law, “in force in the Colony of the Cape of Good Hope on 10th June 1891...”, and sum up the factors responsible for the adoption of this system in the Colony of Southern Rhodesia and subsequently in the independent state of Zimbabwe. [25 marks]

Question 5

Outline the nature, form and content of the Roman Law of persons bringing out clearly the class basis of this law. [25 marks]

Question 6

Define the Roman concept of property and demonstrate the achievements of Roman Legal Science in defining its legal categories as well as the operation of its legal principles. [25 marks]

END OF EXAMINATION