



“Investing in Africa’s future”

SCHOOL OF LAW

NLLB100: THE ZIMBABWEAN LEGAL SYSTEM

END OF SEMESTER EXAMINATIONS

DECEMBER 2022

LECTURER: DR. L. SITHOLE

DURATION: 3 HOURS

INSTRUCTIONS

Answer **TWO** questions

Question 1 is compulsory.

You have **3 hours** to complete.

You are encouraged to provide appropriate references where necessary in your work. Any cases of positive exam misconduct will be punished in terms University Regulations.

Question 1

The legal profession plays an important role in ensuring access to justice for citizens. Briefly explain the concept of 'access to justice', and the role the legal profession plays in ensuring access to justice for citizens. In your answer, pay particular attention to explaining and discussing the means that currently exist in Zimbabwe to ensure that the poor, the vulnerable, the elderly and unemployed have access to justice. Include in your answer your own views on how access to justice could be improved in Zimbabwe. **[50 marks]**

Question 2

- a) Discuss the history of Roman Law during the four Roman political eras. **[25 Marks]**
- b) What is Roman Dutch law? Explain its development, role and relevance in Zimbabwe. **[25 Marks]**

Question 3

- a) Discuss the factors that played a role in the reception of Roman law in the Netherlands. **[25 Marks]**
- b) Explain in detail the term *ius Gentium* as well as its relevance for Roman law. **[10 Marks]**
- c) Discuss the role of glossators and commentators in the development of Roman Law. **[15 Marks]**

Question 4

- a) Discuss the two types of marriages under the roman family law principle. In your answer, explain the requirements that had to be met for each marriage to be regarded as valid. **[20 Marks]**
- b) Critically examine the nature and extent of English law influence on Roman-Dutch law at the Cape colony. **[15 Marks]**
- c) Identify and discuss the jurisdiction of courts of first instance in Zimbabwe. **[15 Marks]**

END OF EXAMINATION