



**AFRICA
UNIVERSITY**
A United Methodist-Related Institution
"Investing in Africa's Future"

SCHOOL OF LAW

NLLB102: AFRICAN LEGAL JUSTICE SYSTEMS

END OF FIRST SEMESTER EXAMINATIONS

NOVEMBER/DECEMBER 2023

LECTURER: MR. C. MAUNGA

DURATION: 3 HOURS

INSTRUCTIONS

1. *Answer any two (2) questions from each section.*
2. *Each question carries twenty-five (25) marks.*
3. *This paper is worth one hundred (100) marks.*
4. *Cheating is strictly prohibited.*

SECTION A

Question 1

State and explain the differences between civil law and common law systems. [25 Marks]

Question 2

Most Southern African Countries are gradually relying on alternative dispute resolution as a method of settling disputes.

- i. Identifying its methods, examine how alternative dispute resolution is different from the regular court system. [10]
- ii. What are the advantages and disadvantages of alternative dispute resolution mechanisms. [15]

Question 3

Because of colonialism, most African countries do not have singular legal systems. They have what is commonly known as legal pluralism. Citing examples of such legal systems, explain what is meant by legal pluralism. [25]

SECTION B

Question 4

Discuss the role of each of the following in a common law legal system:

- a. Judge
- b. Legal Practitioner
- c. Prosecutor
- d. Magistrate

[25 Marks]

Question 5

Most African Countries have written Constitutions and Constitutional Courts which deal with Constitutional issues.

- i. What is a Constitution and what role does it occupy in a legal system? [15]
- ii. Identify one African country which does not have a Constitutional Court. Which court deals with constitutional issues in that country? What other jurisdiction does that court have? [10]

Question 6

Discuss the relationship between law and each of the following:

- i. Religion [5]
- ii. Politics [5]
- iii. Morality [5]
- iv. The State [5]
- v. Culture [5]

_____ THE END _____