

UNIVERSITY OF FORT HARE

INTRODUCTION TO LAW  
LP113E

SUPPLEMENTARY EXAMINATIONS

MAY / JUNE

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Time: 3 hours

Module: Introduction to Law (LP113E)

Marks: 100

This paper consists of four (4) pages including the  
cover page

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**INSTRUCTIONS**

- 1 Answer **ALL** questions.
- 2 DO **NOT** separate the sub-questions.
- 3 Write clearly and legibly.
- 4 Refer to case law and relevant legislation.
- 5 Please ensure that your details are included in the COVER PAGE and not write Student Number only or the Name Only.

## QUESTION ONE

1.1 Explain what constitutes the 'doctrine of separation of powers'? Refer to how each of the branches function with one another? (8)

1.2 The Constitution is highly regarded as the best in our country and has some influence in other countries as well. Following this highly acclaimed status:

(a) How is its influence linked to the recognition of customary law as a source of law?

(b) Explain whether the Constitution influences the principle of the 'rule of law' or the 'rule of law' influences the Constitution? (6)

Marks: 20

## QUESTION TWO

2.1 What is the distinction between democracy and constitutionalism? (6)

2.2 A number of about 49 White Afrikaner people left South Africa on 11 May 2025 for the United States of America (USA) after the invite was extended to all White South Africans who feels threatened by the current government that is in pursuit of transformation including the promulgation of the laws that seek to address the imbalances of the past. The leaving was triggered by the visit of the AfriForum Organisation who told the President of the USA that White Afrikaner South Africa live under fear and threat by the current government.

With this background:

(a) Explain how is customary international law play a role in addressing the fears the White Afrikaners have over the South African government? (6)

facts:

4.2 Following the death of about 13 South African soldiers in the Democratic Republic of Congo (DRC) in support of the United Nation's peace initiatives because of the instability in that country which affects in the international community. In response to these

linked to the Law of Obligations? (7)

(a) Discuss the requirements of marriage and how are these requirements

4.1 I am too old now and the time has come that I get married. With this statement:

#### QUESTION FOUR

Marks: 20

3.2 What is the role, particularly of the Constitutional Court and where does it fit within the judicial structure of the Republic? (8)

give an example of each. (8)

(b) What is the distinction between public and private law? In your answer

(a) What is Natural Law? (4)

3.1 Why do we have the classification of laws? Laws are laws because people have to comply with them, and it is always difficult to know the type of law a person has to comply with. Reading these facts:

#### QUESTION THREE

2.2 South Africa is composed of the different Courts. Name these different courts and how are they constituted and the function of each. (10)

(b) What are the sources of International Public Law? (4)

**END OF EXAMINATION PAPER!!**

**Marks: 20**

(a) Discuss the importance of this history and its role today. (7)

5.3 The development of South Africa's history is nothing more than the opening of old wounds which had started to heal after the attainment of democracy in South Africa. Be that as it may:

5.2 Give a detailed account on why judges have to write their judgments? (8)

5.1 Why is International Law important in South Africa? (5)

**QUESTION FIVE**

**Marks: 20**

(a) What are the various stakeholders that are involved in the peace-keeping mission of the international world? (10)

(b) How does common law fit into the system of the sources of South African Law? (3)