

UNIVERSITY OF FORT HARE
NELSON R MANDELA SCHOOL OF LAW
(East London Campus)

INTRODUCTION TO LAW
LPI 113L

SUPPLEMENTARY EXAMINATION
JUNE/JULY 2023

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Time: 3 hours
Subject: INTRODUCTION TO LAW (LPI 113L)
Marks: 100

This paper consists of 2 pages including the
cover page

Internal Examiners

Ms R Muvhevhi
Ms V Tatchell

INSTRUCTIONS

1. Answer ALL (3) questions.
2. Do not separate subsections of questions.
3. Refer to legislative provisions, case law, and/or any relevant authority, where applicable.
4. Pay careful attention to marks allocated.
5. WRITE LEGIBLY.

QUESTION 1

- 1.1 Evans, a first-year law student at the University of Fort Hare was happy with his Introduction to law marks. To celebrate his achievement, his friends decided to throw a party for him. At the party, Evan, drank vast amounts of alcohol. At the end of the party, while he was still drunk, he drove his car into a crowd of partygoers who were standing on the side of the street. One person was killed and five people were injured. With reference to relevant authority, discuss whether Evans is liable for murder and attempted murder. **[10 Marks]**
- 1.2 With reference to relevant cases, discuss the categories of the kinds of situations where a legal duty to act may might arise in a specific situation. **[15 Marks]**

QUESTION 2

- 2.1 Although the Constitutional Court mainly functions as a court of appeal, it always acts as a court of first instance on certain matters. Discuss the instances when the Constitutional Court is a Court of first instance. **[10 MARKS]**
- 2.2 Name and discuss the 3 kinds of democracy recognised by the South African Constitution. **[15 Marks]**

QUESTION 3

Discus the following sources of South African law:

- 3.1 The Constitution **[5 Marks]**
- 3.2 Legislation **[10 marks]**
- 3.3 Judicial precedent **[10 Marks]**
- 3.4 International law/foreign law **[5 Marks]**
- 3.5 Common law **[5 Marks]**
- 3.6 Custom **[5 Marks]**
- 3.7 African laws **[5 marks]**
- 3.8 Secondary sources of law **[5 marks]**

Where appropriate, refer to relevant authority.

TOTAL 100 MARKS