

ZIMBABWE EZEKIEL GUTI UNIVERSITY

FACULTY OF LAW

CONSTITUTIONAL LAW - LLB 203

JULY 2019

DURATION: 3 HOURS

INSTRUCTIONS TO CANDIDATES

1. Answer **four** questions questions.
2. Question 1 is compulsory.

Materials allowed in exam

Constitution of Zimbabwe, 2013.

INFORMATION FOR CANDIDATES

1. Notes, handouts and textbooks are not allowed into the examination.
2. Cellphones are not allowed into the examination room.
3. Begin each answer to a full question on a fresh page.

**NB: DO NOT TURN OVER THE QUESTION PAPER OR COMMENCE WRITING
UNTIL INSTRUCTED TO DO SO.**

QUESTION 1: This question is compulsory

The Zimbabwe Human Rights Commission has received a complaint from Zimbabwe People's Movement (ZPM), a political party that wishes to contest the upcoming national elections. The complaints are as follows:

- (i) ZPM is being denied media coverage by the state media of its political activities
- (ii) Supporters of ZPM are being denied government food aid, agricultural inputs and free livestock medicines by the ruling party government
- (iii) Most supporters of ZPM are from Manicaland and government has stopped developmental programmes such as road and dam construction and other infrastructural development in Manicaland.

The Zimbabwe Human Rights Commission seeks expert legal opinion that describes and analyses the constitutional obligations of the government in light of the above-facts.

Required: Write the opinion

[25 marks]

QUESTION 2

Describe and analyse the meaning, scope and internal limitations of the right to equality and non-discrimination in the Constitution of Zimbabwe. Your answer must also highlight the importance of the right to the Zimbabwean society.

[25 marks]

QUESTION 3

Discuss the problems that emerge from enforcement of the right to access to health care services in the Zimbabwean Constitution.

[25 marks]

QUESTION 4

Discuss the constitutional importance of the Zimbabwe Electoral Commission as established by the Constitution. Your answer must also focus on the link between ZEC's functions and related constitutional rights.

[Total: 25 marks]

QUESTION 5

‘The traditional leadership system is a system that is at par with the structures and institutions of the modern state’.

Discuss the veracity of this statement in light of Chapter 16 of the Constitution of Zimbabwe.

[25 marks]

Question 6

Discuss the principle of separation of powers, focusing on linkages that arise in the law making process and the appointment process of key offices in government.

(25 marks)

[END OF EXAMINATION – 100 MARKS]