



ZIMBABWE EZEKIEL GUTI UNIVERSITY

FACULTY OF LAW

EXAMINATION PAPER

COURSE CODE : LLB 304
COURSE TITLE : Jurisprudence
DURATION : 3 Hours
LEVEL : 3.1
DATE :

INSTRUCTIONS TO CANDIDATES:

1. Answer **four** questions, choose **TWO** questions from **each** section.
2. Each question carries **25 Marks**.
3. Start each question on a new page of your answer sheet.

SECTION A

Question 1

Discuss and explain the applicability of HLA Hart's theory of legal positivism, in particular, Hart's description of the definition, origins and content of law. Your answer should include clear references and examples of Zimbabwe's legislative system and other important aspects of its legal system. [25 marks]

Question 2

Section 3 of the Constitution of Zimbabwe, 2013 titled 'Founding values and principles' provides a list of particular values and principles that are the foundation of Zimbabwe's constitutional legal system.

Identify five values and principles that could be challenged by Legal Positivism on the basis that they should not be part of the law, and justify why Legal Positivism can possibly reject such principles as being outside the province of the definition of law. **(10 marks)**

Identify and discuss six values and principles in the founding values and principles in section 3 which constitute a sufficient basis to categorize Zimbabwe's legal system as based on positive law considerations. **(15 marks).**

[Total 25 marks]

SECTION B

Question 3

Differentiate the approach and contribution to the theory of law by Ronald Dworkin and HLA Hart. In your view, which legal philosopher provides a more practical reflection of law as reflected in modern legal systems? [25 marks]