



ZIMBABWE EZEKIEL GUTI UNIVERSITY

FACULTY OF LAW, BUSINESS INTELLIGENCE AND ECONOMICS

DEPARTMENT OF LAW AND LEGAL SERVICES

EXAMINATION PAPER

MODULE CODE : LLB 121

MODULE TITLE : CONSTITUTIONAL LAW

SPECIAL REQUIREMENTS:

DURATION : 3 HOURS

DATE :

13 FEB 2024

INSTRUCTIONS TO CANDIDATES:

- a. Answer **question 1 and any 3 questions** from section B.
- b. Notes, handouts and textbooks are not allowed into the examination.
- c. Begin each answer to a full question on a fresh page.
- d. You are required, to write legibly.
- e. You are directed to avoid using short hand and poor grammar.
- f. During the course of your answers you must refer to any relevant case law, legal principles and legislation that may be applicable.

Section A (Compulsory)

Question 1

Discuss how the three branches of government work and function under the concept of separation of powers given that the same concept is not expressly stated in the Constitution. [25 marks]

Section B (Answer any 3 questions)

Question 2

"The purpose of a written constitution is to outline and limit the powers of the legislature and other branches of government. Its principles are fundamental and there can be no point in framing a constitution if the legislature could exceed the limits of the constitution." Evaluate this statement. [25 marks]

Question 3

Discuss the relevance of the case of *Kawenda v Minister of Justice, Legal and Parliamentary Affairs & Others CCZ 3/22* in constitutional law. [25 marks]

Question 4

While judicial review of legislation brings about the counter-majoritarian dilemma, there are certain theories which may be used to justify it. Identify and discuss them. [25 marks]

Question 5

Discuss the constitutional rights applicable to the following persons:

- a. Children;
- b. People living with disabilities?

[25 marks]

END OF PAPER

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