



ZIMBABWE EZEKIEL GUTI UNIVERSITY

FACULTY OF LAW AND LEGAL SERVICES

PRIVATE LAW DEPARTMENT

EXAMINATION PAPER

MODULE CODE : LLB215
MODULE TITLE : GENDER AND THE LAW
DURATION : 3 HOURS
LEVEL : 2:1
DATE : 13 JUN 2025

INSTRUCTIONS TO CANDIDATES:

Section A is compulsory, answer all questions, it carries 50 marks

Each question from Section (B) carries 25 marks

Answer any (2) questions from Section B

Number of marks for part questions are shown in brackets

Start each question on a new page

This paper consists of three () pages

Answer sheets are provided

Section A

Question 1

“While calls are being made for tougher legislation to deal with domestic violence are welcome, the problem needs more radical approach if it is to be eradicated. Although legislation will go a long way in serving as a deterrent, women will remain vulnerable as long as cultural perceptions based on patriarchy remain unshaken. Cultural philosophers in relation to gender violence need a complete overhaul...”

- a) Discuss how the law is being used to curb gender based violence

[10 marks]

- b) Discuss various strategies that can be used to change people’s attitude towards gender based violence.

[15 marks]

Question 2

Critically discuss how the Constitution of Zimbabwe Amendment (No.20) of 2013 and the Marriages Act (Chapter 5:11) advances gender equality.

[25 marks]

Section B

Question 3

“When a woman comes to court to argue her status, she does not dislodge herself from her culture. She does not transcend her culture and find herself in the realm of western values. Her identity is not suddenly transformed. The fight is no longer between culture and equality. It is an intra-cultural conflict between two different interest group battling to change power relations within their very culture (which by the precedent of practices is not shown to be immutable” V Bronstein (1998:403).

With reference to decided cases, examine how the courts have attempted to harmonize male primogeniture rule with gender equality in the context of inheritance and succession disputes.

[25 marks]

Question 4

Chipo is an 18-year old nurse living in Fredberg. Peter aged 28, proposes love to her and they start dating. After 6 months in the relationship, Peter pays lobola for Chipo and they start staying together as husband and wife. One night, Peter comes back home heavily drunk and he starts insulting Chipo and amidst the drama forces her to have sex with him alleging that, "you are my wife and I am entitled to sleep with you any time that I want". The following day Peter apologizes to Betty claiming that it was not intentional, instead, he was under the influence of alcohol. 3 weeks after the event, Chipo finds out that she is pregnant and does not want to keep the pregnancy.

Chipo approaches you for legal advice. With reference to case law, legislation and text.

Advice Chipo

[25 marks]

Question 5

- a) Identify and discuss aspects of customary law which are sometimes in violation of human rights in Zimbabwe.

[15 marks]

- b) Suggest how best can the Bill of Rights be used to improve some customary practices in Zimbabwe

[10 marks]

Question 6

Section 17(2) of the Constitution of Zimbabwe Amendment (No.20) Act, 2013 seeks to rectify gender based discrimination. Discuss what is meant by the phrase, "gender-based discrimination" in this context with reference to the difference debate in the feminist theory.

[25 marks]

0150 PM

Question 7

Critically discuss and distinguish the concept of formal and substantive equality

[25 marks]

'end'

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