



“Investing in Africa’s future”

COLLEGE OF BUSINESS, PEACE, LEADERSHIP & GOVERNANCE

NMPM113 CONSTITUTIONAL LAW

END OF SECOND SEMESTER FINAL EXAMINATIONS

JULY 2022

LECTURER: C. MUNGUMA

DURATION: 3 HRS

INSTRUCTIONS

Answer **QUESTION 1** from **Section A (COMPULSORY)**

Answer any **THREE** questions from **Section B**

Marks allocated to each question are indicated in brackets at the end of the question.

DO NOT repeat material.

SECTION A

Question 1

The Zimbabwean constitutional system borrows heavily from the British and American constitutional systems. Discuss this view with reference to specific sections of the constitution and constitutional practices followed in Zimbabwe. [25marks]

SECTION B

Question 2

The constitution of Zimbabwe provides for the right to a fair and impartial determination of civil and criminal disputes by a competent court. Comment on the provisions that protect the principle of **independence of the judiciary** in Zimbabwe. [25marks]

Question 3

“Parliament plays an oversight role to the executive in Zimbabwe”. Explain the situations where parliament plays an oversight role to the executive arm of government. [19marks]

What are some of the challenges to this function? [6marks]

Question 4

The concept of separation of powers is at the core of a constitutional democracy. Analyse this statement using appropriate examples and illustrations where necessary. [25marks]

Question 5

“The Zimbabwean constitutional framework grants the executive arm with a lot more powers than the other arms of government. This executive power is unchecked in anyway”. Discuss the veracity of the above statement [25marks].

Question 6

- a) The House of Assembly passed the Judicial Laws Amendment Act without the requisite quorum required by the constitution of Zimbabwe. The president proceeded to sign the Bill into law. James a member of the opposition party and a Councilor for

ward 19 in Mutare is aggrieved and believes that the Law in question is invalid. He has now taken his case to court seeking the invalidation of the Judicial Laws Amendment. Discuss his chances of success in the legal suit he has launched.[20marks]

- b) Explain the right to fair administrative action in Zimbabwe [5marks].

End of Paper