



COLLEGE OF BUSINESS AND MANAGEMENT SCIENCES

PBL1202: CONSTITUTIONAL LAW

END OF SECOND SEMESTER EXAMINATIONS

APRIL 2026

LECTURER: DR LK MASEKESA

DURATION: 3 HRS

GENERAL INSTRUCTIONS TO CANDIDATES

- 1. Do NOT write your name on the answer sheet.**
- 2. Write legibly.**
- 3. Answer Question 1 in Section A (compulsory) and any three questions from Section B.**
- 4. You are advised to read all questions carefully before answering any.**
- 5. Begin your answer for each question on a new page.**
- 6. This examination paper consists of three pages.**

SECTION A

QUESTION 1 (COMPULSORY)

Tariro, a lawfully resident foreign investor, operates a hardware store in Mutare under a valid municipal trading licence. In February 2026, when she applied for renewal of her licence, the municipal authority rejected the application on the vague ground of “failure to meet regulatory standards.” No written notice, reasons, or prior warning were provided. Tariro maintains that she had complied with all licensing conditions and had passed previous inspections. She further observes that several neighbouring businesses owned by Zimbabwean citizens were cited for comparable minor infractions but were allowed to regularise their positions without licence cancellation. Disturbed by the decision, Tariro formally requested written reasons and lodged an internal appeal with the council. Despite repeated follow-ups, the council neither responded nor acknowledged receipt of her appeal for over five months.

While the matter remained unresolved, municipal officials arrived at her premises and removed a roadside veranda forming part of her shop structure, claiming it encroached on land earmarked for road rehabilitation. No prior notice, consultation, or opportunity to make representations was given. Tariro now approaches you for legal advice.

Advise Tariro whether the actions of the council violate the right to administrative justice under Section 68 of the Constitution of Zimbabwe. Use the facts to determine the applicability of all components of the right to just administrative action.

[25 Marks]

SECTION B

Answer any 3 questions from this section.

QUESTION 2

The Republic of Munhumutapa, is undertaking a major constitutional reform process after years of political tension and public dissatisfaction with governance structures. The Constitutional Review Commission (CRC) has released a preliminary report proposing that Munhumutapa should replace its current constitution, which critics say is outdated, overly rigid, and susceptible to political manipulation. A heated national debate erupts, with various stakeholders expressing competing views on what type of constitution the country should adopt.

As Parliament prepares to debate the CRC report, your Faculty is asked to submit an academic brief helping legislators understand the various types of constitutions and how each may impact Munhumutapa’s political future. Set out the contents of the brief.

[25 Marks]

QUESTION 3

Discuss any five (5) authoritative sources of constitutional law.

[25 Marks]

QUESTION 4

Discuss the doctrine of separation of powers in Zimbabwe

[25 Marks]

QUESTION 5

There are numerous electoral system models worldwide, yet they are usually grouped into two main classifications. Distinguish between these two classifications and determine which ones apply to Zimbabwe's presidential and parliamentary elections.

[25 Marks]

QUESTION 6

Define the following concepts;

- (i) Constitutionalism
- (ii) Human rights
- (iii) Rule of law
- (iv) Democracy
- (v) Decentralisation

[5 marks]

[5 marks]

[5 marks]

[5 marks]

[5 marks]