

GREAT ZIMBABWE UNIVERSITY
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EXAMINATION



**HEBERT CHITEPO LAW SCHOOL
BACHELOR OF LAWS HONOURS DEGREE
EXAMINATION QUESTION PAPER**

MODULE	LLB111
MODULE NARRATION	INTRODUCTION TO LAW
DATE	2024
DURATION	3 HOURS

INSTRUCTIONS TO CANDIDATES:

- 1. Clearly number all the questions you are answering.**
- 2. Section A is compulsory.**
- 3. Answer any (2) two questions from Section B.**
- 4. Mark all answer sheets with your student number.**
- 5. Support your answers with relevant legal authority.**
- 6. This paper is (4) four pages long including the cover page.**

SECTION A

This section is compulsory.

QUESTION 1

- a) Legal certainty is a necessary legal principle that forms the basis for the rule of law. Individuals must find solace in the predictability of a legal outcome. However, that is not always the case in law.

Critically analyse the above statement. In your analysis, include factors that affect legal certainty. **(10 marks)**

- b) Differentiate between criminal law and civil law. In your answer, explain the rationale behind the differentiation in the standard of proof. **(10 marks)**

[Sub-Total: 20 marks]

QUESTION 2

- a) Shantel is a single mother who works as a government clerk. She is barely able to support her 3 children. One day, she receives a summons stating that she owes her landlord rent. Despite her financial strains, she claims she paid all her rent and even has a witness who saw her pay the rent. But she does not have a lawyer and does not know what the court will want her to produce as evidence.

What are the two available avenues to obtain legal aid for Shantel and the relevant factors considered?

(10 marks)

[Sub-Total: 30 marks]

SECTION B

Answer any two questions in this section.

QUESTION 3

- a) Zimbabwe has a dual legal system. The inclusion of customary law in the Constitution reflects the country's embrace of cultural and heritage-based industrialisation. What is development without a solid cultural basis? However, the limited reach of customary law denounces heritage-based development and slowly washes out culture.

Critically discuss the above statement.

(10 marks)

- b) Law and morality thread a very thin line in some jurisdictions while in other jurisdictions, it is separate. Discuss the relationship between law and morality in Zimbabwe as compared to other jurisdictions.

(10 marks)

[Sub-Total 20 marks]

QUESTION 4

- a) According to Madhuku, "The process of how proposals eventually become bills is largely shrouded in secrecy".

Explain in detail the pre-bill stage in Zimbabwe as outline by Madhuku. **(10 marks)**

- b) Mary is married to Eric under civil law. It's a weekend and she decides to throw Eric a belated surprise birthday party. She plans everything and on the day of the party, she sneaks into Eric's office to surprise him when she finds him having sex with his secretary.

What is the available legal remedy for Mary against the secretary, if any?

(10 marks)

[Sub-Total 20 marks]

QUESTION 5

- a) Daniel applies to the High Court for admission as a legal practitioner. However, his application is rejected on account of his previous conviction of fraud and theft. He feels that it is unfair since he committed all those crimes years ago. He appeals the decision.

Having regard to the relevant legislation, what are the prospects of success of his appeal? **(10 marks)**

- b) Critically discuss the concepts of judicial activism and judicial deference and how they affect legal certainty. **(10 marks)**

[Sub-Total 20 marks]

TOTAL MARKS: 70

END OF QUESTION PAPER