



University of Fort Hare
Together in Excellence

UNIVERSITY OF FORT HARE

SUPPLEMENTARY EXAM

2024

ACADEMIC PRACTICES AND REASONING

APR 122

SUBJECT: APR 122

DURATION: 3 HOURS

MARKS: 100

EXAMINERS: MRS. R. SCOTT

DR. N. LANDA

INSTRUCTION TO CANDIDATES:

NUMBER YOUR ANSWERS CORRECTLY

QUESTION 1:

Read the following article and answer the questions that follow:

SA's top court legalises the private use of Marijuana

By Mary Nel (Adapted, NEWS24, 20/09/2018)

South Africa's Constitutional Court has passed down a judgment that makes it legal for adults to cultivate and smoke marijuana in their homes. The court – the country's highest – ruled that the right to privacy was violated by prohibiting the possession, purchase or cultivation of cannabis for personal consumption by an adult in a private dwelling.

The case was pursued by various parties, including a Cape Town lawyer, Gareth Prince, who is a practising Rastafarian. It was opposed by, among others, the country's ministers of Justice and Constitutional Development, Police and Health; the country's National Director of Public Prosecutions and the NGO Doctors for Life International.

The Constitutional Court's judgment is to be applauded for doing away with the moralistic and paternalistic assumption that marijuana use by adults in private is always wrong and unhealthy. South Africa joins a number of countries that have taken a similar step, among them Canada and Portugal.

But there are still lots of uncertainties that need to be cleared up before South Africans can use marijuana without fear of prosecution. One of these is that the country's laws will have to be brought into line with the judgment.

What the court found

In making its ruling, the Constitutional Court considered several issues. These included privacy, health concerns and the status quo in other parts of the world. Delivering the unanimous judgment, Deputy Chief Justice Raymond Zondo stated that "the right to privacy entitles an adult person to use or cultivate or possess cannabis in private for his or her personal consumption". And, he added, to the extent that the impugned provisions criminalise such cultivation, possession or use of cannabis, they limit the right to privacy.

The court also examined the medical evidence that was used when the case was first brought to a lower court – the Western Cape High Court – as well as evidence from a 2002 case about the religious use of marijuana. It found no persuasive medical evidence that dagga in small amounts was harmful to users, particularly compared to the harm resulting from use of alcohol. Nor was there proof that marijuana use caused violent or aggressive behaviour or that its use led to the use of more potent or dangerous drugs.

In the interim, the court ordered, adults who use, possess or cultivate cannabis in private for their own personal consumption are not guilty of contravening these provisions. The personal consumption exception has been widely celebrated. But it raises various practical difficulties.

Practical concerns

First, it's less than clear under what circumstances the personal consumption exception will apply. According to the Constitutional Court, police officers will have to determine this on a case by case basis. To do so, they'll need to consider factors such as the quantity of cannabis in the person's possession and whether they can give a satisfactory account of their possession.

Second, while the Constitutional Court judgment confirms the Western Cape High Court's findings in many respects, it also differs in important ways. Significantly, the Constitutional Court held that there was no persuasive reason for the High Court to confine its declaration of invalidity to marijuana use in a home or private dwelling.

The Constitutional Court envisages instead that, provided dagga is used "in private and not in public", it is protected by the right to privacy, even if the adult in question is not at home or in a private dwelling. It uses the example of someone who has cannabis in their pocket for private consumption, and then steps outside their home or dwelling. Provided the cannabis remains in their pocket and is for personal use, it still falls within the constitutional protection.

This seemingly broadens the exception proposed by the High Court. But once again, it remains to be seen how the courts will interpret the distinction between public and private use in practice.

Another aspect of the High Court judgment the Constitutional Court refused to confirm relates to the order declaring that provisions prohibiting the purchase of cannabis were invalid. The Constitutional Court argued that allowing people to purchase marijuana would amount to sanctioning dealing in cannabis.

This aspect of the judgment raises a legitimate practical concern: how is an adult user of cannabis supposed to acquire the marijuana they're allowed to use in private if they don't buy it from a dealer of some sort (which the Constitutional Court explicitly says is illegal)?

The user could grow their own. But they would need to obtain the seeds or buy them from someone else – who is, by definition, a dealer. The judgment's implication seems to be that to exercise one's (constitutionally-protected) right to use marijuana in private, one must inevitably act illegally since any purchase of marijuana and related products makes one an accomplice to dealing in cannabis.

Questions:

1.1 Find **CONTEXTUAL DEFINITIONS** for the following words from the article:

- a. Prohibiting (paragraph 1)
- b. Status quo (paragraph 5)
- c. Potent (paragraph 6)
- d. Exception (paragraph 11)
- e. Sanctioning (paragraph 12)

(2 x 5 = 10)

1.2 Is this article convincing? Provide **valid reasons** why you agree/disagree with this new law passed by the South African Constitutional Court?

(10)

Total for Question 1: 20

QUESTION 2:

Write out the topic below in the centre of a double page in your answerbook.

Childhood obesity (fat) is becoming the norm in modern society.

- a. Provide a **Mind Map (Brainstorm)** for the topic in the form of a spider-diagram.

You should ask at least **4** questions and do not forget to provide answers to those questions in point form.

(20)

- b. Write out **2 TOPIC SENTENCES** for **any 2** of the questions from the mind map.

(3 x 2 = 6)

- c. Develop **3 SUPPORTING STATEMENTS** for **Topic Sentence 1 AND Topic Sentence 2**. Your supporting statements should include factual information, statistics and weight of authority.

(3 x 3 x 2 = 18)

- d. Write out 1 paragraph (with the Topic Sentence and Supporting Statements) using connecting words.

(6)

Total for Question 2: 50

QUESTION 3:

Choose the most correct answer from the alternatives below. Please write only the letter of the answer that you select.

1. In critical analysis one:
 - a. breaks up larger concepts into smaller components.
 - b. works from the specific to the general.
 - c. unearths buried meaning.
 - d. a and c

2. The main purpose of analysis is:
 - a. to ask questions.
 - b. to obtain answers.
 - c. to explore various possibilities of meaning.
 - d. a and c

3. A supporting statement:
 - a. must contain facts.
 - b. must contain opinions.
 - c. must be relevant to the argument.
 - d. a and c

4. To produce an effective argument you must:
 - a. use appropriate connecting words
 - b. ensure that your supporting statements are convincing
 - c. ensure that your supporting statements are debatable.
 - d. a and c

5. You can formulate a good introduction to an essay by:
 - a. asking a question.
 - b. making an assumption.
 - c. including many supporting statements.
 - d. using verbose speech (big words) to get your reader's attention.

6. The language in an academic essay must be:
 - a. formal.
 - b. a mixture of formal and informal.
 - c. mostly formal.
 - d. mostly informal.

7. The format of a good essay has:
 - a. a long introduction, a body which is divided into different paragraphs and a short conclusion.
 - b. a short introduction, a body that has one paragraph and a short conclusion.
 - c. a short introduction, a body that is divided into several paragraphs and a long conclusion.
 - d. a short introduction, a body that has several paragraphs and a short conclusion.

8. To make an argument more persuasive one can include:

- a. weight of authority.
- b. some personal opinions.
- c. relevant information.
- d. a and c.

9. Connecting words:

- a. should be used as often as possible.
- b. is the glue that holds the essay together.
- c. gives direction in an essay.
- d. b and c.

10. In an argumentative essay, one is engaged in:

- a. controversial topics.
- b. arguments and counter-arguments.
- c. debate.
- d. All of the above.

Total for Question 3: 10

QUESTION 4:

Insert the correct TRANSITION SIGNAL in the spaces below:

1. Polls show that Tony Blair was the most popular Prime Minister this century. ----- there are even members of his own party who are uneasy with his approach.

- a. **In particular** b. **However** c. **For instance**

2. There are some slight variations in temperature, but ----- 26 to 27° should be expected.

- a. **consequently** b. **otherwise** c. **as a rule**

3. It was announced that nurses' working hours would be increased by 25%. -----, even fewer trainee nurses are expected to join the profession.

- a. **As a result** b. **So that** c. **Likewise**

4. Sales of CDs have experienced a small but steady fall over the past 12 months. ----- vinyl records have seen an increase in their share of the market, up to 1.7%.

- a. **Above all** b. **Correspondingly** c. **In contrast**

5.

5. The Vice Chancellor explained that in the light of the current financial climate and because of unexpected bad debts, it would be necessary to peg salary levels at their current level for all grades of staff. ----- no-one was getting a pay rise.

- a. **Nevertheless** b. **In other words** c. **Similarly**

6. It is clear, therefore, that the situation in Brazil will improve only slowly. ----- the economic problems being experienced in Japan, the outlook is slightly more optimistic.

- a. **Furthermore** b. **In comparison** c. **With reference to**

7. In order to reduce car use in the inner cities, the government has announced new restrictions on company parking spaces and -----, a new tax on individual car use.

- a. **as well as** b. **in addition** c. **in the same way**

8. Essays must be handed in by the deadline, ----- they will not be marked.

- a. **obviously** b. **otherwise** c. **as a result**

9. ----- it has been shown that fractures can occur at even relatively low pressures, the use of the material should not be completely discounted.

- a. **Nevertheless** b. **Because** c. **Even though**

10. She got the job ----- the fact she had very little experience.

- a. **Hence** b. **despite** c. **nonetheless**

Total for Question 4: 10

QUESTION 5:

Choose the statements that are **RELEVANT** to the topic below. Write only the **LETTER** of the statement that you think is relevant.

BREAKFAST IS THE MOST IMPORTANT MEAL OF THE DAY

- A. People that skip breakfast have a lower concentration span throughout the day.
- B. One should ensure that what one eats for lunch is nutritious and filling.
- C. After having fasted during the night your body needs to be replenished with a nutritionally balanced meal.
- D. There are many different types of breakfast cereals to choose from.
- E. Eating a balanced, fibre-rich breakfast will give you the energy required to cope with a busy day.
- F. The thought of fried bacon, eggs and toast in the morning is always an appealing one.
- G. Breakfast ensures that you have enough energy for the morning's activities.
- H. The proverb; "Eat breakfast like a king, lunch like a prince and dinner like a pauper" shows that breakfast should be the most substantial meal of the day.
- I. Children enjoy sugar-coated breakfast cereals and there is always a toy of some sort in every box.
- J. If one misses breakfast, one can always compensate by eating a big meal for lunch.

Total for Question 5: 10

GRAND TOTAL: 100