



*"Investing in Africa's Future"*

**COLLEGE OF BUSINESS, PEACE, LEADERSHIP AND  
GOVERNANCE**

**PPD516: HUMAN RIGHTS, DEMOCRACY AND RULE OF LAW**

**END OF SECOND SEMESTER EXAMINATIONS**

**APRIL/MAY 2017**

**LECTURER: (PROFESSOR P. MACHAKANJA)**

**DURATION: (3 HRS)**

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***INSTRUCTIONS***

Answer SECTION A and any TWO questions from SECTION B

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Include the number of the question on your answer sheet. These are discussion questions so be sure to explain your answer adequately. Arguments must be supported with facts and appropriate examples where applicable.

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### **SECTION A: COMPULSORY QUESTION (40 marks)**

1. From a philosophical perspective and citing different philosophers, discuss the origins and evolution of human rights and their implications on democracy and rule of law in contemporary society. (40 marks)

### **SECTION B: Answer and TWO questions**

2. Compare and contrast the ideas of any THREE philosophers you have studied regarding their conceptualisation of human rights, state of nature, function of government, democracy and rule of law. (30 marks)
3. Gender mainstreaming is a way to make visible the gendered nature of assumptions, processes and outcomes in policies. Discuss the different ways in which the concepts of 'gender and gender equality' are being used in mainstreaming human rights, democratic processes and the rule of law in a country of your choice in Africa. (30 marks)
4. Discuss the nexus between human rights, democracy and rule of law and the extent to which the African Union and its member states are recognising the importance of this linkage for the achievement of Agenda 2063 and the Sustainable Development Goals. (30 marks)
5. How can majority democratic rule be reconciled with minority rights when the judiciary acts to safeguard the rule of law? Give examples of how the promotion of minority rights impact on democratic rule and the promotion of human rights for all. (30 marks)
6. Compare and contrast the three generation of rights you have studied and then debate the argument or justification for the fourth generation of rights. (30 marks)

End of examination



## **SECTION A: COMPULSORY QUESTION (40 marks)**

1. Discuss any three different types of conflicts having their source in cultural differences showing clearly how each type of conflict occurs when people seek to exercise their rights (or what they think are their rights) in a place inhabited by others with different cultural attachments.

## **SECTION B: Answer any TWO questions**

2. Debate the argument that the arbitrary deprivation of nationality, effectively places the affected persons in a more disadvantaged situation concerning the enjoyment of their human rights because some of these rights may be subjected to lawful limitations that otherwise would not apply, but also because these persons are placed in situations of increased vulnerability to human rights violations. (30 marks)
3. How does gender mainstreaming provide additional insights when used in conjunction with other forms of inequality such as class or ethnicity and culture? (30 marks)
4. Using specific examples debate the contradiction of concepts of Universalism and Cultural Relativism. (30 marks)
5. Debate the question, 'Does Feminism Discriminate against Men?' and evaluate the contributions of the feminist research approach to our understanding of gender equality and women's rights as human rights. (30 marks)
6. With reference to the concept of Refugee Rights discuss the causes of refugee flows and possible intervention strategies that the African Union, in partnership with the United Nations Humanitarian Commission on Refugees (UNHCR) the international community and United Nations member states can put in place? (30 marks)
7. Discuss the concept of Responsibility to Protect (R2P), including an outline of the several pillars of responsibility that are enshrined therein. Provide the basis of the emergence and adoption of R2P, paying specific attention to the opportunities and challenges of enforcing such a doctrine. (30 marks)

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