



COLLEGE OF BUSINESS, PEACE, LEADERSHIP AND GOVERNANCE

NPPD517: CULTURE, CONFLICT AND HUMAN RIGHTS LAW

END OF SECOND SEMESTER EXAMINATIONS

MAY 2021

LECTURER: DR. I.R. MADENGA

DURATION: 7 HOURS

INSTRUCTIONS

Answer ONE question. Each question has 100 marks

Plagiarism is a serious academic offense. Your examination responses will be subjected to anti-plagiarism.

Submit your examination answer scripts within 7 hours using Moodle.

Question 1

A man who calls his kinsmen to a feast does not do so to redeem them from starving. They all have food in their own houses. When we gather in the moonlight at village ground, it is not because of the moon. Every man can see it in his own compound. We come together because it is good for kinsmen to do so. Therefore let us continue with the team spirit and enjoy the power of togetherness. Let's smile not because we do not have problems but because together we are stronger than the problems...No one is stronger than all of us and TEAM (Together Each Achieves More!) Team building is key in maximizing our strengths and minimizing our weaknesses.

(Adapted from Chinua Achebe)

- (a) **Either** What is the role of an African family in human rights promotion and protection? (30 marks).
Or How does African culture promote or violate human rights? (30 marks)
- (b) **Either** Which African beliefs and traditions should be promoted and which ones should be abolished? (30 marks).
Or Which practices can the Human Rights Law borrow from familyhood? (30 marks).
- (c) **Either** Examine the nexus between culture, human rights and the Human Rights Law? (40 marks).
Or Comment on the view that constitutionalism and the rule of law are prerequisites for human development. (40 marks)

Question 2

“I AM NO LONGER THE VIRGIN MARY...” A 10-year old girl revealed to her family

While the Sokuseka Sokutamba Family was having their dinner, their 10 year daughter, Ruramai sat aloof and distraught. She was not eating. She visibly looked troubled and haunted. But everyone seemed consumed and focused on ‘stomach politics.’ After praying for the food, Ruramai said, “I have something unpleasant to tell you my dear family.” Dead silence engulfed. Everyone stopped eating and gazed at Ruramai. “I’m no longer the virgin!” She uttered and began to cry bitterly. A long silence again. And then, the father angrily screamed at his wife, “It is your fault! Always dress and make up like a prostitute! Do you think you are setting a good example for your daughters? He thundered, “Like mother like daughter!” The mother, in turn reacted, “What about you? Are you setting any good example? Wasting your whole salary on run girls who sometimes even accompany you to your doorstep! Are you setting a good example for your daughter? You are worse than a pig!”

The father fired back, “And her elder sister Ropafadzo, that good for nothing, with her filthy and unkempt dreadlocked boyfriend, who is always found with her in all the hotels with your blessings. Do you believe she is setting a good example for her younger sister?” And the ranting went on and on.....until Gogo Masiziba’s intervention. The amused but calm grandmother Masiziba, staggered from her mat with the help of her walking stick. She reached for Ruramai’s shoulder and consoled her granddaughter. She motioned everyone to recite the Lord’s Prayer, “Our Father in heaven, hallowed be your name. Your kingdom come, your will be done, on earth as it is in heaven. Give us this day our daily bread, and forgive us our debts, as we also have forgiven our debtors. And lead us not into temptation, but deliver us from evil.” Amen.

Holding her granddaughter close to her heart, Gogo Masiziba asked for Virgin Mary’s intercession. “**Hail Mary**, Full of Grace, The Lord is with thee. Blessed art thou among women, and blessed is the fruit of thy womb, Jesus. **Holy Mary**, Mother of God, pray for us sinners now, and at the hour of death.”

Gogo assured her granddaughter that people move on by letting go their bitter past. “Well, my little angel, stop crying and tell me how it happened. Feel free to share your experience. We all support you. An injury to one is an injury to all. The truth will set us free.”

Tension improved a bit. Ruramai sobbed a little while and stammered, "It is the.....It is the Pri-e-e-e-st! The grandmother looked at her into the face and asked: “Ok! Go on. What do you mean? What about the Priest?” The little girl was now calm and collected. She said: “Father Good Shepherd has chosen Shalom to be Virgin Mary in the Birth of Jesus Play!” I am no longer playing the role of Virgin Mary again. I am no longer the Virgin!"

WHAT A LESSON! (The price of impatience and poor listening)

Even you, the reader was much in a hurry to conclude and blame the Priest of rape before the story ends. It is natural to be shocked at the beginning of any story but learn to carefully listen to the whole story before you react. In fact, respond rather than react to all situations. Only then can you solve the issues thrown up by the story.

Remember wrong words cannot be undone even with the highest and sincerest apology! Our voice is like a fresh egg, once it drops on the floor, you can never get it back.

ALWAYS LISTEN TO THE END BEFORE YOU REACT. Hopefully you are keeping safe and warm in the house. Remain blessed and bless others through your words and actions.

- (a) **Either** What common human rights violations do most children suffer from? (30 marks)
Or Should parents use corporal punishment on children? (30 marks)
- (b) **Either** Why is communication important in human rights promotion and protection? (30 marks).
Or How does African culture promote or violate women's rights? (30 marks)
- (c) **Either** What lessons can be drawn from the above story? (40 marks).
Or Discuss the view that some donor funded human rights are incompatible in Africa. (40 marks).

Question 3

The United Nations (UN) supports the revival of community-based conflict resolution approaches.

Kofi Annan (2004) noted that,

'Due regard must be given to indigenous and informal traditions for administering justice or settling disputes, to help them to continue their often vital role and to do so in conformity with both international and local tradition.'

The UN's stance on African Traditional Conflict Resolution Mechanism (ATCRM) confirms the growing consensus by peacebuilding researchers that indigenous conflict mechanisms must be prioritised. The greatest resource for sustainable peace in the long-term is rooted in the local people and their context (Sending 2009). In fact, 'local ownership has become probably one the most relevant mantras in post-conflict peacebuilding interventions in sub-Saharan Africa' Mateos (no date). ATCRMs are best 'resources and answers' to conflict resolution because they are locally-owned and context-based (Huyse and Satter 2008).

- (a) **Either** Using Galtung's triangle of violence, examine the view invisible violence is more harmful than visible violence. (30 marks)
Or Discuss the nexus between restorative justice, retributive justice and human rights. (30 marks).
- (b) **Either** Using African traditional conflict resolution mechanisms, explain the merits and demerits. (30 marks)
Or Discuss the controversies around the South African Truth and Reconciliation Commission (30 marks).
- (c) **Either** Examine the claim that culture should be celebrated, but not in isolation. (40 marks).
OR African traditional conflict resolution mechanisms are best 'resources and answers' to conflict resolution because they are locally-owned and context-based (Huyse and Satter 2008). Discuss. (40 marks)

END OF EXAMINATION