

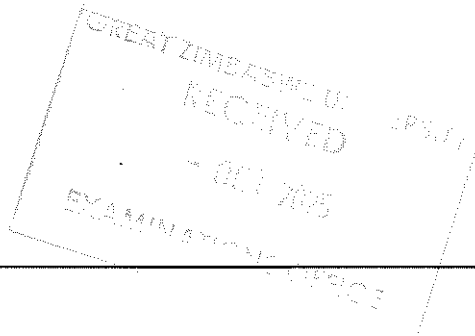


**JULIUS NYERERE SCHOOL OF SOCIAL SCIENCES
BACHELOR OF SCIENCE HONOURS DEGREE IN GENDER STUDIES
LEVEL 4 SEMESTER 2
EXAMINATION QUESTION PAPER**

MODULE CODE	GESH 421
MODULE NARRATION	GENDER, SOCIAL JUSTICE AND THE LAW
DATE	2025
DURATION	3 HOURS

INSTRUCTIONS TO CANDIDATES:

1. This question paper comprises of 2 pages and it is divided into TWO SECTIONS. These are SECTION A, which is a compulsory question and SECTION B.
2. Answer THREE questions in all, ONE from SECTION A and any other TWO questions from SECTION B.
3. All your answers must be supported by relevant authority.
4. Write legibly.
5. You are allowed to bring clean copies of the Convention on the Elimination of Discrimination Against Women, Protocol to the African Charter on Human and People's Rights of Women in Africa, The Constitution of Zimbabwe Amendment No.20 of 2013, Zimbabwe Gender Commission Act, National Gender Policy and for use during the examination.



SECTION A

Question 1

This section is compulsory. Answer all questions.

'In 2003, the African governments adopted a Protocol to the African Charter on Human and People's Rights on Women's Rights in Africa (also known as the Maputo Protocol). This international legal instrument is a comprehensive framework for promoting and protecting African women's rights. The Protocol addresses discrimination and violations against African women and requires the state to implement the necessary measures to ensure gender equality in all spheres. It recognizes the importance of women's land rights as a fundamental human right. The Protocol states that women have the right to own and inherit property, including land, and that they should be able to exercise this right without discrimination. Twenty years after its formulation, it is essential to evaluate the impact of the Maputo Protocol on women's land rights and gender equality regarding land rights in Africa.'

By Naomi Shadrack, Twenty years of Maputo Protocol: Women's Land rights for achieving Social and economic empowerment, July 11, 2023, Open Immersive Reader

a) Examine the adequacy of the Maputo Protocol in ensuring social justice and gender rights.

(10 marks)

b) Define with examples "gender human rights machineries" and explain their role in promoting gender equality and social justice.

(10 marks)

SECTION B

Answer any two questions from this section.

Question 2

Abike is a commercial sex worker employed by Jeramine Massage Parlour. For the last 5 months, she and her colleagues have been routinely arrested by the local police, and held in cells for a few hours per day. None of them have been prosecuted. Abike and her colleagues find the conduct of the police to constitute harassment, more so because prosecution does not follow their arrest. She wishes to know whether she can challenge the constitutionality of the law that criminalises sex work or at least stop the police from harassing them.

QUESTION 3

Critically analyse how the Convention on the Elimination of Discrimination Against Women (CEDAW) has been incorporated into Zimbabwe's domestic on gender equality.

[20]

Question 4

Evaluate the effectiveness of the Zimbabwe Gender Commission in achieving gender equality.

[20]

QUESTION 5

Mr. Peter Tshuma and his wife have two children (a son aged 13 and a daughter aged 11). Despite his wife's opinion and displeasure, Mr Tshuma wishes to send his son to a traditional healer in Mposi area for an Initiation Ceremony where he will be circumcised to enable him to become a man. Mr. Tshuma feels that it is time for his son to become a man and the sooner this is done the better. He also wants his daughter to undergo virginity testing so that she can take part in the Royal Reed Dancing Festival in Mposi area later this year. Mr. Tshuma believes that as the "head of the home" his culture requires him to subject his children to these practices and that he has a constitutional right to cultural freedom which no one can take away from him, not even his wife. He also believes that not only his ancestors, but also the community will look upon him and his family favorably because he is following their customs and cultural practices. Both Mr. Tshuma's children attend private schools in the Midlands Province and feel that these practices are outdated and therefore do not want to undergo them. His wife is also opposed to these practices and tells him that her sister (who is a Gender, Social Justice and Law student), has told her that there are laws that determine how circumcision and virginity testing is to occur. Mr. Tshuma seeks advice regarding his decision and the laws that his sister-in-law has mentioned. In your answer you need to inform Mr. Tshuma fully of the gender issues involved in his decision.

[20]

TOTAL MARKS

[60]

END OF EXAMINATION