

# UGANDA MARTYRS UNIVERSITY, NKOZI

## FACULTY OF BUSINESS ADMINISTRATION AND MANAGEMENT

### ETHICS IN FOCUS

BAM II 2016/17  
LUBAGA EVENING

DATE: Wednesday, 12<sup>th</sup> April 2017

Time allowed: 6:00 pm – 9:00pm

### **Instructions to Candidates:**

Read the following before answering the examination questions.

- 1) Do not write anything on this question paper.
- 2) Start every question on a new page
- 3) Attempt **any three (3) from Section A** and **one from Section B**
- 4) Section A questions are out of 20 marks while section B out of 40 marks

## Section A (Attempt any 3)

1. Develop an argument in support of the affirmation that, "Politics is a human activity hence bound by morality." (20 marks)
2. Mention and explain the qualities of good citizenship. (20 marks)
3. Discuss the pros and cons of death penalty. (20 marks)
4. Do you think that there are some moments in which war can be justified? Why or why not? Elaborate your answer by use of St. Augustine's concepts of *Jus ad Bellum* and *Jus in Bello*. (20 marks)
5. (a) Distinguish between liberty and freedom. (b) Does the notion of freedom of expression entail pornography? Why or why not? (20 marks)
6. Why is Prostitution immoral? (20 marks)

## Section B (Attempt any 1)

Choose one article in this section and critically comment on it using ethical principles studied in class and advise the government of Uganda on how to go about the cases mentioned in the articles.

### Article 1

#### About LGBT Human Rights

We all have a sexual orientation and a gender identity, and this shared fact means that discrimination against members of the Lesbian, Gay, Bisexual and Transgender community, based on sexual orientation and/ or gender identity, is an issue that transcends that community and affects all of us.

Sexual orientation covers sexual desires, feelings, practices and identification. Sexual orientation can be towards people of the same or different sexes (same-sex, heterosexual or bisexual orientation). Gender identity refers to the complex relationship between sex and gender, referring to a person's experience of self-expression in relation to social categories of masculinity or femininity (gender). A person's subjectively felt gender identity may be at variance with their sex or physiological characteristics.

Amnesty International believes that all people, regardless of their sexual orientation or gender identity, should be able to enjoy their human rights. Although the Universal Declaration of Human Rights does not explicitly mention sexual orientation or gender identity, evolving conceptions of international human rights law include a broad interpretation to include the rights and the protection of the rights of LGBT people around the world.





The *Yogyakarta Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity*, developed in 2006 by a group of LGBT experts in Yogyakarta, Indonesia in response to well-known examples of abuse, provides a universal guide to applying international human rights law to violations experienced by lesbians, gay men, bisexual and transgender people to ensure the universal reach of human rights protections.

**Article 2.** Daily Monitor Wednesday March 22 2017.

**Law scholars sue government over abortion law**



Dr Rose Nakayi

**KAMPALA-** Two Makerere University law dons have petitioned the Constitutional Court challenging its failure to pass laws aimed at legalising abortion, an omission that has seen increased unsafe abortions and its associated consequences including death.

Prof Ben Twinomugisha and Dr Rose Nakayi together with a civil society organisation, Center for Health, Human Rights and Development (CEHURD) have asked court to order the Executive and Legislative arms of government to pass a law regulating termination of pregnancies to reduce maternal mortality rates that arise from unsafe abortions.

The law dons in their petition filed on March 3, contend that the existing legislation only permits abortion in exceptional circumstances such as a life of a mother at risk, but doesn't protect young girls and married women who may get unwanted pregnancies hence resorting to unsafe abortion methods.

The petitioners argue that other African countries like Kenya, Rwanda, Ethiopia, Ghana and Tunisia, which are similar in social and economic circumstances as Uganda, deliberately developed laws to protect the rights of women by prescribing circumstances under which a woman is allowed to terminate her pregnancy.

"We do not see any reason as to why Uganda should not borrow a leaf from its neighbours and take an essential step to protect the lives of women who continue dying day by day due to unsafe abortions," reads part of the petition.

The petitioners contend that the Constituent Assembly resolved to create a framework provision on termination of pregnancy on which basis the Parliament of Uganda would then formulate, discuss and enact a law on termination of pregnancy.

They also contend that since the enactment of the Constitution, no effort has been made by the law to effect Article 22(2) of the Constitution by creating a law on termination of pregnancy.

"By omitting to create a law on termination of pregnancy the State continues to contravene the constitutional directive made by Article 22(2) and the obligation of the parliament," reads part of the petition.

The trio is seeking for the interpretation of Article 22(2) of the Constitution which provides that no person has the right to terminate the life of an unborn child except as may be authorised by law.

They also want an interpretation which provides that subject to the provisions of the Constitution, Parliament shall have powers to make laws on any matter for the peace, order development and good governance of Uganda.

By JULIET KIGONGO: [jkigongo@ug.nationmedia.com](mailto:jkigongo@ug.nationmedia.com)



## Article III

### Yes to female circumcision?

Is it a good idea to fight against female circumcision? Not necessarily according to Sierra Leonean-American anthropologist Fuambai Ahmadu.

In an interview in Anthropology Today (available free as pdf [here](#)), she attacks Western feminists, media and anti-Female Genital Mutilation campaigns and accuses them for presenting a one-sided, ethnocentric picture of female circumcision.

A great deal of what is regarded as facts is not true, she explains. Many people think circumcision is a "barbaric tradition" and "violence against women". But Ahmadu does not see circumcision as mutilation. Circumcision is no notable negative effects on your health and does not inhibit female sexual desire either.

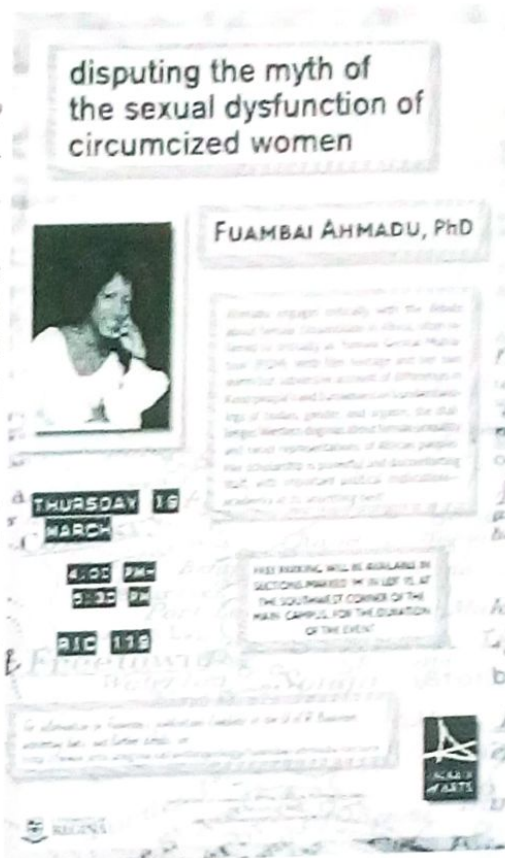
The problem with the representation of various forms of female circumcision as 'mutilation' is that the term, among other things, presupposes some irreversible and serious harm. This is not supported by current medical research on female circumcision.

But this research (Obermeyer, Morison etc) has not received any attention in Western media:

However, neither Obermeyer's reviews nor the Morison et al. study have been mentioned in any major Western press, despite their startling and counter-intuitive findings on female circumcision and health. This is in contrast to the highly publicized Lancet report by the WHO Study Group on FGM, released in June 2006, which received widespread, immediate and sensationalized press coverage highlighting claims about infant and maternal mortality during hospital birth.

Supporters of female circumcision justify the practice on much of the same grounds that they support male circumcision, she says:

The uncircumcised clitoris and penis are considered homologous aesthetically and hygienically: Just as the male foreskin covers the head of the penis, the female foreskin covers the clitoral glans. Both, they argue, lead to build-up of smegma and bacteria in the layers of skin between the hood and glans. This accumulation is thought of as odorous, susceptible to infection and a nuisance to keep clean on a daily basis. Further, circumcised women point to the risks of painful clitoral adhesions that occur in girls and women who do not cleanse properly, and to the requirement of excision as a treatment for these extreme cases. Supporters of female





circumcision also point to the risk of clitoral hypertrophy or an enlarged clitoris that resembles a small penis.

For these reasons many circumcised women view the decision to circumcise their daughters as something as obvious as the decision to circumcise sons: why, one woman asked, would any reasonable mother want to burden her daughter with excess clitoral and labial tissue that is unhygienic, unsightly and interferes with sexual penetration, especially if the same mother would choose circumcision to ensure healthy and aesthetically appealing genitalia for her son?

It is important to remove the stigma around circumcision, Ahmadu stresses:

It is my opinion that we need to remove the stigma of mutilation and let all girls know they are beautiful and accepted, no matter what the appearance of their genitalia or their cultural background, lest the myth of sexual dysfunction in circumcised women become a true self-fulfilling prophecy, as Catania and others are increasingly witnessing in their care of circumcised African girls and women.

In an article in The Patriotic Vanguard, she describes the term Female Genital Mutilation as "offensive, divisive, demeaning, inflammatory and absolutely unnecessary":

As black Africans most of us would never permit anyone to call us by the term "nigger" or "kaffir" in reference to our second-class racial status or in attempts to redress racial inequalities, so initiated Sierra Leonean women (and all circumcised women for that matter) must reject the use of the term "mutilation" to define us and demean our bodies, even as some of us are or fight against the practice.

Anthropologist Carlos D. Londoño Sulkin comments Ahmadu's talk in *Anthropology Today* and criticizes his colleagues: My own sense, after listening to Ahmadu, is that many Euroamericans' reactions to the removal of any genital flesh is shaped by parochial understandings and perfectly contestable biases and values concerning bodies, gender, sex and pain.(...)

Many anthropologists, reacting against collectivist social theories and some of the less felicitous entailments of cultural relativism, have joined in the condemnation of female circumcision without first taking counsel from our discipline's methodological requirement actually to pay attention to what the people we write about say and do about this or that, over an extended period. Listening to Ahmadu, I can no longer condemn the practices of genital cutting in general, nor would I be willing to sign a zero-tolerance petition.

>> Disputing the myth of the sexual dysfunction of circumcised women. An interview with Fuambai S. Ahmadu by Richard A. Shweder (incl. comment by Carlos D. Londoño Sulkin)

**SEE EARLIER POSTS ON THIS TOPIC:**