

**UGANDA MARTYRS UNIVERSITY, NKOZI**

**FACULTY OF LAW**

**YEAR 4 SEMESTER 1 AY 2022/2023**

**GENDER AND THE LAW EXAMINATION**

**DATE: 6<sup>th</sup> February 2023**

**TIME: 9.30am- 1.00pm**

**INSTRUCTIONS**

1. This Take home examination question paper will be ready for students to access by 9:30 am on 5<sup>th</sup> February 2023.
2. Use the 24 hours to carefully select your questions, identify the salient issues and make in-depth research in preparation for the sit-in examination.
3. Students must return with the clean copy of the question paper on 6<sup>th</sup> February 2023 ready to write the answers in a closed book examination.
4. Select and answer only FOUR questions. Each question carries equal marks.
5. Marks will be awarded for clarity and well thought out answers.

**Question 1**

‘Gender- based affirmative action as a legal remedy is one of the most misconstrued concepts and has faced backlash in the recent past. ‘

In a detailed memorandum, write in defence of affirmative action. **(25 marks)**

**Question 2**

There are many varied patterns of reasons that influence women’s lack of property and inheritance rights. With the use of concrete examples and case law, discuss factors that negatively affect the right of woman’s enjoyment of property and inheritance rights in Uganda. **(25 marks)**

**Question 3**

A husband’s job is to earn money; a wife’s job is to look after the home and family. Do you agree? With the use of clear examples, illustrate how law, culture and religion influence gender equality/inequality in the labour market. **(25 marks)**

#### **Question 4**

As the first international treaty dealing with women's rights, CEDAW provides for the removal of discrimination against women in all fields in particular, in the political, social, economic and cultural fields, through a range of legal and policy interventions. Discuss some of the reforms that Uganda has made in line with CEDAW since the Ugandan government ratified it on 22<sup>nd</sup> July 1985. **(25 marks)**

#### **Question 5**

In May 2022, the Inspector General of Police set up a special committee to investigate allegations of abuse of female Police officers by senior male colleagues. The Chair of the committee is AIP Jessica Okia. Before embarking on the task before her, Okia wants the committee to understand and appreciate the subject of Sexual and Gender-based violence (SGBV).

As an intern, write a memorandum under the following sub-heads:

- a) Root causes of sexual and gender based violence **(10 marks)**
- b) Effects of sexual harassment on victims and its impact on the workplace environment. **(7 marks)**
- c) What can be done to eliminate SGBV in the police force? **(8 marks)**

#### **Question 6**

Human rights treaties are powerless to change the lives of the majority of African women. These treaties have been in existence for a long time but women still suffer gross human rights violations. It is therefore a waste of time for Uganda to have ratified the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (The Maputo Protocol, 2003).

Do you agree with the above assertion?

In light of the challenges currently facing Ugandan women today, assess the value-addition of the Maputo Protocol to the already existing human rights framework. **(25 marks)**

GOOD LUCK