

PhD Thesis Evaluation Report

Thesis Title: Universal Human Rights Regime Vs. Cultural and Religious Variations: African Perspectives Re- Evaluated

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1. Introduction

Organized into seven chapters, the central objective of the thesis is to explore the tension that prevails between universal human rights principles, norms, and local traditions (cultures), particularly with respect to the protection of women's rights. Using data collected through qualitative and quantitative methods from three countries—Namibia, Ethiopia, and Zambia—the candidate, Mr. Nsama Jonthan Simuziya, provides a detailed examination of the challenges involved in enforcing rights enshrined by international human rights instruments and local laws.

Mr. Simuziya has chosen a critical topic, as countries in the global south continue to face challenges with respect to democracy, governance, and human rights. The thesis specifically seeks to examine the cultural norms that contribute to the difficulty of implementing human rights norms and why these cultural practices continue to adversely affect the human rights of women. After exhaustive analysis of empirical and secondary data, the research concludes with the importance of reconciling traditions and human rights principles.

2. The Research question, research design and methods,

In the first chapter, which spans approximately 20 pages, the candidate presents the research questions, research design, and methodology. The candidate formulates three broad research questions: (1) what cultural practices constitute violations of human rights? (2) Why have these cultural practices persisted, and what can be done to minimize them? (3) How have these practices affected the social, economic, and political emancipation of marginalized groups such as women?

While I commend the overall thesis as indicated above, I feel the research questions are too broad, and there is a disconnect between the research questions and the theoretical propositions and empirical materials presented in the thesis. The first research question gives the impression that the research will provide a broad and comprehensive study of cultural practices that violate or undermine human rights. However, the study is mainly interested in the problem of harmful traditional practices and other issues that affect women's human rights. The candidate should have revisited the research questions in light of his theoretical discussion and empirical analysis.

I feel the candidate has done a good job in explaining the issue raised in research question number 2—why cultural practices that impede human rights, particularly women's rights, have persisted. Here, a number of issues, including civil society, governance, language, education, and others, are examined. However, one

limitation is the failure to relate the discussion to the theoretical contention between universalism and cultural relativism, and also those issues that were found detrimental to the rights of women—such as gender-based violence and the use of rape as a weapon of war, which cannot be considered as harmful traditional practices. The third question—how cultural practices affect the social, economic, and political emancipation of women—is fairly discussed.

The candidate selected a comparative analysis and justified the selection of the three countries using the "most different systems" research design. While the justification for selecting the three countries is sound—to explain the dependent variable, the plight of women and their rights in three countries which have marked differences—the independent variables such as civil society, religion, language, governance, harmful traditional practices, and others were not consistently discussed for all three countries. This is particularly true regarding language—the author only examined how the use of the English language imposed by the British colonial powers affected human rights in Zambia, and a comparable discussion for the other countries was not included.

The candidate use of methods to collect primary and secondary data was sound. However, it would have been better to explain how the respondents for the survey were chosen. An acceptable survey requires a non-probability sampling method. It is not clear how the 90 respondents—30 from three universities covered in this study—were selected. It is important to provide clarity about the survey.

3. Theoretical perspectives

There is a theoretical chapter that was intended to provide a theoretical perspective to the study. The chapter is more focused on the review of literature on the tension in the human rights discourse between universal doctrines and views of cultural relativism. Even if this theory was interesting, the thesis's empirical chapters and findings were more concerned about women's rights. Hence, the theoretical chapter could have been reflective of the issue of gender.

The thesis also contains conceptual and theoretical discussions about governance, language, and civil society. These discussions could have been brought into this chapter to provide a more comprehensive theoretical foundation.

4. Major findings: Language, civil society, harmful traditional practices and conclusions

The candidate has done a commendable job in presenting the key findings of the study, which were grounded in empirical data and a rich examination of secondary literature. He demonstrated how the adverse impacts of religion, language, harmful traditional practices, gender-based violence, and the use of rape as a weapon of war undermine the rights of women. In doing so, the candidate showed similarities and differences across the three countries covered in this study. However, the discussion on gender-based violence and rape could have been brought together.

After outlining the findings, the candidate examined what should be done to improve the protection of women's rights. Among other things, he discussed the importance of promoting economic development, enhancing good governance and civil society, and narrowing the gap between Universalists—those who advocate for universal approaches to human rights without considering cultural differences—and cultural relativists.

5. Presentation and language, use of sources

The thesis is well-structured and presented. It is well-edited and easy to read. It is written coherently, though, as noted above, the theoretical discussions are spread across different chapters. The references used in the

dissertation are sufficient and cover the major works regarding the tension between universal and relativist norms of human rights. It also contains a good review of literature on good governance and democracy.

6. Overall result

The present thesis, as noted above, is well-structured and written. The candidate has chosen an important topic and made a significant contribution regarding the adverse impacts of cultures—traditional harmful practices and others—with respect to the protection of the rights of women in the three countries chosen for the comparative study. The findings of the study definitely resonate with other countries in the global south. Despite some limitations that I outlined above, I commend the candidate's efforts and consider the submitted thesis to be a piece of academic work that meets the general requirements for a PhD thesis. I, therefore, recommend the PhD thesis, entitled "Universal Human Rights Regime vs. Cultural and Religious Variations: African Perspectives Re-Evaluated" by Mr. Nsama Jonathan Simuziya, for acceptance.

Questions to the Defendant:

1. In the context of cultural diversity and the western roots of universal human rights, should Africa move away from universal human rights rules/norms and develop culturally grounded norms of human/women's rights?
2. In the thesis, you said, "feminism in Africa has become a self-defeating ideology." If this is the case, what explains this phenomenon?
3. On page 82, you said, "the dominant hegemonic and patriarchal character of the contemporary African state is a product of the colonial state machinations – imperial designs that are today responsible for Africa's identity crisis." But patriarchy is more often than not the dominant social structure in Africa, so why should you externalize the problem to the colonial past?
4. How could universal norms of human rights be used to successfully combat traditional harmful practices that undermine the rights of women?

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