"LEGISLATIONS, NORMS AND SACRIFICE"

ADDRESSING CHALLENGES IN COMBATING CHILD SACRIFICE: RELATIVISM, UNIVERSALISM, AND LEGISLATIVE DILEMMAS IN UGANDA.

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ABSTRACT

The deeply entrenched practice of child sacrifice or ritual killing in Uganda continues to violate the fundamental rights of children, despite widespread recognition of its abhorrence. This thesis explores the intricate dynamics between cultural relativism, universal human rights, and legislative endeavors aimed at addressing child sacrifice in Uganda. Despite established legal frameworks in Uganda, McCrary and Bukuluki highlight persistent challenges in combating child sacrifice, including deeply ingrained cultural beliefs and systemic issues such as resource constraints and corruption, which undermine the enforcement of these laws and necessitate a multifaceted approach that integrates community engagement with legal efforts. Through an extensive analysis of secondary data encompassing legal documents, scholarly research, and NGO reports, this study explores the delicate balance between respecting cultural traditions and upholding universal Human Rights norms. It examines significant legislative measures targeting the eradication of child sacrifice and delineates the manifold challenges impeding their effectiveness. Furthermore, the research shows the role played by NGOs in bridging the gap between local customs and legal frameworks, highlighting the inherent tension between cultural relativism and universalistic principles in human rights enforcement and suggesting avenues for more impactful intervention. The findings of this study will offer valuable information for research-based solutions and policy changes that aim to effectively combat the issue of child sacrifice and enhance the welfare of children in Uganda.

Keywords: Culture, Child Sacrifice, Uganda, Child rights, Child Protection, Legislation

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1. Introduction

Child Sacrifice according to Bakuluki (2014) refers to the horrific act of slaving a child by a witch doctor or their associates, involving the utilization of the child's blood, organs, and/or limbs in conjunction with herbs and other substances during ritualistic witchcraft ceremonies (Bukuluki, 2014, p.12-13). This belief system holds that human sacrifices appease the gods and bring about sustenance, increased provisions, wealth, long life, marriage stability, and other desired outcomes (Abigail McCrary, 2014, p.31). Additionally, this practice is believed to result in assurances of safety, security, prosperity, and healing within the community (Mbiti, 1975 as cited by Bukuluki & Mpyangu, 2014 p.13). Furthermore, Fellows (2013) writes "The body parts, blood or tissue are either worn, buried or consumed by an individual in the belief that they will assist with a number of issues including overcoming sickness, gaining wealth, obtaining blessings from the ancestors, protection, initiation. assisting with conception and dictating the gender of a child." (Fellows Simon, 2013 p.8), The act is rooted in the cultural, religious, and historical practices among certain Ugandan communities, particularly in a belief in witchcraft. Child sacrifice in Uganda presents an agitating intersection of traditional beliefs and a modern understanding of human rights, posing significant challenges to both cultural integrity and child protection frameworks. According to the recent police crime report of 2022, there were 76 reported cases of child sacrifice, nearly double the 46 cases reported in 2021, and significantly higher than the 45 cases reported in 2020 and the 22 cases reported in 2019 (Pastor Jailed for Life over Child Sacrifice, Monitor, August 02, 2023). This resurgence of a deeply entrenched practice rooted in historical rituals and contemporary economic incentives has thrust Uganda into a global spotlight, prompting urgent discussions on the adequacy of legal frameworks, the role of civil Societies and Non-Governmental Organizations (NGOs), and the broader implications for human rights standards (Bukuluki & Mpyangu, 2014 p. 15; Byansi et al., 2014 p.79). As the nation grapples with this distressing phenomenon, critical questions arise regarding the effectiveness of interventions, the preservation of cultural identity, and the safeguarding of vulnerable children's rights in the face of evolving societal challenges.

So far, studies undertaken in Uganda have linked this behavior to a widely held belief among some Ugandan populations. By this doctrine, people feel bound to follow every advice and prescription given by traditional healers, even if it involves killing a person (Doreen Ajiambo, 2017; Silver et al., 2021 p.534). Additionally, it is explained that some people believe using human blood and body parts in traditional medicine ceremonies can provide the desired result People frequently seek out witch doctors to help them seek fortunes for their businesses and reunite with loved ones, and, for others, consider it a full-fledged religion. While this may appear harmless, many police reports show a clear link between child sacrifices and those seeking fortunes and services from witch doctors (Costanza, 2014 March 25; Silver et al., 2021, p.536).

Historically, sacrifices including those involving children have been prevalent across various cultures globally for various reasons. As documented in various historical cases like in the bible (Leviticus 18:21) where Moses warns the Israelites against offering their children as sacrifices to Molech, with severe penalties such as stoning the parents to death (*Leviticus 18*, o. J.). Additionally, the story of Abraham nearly sacrificing his son as an offering to please God is recounted in both the Hebrew Bible and the Christian Old Testament (*Genesis 22*, o. J.). Furthermore, in traditional African societies like Egypt, child sacrifices were also evident in various chiefdoms as a means of appeasing the gods (Davis 2000 as cited by Abigail McCrary, 2014 p.26), therefore, it comes as no surprise that the practice persists despite modern civilization condemning it as a barbaric act that violates human rights.

Despite a growing awareness of human rights, the prevalence of this practice has declined overall, however, persistent beliefs and various factors continue to contribute to its prevalence at concerning levels in many African societies, including Uganda, where victims often undergo mutilation under the guise of ritualistic practices (Bukuluki, 2014 p.6; Fellows Simon, 2013 p.29). In Uganda, the resurgence of child sacrifice incidents has been linked to a complex matrix of socio-economic pressures, cultural beliefs, and individual aspirations for wealth and security; thus, there exists a close association between life and blood sacrifices (Bukuluki & Mpyangu, 2014 p.20) hence shedding blood, whether from an animal or a human, is perceived as a means of offering back to the divine (Abigail McCrary, 2014 p.26). The ongoing pursuit of benefits derived from sacrifices often leads to children becoming victims, as they are easily lured into such rituals. There is a prevailing belief that child sacrifices enhance the efficacy of witchcraft, thus, children are considered to possess a purity that amplifies the workings of these practices (Bukuluki & Mpyangu, 2014 p.19). This unfortunate perception places children at heightened risk of exploitation and harm (Fellows Simon, 2013 p.35). This resurgence is not merely a reflection of cultural practices but also underscores the vulnerabilities within the societal fabric, exacerbated by poverty, lack of education, and inadequate child protection mechanisms and Laws. (McCrary, 2014 p.32)

1.1. Significance of the Study

The significance of this study lies in its response to the concerning trend of child sacrifice incidents in Uganda. It seeks to investigate deeply into the root causes of these occurrences, assess the efficacy of existing legal measures, and evaluate the role of civil society in combating the violations of children's rights. By undertaking this research, this thesis aims to reconcile the tensions between cultural relativism and universal human rights principles. Thus, the study will shed light on the complex dilemmas confronted by policymakers, law enforcement agencies, and child protection advocates as they navigate the subtle balance between cultural traditions and the imperative to safeguard children from harm. Ultimately, the findings of this study can inform evidence-based interventions and policy reforms aimed

at effectively addressing the scourge of child sacrifice and promoting the well-being of Uganda's children.

1.2. Research Gap

Despite the extensive coverage of child sacrifice in the existing literature from the likes of Abigail McCrary, Paul Bakuluki and others, there are notable gaps, particularly in understanding the interplay between cultural practices and modern legal frameworks. There is a need for more ethnographic research that delves deeper into the cultural beliefs driving child sacrifice to inform more culturally sensitive legal and policy responses. Moreover, longitudinal studies are required to assess the long-term effectiveness of various interventions, both legal and community-based, in reducing incidents of child sacrifice. Additionally, there is a lack of data on the psychological impact of child sacrifice on communities and survivors, which is crucial for developing comprehensive support and rehabilitation programs. Further research is also needed to explore the effectiveness of the different forms of community engagement and education programs in changing attitudes and behaviors related to child sacrifice.

1.3. Research Questions and Objectives

Child sacrifice is a problem that lurks in the shadows of many Ugandan communities, both rural and urban. To address this grave concern, this research embarks on a multifaceted exploration. Firstly, it aims to dissect the efficacy of two pivotal legal frameworks: the Children Act of 2016 and the Prevention of Trafficking in Persons Act of 2009. It also seeks to determine how these laws have condensed the harrowing cases of child sacrifice by examining their impact since their introduction. The study also dives into the heart of law enforcement, assessing the hurdles faced by local police departments in major hotspots like Kampala, Mukono, Gulu, and Mbale. The focus is on establishing the practical challenges encountered while implementing the Children Act, revealing gaps and areas for improvement.

Further, a dive into the socio-cultural fabric of Uganda reveals two predominant factors fueling this menace: traditional belief systems and economic motivations. Therefore, in addition to legal measures, this study examines the crucial roles that non-governmental organizations (NGOs) such as ANPPCAN, Child Fund Uganda, and Kyampisi Childcare Ministries play in community education and their collaboration with local authorities to change the social and cultural aspects that fuel child sacrifice practices. Finally, the research intends to propose targeted policy amendments. By analyzing the strengths and shortcomings of existing laws, particularly the Penal Code Act, and scrutinising NGOs' initiatives, With a keen focus on the vulnerable northern and eastern regions of Uganda, the study aims to craft robust recommendations tailored to enhance child protection.

1.4. Methodology

Due to the sensitivity of the topic at hand, the methodology employed in this thesis is qualitative, utilizing a thorough review of secondary sources to construct a comprehensive understanding of the issue of child sacrifice in Uganda. This approach involves examining scholarly articles, government and NGO reports, legal documents, and media coverage to gather a diverse range of perspectives and insights. Through qualitative analysis, the study aims to investigate deeply into the legal, cultural, and societal dynamics surrounding child sacrifice in Uganda. This involves identifying and analyzing themes and patterns within the data through thematic coding. By doing so, the research will uncover underlying factors contributing to child sacrifice, assess the effectiveness of legislative measures, and evaluate the impact of NGO interventions.

2. Theoretical Framework: The Debate between Cultural Relativism and Universalism

The discourse surrounding universalism and cultural relativism forms the theoretical backbone of this research. Scholars diverge in their interpretations of human rights, particularly concerning cultural and social practices. This study engages with seminal works such as Makau Mutua's critique of human rights as a metaphor for savages, victims, and saviors, which challenges the imposition of a universal human rights framework without considering local contexts (Mutua, 2001). Similarly, it considers Lila Abu-Lughod's work on the need for cultural sensitivity in human rights interventions (Abu-Lughod, 2013), and Abdullahi Ahmed An Naím and Francis M.Deng's Human Rights in Africa: Cross-Cultural Perspective (1990) among others. The Universal Declaration of Human Rights formulated in 1948, after the Second World War, was crafted by Western countries without the Substantial participation of the majority of the people of the world (Mutua, 2002,p 16; Santos, 2002, p.45); and "with their Eurocentric disposition, 19th-century anthropologists ranked western societies highest and made western values the standards of their universal model for the "evolution" of societies." (An-Na'im & Deng, 1990 p.339) thus, the recognition of individual rights was paramount, with the sole exception being the collective right to self-determination, which was limited to the peoples that were subjugated to European colonization (Santos, 2002 p.45).

Cultural relativism and universalism serve as fundamental frameworks that influence our comprehension of human rights. According to cultural relativism, Human rights should be interpreted in the context of local cultural practices and norms (Donnelly, 2013 p.410; Mutua, 2001 p.210), implying that effective interventions must be culturally sensitive and accommodative. Conversely, universalism holds that human rights are inherent to all individuals regardless of cultural context (An-Naim, 2021; Lila Abu-Lughod, 2013). Although these approaches may appear contradictory, they both play essential roles in advancing and

safeguarding human rights on a global scale. Santos in her work "*Towards a Multicultural Conception of Human Rights*" suggests that viewing the debate as inherently false is crucial. She argues that both concepts can hinder an emancipatory conception of human rights (Santos, 2002 p.46). Therefore, she proposes fostering cross-cultural dialogue on shared concerns and developing cross-cultural procedural criteria to differentiate between emancipation and regulations. This thesis will briefly highlight how these two concepts prevail in the debate on child sacrifice.

Cultural Relativism as articulated by Herkovits, ".... are the experience man encounters with his primary connection to reality that helps them to make clear judgments, He further writes that Judgments are based on experience and experience is interpreted by each individual in terms of his enculturation." (Cultural Relativism: Perspectives in Cultural Pluralism. Melville J. Herskovits, Frances Herskovits / American Journal of Sociology: Vol 79, No 5, o. J.) (Merlville J. Herskovits & Frances Herskovits, 1974), In other words, Cultural Relativism posits that the interpretation of beliefs, attitudes, and practices should be based on their cultural framework (Donnelly, 1984 p.401). This perspective implies that what is considered ethically acceptable or unacceptable may vary depending on the cultural norms and traditions of a particular society. An-na-ím (1990) highlights that "the proponents of cultural relativism acknowledge the equal validity of diverse patterns of life and lay"stress on the dignity inherent in every body of custom, and on the need for tolerance of conventions, though they may differ from one's own"(An-Na'im & Deng, 1990, p.340); Donnelly says that common arguments for cultural relativism "rely on examples such as the pre-colonial African village, native American tribes, and traditional Islamic social systems" (Donnelly, 1984, p. 410). Therefore, these examples show how different cultures are and support cultural autonomy and self-determination, which are important for keeping traditions and legacies alive. This thesis finds from the above that cultural relativism emphasizes the importance of respecting cultural diversity and independence; thus, it asserts that human rights should be interpreted and implemented in a manner that takes into account the specific cultural milieu in which they are being applied. This approach recognizes the complexity of cultural dynamics and advocates for a nuanced understanding of how human rights intersect with diverse cultural contexts.

On the other hand, Universalism as a concept, is derived from the 1948 United Nations Declaration of Human Rights (UDHR), and it asserts that certain rights are universally applicable and should be maintained without any exemptions. In his book "Universal Human Rights in Theory and Practice", Jack Donnely asserts that each individual possesses inalienable rights thus "one cannot stop being human no matter how badly or how Barbarous one is treated." (Donnelly, 2013 p.10). He further stresses that these rights are derived from the values of dignity, equality, and justice, and must apply to all individuals, irrespective of their culture, racial, sexual, religious, national, or any other distinctive characteristics (Donnelly, 2013). In contrast to Relativism, Universalism views culture as a potential barrier to the advancement and promotion of natural law, supreme moral authority, rationality, and positivism hence, critics when defining culture according to Merry Engels, tend to forget they are representative of the diverse cultures present globally (Merry, 2003 p.64). Visibly in modern times and law, lawyers, when talking about culture, refer to it as "traditional harmful practices, old customs, and sometimes ancient ways, and this is due to their commitment to a model of legal rationality that promotes a universal system of norms and values." (Merry, 2003 p.71). However, as Jack Donnelly wrote, "The problem of cultural relativism and universal Human Rights cannot be reduced to an either-or choice. Claims of cultural relativism show a great diversity in meaning, substance and importance" (Donnelly, 1984 p.410), thus Human Rights are universal and should apply to all human beings irrespective of culture, historical or contextual differences.

The debate between cultural relativism and universalism is clearly evident in Uganda's issue of child sacrifice. Cultural relativism might advocate for comprehending these acts within the context of local beliefs and economic challenges just as Abdullahi Ahmed states that the presence of inhumane behaviors inside a particular culture might be confronted by offering an alternative interpretation of the underlying cultural norms (An-Na'im & Deng, 1990 p.341). However, universalism upholds the fundamental rights of children to life and security, as enshrined in global agreements that Uganda has ratified, such as the Convention on the Rights of the Child (CRC) and the African Charter on Human and Peoples' Rights (ACRWC). Regardless of cultural justification, Child sacrifice, motivated by beliefs in its spiritual effectiveness for prosperity and protection, is universally condemned and subject to legal action under the human rights norms.

3. Child Sacrifice in Uganda: History and Legal Treatment

The practice of child sacrifice, despite its grave moral and ethical implications, persists in various forms across several cultures, notably within Uganda. This literature review aims to delve into the existing body of research surrounding child sacrifice in Uganda, scrutinizing the interplay between entrenched cultural beliefs, legal frameworks, and human rights advocacy. A significant portion of the literature focuses on understanding the cultural underpinnings that sustain these practices and examining the legal measures in place to combat them. This review also explores the broader human rights implications, considering how international and local policies address these serious human rights violations. By analyzing scholarly articles, legal documents, and NGO reports, this section aims to synthesize key discussions on the challenges and progress in eradicating child sacrifice, thus providing a comprehensive overview of the multifaceted approaches to dealing with this critical issue in Ugandan society.

3.1. Historical and Cultural Context of Child Sacrifice

Child sacrifice, a practice steeped in antiquity, has been documented across various cultures globally and persists in some societies today, particularly in Uganda. Historically, child sacrifice was intertwined with religious and cultural rituals, believed to confer benefits such as prosperity, health, or divine favor upon communities or individuals (McCrary, 2014 p.27). Globally, from the pre-Columbian civilizations of the Americas to ancient Carthage, the sacrifice of children has been practiced under the belief that it would appease gods or ancestral spirits (McCrary, 2014 p.26). Looking at African history, the controversial act of sacrificing children in ancient Carthage is often linked to the Carthage Tophet in Tunisia (Robin Ngo, 2023) where according to research done by Patricia Smith (2014), the remains show that babies younger than three months old were usually cremated, which suggests they were killed on purpose (Smith, 2014). The Bible not only says that child sacrifice is wrong, but it also talks about the complicated link between worshipping Yahweh and child sacrifice

(ANE TODAY – 201712 – Child Sacrifice in Ancient Israel - American Society of Overseas Research (ASOR), 2018). Even though there are different ideas about where child sacrifice came from, as evidenced above, it was practiced in ancient times.

In Uganda, the practice is deeply rooted in the cultural and traditional belief systems of certain communities (Bukuluki et al., 2017). Child sacrifice is often seen as a way to ensure success, solve personal crises, or secure wealth. This belief system is particularly prevalent among those who adhere to traditional African religions, where the spiritual world is deeply intertwined with the physical, and supernatural interventions are sought for everyday issues (Abigail McCrary, 2014 p.27). These practices not only survived into the modern era but have also evolved under contemporary socio-economic pressures within communities evading poverty and frustrations of poor life conditions (Fellows Simon, 2013 p.29).

McCrary (2014) highlights that in Uganda, traditional healers, often referred to as witch doctors, are commonly believed to possess the power to influence spiritual forces. These individuals play a significant role in perpetuating the practice by claiming that sacrifices can bring about good fortune or avert disaster (Bukuluki Paul & Mpyangu Christine Mbabazi, 2014 p.17). The cultural legitimacy of these healers sustains a climate in which child sacrifice is not only tolerated but also solicited by those desperate for quick solutions to life's challenges. Furthermore, economic hardships and societal instability often exacerbate the reliance on such traditional practices. In times of uncertainty, McCrary writes that people are more likely to turn to familiar cultural rituals, which, regrettably, include harmful practices like child sacrifice (McCrary, 2014 p.31). The persistence of these practices is also a reflection of the societal values and structures that support them, often underpinned by a complex mix of respect for tradition, fear of the unknown, and desperation (Eddy & Bogere, 2014 p.93). The impact of these traditional beliefs on modern Ugandan society is profound. While Uganda has made significant strides in terms of legal reforms and human rights

advocacy, the deep-seated cultural foundations of child sacrifice challenge the effectiveness of these measures. The legal system struggles to eradicate a practice that is hidden and culturally sanctioned in certain areas. This dichotomy between the law and cultural practice not only hinders legal interventions but also complicates efforts by NGOs and community leaders who work to change attitudes and practices at the grassroots level (Eddy & Bogere, 2014 p.94).

This thesis finds that the historical and cultural roots of child sacrifice in Uganda are a testament to the complex interplay between tradition and modernity. Understanding this context is crucial for formulating effective interventions that respect cultural beliefs while protecting children's rights thus addressing this issue requires a multifaceted approach that combines legal action, cultural sensitivity, and socioeconomic development to dismantle the beliefs that underpin this harmful practice. Building on the historical context of child sacrifice in Uganda, it is necessary to study the current legislative mechanisms in place to prevent this practice. The section below will study the development, scope, and effectiveness of these laws, offering light on how historical practices have affected present legislative measures and their implementation challenges.

3.2. Review of Legal Frameworks

The legal response to child sacrifice in Uganda involves a combination of domestic laws and international treaty obligations. According to Bogere and Eddy (2014), despite the presence of specific legal provisions aimed at curbing the heinous practice of child sacrifice, the effectiveness of these laws is largely undermined by inadequate enforcement, lack of specificity in the laws, and the complex cultural context within which these acts occur (Byansi et al., 2014 p.81). The Penal Code Act, the Children Act (2016), and the relatively recent Prevention of Trafficking in Persons Act (2009) outline severe penalties for offenders, demonstrating Uganda's legislative commitment to ending this practice (*Children Act - ULII*, o. J.; *Prevention of Trafficking in Persons Act, 2009, 2009 / Uganda Legal Information*

Institute, o. J.). However, the actual application of these laws has been sporadic and often ineffective due to systemic challenges in the judicial and law enforcement systems (Eddy & Bogere, 2014 p.94).

Uganda is a signatory to several international human rights instruments, including the Convention on the Rights of the Child (CRC), which obligates the country to protect children from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including the practice of child sacrifice. Uganda's alignment with the CRC is reflected in its domestic legal frameworks; however, the effectiveness of these frameworks in fulfilling these obligations remains questionable. The gaps between international commitments and local enforcement are stark, reflecting a need for more robust mechanisms to monitor and implement these international standards at the national level (*Convention on the Rights of the Child*, 1989). Having examined the legal frameworks to prevent child sacrifice, this thesis discusses the practical implementation issues by examining how structural issues in the judicial and police systems affect legal protections for children in Uganda.

3.2.1. System and Institutional Challenges

Enforcing laws against child sacrifice in Uganda is filled with numerous challenges that undermine the effectiveness of the legal frameworks in place. Key among these challenges are inefficiencies within the police force and the judiciary, which significantly impede the administration of justice. Bogere and Eddy (2014) highlight that despite the existence of laws such as the Penal Code Act and the Prevention of Trafficking in Persons Act, their enforcement is weak, often due to inadequate resources allocated to law enforcement agencies (Eddy & Bogere, 2014). These agencies lack the necessary personnel, training, and equipment to investigate and prosecute cases of child sacrifice effectively. Moreover, the judiciary in Uganda is overwhelmed by a backlog of cases, which leads to significant delays in the legal process (Eddy & Bogere, 2014 p.94). Such delays can discourage victims' families from pursuing justice and can allow perpetrators to evade punishment (Silver et al., 2021 p.537). Additionally, corruption within the judicial system further complicates the situation, with reports of bribery and misconduct undermining the integrity of legal proceedings related to child sacrifice (Eddy & Bogere, 2014 p.94).

3.2.2. Societal and Structural Barriers

Beyond the institutional challenges, there are deep-rooted societal and cultural factors that pose significant barriers to the effective enforcement of laws against child sacrifice. In some communities, there is a cultural acceptance of child sacrifice, rooted in traditional beliefs about spiritual and material benefits derived from such practices. According to McCrary (2014), traditional healers often perpetuate these beliefs and play a pivotal role in the communities (Abigail McCrary, 2014 p.27). Traditional healers, sometimes revered as witch doctors, are believed to possess the power to influence supernatural forces, and thus, they can either directly partake in or facilitate practices involving child sacrifice (Bukuluki, 2014 p. 2). The role of these traditional healers is complex because they command significant respect and influence within communities, making it challenging for law enforcement to intervene without local support (Abigail McCrary, 2014 p.30). Additionally, the secrecy surrounding the practice of child sacrifice and the fear of retribution further discourage community members from reporting such cases to the authorities, allowing the cycle of abuse and violation to persist unchallenged (Abigail McCrary, 2014 p.30).

To address these challenges, this thesis argues that there is a need for a multi-faceted approach that involves strengthening the capacity of law enforcement agencies, reforming the judiciary to ensure timely and fair trials, and rooting out corruption within the legal system. Equally important is the need for community-based interventions that aim to change societal attitudes towards child sacrifice. Educating communities about the legal and moral implications of child sacrifice, involving respected community leaders in awareness campaigns, and demystifying the supposed benefits of such practices are crucial steps towards changing public perception and behaviour.

3.3. Role of NGOs and Civil Societies in Combating Child Sacrifice

Besides enforcement issues, non-governmental organizations and civil society must be examined in the prevention and fight against child sacrifice. This chapter will examine how these organizations support legal efforts and work with communities to prevent the continued violation of children's rights.

Non-governmental organizations (NGOs) and civil societies play a crucial role in combating child sacrifice in Uganda. Their contributions are particularly vital in areas where the government's presence and enforcement of laws are weak. NGOs engage in a range of activities, from raising awareness and advocacy to providing direct support to victims and their families. For example, organizations like the African Network for Prevention Against Child Abuse Uganda (ANPPCAN Uganda), Kyampisi Childcare Ministries (KCM), and the Uganda Child Rights NGO Network (UCRNN) work tirelessly to raise awareness about the dangers of child sacrifice and advocate for stronger legal protections for children (Byansi et al., 2014 p.79; Silver et al., 2021 p.534). These organizations are believed to collaborate with international partners to bring best practices and additional resources to their local efforts which has led to the development of community-based programs that educate the public about children's rights and the legal implications of child sacrifice (Byansi et al., 2014 p.80). Such educational programs are crucial for changing long-held cultural beliefs that underpin the practice of child sacrifice (Silver et al., 2021 p.537).

Despite their significant contributions, NGOs face numerous challenges that hinder their effectiveness. One major challenge is the lack of resources, which affects their ability to sustain long-term projects. A review done by Byansi et al, notes that funding for NGOs is often limited and contingent on the support of international donors, which can be inconsistent and unreliable, additionally, NGOs sometimes face resistance from local communities, especially when trying to alter deeply entrenched cultural practices. Gaining the trust of these communities is essential yet challenging; thus, Byansi and Bakuluki suggest that it requires NGOs to work closely with local leaders and influencers who can mediate and advocate within their communities (Byansi et al., 2014 p. 87). Another significant challenge is the need for better coordination between NGOs and government agencies. Often, a lack of communication and strategic planning among various stakeholders working against child sacrifice leads to the duplication of efforts or the underutilization of resources (Byansi et al., 2014 p.86).

Regardless of the obstacles, NGOs have succeeded with comprehensive strategies that incorporate education, community participation, and lobbying. Programs that involve parents, community leaders, and youth can change views on child sacrifice (Silver et al., 2021 p.536). As discussed in previous chapters, economic desperation, lack of clear and strong law enforcement programs coupled with inadequate educational schemes prevent societies from challenging these practices thus programs set by NGOs focus not only on highlighting the immorality and illegality of the practice but also on providing communities with practical alternatives to address issues such as poverty and illness that lead them to consider child sacrifice as a solution (McCrary, 2014 p.35). Retrospectively, improvements need to be made in enhancing the sustainability of NGO initiatives by securing more stable funding sources and strengthening partnerships with the Ugandan government and international bodies, additionally, improving data collection and research better to understand the scope and

specifics of child sacrifice incidents could also enhance targeted interventions. Furthermore, NGOs must develop more culturally sensitive approaches to ensure that their efforts are not seen as external impositions but as supportive interventions that respect and understand local traditions.

3.4. Synthesis of Main Findings

The literature on child sacrifice in Uganda presents a multifaceted view of the issue, converging on several critical points while also diverging in some respects. There is broad agreement that child sacrifice is deeply rooted in certain cultural beliefs and practices within Uganda. McCarry concedes that these practices are often intertwined with the socio-economic contexts of the communities, where child sacrifice is mistakenly believed to bring prosperity and protection (McCrary, 2014 p.31). The literature also consistently highlights the role of traditional healers in perpetuating these practices, noting their significant influence over community beliefs and actions (Eddy & Bogere, 2014 p.93). Furthermore, there is a consensus on the inadequacy of existing legal frameworks and the challenges associated with enforcing these laws effectively. Studies point out that while Uganda has established comprehensive legal provisions aimed at combating child sacrifice, the enforcement of these laws is often hampered by systemic issues such as judicial delays, corruption, and a lack of resources (Eddy & Bogere, 2014 p.94). Additionally, NGOs play a pivotal role in addressing this issue, though they face significant obstacles related to funding, cultural resistance, and coordination with governmental efforts (Byansi et al., 2014 p.85; Eddy & Bogere, 2014 p.99).

3.5. Divergences in Research

Where the research diverges is in the emphasis on solutions and interventions. Some studies focus more on enhancing legal responses and improving law enforcement training and resources, while others advocate for a stronger emphasis on community-based interventions that engage local leaders and healers in educational initiatives (McCrary, 2014). This

divergence suggests a debate over whether top-down or bottom-up approaches are more effective in addressing the deeply cultural nature of child sacrifice. The literature review has highlighted that child sacrifice in Uganda is sustained by deeply entrenched cultural beliefs and challenged by systemic legal enforcement issues. Key insights emphasize the need for a holistic approach combining legal, educational, and community-driven strategies to effectively manage this issue. These findings underscore the importance of integrating cultural sensitivity into legal frameworks and interventions. This review informs the research questions focusing on the efficacy of existing laws and the role of cultural practices in perpetuating child sacrifice, setting the groundwork for a methodology that encompasses legal analysis and cultural examination.

4. Policy Frameworks and Recommendations

4.1. National Child Policy

Developed through a collaborative and participatory process, the Uganda National Child Policy (NCP) highlights the government's dedication to the holistic well-being of children, aiming to shield them from all forms of abuse, neglect, exploitation, and violence, including the heinous act of child sacrifice (*Uganda National Child Policy 2020*, o. J.). Within the broader National child policy framework, there is the Children Act (2016) and the Prevention of Trafficking in Persons Act (2009) as key components. This policy not only aligns with Uganda's constitutional mandate to uphold the welfare of children but also demonstrates the country's adherence to international human rights standards, including the United Nations Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of the Child (ACRWC).

The Children Act (2016), which is the first part of the framework provides comprehensive measures to protect children from various forms of violence, including child sacrifice. It recognizes every child's right to be safeguarded against all forms of abuse, exploitation, and violence. Child sacrifice is explicitly mentioned as a form of violence that children must be protected from under this law. The act provides for legal measures and penalties for crimes against children, including child sacrifice which are enforced by authorities responsible for child welfare and protection (*Uganda National Child Policy 2020*, o. J.).

Also, when discussing the broader child policy framework, it is essential to consider the Prevention of Trafficking in Persons Act (2009) as a crucial and integral component of the policy. The Prevention of Trafficking in Persons Act (2009) focuses specifically on human trafficking, including trafficking for ritual murders and sacrifice. It addresses child sacrifice as a subset of trafficking-related crimes.

In Uganda, the Prevention of Trafficking in Persons Act (2009) imposes severe penalties, including the death penalty, for those involved in child trafficking for purposes of sacrifice. Another critical aspect of frameworks designed to combat a certain vice is the ability to set up mechanisms for accurately countering those acts. The National Child Policy (NCP) of Uganda is implemented through a comprehensive institutional mechanism that prioritizes a multi-sectoral and multi-disciplinary approach. This framework underscores the importance of collaboration and coordination among various stakeholders involved in child protection. It involves a diverse array of Ministries, Departments, and Agencies (MDAs), each assuming crucial roles in delivering holistic interventions to safeguard children's rights and welfare. Key sectors such as health, education, justice, and social development work collaboratively to address the multifaceted needs of children nationwide.

Furthermore, the National Child Policy Framework (NCP) of Uganda emphasizes the crucial role of para-social workers at the grassroots level to enhance effectiveness in combating child abuse and neglect (*Uganda National Child Policy 2020*, o. J.). These community-level workers are integral to the policy's implementation and are directly involved in identifying, reporting, and responding to cases of child mistreatment within communities. Their inclusion ensures that protective measures reach vulnerable children promptly, enabling timely intervention and support. This multi-layered approach also combines high-level policy direction with community-based action, underlining Uganda's comprehensive strategy to protect children, reflecting the government's commitment to creating a safe environment for all children (*Uganda National Child Policy 2020*, o. J.). Overall, the Framework is intended to safeguard children from violence, exploitation, and trafficking, including the abhorrent crime of child sacrifice.

4.2. National Action Plan against Child Sacrifice

The National Child Policy (NCP) offers focused strategies and measures to tackle the pressing issue of child sacrifice in Uganda. It is a comprehensive policy employing strategic legal, educational, and community-based interventions to combat this serious problem. Legally, the policy prioritizes enforcing existing laws and developing new legislation to provide stronger protections for children against this crime. Education-wise, it focuses on raising awareness about children's rights and the severe consequences of child sacrifice, integrating these topics into school curriculums and community programs(Uganda National Child Policy 2020, o. J.). Additionally, the National Child Policy (NCP) actively engages communities by involving local leaders, families, and citizens in vigilance and reporting systems to prevent child sacrifice. A key aspect of the policy is that it emphasizes partnerships with local and international organizations, including civil society groups and development partners (Uganda National Child Policy 2020, o. J.). These collaborations strengthen the support network for children, enhancing capacity building, and securing resources needed to implement the policy effectively. However, implementing these policies poses a significant challenge due to deeply ingrained cultural beliefs, coordination issues across various systems, and resource constraints. For example, Certain communities' cultural practices perpetuate child sacrifice, posing a formidable obstacle to eradication. Furthermore, coordination between governmental and non-governmental organizations involved in child protection is hindered by systemic issues and limited resources that impede the implementation of educational campaigns, law enforcement, and support services (Abigail McCrary, 2014).

To overcome these challenges, there are inherent recommendations within the policy framework such as; community engagement to change harmful cultural norms, and involving community leaders, religious figures, and families in awareness campaigns to protect children. Furthermore, the framework also advocates for stronger legal enforcement,

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including strict prosecution of offenders, and collaboration among government entities, civil society organizations, and international partners to combat child sacrifice (Silver et al., 2021).

4.3. Legal Framework and Global Human Rights Perspective

4.3.1. United Nations Legislations

The United Nations plays a fundamental role on a global scale by setting norms and standards to uphold human rights. The Universal Declaration of Human Rights asserts that childhood warrants special care and assistance (Nations, o. J.). In response to the grave issue of child sacrifice, the United Nations adopted a resolution in 2017 to eradicate this practice and protect children's rights worldwide (*Convention on the Rights of the Child*, 1989). This resolution aligns with broader initiatives outlined in the Convention on the Rights of the Child (CRC), which stresses the need to shield children from all forms of violence, abuse, neglect, and exploitation, including child sacrifice (Nations, n.d.). Further, the United Nations resolution articulated several critical measures to combat child sacrifice urgently. The measures included promoting global awareness and cooperation, enacting laws and strengthening legal frameworks to criminalize and prosecute perpetrators of child sacrifice, establishing protective measures and support services for victims, survivors, and families, and conducting data collection and research to deepen understanding of the issue and inform policy and interventions (Nations, o. J.).

4.3.2. National Legislation in Uganda

The legal framework in Uganda regarding child sacrifice is supported by targeted legislation aimed at protecting children from violence and abuse, including the atrocious act of child sacrifice. Two key legislative measures contribute significantly to addressing this issue: The Children Act (Revised 2016), is a comprehensive legal framework that safeguards children from various forms of violence and exploitation, explicitly including child sacrifice among the prohibited acts. The Act covers a wide range of crimes against children, such as murder, abduction, and trafficking. Child sacrifice falls under the purview of this Act, allowing for legal prosecution of offenders. The Children Act emphasizes the fundamental right of every child to be protected from all forms of violence, ensuring a strong legal basis for combating child sacrifice(*Children Act - ULII*, o. J.).

Also, the framework has the Prevention of Trafficking in Persons Act of 2009, this Act specifically targets human trafficking, which often overlaps with cases of child sacrifice. It prohibits trafficking individuals for purposes that include ritual murders and sacrifice. Perpetrators involved in child sacrifice through trafficking face severe penalties, including the death penalty under this legislation. The Act plays a crucial role in combating child sacrifice, particularly where trafficking is part of the process leading to these tragic events (*Prevention of Trafficking in Persons Act, 2009, 2009 / Uganda Legal Information Institute*, o. J.). Together, these legal provisions demonstrate Uganda's commitment to addressing the serious issue of child sacrifice. The legislative framework not only criminalizes child sacrifice but also establishes penalties that serve as deterrents to potential offenders. By explicitly outlawing child sacrifice and related activities like trafficking for ritual purposes, these laws contribute significantly to protecting the rights and safety of children in Uganda. However, effective enforcement, including adequate resources and capacity building within law enforcement agencies, is essential to ensure that these laws are implemented robustly and effectively to combat child sacrifice and related crimes.

4.4. Global Human Rights Perspective

4.4.1. United Nations- Declaration of the Rights of the Child

The Geneva Declaration of the Rights of the Child in 1924 was a pivotal moment, highlighting the importance of meeting children's developmental needs and safeguarding them from exploitation. This declaration set a foundation for future endeavors aimed at globally establishing children's rights (*Geneva Declaration of the Rights of the Child, 1924*, o. J.). Mutua Makau in 2002, identified the principal contributors to the human rights discourse as the United Nations, Western states, international non-governmental organizations, and senior Western academics with minimal acknowledgement of the roles played by states from the African continent (Mutua, 2002 p.10). The 1989 United Nations Convention on the Rights of the Child (CRC) also reaffirmed a comprehensive international treaty delineating children's rights across civil, cultural, economic, political, and social dimensions. This legally binding agreement reflects a global consensus on the critical importance of prioritizing and safeguarding children's well-being. It outlines ten principles aimed at securing children's rights to education, healthcare, and protection from violence, abuse, neglect, discrimination, and exploitation (Nations, o. J.).

The *Convention on the Rights of the Child* (CRC) represents a united global effort to protect children's rights, building on principles established in earlier declarations from 1924 and 1959. Its progress signifies a significant advancement in outlining children's rights worldwide, reflecting a consensus on the vital importance of safeguarding children's well-being. Despite these achievements, challenges persist due to inadequate enforcement and mitigation efforts. Instances of child abuse, including practices like child sacrifice tied to superstitions or extreme religious beliefs, continue in regions such as Africa, South Asia, and Latin America. Such acts not only violate children's rights but also contravene broader human rights principles like freedom of thought, conscience, and religion. Further, some critics argue that international frameworks like the CRC sometimes impose Western ideas of child protection

without adequately considering diverse cultural, religious, and economic contexts in various regions. This criticism suggests that approaches to protecting children's rights should be more culturally sensitive and context-specific to effectively address local challenges (Al-Saadoon et al., 2021 p.240).

Among the acts of child rights violations, the act of sacrificing children is a grave form of child abuse that directly violates the rights to freedom of thought, conscience, and religion. Both Article 18 of the Universal Declaration of Human Rights (UDHR) and Article 18 of the International Covenant on Civil and Political Rights (ICCPR) protect these fundamental freedoms and prohibit any actions that endanger the lives or physical well-being of individuals, especially children (*CCPR General Comment No. 22*, o. J.). The continued occurrence of child sacrifice in countries like Uganda accentuates the urgent requirement for strong enforcement mechanisms and culturally sensitive approaches to effectively implement children's rights worldwide. However, there is a noted lack of enforcement efforts specifically addressing child sacrifice within the UN policy framework, this is largely attributed to Western-centric perspectives that fail to recognize and integrate diverse cultural norms and values from different regions (Al-Saadoon et al., 2021 p.241).

4.4.2. African Charter on the Rights of the Child

The African Charter on the Rights and Welfare of the Child, ratified by the Organization of African Unity (now the African Union) in 1990 and implemented in 1999, provides a unique structure for protecting and advancing the rights of children in Africa (*African Charter on the Rights and Welfare of the Child | African Union*, o. J.). Notably, the African Charter integrates children's rights with African cultural values. It demonstrates an understanding of the unique sociopolitical and historical context of Africa. It does so to protect children from harmful practices that may arise within these specific cultural frameworks. Although the Convention

on the Rights of the Child (CRC) sets global standards for children's rights, the African Charter explicitly addresses issues like child sacrifice and trafficking.

The charter demonstrates an understanding of the challenges African children face that may not be adequately addressed by broader international treaties. Also, the Charter is recognized for including universal principles and norms for the position of children, while also taking into account the specific socio-political, cultural, and historical settings of Africa. In Article 5(1), the Charter emphasizes the inherent right to life and safety of children, which demonstrates the legal obligation of states parties to make sure that children are protected to the fullest extent possible (*African Charter on the Rights and Welfare of the Child | African Union*, o. J.). Tackling harmful practices such as child sacrifice, which pose a direct risk to the well-being of children, is of utmost importance thus The African Charter presents a more customized approach to safeguarding children in comparison to the Convention on the Rights of the Child (CRC) by addressing unique or persistent matters specific to Africa. It recognizes the significance of cultural context while condemning practices that are detrimental to children.

Furthermore, state parties must ensure 'to the maximum extent possible 'that the child's life and safety are most important (*African Charter on the Rights and Welfare of the Child / African Union*, o. J.). In the context of child sacrifice, the charter in Article 21(1)(a) precisely calls for protection against harmful practices. In a news commentary from Monitor Publications Uganda (2022) about '*The AU and media role in ending harmful practices*'', Emilly Maracatho reports that while the AU and governments have legal frameworks in place to combat these harmful practices in societies, the media, especially traditional forms of journalism, has a role to play that she says is being killed by the latest social media trends that are always filled with misinformation and have been deeply implicated in patterns of discrimination and perpetuating harmful practices through their reporting (Emilly C. Maractho, 2022). Child sacrifice is explicitly identified as a prejudicial custom that must be prevented, showcasing a proactive stance towards combating such egregious violations of children's rights. This distinctive approach, however, complements broader international frameworks like those of CRC by adding depth to the discussion on children's rights and ensuring that protection measures are not only universal but also culturally relevant and effective in safeguarding children's well-being.

5. Conclusion

This study has investigated the complex issue of child sacrifice in Uganda, revealing an intricate interaction of cultural, legal, and systemic factors. Despite the presence of robust legal frameworks, the persistence of child sacrifice highlights a significant gap between legislation and enforcement, exacerbated by cultural entrenchment, limited resources, and widespread corruption. This study found that regulations alone are inadequate to eradicate such deeply rooted practices without comprehensive community involvement and the proactive efforts of NGOs.

Further, the findings indicate that safeguarding children's fundamental rights in Uganda requires a multi-layered approach. This approach must balance cultural relativism with universal human rights standards. While it is important to respect cultural traditions, they must not infringe upon human rights. To address this issue effectively, a balanced strategy is essential, one that includes raising awareness about the harmful effects of child sacrifice and promoting alternative cultural practices through community education; along with empowering local governments by providing resources, training, and support. Additionally, strengthening the legal system for a swift and just redress of child sacrifice to ensure that the perpetrators are held accountable.

5.1. **Recommendations**

First, Non-Governmental Organizations (NGOs) play a pivotal role in bridging traditional beliefs and the formal legal system. Their initiatives in community education and advocacy are crucial for transforming cultural practices towards a rights-respecting society. Therefore, to attain a sustainable impact, NGOs must receive continuous support and adequate funding to continue their activities of fighting these vices. However, this requires a collaborative framework involving all stakeholders, including government agencies and international partners, to ensure cohesive and sustained efforts.

Second, Uganda must enhance its legal structures and enforcement procedures while investing in community-based projects addressing the socioeconomic factors contributing to child sacrifice. Future policy changes should prioritize addressing identified loopholes in law enforcement and enhancing local police capabilities. Also, strengthening collaborations with NGOs to create a unified strategy is essential. This can be done through continuous monitoring, assessment, and support of their initiatives to protect children's well-being and rights. Finally, the findings of this study provide a framework for evidence-based initiatives and policy reforms aimed at ending child sacrifice in Uganda.

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