The many challenges to human rights in Africa

Tajudeen Abdul-Raheem

This weekend is World Human Rights Day, a day set aside to commemorate the adoption of the Universal Declaration of Human Rights (UDHR). When the Declaration was made in 1948 most of Africa (with the exception of Liberia and Ethiopia), were subject nations lorded over by European colonialists. These imperialists did not see any contradiction in making the declaration while having their jackboots on our backs and pillaging our human and material resources.

Many will still ask what has changed in almost 60 years?

This duplicity has not prevented Africans and other formerly colonised peoples across the world in Asia and Latin America and the Americas from accepting the declaration and aspiring to fulfil it. No state has dared to openly renounce the declaration.

However the fact that every country claims to identify with the UDHR does not mean that they are equally committed to or obey it in totality at all times.

Human rights discourse today is laced with all kinds of hypocrisy, conditionality, selective enforcement and notions of ‘Do as I say not as I do.’ European governments and their big brother, USA, see themselves as the defenders and enforcers of human rights standards and often talk to the rest of the world in very condescending terms.

This has provoked some backlash in Africa and other poor countries. Many see the West's promotion of human rights as yet another excuse for it to continue to interfere and control other people and impose their values. The ease with which various Western governments are ready to support human rights organisations in the third world while not doing the same in their own countries have also undermined many human rights NGOs domestically. The way in which many of them react and respond to foreign and donor driven agendas make them easy targets for governments who have no respect for the rights of their people. Many of our governments have also become very clever about dealing with Western governments on these issues. They take Western pressure off their backs by acceding to international instruments but delay or never domesticate such laws or conventions in their judicial system.

However, the hypocrisies, both international and national, that are glaring about human rights standards should not lead one into concluding that human rights advocacy and discourse is useless. One of the biggest changes that has happened in Africa in the past decade is the growth, resilience and increasing confidence of human rights groups within a wider opening up of spaces for civil society in general.

Many people were victimised, tortured, imprisoned and died in order to make human rights and democratisation a reality on this continent. The fact that there are many hustlers, mercenaries, opportunists and NGO entrepreneurs who parade themselves as human rights activists should not negate the positive contribution of human rights and wider pro democracy activists to affirming our dignity as human beings. The fact that there are many bad Muslims or Christians does not mean that the religions are bad themselves.

There are many challenges facing the human rights communities globally and in Africa. One, the human rights discourse needs to be rescued from Eurocentrism and manipulation by Western governments. The illegal occupation of Iraq by the Anglo-American imperialists, the torture of prisoners, the inhuman affront that Guantanamo signifies for all decent human beings have shown that the West is not the best teacher on human rights. We need to teach them.

Two, our NGOs need to stop parroting everything their Western donors want them to shout about and build sustainable legitimacy through local presence and work. Donors come and go but the
people remain. It is not true that our people cannot support human rights campaigns and groups. During the anti-colonial struggles, miners, women, workers and peasants supported the nationalists en masse against colonial governments. There were no funding bodies to write proposals to yet through the efforts of our own people we got rid of colonialism.

Three, human rights groups also need to engage and educate themselves about local, national and sub-regional instruments. Too often our activists are too knowledgeable about 'international' documents without adequate knowledge of local instruments. For instance the African Charter on Human and Peoples Rights implemented through the African Commission on Human and Peoples Rights and soon the African Court are very important for the formal protection, defence and enforcement of rights in Africa. Yet some of our NGOs will readily jet off to Geneva, New York or Brussels without knowing what is happening in Banjul.

Four, while a lot of progress in terms of general awareness, if not full protection, has been achieved in areas that are called first generation rights (i.e. civil and political rights) there is much more to be done in the areas of economic, social and cultural rights. There is no point in guaranteeing me 'the right to life' without guaranteeing me the complementary right to the means of sustaining the life you are guaranteeing (i.e. economic means, a job, a decent income, etc). The absolute poverty under which the majority of the people of this continent live is the greatest violation of their rights as human beings. It compromises their capacity to be effective citizens and makes them vulnerable to bad governance, sit-tight dictators, disease, want and all kinds of deprivations.

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