This analysis takes up the issue of human rights education in sub-Saharan Africa. It argues that human rights education is necessary for shifting the status of sub-Saharan Africans from subjects—mostly to local and international power relations—to citizens: with rights and responsibilities. The feasibility of this process is analyzed by looking at the challenges to its materialization, mainly those factors that have denied human right awareness to a majority of persons in the region. These include the question of culture, entrenched power structures including socio-economic hierarchies, and some matters arising from the transfer of knowledge from one to another in the process of human rights education.

Key words: Human rights, education, Africa.

INTRODUCTION

Numerous writings on contemporary international discourse have invoked the use of the term globalization. Yet globalization, often defined as the technologically mediated integration of the world is a misleading concept as it often focuses on the consequences of globalization and less on what fuels it. Jim Whitman, a peace studies professor at the University of Bradford, argues in The limits of global governance (2005) that globalization is sustained by human drives such as profit, convenience, greed, relative advantage, curiosity, demonstration of prowess, ideological fervor, malign, and destructiveness—impulses that are antithetical to the idea of universal human rights of persons, rights which states were created to protect but are now less willing or less able to (Whitman, 2005). In an attempt to assist where states are unwilling and unable, new social movements and non-governmental organizations are aggressively struggling to thwart the dangers of globalization by promoting human rights education globally. However, these attempts often translate into isolated acts of humanitarian interventions, militancy and the creation of strategies that are challenging to enforce mostly because the idea of human rights has not been entrenched as a universal ethic (Kung, 2002).

Alongside these efforts by social movements are efforts by the United Nations which often strive to spread knowledge of human rights based on the United Nations’ Universal Declaration of Human Rights (UDHR, 1948) — signed by nearly all member-states of sub-Saharan Africa. Yet the UN struggles not only to enforce the materialize the rights in the UDHR but also struggles with the foundational task of bringing human rights education to poor communities that lack access to such information. It is this later issue of human rights education that will be addressed in the rest of this paper.

The following analyses take on the task of providing an
overview of some of those challenges to human right education in the sub Saharan Africa. It discusses those challenges under two heads: culture and power. While the issue of culture is relatively less complex, the issue of power poses multiple challenges to human rights education. These include power issues arising from the region’s relationship with the international community; power-related challenges from the sub-Saharan state’s relationship with its subjects; power problems between persons in the region; and power issues arising between the human rights educator and the student of human rights. Before discussing these challenges, a quick look at human rights and its status in the region is important to appreciate the challenges later discussed.

Origins

The idea of human rights came out of the enlightenment of the 17th and 18th century but these were often confined to the sphere of the state (McIntosh, 2005). International human rights as they are known today rose from the ashes of Second World War and its massive genocide. The world, led by the victors of the war resolved to foster peace through the UDHR and the development of institutions such as the United Nations which would enforce those rights. However, the United Nations has been unable to enforce these rights effectively. Sanctions against states that violate human rights have sometimes been issued, and at other times not issued were appropriate. But these sanctions more often than not reflect the political decision of the UN’s wealthiest donors. Despite the UN’s weak enforcement capacity or will, not once has it ever been formally suggested by UN members that the UDHR be rescinded for a lack of enforcement, utility or effectiveness. This is perhaps due to an appreciation for the values it entrenches especially the principle of reciprocity. Known as the golden rule in religious circles and the motivating factor of the original position in John Rawls’ Theory of Justice, reciprocity bears the double-edged sword of a claim to rights and a responsibility to respect those of others (Van De Anker, 2002). Today, the UDHR entrenches these rights and responsibilities in thirty articles that cover a wide scope of fundamental rights including the assertion that all humans are born free and equal in dignity and are intrinsically rights-bearing. They are endowed with conscience and should act towards one another in a spirit of brotherhood. Everyone has the right to those political and civil entitlements that are often referred to as first generation rights, which include rights to life, liberty, security of person and the right to participate directly or indirectly in the affairs of one’s country (Articles 3 -21). As well, second generation rights that encompass equality including, cultural, social and economic rights are also entrenched in the UDHR (Articles 22 - 27) (http://www.un.org/Overview/rights.html).

It is also important to point out that UDHR also recognizes human rights education as a fundamental right in itself (http://portal.unesco.org). In an attempt to foster this fundamental right, the UN declared the period, 1995 – 2004, the Decade for Human Rights. The apparent inexhaustible work needed for spreading human rights education led to a follow-up initiative termed the World Program for Human Rights Education. These initiatives were driven by the UN’s definition of human rights education which is: “education, training and information aiming at building a universal culture of human rights through the sharing of knowledge, imparting of skills and molding of attitudes directed to inter alia, promoting friendship, tolerance, gender equality and dignity.

Purposes

Universal human rights are a supra-state regime that fosters a common morality to all men in a universal yet objective, everlasting and unchanging way (Oquaye, 1996). As such, universal human rights (denoted hereafter as UDHR), is crucial in the development of a global governance structure that protects both collective and individual rights in the face of growing aggression and the pursuit of altruistic gains that rise in tandem with globalization. In essence, the entrenchment and enforcement of UDHR creates citizens or rights-owning persons. With this UDHR-sponsored citizenship comes certain freedoms which are inextricably tied to human development (Sen, 2000). The importance of this link between UDHR and development is that realized citizenship can be empirically verifiable through the presence or absence of those factors necessary to development: water, food, shelter, access to information and linkages with others (McIntosh, 2005). As development and hence citizenship are measurable, individuals and persons can with the knowledge of their rights or the lack thereof, demand accountability from their representatives. They can also be empowered to legally defend themselves against abuse (Falk, 2002).

SUB-SAHARAN AFRICA: HUMAN RIGHTS AND HUMAN RIGHTS EDUCATION

Human rights in the region

Since independence from Europe in the 1960s, most states of sub-Saharan Africa have and continue to directly (by commission) and indirectly (by omission) engage in the gross violation of the human rights of their subjects. However, according to some African scholars, this was an inevitable outcome of historically determined (post-colonial) crises in the region (Ihonvbere, 2000). The paucity of UDHR practice is worsened by the fact that
UDHR discourses remain scarce both on the streets and in schools (Ihonvbere, 2000). In essence, human rights have not been mainstreamed both in the informal activity of day-to-day living and in the formal enclaves such as governmental and educational institutions where knowledge is produced and re-produced.

Without appropriate education, human rights cannot be effectively upheld. This is because (1) people who are aware of their rights have the highest chances of realizing them, (2) knowledge of human rights is the surest guarantee that these rights will be destroyed and (3) learning about one’s rights builds respect for the rights of others and points to tolerance and peace (Oquaye, 1996).

In addition, lack of human rights education is a difficult problem in a region that has a significant illiterate population, and one which remains increasingly disadvantaged and isolated by the globalizing processes of the world (Oquaye, 1996). Inevitably, lack of an active practice of human rights and its corresponding responsibilities is also linked to the low level of development in the region as measurable by the prevailing absence of those earlier mentioned needs that are necessary for a life of dignity and security. More problematic, however, is the fact that states of the sub-Saharan African region, all of which have subscribed to the United Nations and thus its UDHR are also signatories to the more comprehensive yet weakly enforced African Charter of Human and Peoples’ Rights (1981). It then follows to ask: what factors are preventing the full realization and normalization of the regime of rights in the region? This question is taken up in the next section.

A critical overview of human rights educators in the region

Human rights educators in sub-Saharan Africa are often experts from the global west or local persons trained by them. Their curriculum and pedagogic system has been criticized for focusing disproportionately on civil rights vis-à-vis more pressing issues related to socio-economic and thus inevitably political rights (Englund, 2006). Englund also explains that this is likely because human rights education is dominated by non-governmental organizations (NGOs) who because of their declared “non-governmental” and a consequential “apolitical” stance have the need to stay away from socio-economic issues (Englund, 2006).

Other critics of human rights educators such as Ihonvbere (2000) contends that human rights statistics, with which human rights educators draw their curricula, are often collated in manners that divert attention from deeper structural issues in the region (Ihonvbere, 2000). Whereas contentious phenomenon such as human rights entrenchment in sub-Saharan Africa could be readable only in context of pre-existing social structures—both real and normative including history and cultural circumstances (Reuschemeyer, 2003). These criticisms are valid as will be shown in the following discussion.

CHALLENGES TO HR EDUCATION IN SUB-SAHARAN AFRICA

Culture revivalism

The argument that the UDHR – on which most human rights education curriculum is based – was engineered by a pre-dominantly western group of states whom upon signing the UDHR were not consciously representing the cultural interests of the world; those of their colonial subjects have been effectively dealt with by various political authors. The issue often less discussed is the effect of colonialism on culture in the region which meant the destruction of cultural institutions through which human rights education could have been effectively transmitted. This colonial interference with culture has continued in post-colonial times by external – mostly internationally imposed – pressures and expectation tied to development assistance (Ihonvbere, 2000). States in the sub region are thus confronted by a continuous assault to their cultural fabric. The result is a diminished sense of identity intermingled with a parallel identity adopted from colonially adopted and imposed Eurocentric values (Fanon, 2004).

As a consequence of the collapse of their cultural framework and the contemporary ineffectiveness of their government in remedying or abating the issue, local persons in the region tend to resort to what is left of their cultural customs as safety nets of some sort. This leads to a form of cultural revivalism that (re)instates institutions such as the communal land ownership, and communally contingent identities and beliefs which often to lead outcomes and processes that are not recognized by the liberal individualism that lies at the core of universal human rights (Ahluwalia, 2001). This type of revivalism runs the risk of a dangerous foul as practically anyone is able to contribute to “culture” especially cultural beliefs, in ways that are destructive. Take for example, the growing extremism along ethnic lines in the 1990s which, weakly abated, led to killings of hundreds of thousands of persons in the Rwandan genocide and in the State of Jos, Nigeria. It was for this reason that African political philosopher, Claude Ake (1996), after lamenting the corruption of African culture, concludes that cultural revivalism ought to be put to rest as it runs the risk of running afool of human rights. He goes on to argue that it is time to adopt a supra culture of international human rights (Quoted in Ihonvbere, 2000). Ake (1996) contends that a human right supra culture will be safer and more productive as it is promises impartiality through objectivity and provides avenues for claiming one’s rights and opportunities through litigative channels. Despite this potential of the UDHR, the continuing lack of state
support in curbing dangerous cultural revivalism renders human rights education and establishment in the region an uphill task.

ENTRENCHED POWER STRUCTURES

Introduction

The conceptualization of power by twentieth century philosopher, Michel Foucault is most appropriate for this analysis. Unlike the traditional understanding of power which is tied to material and immaterial capacities of the state and its capital-holding elites, power in the Foucaultian sense is a flexible tool that is exercised rather than possessed (Lindgren, 1996). As such, in the Foucaultian sense, “power is neither given nor exchanged; nor recovered; it only exists in action” (Foucault, 1980). Moreover, while the traditional conception of power conceives a concentration at the top held up by apparatuses of power such as state institutions, and a consequential assumption that power can only flow downwards, Foucault on the contrary, establishes power as also existing in multiple relationships that could flow from the bottom-up.

Taken as such, the type of power structure entrenched in the sub-Saharan region is beyond the obvious presence or absence of the state. As a region that has endured a history of past and on-going foreign intervention, there have emerged power structures which together complicate the process of UDHR education. Three examples of these power structures are discussed. They include the power negotiated between the international community and sub-Saharan Africa as a region; the power relations between states of the sub region and their subjects; and the economy of power between and among persons. To discuss this latter power structure, two specific types of subject to subject power relations will be discussed: that between the socio-economic classes and the other between the UDHR educator and the subject.

The International Community (the U.S.) and Sub-Saharan Africa: Over powering human rights

On the human rights front, the relationship between the sub region and the international community headed by traditionally powerful states such as the United States has been marred with contradiction. First, there exists the hovering residues of the colonial agenda that see Africa as the anti-thesis of progress, the irrational, emotional or mad, vis-à-vis, the rational west (Ahuwalia, 2001). Thus, there remains internationally low expectations that the regime of rights will improve on the sub continent. Low expectations arguably translate into low level intensity at efforts to help improve the rights situation in the sub region, hence, the delay in response to the Rwanda genocide for example.

Moreover, because the African region is relatively weak vis-à-vis most western states, the region has been used as a pun in western politics which put western strategic interests ahead of those of the African subjects. A typical example include the Cold War during which systematic violators of human rights such as the state of Sudan, Somalia, Kenya, Liberia, Zaire received unconditional aid from the United States in exchange for normative loyalty (Ihonvbere, 2000). Following the Cold War, the U.S. perhaps for economic reasons, also danced to the tunes of significant human rights violators such as apartheid South Africa and China (Ihonvbere, 2004). These circumstances continue today in the U.S.-led global war on terror through which national allies are chosen irrespective of their historical and current human rights record; here, the friendship of Kenya and Nigeria with the U.S. particularly comes to mind. Thus, while the U.S. presents itself as a champion of UDHR, it engages with human rights violators in manners that seem to dilute the importance of human rights.

The Sub-Saharan African States and its Subjects

Meanwhile, sub-Saharan African states partake in rights abuses that are also linked to international issues that are out of their control. The violently doused protests in Nigeria, Zambia and Zaire by students reacting to harsh Structural Adjustment Programs run by the international community particularly stand out as an example (Ihonvbere, 2000). This example also indicates that wanton human rights violation in Africa cannot be made separate from desperate economic conditions” (Ihonvbere, 2000; Ambrose, 1995).

Nevertheless, internal corruption and neglect in crucial sectors such as health and education hinder African states from their prerogative and responsibilities. Externally, large foreign debts and economic marginalization in the international order render African heads of states desperate to keep the peace in their state even if this requires the suppression of their subjects. John Rawls makes a contention similar to this latter point when he argues in a Theory of Justice (1971) that a poor state can justify the sacrifice of civil rights for the sake of economic well-being (Ahuwalia, 2001). What Rawls left out in this argument, however, is what Julius Nyerere, former President of Tanzania points out that such a Rawlsian idea assumes that there is significant patriotism and nationalism in the state such that subjects are able to understand that their civil rights are being traded off for a collective good (Quoted in Ahluwalia, 2001). The argument that states can trump rights to promote collective goal is dangerous as illustrated by the case of Robert Mugabe of Zimbabwe. Yet, it is governance strategy that remains alive in the region and poses
immense threat to establishing and teaching human rights.

SUBJECT TO SUBJECT POWER RELATIONS AND HUMAN RIGHTS

Educator versus Subject – The problem of verticality

Verticality has to do with the risk of losing an intended meaning when passing knowledge to another. It is a pedagogical dilemma that arises especially in structures where knowledge is brought to the poor (Muller, 2006). According to Basil Bernstein, it is the degree of integratedness and subsumability in the transmission of knowledge (Muller, 2006). The risk of verticality heightens when knowledge which originated in one language is being passed on to another who does not speak or understand the original language. Here, Fanon’s assertion that someone who owns knowledge of a language has the power to define the world where that language is used, particularly speaks to the risk of verticality especially where rights concepts are taught in a Lingua Franca as is the case in sub-Saharan Africa (Fanon, 1967).

Moreover, since language makes the reality of human rights regimes governable (Rose et al., 2006), one can appreciate the vertically risks inherent in an agenda for bringing human rights to the poor. These dangers could be better understood by a brief look at three general characteristics of verticality exacerbated by language (Muller, 2006). First, the educator has the knowledge and the power to “subsume statements into logical types (syntactic/semantic axis)” even in the case where the linguistic logic is difficult to transfer from one language to another. For example, during his fieldwork in Malawi, Englund (2006) observes the work of NGO human rights educators and remarks that their audiences, mostly poor rural dwellers looked un-moved as they were told about their inherent human rights. He contends that to the average member of the audience, the fact that a child, poverty negatively impacts the ability of the poor to claim their rights or demand accountability from a government that has not provided them the avenue to instruct on the power to choose the particular style of delivery. Going back to Englund’s research findings, there is a problematique embedded first in the fact that human rights educators, especially local persons trained by foreign officials, have no power over the content of the rights curriculum. This more often than not has been predetermined by a world dominated by English speakers and international elites. Therefore, the educator can only read these exogenously determined generalistic statements that bear little in terms of particularity for their audience. When human rights educators from various international NGOs visited rural Malawi, the audience would often avoid asking questions regarding the curriculum of rights and bring up particular grievances, for example the lack of drinkable water or schools for their children. Yet because NGO educators are strictly instructed to stick to, and remain within the bounds of the rights curriculum, they often stand powerless to help the equally powerless audience in spite of the powerful knowledge of rights that summoned them together in the first place (Englund, 2006).

The socio-economic hierarchy among the poor

Ambrose (1995) dedicates an entire chapter of her book: Democraticization and protection of human rights in Africa to the subject of poverty as an impediment to human rights education (Ambrose, 1995). According to her, poverty negatively impacts the ability of the poor to claim their rights or demand accountability from a government that has not provided them the avenue to educate themselves about those rights in the first place. Poverty also opens incentives for unsustainable practices like corruption, which runs contrary to the ethics of rights. Ihonvbere takes the argument further contending that where there are highly frequent occurrences of human rights violations such as in sub-Saharan Africa, there, you will also find a socio-economic hierarchy of the haves, the semi-haves and the have-nots – all embroiled in a struggle maintained by a parallel hierarchy of attitudes towards human rights. In this subsidiary hierarchy, your position towards human rights is determined by or tends to correspond to your socio-economic position, thus, on this hierarchy, there appears a gradient that ranges from rights abuser (mostly the have-haves) to victim of rights abuse (mostly the have-nots) (Ihonvbere, 2000).

The semi-haves are a particularly interesting socio-economic group in the regime of human rights, not only because they are neither in the more familiar camps of the haves and the have-nots, but because they are often a highly educated group – the would-have-been middle class—who because of national poverty lean more
towards the have-nots. Yet according to Oquaye (1996), this group is probably the only one that can readily self-educate about or exercise their rights. For example, in the early 1980s, the bar association of Sierra Leone armed with the knowledge of their civil rights withstood Siaka Stevens’ dictatorship. A similar association of Recognized Professional Bodies in Ghana led to the overthrow of dictator, General Ignatius Kutu Acheampong in 1979.

Yet, even though this group could be the voice of the have-nots to which they are generally a part of, they also have the tendency to identify with the elitist group of the have-even when this relationship works to the detriment of the have-nots. Harri Englund describes in Prisoners of freedom (2006), the case of Malwian lawyers and educators working in an NGO aimed at settling work-related rights abuses and grievances of the poor. Despite attempts by their, in most cases, violated clients to engage these semi-have lawyers in the reality of their situation, the lawyers preferred to present themselves as “impassive professionals rather than impassioned activist.” As such, they ultimately struck closure “deals” with the sued employer, who more often than was guilty as charged (Englund, 2006).

The power semi-haves attain from knowledge in the human rights discourse is thus vulnerable to self-serving motives. Although they are often seen as part of the poor, the semi-haves form elite among the have-nots. Instead of becoming a mediating group in favour of the poor or instead of becoming a bloc of intellectuals equipped to develop a revolution against the have in the neo-Marxist/Grasiscian sense, the semi-haves often choose to negotiate and identify with the have.

It is also important to note that there is another socio-economic hierarchy of power among the semi-haves. The examples heretofore provided have mostly spoken of lawyers. Yet, there are other professionals such as teachers who unlike lawyers cannot source income from private cases but mostly depend on the state for their wages. In a region where educators are often given little incentive to get continuous training, upgrading or the right qualification to teach in the first place (Oquaye, 1996), teachers find themselves on the lower rungs of the ladder, vis-à-vis the power/knowledge positioning of their professional counterparts such as lawyers. The paucity of systems that continually train the educator is related to a decrease in educator motive, which by inference means a corresponding weakness in or outright absence of rights education by teacher. A case study done in South Africa found that poorly trained educators who taught already disadvantaged and poor children fared most poorly with pedagogy (Muller, 2006). Since educator competence is also critical to learner attainment, the poor who cannot afford alternative educational institutions such as private schools will at best mirror the weak or stale knowledge of their educator (Muller et al., 2006). One can thus contend that so long as a society is poor, not only will there be a gap among the haves and the have-nots, there will also be a gap between those who know their rights and those who do not.

**Conclusion**

The preceding analysis indicates that the challenges to human rights education do not exist in a vacuum. They are immersed in overbearing structural issues which in turn are immersed in historical and socio-cultural contexts that appear determined against the establishment of the mainstreaming of rights. However, to avoid painting a wholesomely pessimistic picture of the human rights approach to lifting the poor from subjects to citizens, it is necessary to give a rather brief reminder on the potential effects of human rights once it is fully established in the subregion.

Once the regime of rights take hold in the sub region, there is no doubt that development and freedom will emanate in manners that are sustained for as long as rights are sustained. The incorporation of human rights in the region will also improve governmental and non-governmental practices in manners that force these apparatuses to be more accountable while empowering their subjects to demand accountability. Human rights will also, on the one hand, equalize the needs of all persons and on the other hand, protect the differences that exist among them. The same rights would also help governmental, non-governmental organizations, as well as citizens to problematize and evaluate whether their development needs are being met (Fowler, 2003).

While human rights remain promising, the success of human rights in the sub region will depend on persons knowing their rights in the first place (Fowler, 2003). This takes us back to the beginning, to the necessity of human rights education.

That human rights education is necessary is not the contentious question. What remains problematic is how to mitigate or eradicate the challenges heretofore discussed. Such a task is beyond the scope of this analysis. However, what has been attempted is the highlighting of those challenges with the hope that concrete and pragmatic steps against them could be further substantiated.

**Conflict of interest**

The author has not declared any conflict of interest.

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