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# The Concept Of Human Rights In Africa

**Elise Boulding, Clovis Brigagao, Kevin  
Clements**



## **The Concept Of Human Rights In Africa:**

**The Concept of Human Rights in Africa** Issa G. Shivji, 1989 1 The dominant discourse      The Issue Of Human Rights In Africa Girma Yohannes Iyasu Menelik, 2014-08-08 Human rights as a legal concept and codification of human dignity were late to arrive in Africa Its evolution on this continent is to be seen against the background of the dynamic development of human rights within the United Nations system and that of international law although the impetus of this evolution is owed to the struggles within African states in the pre colonial colonial and post independence eras Human rights are rights inherent to all human beings whatever our nationality place of residence sex national or ethnic origin color religion language or any other status We are all equally entitled to our human rights without discrimination These rights are all interrelated interdependent and indivisible Universal human rights are often expressed and guaranteed by law in the forms of treaties customary international law general principles and other sources of international law International human rights law lays down obligations of Governments to act in certain ways or to refrain from certain acts in order to promote and protect human rights and fundamental freedoms of individuals or groups Human rights are inalienable They should not be taken away except in specific situations and according to due process For example the right to liberty may be restricted if a person is found guilty of a crime by a court of law Interdependent and indivisible All human rights are indivisible whether they are civil and political rights such as the right to life equality before the law and freedom of expression economic social and cultural rights such as the rights to work social security and education or collective rights such as the rights to development and self determination are indivisible interrelated and interdependent The improvement of one right facilitates advancement of the others Likewise the deprivation of one right adversely affects the others Equal and non discriminatory Non discrimination is a crosscutting principle in international human rights law The principle is present in all the major human rights treaties and provides the central theme of some of international human rights conventions such as the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination against Women Human Rights as parts of moral discourse have significant implication on content of political social and economic life of human beings      Person and Community Kwasi Wiredu, 1992      **Africa and the Universality of Human Rights** Bertrand G. Ramcharan, 2022-08-15 This book argues that notwithstanding problems encountered on the ground in some situations African governments peoples and institutions have firmly endorsed the universality of human rights as defined in international human rights law It explores the endorsement of the values of human dignity equality respect and democratic governance reflected by their participation in the United Nations the African Union and in sub regional organizations as well as their adoption of stunning Democracy Charters The African Commission and Court of Human Rights have repeatedly affirmed the universality of human rights as have spearhead institutions such as the Constitutional Court of South Africa The volume concludes that the fifty four African States in the United Nations stand proudly in support of

universal human rights as defined in international and African human rights law      **Human Rights and the Environment in Africa** Jean-Claude N. Ashukem, Semie M. Sama, 2023-11-24 The relationship between human rights and the environment as evidenced by the 2022 UN Resolution on the human right to a healthy environment is a topical fascinating uneasy and increasingly urgent one This timely collection explores the inextricable relationship between human rights and the environment as a critical lens for understanding and addressing key human rights and environmental issues confronting Africa The work explores theoretical philosophical and doctrinal research to interrogate and provide clarity on how and whether the human rightsbased approach to environmental protection and policy implications has been effective in enhancing environmental protection and sustainability in Africa It brings together an elite group of African and international experts to investigate the increasing connectivity and problems with African human rights environmental governance and the quest for sustainability The book is divided into thematic clusters including the right of vulnerable communities to sustainability climate change the right to development and natural resource governance corporate environmental responsibility and sustainability the philosophy of environmental ethics and theories of human rights approaches to environmental governance procedural environmental rights the role of the judiciary in environmental protection and desertification These themes provide a structure to investigate and clarify specific fundamental questions on Africa s environmental governance paradigm This innovative contribution provides an interdisciplinary approach to the philosophical interrelationship and use of human rights approaches to ensure and enhance environmental protection and sustainability As such the book will be of interest to African scholars researchers and students in human rights law environmental studies political science ecology and conservation and development studies It will also be a valuable resource for policymakers governments NGOs practitioners and all those interested in African environmental governance      **The Prospects for a Regional Human Rights Mechanism in East Asia (RLE Modern East and South East Asia)** Hidetoshi Hashimoto, 2015-05-15 Regional inter governmental human rights organizations have been in operation for sometime in Europe the Americas and Africa These regional human rights mechanisms have proven to be useful and effective in comparison to the global human rights mechanisms available at the United Nations The purpose of this study first published in 2004 is to investigate the possibility of establishing a regional inter governmental human rights mechanism in East Asia with a focus on the contributions of nongovernmental organizations NGOs to such a development      African Cinema and Human Rights Mette Hjort, Eva Jørholt, 2019-03-01 Bringing theory and practice together African Cinema and Human Rights argues that moving images have a significant role to play in advancing the causes of justice and fairness The contributors to this volume identify three key ways in which film can achieve these goals documenting human rights abuses and thereby supporting the claims of victims and goals of truth and reconciliation within larger communities legitimating and consequently solidifying an expanded scope for human rights and promoting the realization of social and economic rights

Including the voices of African scholars scholar filmmakers African directors Jean Marie Teno and Gaston Kabor and researchers whose work focuses on transnational cinema this volume explores overall perspectives and differences of perspective pertaining to Africa human rights and human rights filmmaking alongside specific case studies of individual films and areas of human rights violations With its interdisciplinary scope attention to practitioners self understandings broad perspectives and particular case studies African Cinema and Human Rights is a foundational text that offers questions reflections and evidence that help us to consider film s ideal role within the context of our ever continuing struggle towards a more just global society

Protecting Human Rights in Africa Claude Emerson Welch,1995 The first major comparative study of the way human rights south of the Sahara have been revolutionized by NGOs which have become the most effective detectives in discovering abuses and the most active advocates in seeking solutions

*International Human Rights Law in Africa* Frans Viljoen,2012-03-29 This book provides a comprehensive and analytical overview of human rights law in Africa It examines the institutions norms and processes for human rights realization provided for under the United Nations system the African Union and sub regional economic communitites in Africa and explores their relationship with the national legal systems of African states Since the establishment of the African Union in 2001 there has been a proliferation of regional institutions that are relevant to human rights in Africa These include the Pan African Parliament the Peace and Security Council the Economic Social and Cultural Council and the African Peer Review Mechanism of the New Partnership for Africa s Development This book discusses the links between these institutions It further examines the case law stemming from Africa most important human rights instrument the African Charter on Human and Peoples Rights which entered into force on 21 October 1986 This new edition contains a new chapter on the African Children s Rights Committee as well as full coverage of new developments and instruments such as the Convention on the Rights of Persons with Disabilities the Convention on Enforced Disappearances and the African Charter on Democracy Elections and Governance Three cross cutting themes are explored throughout the book national implementation and enforcement of international human rights law legal and other forms of integration and the role of human rights in the eradication of poverty The book also provides an introduction to the relevant human rights concepts

The Protection of Economic, Social and Cultural Rights in Africa Danwood Mzikenge Chirwa,Lilian Chenwi,2016-10-20 The Protection of Economic Social and Cultural Rights in Africa critiques the three main models of constitutionally protecting economic social and cultural rights in Africa direct indirect and hybrid models It examines the choices that states have made how the models have worked whether they have been tested in litigation and the jurisprudence that has arisen The book analyses the protection of the economic social and cultural rights in a range of African countries Angola Cameroon Ethiopia Ghana Kenya Mozambique Nigeria Senegal South Africa and Uganda Leading legal academics explore how these rights feature at the regional and sub regional levels as well as the link between domestic and international mechanisms of enforcement

**Justice and Human Rights in the African Imagination**

Chielozone Eze, 2021-04-14 *Justice and Human Rights in the African Imagination* is an interdisciplinary reading of justice in literary texts and memoirs, films and social anthropological texts in postcolonial Africa. Inspired by Nelson Mandela and South Africa's robust achievements in human rights, this book argues that the notion of restorative justice is integral to the proper functioning of participatory democracy and belongs to the moral architecture of any decent society. Focusing on the efforts by African writers, scholars, artists and activists to build flourishing communities, the author discusses various quests for justice such as environmental justice, social justice, intimate justice and restorative justice. It discusses in particular ecological violence, human rights abuses such as witchcraft accusations, the plight of people affected by disability, homophobia, misogyny and sex trafficking and forgiveness. This book will be of interest to scholars of African literature and film, literature and human rights and literature and the environment. The Open Access version of this book is available at <http://www.taylorfrancis.com/books/e/9781003148272> has been made available under a Creative Commons Attribution Non Commercial No Derivatives 4.0 license.

**Human Rights in Theory and Practice** Ravindran Daniel, 2022-10-07 Appreciation of the context that advances or hinders the enjoyment of human rights would provide the basis for developing relevant strategies including the use of concepts, laws and mechanisms to promote human rights protection. With this aim, this book facilitates reflection on the theory and practice of human rights. It deals with the historical evolution of human rights ideas, traces the evolution of international human rights law, examines the UN and other human rights protection mechanisms, discusses the growth of human rights NGOs and their contribution and studies the changing contours of the human rights movement. *Human Rights in Theory and Practice: An Overview of Concepts and Treaties* includes detailed examination of the provisions of major human rights treaties. It is a revised and updated version of the 1998 publication *Human Rights Praxis: A Resource Book for Study, Action and Reflection* which was widely used by activists and other readers and was translated into Bahasa Indonesia, Thai and Tamil. The present book will similarly be of interest to human rights activists and scholars of politics, law, sociology, history, international relations and peace studies.

**Legalization of Human Rights in Africa** Stacey M. Mitchell, Veraline Nchotu, Lem Lilian Atanga, 2025-03-26 Most countries on the African continent have ratified or acceded to several human rights treaties including the Torture Convention and the African Charter on Human and People's Rights. This book assesses the progress African countries have made in institutionalizing human rights laws prohibiting torture, extrajudicial killings and disappearances domestically. States ratify human rights treaties for a variety of reasons. Some commentators defend an honest sincerity of purpose whereas others might point to material incentives. The contributors to this volume go beyond the ratification puzzle to instead reframe legalization according to Lon Fuller's conceptualization of congruence. Congruence is an interactive variable that measures the continuous efforts of government and the public to shape the law and its implementation. By reframing legalization as an ongoing process, the model created by the authors is used to test several hypotheses about what impacts legalization in Africa more broadly and in countries such as Mali.

Cameroon Botswana Zimbabwe and Tunisia more specifically The contributors to this volume demonstrate that the legalization of human rights is never a finished product but is a moving target influenced by exogenous and endogenous phenomena This volume is useful for researchers of genocide human rights and atrocity prevention as well as for those interested in legalization and democratization both within Africa and other regions of the world *Peace Culture And Society* Elise Boulding, Clovis Brigagao, Kevin Clements, 2019-06-04 1989 certainly represents one of those moments yet when IPRA held its 12th General Conference in August 1988 few of the participants imagined that within the space of 13 months popular social movements would topple socialist regimes in Poland Czechoslovakia Hungary and the German Democratic Republic Nobody imagined the Berlin wall or the wire fence between Hungary and Austria being dismantled Even fewer contemplated the overthrow of the Ceausescu regime in Rumania pluralistic politics in Bulgaria a single German economy or a reunited Germany

**African Legal Theory and Contemporary Problems** Oche Onazi, 2013-11-26 The book is a collection of essays which aim to situate African legal theory in the context of the myriad of contemporary global challenges from the prevalence of war to the misery of poverty and disease to the crises of the environment Apart from being problems that have an indelible African mark on them a common theme that runs throughout the essays in this book is that African legal theory has been excluded under explored or under theorised in the search for solutions to such contemporary problems The essays make a modest attempt to reverse this trend The contributors investigate and introduce readers to the key issues questions concepts impulses and problems that underpin the idea of African legal theory They outline the potential offered by African legal theory and open up its key concepts and impulses for critical scrutiny This is done in order to develop a better understanding of the extent to which African legal theory can contribute to discourses seeking to address some of the challenges that confront African and non African societies alike

**African Philosophical Adventures** John Murungi, 2023-05-31 African Philosophical Adventures presents African philosophy as a convergence wherein what is African what is philosophy and what is an adventure enter an inter relational and reciprocal process each giving birth to the others Philosophy whether African or non African is an open ended process There is no finality in what it says about itself or about the subject matter that it investigates John Murungi uses this sense of philosophy to guide the chapters in this book The word adventure bears this sense of philosophy and the same time informs what is to be understood as African philosophy The singularity of African philosophy as well as its link to other branches of philosophy is subject to adventure Readers of this book who are themselves adventurers in the world of philosophy will benefit greatly For those who are not already so it will be an invitation to undertake such an adventure

**Michigan Journal of International Law**, 1993

**African Disability Rights Yearbook Volume 6 2018**, 2018-01-01 About the publication The African Disability Rights Yearbook aims to advance disability scholarship Coming in the wake of the United Nations Convention on the Rights of Persons with Disabilities it is the first peer reviewed journal to focus exclusively on disability as human rights on the African continent It

provides an annual forum for scholarly analysis on issues pertaining to the human rights of persons with disabilities It is also a source for country based reports as well as commentaries on recent developments in the field of disability rights in the African region Table of Contents EDITORIAL Editorial SECTION A ARTICLES Rather bad than mad A reconsideration of criminal incapacity and psychosocial disability in South African law in light of the Convention on the Rights of Persons with Disabilities Hel ne Combrinck Legal capacity of parties with intellectual psycho social and communication disabilities in traditional courts in Kwazulu Natal Willene Holness Sarah Rule Protection of the rights of persons with mental disabilities to liberty and informed consent to treatment A critique of Gordon Maddox Mwewa Others v Attorney General Another Felicity Kayumba Kalunga Chipso Mushota Nkhata Rearticulating ubuntu as a viable framework for the realisation of legal capacity in sub Saharan Africa Louis O Oyaro Implementing article 13 of the Convention on the Rights of Persons with Disabilities in South Africa Reasonable accommodations for persons with communication disabilities Robyn White Dianah Msipa Leaving the woods to see the trees Locating and refocusing the activities of non state actors towards the effective promotion of access to justice of persons with disability Azubike Onuora Oguno SECTION B COUNTRY REPORTS R publique de B nin Marianne S verin Union des Comores Youssouf Ali Mdahoma Mauritania Kedibone Chembe Babatunde Fagbayibo Rwanda Olwethu Sipuka The Gambia Satang Nabaneh SECTION C REGIONAL DEVELOPMENTS A step to zero attacks Reflections on the rights of persons with albinism through the lens of X v United Republic of Tanzania Benyam Dawit Mezmur Progress towards inclusive primary education in selected West African countries Ngozi Chuma Umeh BOOK REVIEW Peter Blanck Eili noir Flynn eds The Routledge Handbook of Disability Law and Human Rights 2017 Hel ne Combrinck     *Ubuntu Philosophy and Decolonising Social Work Fields of Practice in Africa* Janestic Mwende Twikirize,Sharlotte Tusasiirwe,Rugare Mugumbate,2023-10-24 This book addresses a recurrent gap in social work literature by examining Ubuntu as an Indigenous African philosophy that informs social work beyond the largely residual and individualistic conceptualisation of social work that currently prevails in many contexts Owing to the lack of social work theories models and generally literature that is locally and contextually relevant most social work lecturers based in African context struggle to access learning materials and texts that centre local indigenous voices and worldviews It is within this context that the ubuntu philosophy has gained traction There is increasing consensus that Ubuntu as an African philosophy and way of life has the potential to be used as a decolonising framework for social work education and practice Theorising from Ubuntu can influence and be the foundation for African social work theory and knowledge social work values and ethics social work research and policy and Ubuntu informing different fields of social work practice like social work with older people children and young people ubuntu and poverty alleviation ubuntu and the environment among others Drawing together social workers engaged in education research policy practice to theorise Ubuntu and its tenets philosophies and values this book shows how it can be a foundation for a decolonised more relevant social work education and practice in African contexts     **Power in Action** Steven



Friedman, 2018-12-01 Argues that South Africans like everyone else need democracy for a more equal society What are democracies meant to do And how does one know when one is a democratic state These incisive questions and more by leading political scientist Steven Friedman underlie this robust enquiry into what democracy means for South Africa post 1994 Democracy is often viewed through a lens reflecting Western understanding New democracies are compared to idealized notions by which the system is said to operate in the global North The democracies of Western Europe and North America are understood to be the finished product and all others are assessed by how far they have progressed towards approximating this model Power in Action persuasively argues against this stereotype Friedman asserts that democracies can only work when every adult has an equal say in the public decisions that affect them Democracy is achieved not by adopting idealized models derived from other societies rather it is the product of collective action by citizens who claim the right to be heard not only through public protest action but also through the conscious exercise of influence on public and private power holders Viewing democracy in this way challenges us to develop a deeper understanding of democracy's challenges and in so doing to ensure that more citizens can claim a say over more decisions in society

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