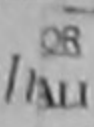


In collaboration with  centre for alternatives

Why Post-Human Rights?

FROM THE ALTERNATIVES DESK

My intention is not to post human rights to a faraway place, although it is true that the internet has practically dehumanized the posting of things, indeed, to a point that you hardly need a postman nowadays to send or receive letters, documents and books. Rather, the purpose here is to go beyond our present understanding of human rights, bringing into its fold the newer concerns and, more importantly, newer modes of activism. Two critical developments are directly responsible for this, subjecting both 'human' and 'rights' to rigorous reinterpretations.

Insofar as the former is concerned, ecological and environmental hazards have brought to our attention that the category of 'human' cannot be left alone. In fact, much of the damage to our life and living is a direct result of 'human' activities. This has resulted in the utter negligence of non-human living and non-living things, raging from animals, trees, water and soil. A recent Manifesto on Water has even claimed rights for rivers, as the authors of the said manifesto maintained:

"Right of the rivers (or 'river rights') must be codified and guaranteed by the state and the people. Rivers have the right to remain pollution-free.... Rivers also have the right to flow freely. Dams and barrages flout these rights. Such 'rights' have already been codified for oceans and seas. Under the UN Convention on the Law of the Sea, it is now the 'general duty' of all coastal states to protect and preserve the resources and the riches of the oceans and seas, not simply for the consumption of future generations but for the very reproduction of human life. River rights need to be enacted with similar goals in mind."

The idea that only 'humans' ought to have 'rights' can hardly be sustained any longer.

The second development is somewhat old but is increasingly winning respectability more for reasons of cultural variations and economic development of former colonial states. There is an interesting cable from Mahatma Gandhi to H.G. Wells, sent sometime in April 1940 (Wells then was drafting the International Charter of Human Rights):

Received your cable. Have carefully read your five articles. You will permit me to say you are on the wrong track. I feel sure that I can draw up a better charter of Rights than you have drawn up. But of what good will it be? Who will become its guardian? If you mean propaganda or popular education you have begun at the wrong end. I suggest the right way. Begin with a Charter of Duties of Man (both D and M Capitals) and I promise the Rights will follow as spring follows winter. I write from experience. As a young man I began life by seeking to assert my Rights and I soon discovered I had none not even over my wife. So I began by discovering and performing my Duty to my wife, my children, friends, companions, and society, and I find today that I have greater Rights, perhaps than any living man I know. If this is too tall a claim then I say I do not know anyone who possesses greater Rights than I.

It may be pointed out that some attempts were made to incorporate Duties following the end of World War II. In fact, in 1948, concurrent with the establishment of the Organization of American States (OAS), the Ninth Pan-American Conference adopted the American Declaration on the Rights and Duties of Man. But this did not last long, within a decade the OAS made reference only to 'Rights.' Also the Universal Declaration of the United Nations, which was adopted barely seven months after the Pan-American Conference, made no reference to 'Duties.' The task of combining Rights and Duties still remains a challenge to be accomplished, particularly in places where 'rights' are regularly misconceived and misused. The structural limitations of human rights are fast giving way to post-human rights concerns and activities.

The collection of authors for this issue resulted from an invitation by the United States Government, mainly to share, reflect and work on "Foreign Policy and Human Rights Issues." It is, I believe, a good representation of our global concern and how the global can be made relevant to our local needs.

The Nigerian experience, the dialogue

EKWOABA BENJAMIN BENEDICT

"HAVE you tuned on your television set lately?"

"What TV are you talking about? Is it the one spineless daredevil armed robbers stole from me the day they raided, in broad daylight, my house which is just ten meters away from the police station? In fact, since that incident I have become more disgusted with both the Nigerian Police and the armed robbers?"

"Well, my brother I can understand your plight and feelings but I tell you that if you have been watching the TV in the past few weeks you would have been enjoying the programs."

"Enjoy? What programs are you talking about? Has the Nigerian Television Authority (NTA) suddenly become Discovery Channel or CNN?"

"Certainly not, I am talking about our locally prepared, exotically spiced, sizzling gourmet of Nigerian comedy.... I am talking about the Government Constituted Commission on Human Rights Violation."

"You mean that show of shame currently being televised by NTA revealing to us how our so called Generals threw away their honor and self respect. Those video clips showing us how our defamed soldiers instead of guarding and protecting the citizen, turned the tanks on the people. The same tanks and guns bought with the people's money. The same group of sadists killed and maimed innocent citizens who stood against their dictatorial and selfish interest?"

"Yes I can now see that you are beginning to understand what I mean. But the major challenge is this; how do we make sure that the ghosts of these past evil deeds do not hunt us in the future? I believe that the present government is turning around the trend of things. I am talking about REINVENTING HUMAN RIGHTS."

"You have come again with your confusing play on words, what do you mean by turning 'around trend of things'?"

"What I am saying is that the present Federal Government of the Federal Republic of Nigeria is Reinventing Human Rights by changing the stance of government from being reactive to taking a proactive position on matters concerning Human Rights. This is the first time a government in Nigeria is swallowing its empty pride and acknowledging that

human rights violations have indeed been carried out against the people and making efforts to redress such violations."

"You are so glib, you mean you believe this Government and their so-called policies? Don't you think that this so called Human Rights Violation Commission (Oputa Panel) is a diversionary tactic devised by the Government to distract people from the actual problems of governance, the economic issues at hand?"

"It is true that since this democratic administration came into power, some of the so called dividends of democracy have not been reaped, but you have to acknowledge that a problem that took more than three decades of resources squandering and misadministration to cause cannot be effectively corrected within less than two years of democracy. The beauty of it is that the Administration is moving forward."

"You really are defending Government very well, have they given you one of the new oil blocks to lift crude?"

"Come off it, the government is indeed trying on human rights issues. First, all political detainees have been released. Secondly, all persons being held under the obnoxious decrees have regained their freedom. And thirdly, the government has eventually constituted this Oputa Panel to look into cases of human rights violation. The board of the panel is made up of a rare breed of honest Nigerians with high integrity. The Commission is headed by no less a person than Justice Chukwudifu Oputa, justice of high repute."

"By setting up this Oputa Panel, what does the Nigerian Government intend to achieve? I heard that the President, Olusegun Obasanjo, himself being a former political detainee, is using this panel as a vendetta to get back at his detractors, particularly the former aides of the late dictator General Abacha."

"You see, Government modeled this Commission (The Oputa Panel), after the Truth and Reconciliation Commission of South Africa. The commission is to examine and hear cases of human rights violation, caution, and praise or reprimand concerned individuals and reconcile them so that we can start on a clean bill. In fact the government wants to bury the hatchet of the past in human rights issues."

"But most of the people believe that since the panel is a toothless bulldog and cannot sentence people to jail terms, it is a mere hogwash. People are arguing that the commission should be dissolved outright. And with the way the Generals are pointing accusing fingers at one another, it is almost turning into a circus show. My view is that no matter what the argument out there is, some things have become certain:

For instance this is the first time most Nigerians are having first hand information on some of the politics and intrigues that go on within the hierarchy of the Nigerian Armed Forces. As the Commission sits and cross-examines witnesses, some issues are becoming more vivid and the common Nigerian on the street is now aware that when it comes to governance most soldiers are not to be trusted. Also this is the first time that the government is calling on all Nigerians with grievances to come out and express their feelings without fear of intimidation."

"By the way, I heard that one of your kinsman was at the panel to complain about genocide perpetrated against the whole Igbo race during the Nigeria-Biafran Civil War. They say that the person is asking for fifteen trillion Naira as compensation. My brother I am happy for you oh, very soon you will become very rich or is your own share of the compensation already cooling off in a Swiss Bank in Geneva?"

"It is not necessarily a matter of money; it is more of reconciliation and appeasement. The financial compensation alone will not give as much relief as a sincere apology from the key players for some of the atrocities committed during the Nigeria-Biafran Civil War."

"If the government is indeed serious with reinventing human rights, what is it doing about the rights of people being violated everyday by ethnic militia such as the notorious Odua Peoples Congress (OPC) the Egbesu Boys, the Bakassi Boys, the Arewa Peoples Congress etc? Is the government telling us that they cannot control all these people? Is the Oputa Panel the only way to go? What about the Law courts? I have always said it! This administration is not serious about anything."

"Stop being too alarmist, the reality as I told you earlier is that most of us Nigerians are not patriotic, we are not sincere to ourselves and to our beliefs. We expect government to do everything for us. We forget very easily that leadership is only one face of the coin, the other face being followership. Starting with you here, how many times have you voted in

an election? Do you know the chairman of your Local Government? How many times have you communicated with your local councillor in the past six months? If we do not live up to our responsibilities how do we think the nation can be properly governed? Human Rights are a collective responsibility of all. We should at all times be active and watchful. We should report all cases of human rights violation to the necessary authorities. Whether something is done because of our report is another issue altogether, but the major fact that we reported makes the human rights violator to be careful. I sincerely believe that our country Nigeria is ours to build and no other people will build it for us except ourselves. I believe that the Government has indeed started the process of reinventing human rights by being the first government to introduce this kind of panel. You should join us to move Nigeria forward"

"After listening to you and thinking about it, I am beginning to have a paradigm shift. I indeed agree with you that most of us have not lived up to expectation on issues concerning our responsibilities as societal watchdogs. We have even failed in our civic responsibilities and as long as we continue on this trend we will not achieve the desired goal of a progressive, united and great Nigeria."

"Since you have shown interest in joining hands to move Nigeria forward, I want to find out if you have heard of GIFT?"

"No! What is GIFT? Or do you want to give me something?"

"I am introducing GIFT to you as a good organization to join."

"This GIFT you are talking about what do they do?"

"GIFT is a people oriented, serious with reinventing human rights, information enabled, knowledge driven organization leveraging ideas from various sources to overcome challenges of governance. It is an acronym for Globalisation Initiative For Transdevelopment."

"This sure sounds great! I will love to hear more about this organization, but incidentally I have to finish a report for my boss now. I do not want my boss to sack me. Please I promise that I will join efforts with government in championing this cause of Reinventing Human Rights and I believe you will inform me about GIFT, when next we meet."

"I look forward to doing just that. Have a nice day."

The author is the Team Leader, GIFT and also works in the office of the Special Assistant to the President of Nigeria on Public Enlightenment.



Women rights activists in India demanding greater representation in parliament.

Globalising Humanism: Reflections from India

The 'Indo-Pak People to People Friendship Initiative' is a striking illustration of the power of ordinary concerned citizens when they come together. This organisation was born amidst the growing war chants gathering strength in both India and Pakistan some years back when the rulers of both countries were racing against each other to declare the weapons of mass annihilation that they possessed.

D. NAGASAILA

As a third world country, the development process in India is strewn with the tragic stories of the poor. Time and again the questions of development for whom and at whose cost has been raised, but only to fall on deaf ears. In the name of irrigation and electricity generation, millions of people have been displaced in the various big dam projects that the Indian Government has undertaken. People displaced in the past 40 years are yet to be rehabilitated and are still wandering as homeless in their own home country. But the rulers never learn from the past. Not because the lessons learnt were not obvious, but it suits them to ignore the same. Human tragedy is repeating itself in the story of the evictees of the Narmada dam. In the name of 'progress', 'development' and 'progress' they are being displaced - millions of men and women whose lives have become living nightmares literally over night. The government pays lip service to the question of rehabilitation of these faceless, nameless mass of people. Alternative land and homes are all convenient schemes on paper which receive neither the political will nor the monetary backing required to be executed. While the intellectuals pontificate on the pros and cons of big dams, while the NGO's globe trot in the name of lobbying and advocacy, while the politicians attempt to gain political mileage by pitting the rich benefactors of the dam against the poor evictees, the trauma, the wretchedness and hopeless despair of millions of people are ignored and treated with indifference. It is a suffering which the ruling classes do not even want to acknowledge much less redress. The stories of development in my neighbouring countries of Bangladesh, Pakistan, Nepal and Sri Lanka do not appear very different.

The fate of the minorities and ethnic communities in the various south Asian countries also appear to be similar. In India ruled by a coalition headed by the Bharathiya Janata Party (BJP), a party with the stated agenda of Hindutva ruling the country, attack against the minorities has seen a new high. The situation in Bangladesh, Pakistan, Sri Lanka and Nepal is no different. The intolerance and annihilationist policies against indigenous and other ethnic minorities is another people's issue which transcends state boundaries and weaves into a common saga of severe human rights violations.

The impact of the new form of colonialism, i.e., the scourge of globalisation that has been unleashed on all the third world countries is also appalling. The spreading tentacles of multinational companies and International Finance Corporations and the death like grip that they have acquired over the economies of the countries in the south Asian region in the name of 'free trade', 'global market' and 'world capital' is no longer conjecture or polemics but a stark reality. The tragedy inherent in this new form of global colonialism is that the vast millions who are its victims, do not see the main perpetrators of this process as the major policy decisions are taken in the air-conditioned and antiseptic board rooms of corporations as far apart as London, New York, Tokyo, Paris or Bonn. Ironically politicians despite their rantings and ravings against each other, have shown that they are all alike in one aspect - being willing agents and stooges of international capital. While these individual politicians, and not to forget their main accomplices, the senior bureaucrats, prosper on the commissions and bribes given by the multi-national firms, the rest of their countrymen

are pushed to the edge of survival. It's sad that ultimately what remains of their common and shared histories is the continuities of their poverty and exploited conditions, a condition which has only worsened in recent years. As far as the poor are concerned, extreme poverty, rampant unemployment, social and economic exploitation and oppression, corrupt and venal bureaucracies along with large scale retrenchment, closures of industries, and concentration of wealth are not new; they have only worsened under globalisation.

The saga of our countries is the saga of betrayal by consecutive leaders of each of the countries of the interests of their followers. Prime Ministers (in Pakistan and India), Chief Ministers and other senior government functionaries have in recent times been convicted by criminal courts on charges of corruption while in office. In an unshamed and unbothered manner the leaders, whatever the country, compromised the interests of the people and the nation and ensured their self-preservation in perpetuity. Politicians have so degenerated that they are seen by the common person as exploiters, opportunists, callous and ruthless, when in power. Coming to think of it, there is a comical tragedy in the similarity of the calibre of politicians thrown up by the various countries in the region!

As the reality of the people of this region emerges with growing clarity, I cannot help but wonder why we, as a people, did not come together to assert ourselves, be heard and determine our own policies, whether within the country or between the countries, and refuse to be misled and exploited by our so-called leaders. 'We the people' would have governed ourselves better if we worked out a mechanism to repre-

sent ourselves rather than allow a few to represent us in the name of the people.

The 'Indo-Pak People to People Friendship Initiative' is a striking illustration of the power of ordinary concerned citizens when they come together. This organisation was born amidst the growing war chants gathering strength in both India and Pakistan some years back when the rulers of both countries were racing against each other to declare the weapons of mass annihilation that they possessed. What has become clearer now is that the much-publicized 'enmity' between the two nations is nothing but the 'hatred and divisiveness' engendered by the rulers in both countries. The astonishing, and indeed most positive message, which emerges from the activities of this initiative, is that the common person in both countries desires peace and good relations between people in both countries. They desire to establish the bonds of relationships that existed in the not so distant past.

The experience has shown the stark need for more such initiatives amongst all countries of the region and amongst all sections of the people. Not just amongst the professional classes, but more importantly amongst the common citizens. This is the only way we can transform the sub-region into a zone of peace and harmony which will enable the countries of the region to tackle some of the most endemic problems of illiteracy, poverty, disempowerment and misery. More importantly, we can show that the most effective strategy to tackle the present form of globalisation is not by globalising capital but by globalising 'humanism'.

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Nigerian prisoner demonstrating torture in custody.

In this special section of Alternatives, we publish a series of articles on human rights issues from India, USA, Belorussia and Nigeria belonging to four geographical regions of the world. Through these articles we bring to our readers human rights struggles in other parts of the world, to help strengthen our own human rights movement.