THESIS APPROVED BY

November 08, 2011

Date

[Richard White- Major Advisor/Comm. Chair], Ph.D.

[John C. Calvert - Committee Member], Ph.D.

[Kathleen R. Rettig - Committee Member], Ph.D.

[Maorong Jiang - Committee Member], Ph.D.

Gail M. Jensen, Ph.D., Dean
HUMAN RIGHTS VIOLATIONS IN AFRICA: PERSONAL NARRATIVE

By

MUHAMMED SACKOR

A (THESIS)

Submitted to the faculty of the Graduate School of the Creighton University in Partial Fulfillment of the Requirements for the degree of (Master of Arts) in the Department of (Liberal Studies)

Omaha, NE

(November, 08, 2011)
<table>
<thead>
<tr>
<th>Section</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>I) Title Page</td>
<td></td>
</tr>
<tr>
<td>II) Table of Content</td>
<td>ii</td>
</tr>
<tr>
<td>III) Abstract</td>
<td>iii</td>
</tr>
<tr>
<td>IV) Acknowledgement</td>
<td>iv</td>
</tr>
<tr>
<td>V) Why this Topic?</td>
<td>1-3</td>
</tr>
<tr>
<td>VI) Introduction</td>
<td>4-5</td>
</tr>
<tr>
<td>VII) Chapter One: Story</td>
<td>6-25</td>
</tr>
<tr>
<td>VIII) Chapter Two: Brief History of Human Rights Concepts</td>
<td>26-38</td>
</tr>
<tr>
<td>IX) Chapter Three: Case Study of African States</td>
<td>39-60</td>
</tr>
<tr>
<td>X) Chapter Four: African Refugees in Omaha, Nebraska</td>
<td>61-79</td>
</tr>
<tr>
<td>XI) Conclusion</td>
<td>80-81</td>
</tr>
<tr>
<td>XII) Bibliography</td>
<td>82-87</td>
</tr>
</tbody>
</table>
Abstract

This thesis examines my personal experience of human rights violations in Africa, including some stories of my closest relatives. I address the urgent need of respecting human dignities in Africa from the perspective of a victim. As a result of the failures of officials to take full responsibility for their assaults on individual liberty, common peoples’ freedom has been undermined psychologically and physically.

Secondly, I discuss the history of human rights concepts, analysis, theories, and arguments made by contemporary scholars in this field. I also investigate the major concerns of philosophers on human rights. This investigation includes the history of African immigrants in Omaha and, the analytical survey of literary works, articles, and journals about human rights violations in Africa.

Thirdly, I focus on some African nations’ profiles on human rights violations, including Liberia and Somalia. I examine each nation on a specific human rights violation case. I also examine the profound contribution of the Truth and Reconciliation Commission of South Africa to human rights discourse.

The final chapter is based on interviews I conducted on this vital topic.
Acknowledgment:

I am thankful to my parents, and the professors at Creighton University for their remarkable support and inspiration. Indeed, my academic achievements would not have been completed without your profound efforts and encouragement. I am humbled to see your contributions to my academic career.

Thank you, Dr. Richard White, for your encouragement and help throughout my stay in Omaha, and for coaching me and editing my project. I will, forever, benefit from your academic consultations and fruitful thoughts in shaping my paper. To my committee members, Dr John Calvert, Dr. Kathleen Rettig, and Dr. Maorong Jiang, I say thank you for your tireless efforts in advancing my ideas.

Finally, I express my great thanks and appreciation to all my professors, who taught me moral values and great ideas, including, Dr. Joan Mueller, Dr. Bob Whipple, and Father Thomas Simond.
Why This Topic?

With the enormous restrictions over media outlets in most African nations, that are characterized as authoritarian, victims of human rights abuses are denied the access to express their grievances, especially during times of war, and the magnitude of human rights violations cannot be discovered by the international community except through personal narrative and interviewing of the victims. And because significant attentions have been paid to theories in the discussion of human rights by experts and graduate students, I was inclined to write about my personal experience in this field. The exposé of human rights abuses under authoritarian regimes in Africa, who believe that they are above the law of the land and accountability to the public and media, relies significantly on personal narrative.

The narrations of personal story and interview in academic settings have many intellectual dimensions, among which is the combination of experience with theory. According to Ivor Godson and Ruth Crick, “Narratives provide and create space for ‘pedagogic moments’ in which people can connect with themselves, their own culture and tradition, their hope and aspirations and ultimately with an intentional, mentored construction of knowledge which serves their personal and public trajectories” (Godson. Crick, 225). It also helps to reflect on one’s past and learn from it for the sake of good judgment and the betterment of the future. Michael Mateas writes, “We organize our experience and our memory of human happenings mainly in the form of narrative—stories, excuses, myths, reasons for doing and not doing, and so on” (Mateas, 44).
In addition, storytelling serves as a motivational tool in many circumstances. This point was made by Kay Schaffer and Sidonie Smith when they write:

Post-War War II struggles for national self-determination and equality for women, indigenous people, and minorities within nation-states led to the use of local and transnational political movements and affiliations—movement for Black and Chicano civil rights, women’s rights… disability rights and indigenous rights among them—all of which have created new contexts and motivations for pursuing personal protections under international law. In each instance, personal storytelling motivated the rights movement (Schaffer, Smith, 3).

For all these reasons, as well as a result of a fruitful conversation I had with Dr. Richard White, the director of the Liberal Studies Department at Creighton University, I was inspired to write my master’s degree’s final project on human rights violations in Africa. As an African, I have some experience and some friends. My thesis has two main parts: the introduction which consists of personal stories and interviews. The second part is a theoretical account of human rights’ concepts. I write significantly about human rights situation in few African nations.

From 2000 until 2009, I traveled to many parts of Africa on business missions, including Liberia, my native country; Guinea, the country of both my mother and wife; as well as Sierra Leone, Ivory Coast, Senegal, Kenya, Ethiopia, Cameroon, and Morocco. During those years, I discovered many challenges facing Africans, such as poor governance, mismanagement of public funds by the elites, human rights violations, and oppression of minority groups.
Many books and peer-reviewed articles have been written on human rights violations in Africa, but fewer have addressed this vital topic from individual thought and experience. Narrating my story and experience on this topic will add more flavor to my academic perspectives. Indeed, this paper gives me the chance to contribute some fruitful thoughts and solutions in the advancement of human rights in Africa.

Moreover, this paper will empower my audience to be optimistic and hopeful about the future of the improvement of human rights in Africa. Most importantly, the process of democratization in Africa will be a complex and long journey, but with hope and strong advocacy for human dignity, the continent will gradually become a better place to live. In fact, a substantial handful of nations in Africa are advancing gradually on their human rights’ records. Ghana, for instance, has begun a process of conducting free and fair elections and has showed progress in combating corruption. This remarkable democratization of Ghana is taking place now after being considered to be one of the most corrupt nations on earth by Amnesty International for many years in the 1980s. Therefore, some African nations are following the right path toward observing human dignities. South Africa is improving on many human rights’ principals including the establishment of a progressive constitution after the apartheid, and the embracement of free and fair election for the past few years.
Introduction:

1-Chapter One: Stories

This chapter discusses stories of myself and my family that detail the level of human rights abuses in some African nations. I narrate seven short stories in this chapter and conclude it with precise examination from a human rights perspective.

2- Chapter Two: Human Rights’ Concepts in General Terms

This chapter discusses a brief history of human rights, summarizing the universalism and cultural relativism arguments of human rights. In addition, it outlines the causes and reasons of human rights violations in many African nations. Finally, this chapter concludes with a survey of the literature on Africa in terms of human rights discourse. In other words, it presents a summary of the questions that have been asked and addressed by philosophers concerning human rights in Africa.

3- Chapter Three: Case Study of Some African Nations

a- Liberia: Under this subtitle, the paper addresses women’s rights violations during the civil war in Liberia. Between 1989 and 2003, many Liberian women were raped, exploited sexually, and even murdered by rebel groups and the Armed Forces of Liberia.

b- Sudan: Under this subtitle, the paper addresses the recent genocide in Darfur by the Northerners with in-depth analysis.
c- Somalia: This section of the paper addresses the human rights abuses as a result of absolutism and authoritarianism in this failed nation.

d- South Africa: In order to show there is ground of hope, I will conclude this chapter with the discussion of the South Africans’ Truth and Reconciliation Commission (TRC). It presents the important achievements made by this committee.

4- Chapter Four: Interviews

In this chapter, I conduct an hour-long interview with five Africans. The questions in these interviews cover many points, including obstacles and solutions to human rights in Africa. I have made sure that these five people each come from different sub-regions in Africa. This ideally has helped this academic research with a complete and diverse experience from all around the continent to some degree.

5- Conclusion

6- Bibliography
Chapter One: Story

1- The Abuse of My Constitutional Rights by a Liberian Immigration Officer

On January 3, 2001, I was arrested by an immigration officer, Emanuel Johnson, at the Salala Checkpoint, which is a main entrance to Gbanga, Bong County. I was traveling along with five other people from Monrovia to Bahn, Nimba County. Mr. Johnson detained me for an hour, even after I presented him all necessary documents that he asked for. Those friends were allowed to continue their journey. Mr. Johnson asked me to pay $100 Liberian to be released and to continue my journey with the others. Furthermore, the officer seized my suitcase and searched it without my permission. I argued that there was no difference between me and the others, among them a man who did not show a single document but was let free to pass because he spoke the Mano dialect. I refused to pay the amount the officer requested because there was no reason to do so. The officer argued that people from my tribe, Mandingo, are not authentic citizens of Liberia. Therefore, he said, I needed to pay the hundred dollars.

I went on to argue that my proofs of citizenship were my ID photo card, passport, and birth certificate; I had shown them all; and they were in the possession of the officer. Therefore, I did not need to pay the illegal fee and did not deserve to be dehumanized or discriminated against. The officer was condescending towards me in all of his actions and words. I came to a point that part of me was arguing internally...
whether my documents were falsified, but yet the other part of me is certain that those documents were issued by authorized officers in my present.

After a long debate in which I had to argue for my rights as a Liberian citizen, the officer insisted that I pay $20.00 Liberian. I was horrified to the extent that I was feeling somewhat guilty about my identity and culture. In fact, I thought that I was living in a world governed by law of jungle—where the strongest animal eats the weak—and run by thugs. I finally had no choice but to pay. The payment of this amount was not my major concern, but my rights were insulted by this officer on account of my ethnicity.

Indeed, I was deeply frustrated by the officer’s action. He had abused his power and had denied my constitutional rights. It was troublesome that none of his colleagues came to my aid, nor did they report him to a higher authority. In fact, the officer took my money illegally and demonstrated stereotypes against my ethnic group.

This story consists of the following violations of human dignity:

1. The act of detention of a citizen with no legal reason is against the constitutional rights of Liberian citizens. The Declaration of Rights in the Constitution of Liberia, Section 9, says, “No place shall be searched, nor person seized, on a criminal charge or suspicion, unless upon warrant lawfully issued, upon probable cause supported oath, or solemn affirmation, specially
designating the place or person, and the object of the search”(1847 Constitution of Liberia). The Universal Declaration of Human Rights denounces the act of discrimination: “Everyone is entitled to all the rights and freedom set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”(Article 2).

2. The immigration officer abused his power by ignoring my identification cards, which were sufficient to show my citizenship. Also, he abused his authority by demanding a bribe from an innocent citizen.

3. Discrimination and the act of stereotyping against ethnicities and religious beliefs are against the Universal Declaration of Human Rights, Article 2, which is mentioned above.

2- My Father’s House

In late 1989, Liberia devolved into a brutal civil conflict led by Charles Taylor, who was later indicted on eleven counts of war crimes, crime against humanity and other serious violations of international humanitarian law by the prosecutors of the Special Court for Sierra Leone at the International Criminal Court at the Hague in 2008.
During the 1980s, my father, Soko L. Sackor, was the senior envoy of the Muslim World League in Liberia. My uncles, Edward Komo Sackor and Karamo Soko Sackor, were the Minister of Internal Affairs and Associate Justice Minister at the Supreme Court of Liberia, respectively. Therefore, my family was well-established and heavily involved in local politics.

Prior to the civil war, my father built an attractive house at the edge of the Dudu River in Monrovia. The estimated market value of this property, including its rich library, was at that time approximately $40,000 US. In addition, my father owned five cars for family transportation.

When the rebels of the National Patriotic Front of Liberia attacked Monrovia, the capital city of Liberia, they quickly went to my father’s house, which was on their target list. At the entrance of the house, the rebels killed Ali Doumbia, a relative, who was looking after the property. Then they looted the house, including the jewelry, cars, and books.

The general who was commanding the fighters then told them to set the house on fire. At that moment, Paul Doe, a Christian neighbor, approached the general and asked him to reconsider. Mr. Doe told him more about my father’s personality, mainly about his generosity and kindness. The general rejected Mr. Doe’s request and said, “By no means should a man who is close to Samuel K. Doe’s regime and from the Mandingo ethnic background be shown mercy.”
After uttering those bigoted words, the general gestured to set the house on fire. Less than three seconds later, a fighter launched a rocket into the building, and it was completely demolished into rubble. This tragedy was one of the worst events my family experienced, and it had a huge negative impact on my parents’ minds during my childhood.

By examining this sad story, one can conclude that those rebels had no regard for laws concerning individual property, rights which are well-established in the Liberian Constitution. They also had no regard for freedoms of liberty and religion. In fact, they assumed that those who did not believe in their political ideologies are less human and deserve to be treated with cruelty. Such savage actions, destruction of others’ property, and killing of innocent souls are outrageous.

Sometimes my parents would argue about the root cause of evils and hatred in the world. They always set the destruction of their house as an example and they would remind me about the difficulty they went through to build their dream house at the dinner table. My father had to work two full time jobs – as administrator and a teacher. My mother worked part time as a kindergarten teacher at a school which was six blocks away from the house. From here and there, they were able to build the house and sponsored the family. Sadly, the rebels destroyed their five years’ efforts within five minutes or less.

In this second story, “My Father’s House,” there are many human rights violations that were committed against Mr. Sackor, the owner of the house:
1. The destruction of Mr. Sackor’s house by the rebel forces because of his political views was a complete violation of his personal rights. The Declaration of Rights, Section One, states, “All men are born equally free and independent, and have certain natural, inherent and inalienable rights; among which, are the rights of enjoying and defending life and liberty, of acquiring, possessing and protecting property and of pursuing and obtaining safety and happiness” (1847 Constitution of Liberia).

2. Moreover, if people are not allowed to express their political thoughts or practice their faiths in any nation, it is considered tyranny.

3- The Torturing of My Brother Ahmad

In June 2002, my youngest brother, Ahmad, left Guinea, heading to Monrovia, Liberia, intending to participate in an annual seminar organized by the Islamic University of Medina. The university gives scholarships to the top ten students in their organized seminars annually. After Ahmad heard the news of the delegations in Liberia, he traveled along with two of his friends, including Musa Konneh, through the Ganta boarder to Monrovia.
At the immigration checkpoint, Ahmad was arrested by the anti-terrorism unit (ATU) and charged with two crimes. With no investigation, those ATU officers proclaimed that Ahmad and his friends were missionaries plotting to kill the ex-president of Liberia, Charles Taylor. Secondly, they charged him with sabotaging the peace and underscoring the sovereignty of Liberia. “The penalty for these two charges is death,” said the senior officer at the verdict announcement.

However, the officers were unable to present a single item of proof to these allegations. They disregarded the fundamental constitutional rights of all human beings that says, “A person is innocent until proven otherwise.” At the time, Ahmad was sixteen years old and had no military background. In addition, his Photo ID card and Liberian passport were seized by the officers. Most importantly, Ahmad and his friends were not given any opportunity to tell their side of the story.

An hour later, Ahmad and his friends were taken to one of the notorious prisons in Ganta, Nimba County, under a strong military surveillance. At that time, Ahmad was mercilessly beaten by the ATU officers with the edges of their AK-47s, to the extent that his arm was broken and his face was severely injured. Musa lost two of his teeth on the scene and suffered a back injury.

The following day, Ahmad and his friends were transferred to the Gbanga Police Station for interrogation. The police officer who interrogated them quickly realized that the claims against them were baseless and asked for them to be released immediately. He reported the result of his investigation to Mousse Ballah, the senior
police officer at the central station. This report was in a written format with substantial
details about Ahmad and his friends’ innocence.

Unfortunately, Mr. Ballah had no intention of releasing them and kept them in a
cell for ten days with no medication and no food. As relatives, we purchased food for
Ahmad and his friends on a daily basis, and we paid the wardens to allow the food into
the cell. Most often, the wardens would take the money from us, yet the food would
not reach Ahmad. We were not allowed to communicate with Ahmad and his friends
except one time in a week for fifteen munities. The guard monitored the family
member’s conversation with Ahmad and he was denied from enjoying his privacy
rights. Part of it was that Ahmad would not have the chance to disclose what foods did
not reach him.

During those ten days, Ahmad reported that they were tortured by the ATU
personnel. They were beaten by the ATU officers on a daily basis with sticks and
forced to drink salty and/or filthy water. Sometimes the security guards left them in the
mud for the entire day and in the middle of the night poured cold water on the
prisoners while they were asleep. Moreover, Ahmad and his friends were deprived of
all of their constitutional rights.

With pressure from local humanitarian organizations and the Muslim
communities in Liberia mounting, the deputy police director of Liberia, Salihou
Jabateh, requested that Gbanga’s police department transfer Ahmad and his friends to
Monrovia’s central police station. Interestingly, Mr. Jabateh was a Muslim from the
Mandingo ethnic group, which caused him to relate to my brother and his friends.
When Mr. Jabateh saw Ahmad and his two colleagues, he broke into tears. He then ordered that the children should be released immediately.

Ahmad was hospitalized for five days in intensive care. He was treated for the broken arm, facial injury, and dehydration. My father paid the total hospital bill, which was approximately $1500. At the hospital, Ahmad received a letter of vindication from the police station. He was then exonerated along with his friends.

This story, “The Torturing of My Brother Ahmad,” contains many human rights violations, including torture. As defined in the 1975 U.N. declaration on Torture under Article One:

Torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purpose as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of public official or other person acting in an official capacity (Torture Under International Law, 1).

According to this article, one can admit the dehumanization and torture that were endured by Ahmad and his friend:

1. The ATU had no proof to bring a criminal case against the boys, and the entire procedure was completely devoid of legality. In fact, there was absolutely no hearing or accumulation of proof.
2. There was no compensation given to the children for the loss of their time in prison after they were found innocent.

3. The age fact was disregarded by the officials, and the boys were treated as adults.

4. My Trip to Kenya

In 2003, my uncle Kabine Soko Sackor invited me to Kenya for a visit. Kabine has lived in Nairobi for more than three decades, and works as a diamond broker at the City Center, Nairobi. His office is five miles from the immigration office headquarters in Nairobi. He married a Tanzanian woman called Maria Kolela with two handsome boys, Alpha and Valibah. They spoke Swahili and English languages fluently.

Two months after receiving the invitation, I traveled from Jeddah to Nairobi on Saudi Arabian Airlines. I had a six-month visiting visa issued by the Kenyan Embassy in Riyadh, Saudi Arabia. At the Jomo Kenyatta International Airport, I was welcomed by my uncle and one of his drivers. Normally, it is a twenty five minutes drive from the airport to my uncle’s place but due to the rush hour traffic it took us forty five minutes. I was hosted at an apartment complex a few blocks from my uncle’s house.

It was a rainy month in Nairobi, which I enjoyed. Three days after my arrival, at 7 p.m. on a wet, cold day, I saw two dark blue jeeps arrive at my compound’s gate. I saw five men getting out of the jeeps. They were approximately 6’1” tall and were well-armed with AK-47s. I
observed them from the terrace of my apartment. Only one of them was wearing military clothes with technical boots; the rest were dressed in civilian clothes.

They then asked a resident who was sitting outside catching fresh air to direct them to the apartment of the newly arrived man from Saudi Arabia in the compound. They conducted the conversation in both English and Swahili. Due to the yelling voices, I knew that I was the target because no one else was a stranger in that compound except me. I then ran to my room and called my uncle to inform him about the situation. He advised that I should give them everything they requested without any resistance. He said, “Your safety is more dear to us than material goods; give those criminals what they want.”

I had brought $2,000 in cash with me. I quickly took off $1200 and placed it underneath the rug in the bathroom. Trembling, I opened the door for them when they knocked. One of them asked me to surrender, and he handcuffed me while the rest searched my room. I then asked them if they had a search warrant. One of them responded, “Look, you are in Africa! Here is not America or the Middle East.” He continued in a deep voice, “You need not open your mouth again until we’re done with you.” They took the $800, my new PC, passport, cell phone, golden watch, clothing, and shoes. I was then released, and they ran out to those two jeeps and left the compound. The entire operation took less than ten minutes. I was embarrassed emotionally.

Fifteen minutes after they left, my uncle arrived and took me to the nearby police station to make a report. Unfortunately, the officer we met at the station asked me to pay a filing fee. I was so upset that I ignored him for a little while. A few minutes later, he told us to get out of his office because he wanted nothing to do with the case. In fact, he went on to describe the case as
dead, which meant that it could not be solved because the perpetrators were part of a community gang that was better organized and equipped than the local police. I returned back very sad, and booked my flight to Saudi Arabia the next day.

In this story “My Trip to Kenya,” numerous violations were committed. Among these was the unprecedented level of corruption in Kenya during my stay in Nairobi. My right to justice was denied by the police officer because of his failure to embrace ethical values. Indeed, the Kenya Anti-Corruption Public Officer Ethics Act denounces bribery, stating, “A public officer shall not use his office to improperly enrich himself or other.” (Clause 10). According to the survey conducted by Transparency International in July 2009, however, the Kenyan police force is the most corrupt institution in East Africa (2009 Archives). The corruption of the Kenyan authorities not only indicates their incompetence in good governance but also their unwillingness to take the perpetrators to account.

5- My Father’s 72 Hours to Leave Guinea

A month before Monrovia was attacked by the NPL rebel forces, the Muslim community in Liberia appointed my father, Soko L. Sackor, and four other top Liberian Muslim officers as delegates to the Arab world in order to express their concerns of the atrocities that Charles Taylor was perpetrating against the Muslim community in Liberia. The five-man delegation

---

1 Transparency International: is a global civil society coalition fighting against corruption, founded in 1993
headed to Saudi Arabia, Kuwait, Qatar, and Abu Dhabi for a month-long tour. The trip was sponsored by the Liberian Muslims community, and was the headline of all local news outlets. This move was endorsed by all Muslims politicians in Liberia including, Edward Komo Sackor, Minister of Internal Affairs at that time.

At the end of the tour, the Muslim World League, based in Makkah, Saudi Arabia, assigned my father to Guinea Conakry as its senior representative in the sub-region, which included Guinea Bissau, Sierra Leone, Liberia, Cape Verde, and the Gambia. At the same time, the Saudi Arabian ambassador in Guinea appointed him as a senior consultant on Islamic affairs at the embassy. He was tasked with supervising all financial funds donated by the Kingdom and the Islamic Development Bank in Jeddah to the Guineans. He was in charge of constructing mosques, schools, and sponsoring orphanages.

In 2005, King Fahd of Saudi Arabia donated $100,000 to the Guinean government for the renovation project of the King Faisal Mosque in Conakry under the supervision of my father’s office. My father was required to submit a monthly report to the ambassador about the project. This fund was mismanaged by the Guinean authorities, including the president, Lassana Conte, and his secretary of religious affairs, Mr. Salihou Sylla. Four months after the donation, my father submitted to the embassy his report, which entailed the mismanagement of the fund. The report also indicated that President Lassana Conte took half of the money for personal use. This claim was supported by legal documents from the Morocco-Guinean Bank and testimony of some eyewitnesses.

The Saudi Authority urged Mr. Conte and his minister of Islamic affairs to give a substantial report of the project. This request was viewed by the Guinean leader as a
controversial plot by my father to damage his reputation in the Arab world. The Guinean authority failed to submit a report that would testify transparency in the project. Some religious leaders were angered at the government for such corruption and made their case against the leaders on the pulpit of Friday congregational prayer. Thus, they were silenced by the corrupt officials and were even threatened to close their mosques.

Months into the pressure by the Saudis, the Guinean president asked his chief of protocol to arrange an urgent meeting with my father. The next day, my father appeared at the presidential palace to meet with Mr. Conte. At the meeting, my father was told to leave the Guinean territory within seventy-two hours. He was then put under surveillance and denied the right to take any of his belongings except his diplomatic passport. My father would have been prosecuted or tortured by the Guinean authority, had he not have a diplomatic immunity or status. Two military officers escorted my father to the Gbessia International Airport of Guinea on a Royal Moroccan Airlines which was bounded for Jeddah, Kingdom of Saudi Arabia.
In this story, “My Father’s 72 Hours to Leave Guinea,” contains the following human rights violations:

1. Abuse of power: The president of Guinea, General Lassana Conte, and his cabinet minister of religious affairs thought that they were above the law and thus not accountable for their mismanagement. The assumption of being above the law is blatant authoritarianism. Mr. Conte had absolute power in Guinea, and therefore there was therefore no checks-and-balance policy in Guinea during his era. Most importantly, Mr. Conte ignored the conditions that were in place, among which was the fact that Mr. Sackor should have had the right and
access to all legal transactions of the project. Also, his office was responsible to submit a monthly report of the project to the Saudi Authority via its embassy in Conakry; however, the president sensed that Mr. Sackor’s office was a threat to his power, so he expelled Mr. Sackor from Guinea.

2. The fact that Mr. Sackor was not allowed to take his property with him was against international diplomatic protocol.

6- My Uncle and the Secret Service of Liberia

After Charles Taylor was elected in 1997, he immediately formed the Truth and Reconciliation Committee of Liberia. This committee encouraged all Liberians to return home and declared affirmatively that all individuals would be protected from governmental intimidation. With this in mind, my uncle Joe Sackor decided to return from his exodus in Dubai, UAE. He had been living there for four years. Within two months of his arrival, he built an expensive house in Monrovia alongside the Atlantic Ocean. The new building consisted of three bedrooms, two bathrooms, and a garage.

At the same time, he managed two private businesses at Broad Street in Monrovia, primarily dealing in diamonds, gold, and used cars. At these businesses’ peak, he was arrested by the Liberian Secret Service and anti-terrorism unit (ATU) on charges of sedition, espionage, and
trea

t treason. However, the untold truth which was concealed by the regime was Joe Sackor’s support for pro democratic movement, and being a strong advocate for human rights in Liberia. Most informed Liberians knew that the charges that were brought against my uncle were bogus and deceitful.

On February 10, 2001, my uncle was taken to a secret torture location outside of Monrovia for two weeks. He was tied with an iron bar, beaten with sticks, and deprived of food and sleep most of the time. He was then moved to another secret camp where political prisoners were kept by Charles Taylor in Kakata, Margibi County. He spent an additional week at this location which was run by poorly trained staffs. The condition of the prisoners at this center was described as deplorable because of its overcrowded populations.

At that time, my uncle’s business accounts at ECO-Bank and Liberia National Bank were frozen by the Taylor regime. Thousands of US dollars were taken out of the accounts illegally. In addition, my uncle’s house was completely demolished by the ATU. For my uncle, none of these things were more important than his life. His major concern was to get out of the torture camp safely. Many of the inmates died from wounds or diseases such as cholera. Luckily for him, my family members collected $2,000 as a contribution toward his release. This money was privately given to the solicitor general of the Republic of Liberia, who ordered his release under the condition that my uncle would leave Liberia within a day.

My uncle was escorted to the Guinean border in a dark jeep owned by the Solicitor General in the middle of the night. Immediately upon his arrival in Guinea, my uncle was taken to the local hospital in Gekeou for intensive treatment. He was treated for severe back pain and a broken ankle for two weeks. My uncle was traumatized by this tragedy and would refuse to
remain alone at home. He felt that could be arrested by the ATU at any time on any soil because of his inhumane experience with those security guards. He spent months in such terrible condition until he was granted political asylum by the American government in 1999.

In the story “My Uncle and the Secret Service of Liberia,” many violations happened. According to the definition of Torture on page 26, it is clear from the story that Joe Sackor was tortured by the Secret Service. His individual rights including privacy were abused by those officials. Secondly, the legal procedure, including the investigation, was systematically irresponsible and wrong. Thirdly, the dehumanization of prisoners’ rights in Liberian criminal justice system was demonstrated in this story. Finally, the destruction of Joe Sackor’s house and the act of freezing his accounts were drastic and beyond logic. These actions were in clear violations of Joe’s property rights.

7- My Wife and Her Freedom of Speech

On September 5, 2009, my wife, Hawa Keita, a Guinean medical student, was humiliated and detained at the police center in Kankan for speaking her mind about the Guinean political elite. As a young woman who likes to engage in political debates, she had a friendly discussion with her friend Maria Diallo about the corruption, mismanagement, hyperinflation, and economic implosion of Guinea.

Hawa’s point in this dialogue was that only a few people from the political elite possess the country’s wealth. The elite mismanage public funds with no accountability. These points
were made by my wife in response to the request of Mr. Aly Kaba, a police officer in charge of authorizing identification cards, who was charging an additional fee in order to renew her ID card. The officer insisted that he would not renew the photo ID if Hawa refused to give an additional fee of 30,000 FG along with the official fee of 20,000 FG.

Hawa argued that the illegal solicitation of 30,000 FG did not make sense. In fact, it is a crime that is punishable by the Guinean law. She was shocked to realize that the officer would illegally receive an amount of 30,000 FG, which is more than the official fee of 20,000 FG. Hawa had no problem paying 50,000 FG for a photo ID if the requested amount was for the national treasury. But that was not the case. Rather, the extra 30,000 FG was for the policeman’s personal benefit.

These words of critique were insulting to an undercover officer who was standing by in the waiting room. He suddenly intervened in the conversation of Hawa and her friend, and he started yelling and uttering offensive words. He said, “I am a military and you are civilian, I will teach you a lesson that military officials have more power and authority than ordinary citizens in Guinea.” After he started yelling, two other police officers arrived at the scene, and they accused my wife of misrepresenting the junta government of Captain Moussa Dadis Camara of Guinea. One of them said in an angry voice, “your body will suffer because of the bad words you uttered with your mouth.”

Hawa was detained for an hour at the police station and was asked to pay 10,000 FG in order to be released. I arrived at the scene as soon as I received a call about this matter from Miss Diallo. I was obliged to pay 6,000 FG for both her release and photo ID. My wife was traumatized by this sad event and remained speechless for the entire day. My wife was
uncomfortable to stay in Kankan for even an hour after the incident, and I was forced to shorten my six days vacation to two days.

In this story “My Wife and Her Freedom of Speech,” these are the main human rights violations that occurred:

1. Hawa’s right to express her political views about Moussa Dadis Camara’s regime was violated by the police officer. The Universal Declaration of Human Rights explains, “Everyone has the right to freedom of opinion and expression; this includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers.” (Article, 9).

2. The detention of an ordinary citizen on baseless charges is a complete violation of that person’s liberty. Vulnerable citizens are always susceptible to such intimidation from military officials under dictatorships. Indeed, those officials abuse their power and use it as a tool of oppression.

3. The level of corruption in Guinea during both Lassan Conte’s and Mussa Dadis Camara’s regime was unimaginable.
Chapter Two: Brief History of Human Rights Concepts

The concepts of human rights “enter[ed] the language of political discourse only three centuries ago. This does not mean, of course, that what we call human rights did not exist before then or that they were never respected. They were often respected in practice for a wide range of religious, cultural, and social reasons only vaguely related to the reasons we usually cite for observing rights today” (Flood, 168). In the article “The Roots and Origins of Human Rights,” Elaine Pagels writes, “While there is much in Christian and Muslim tradition that could be used to support a human rights policy, the contemporary concept of human rights does not occur” (Pagels, 6).

After World War II, progress has been made with certain discourses of human rights around the world. Under communism, the individual rights of citizens were denigrated. People were not allowed to pursue their rights with freedom. Dictators denied their citizens the opportunity to accumulate wealth and express their political and economic opinions. But, with the democratization of many developing nations, the spread of the free market system, and the collapse of communism, international communities have taken a profound, recognizable step toward embracing human rights concepts.

Now, people in many nations around the world have the opportunity to articulate their political and religious beliefs, to accumulate wealth, and to associate with people whom they
admire. With the disintegration of communist regimes and the advancement of democratic platforms in many third world nations, the philosophy of human rights has developed progressively in countries that previously denied their citizens basic fundamental rights.

However, the objectives of human rights activists in the United States and France at the end of the eighteenth century differ from those of the nineteenth and twentieth centuries. In the eighteenth century, the focus was to promote individual liberty and to guarantee political rights for all humans. The second historic phase of human rights, however, shifted to social rights. And the twentieth-century phase “has added two more dimensions to the human rights debate. The first is the universalization of human rights after the Second World War…. At the same time, a new generation of collective rights has been demanded…rights of development, the right of protection of a healthy environment” (Brugger, Image of Person in Human Rights Concepts).

These are some major factors that have contributed to the advancement of the human rights discourse on a global scale. Other factors have been the profound contributions of the United Nations, with its Universal Declaration of Human Rights, the Human Rights Watch, the African Union, the European Union, democratic movements in many nations, and globalization. Indeed:

The long term effort to strengthen UN human rights machinery led to the creation of the office of High Commissioner for Human Rights…. Two of the UN specialized agencies, the International Labor Organization (ILO) and the UN Educational, Scientific, and Cultural Organization (UNESCO) have also instituted human rights procedures (Flood, 168).
The Concept of Human Rights

The concept of human rights is clearly defined by Louis Henkin as:

…rights of individuals in society…. [E]very human being has…legitimate, valid, justified claims upon his or her society…to various ‘goods’ and benefits…for individual well-being, dignity, and fulfillment, and that reflects a common sense of justice, fairness, and decency (Henkin, 2)

In 1998, President Bill Clinton delivered a speech in China in which he aptly explained the basic concept of human rights: “I believe that everywhere people aspire to be treated with dignity, to give voice to their opinions, to choose their own leaders, to associate with whom they wish, to worship how, when, and where they want” (Riccards, 214). These words are built upon a solid foundation of wisdom, which provides an ideal of coherent and consistent human rights. When people are prevented from enjoying these aspects of liberty, their rights to pursue happy lives are effectively jeopardized and undermined, and the reverse of these ideals becomes the norm. Political, economic, and religious rights are paramount in human life.

Self-centeredness and egoism are among the destructive tools that always change the focus of the argument from a substantive to a cultural attack. To exemplify this sensitive point, during the Bangkok Declaration that was held on March 29, 1993, many leaders from the third-world nations were critical of the leaders of the West for lecturing them about human rights. Those non-Western leaders’ points basically arose from the sense of uniqueness and perfection of the Western civilization that was exhibited by their counterparts. Some national leaders of Asia thought that the leaders of the powerful nations were imposing their values and ideologies on them.
To this point, some political and social theorists from Africa, Latin America, and Asia argue the possibility of the existence of hypocritical stances taken by Western leaders on the subject of human rights. The argument of these theorists is that America, for instance, always claims adherence to human rights and at the same time often violates the human values that the country stands for and preaches. In the case of Abu Ghraib, where U.S. interests were undermined by conventional human rights regulations, political and military officials ignored international laws forbidding torture. Consequently, Iraqi men were dehumanized and tortured by the American military.

Essentially, there are some universal rights that all human beings are entitled to enjoy in their communities. However, there is no unique and universal definition of human rights. Sarat and Kearns write, “This is not to say that everyone agrees on the meaning of human rights” (Human Rights, 3). This point leads us to the argument of cultural universalism or relativism.

The debate between universalism and relativism has been divisive to the extent that it sets the West against the rest of the world. “This question is motivated, at least in part, by the suggestion that advocates of human rights are attempting to impose Western values on other people” (Henkin,1). As Theogene Rudasingwa asserts:

The whole human rights agenda continues to be dominated by the Western World: governments, non-governmental organizations; human rights groups; and international organizations heavily influenced by Western interests and ideas. Accordingly, Western governments and organizations have now assumed a moral high ground as prosecutors, jurors, and judges (Rudasingwa, 173).

Furthermore, people have the tendency to believe that the Western nations are the exclusive observers and caretakers of the universal concepts of human rights.
In order to analyze the core of this debate, it is vital to understand the parallel line that exists between cultures and the concepts of human rights. There are two main opinions in this argument. The first theory is universalism. This theory suggests that God created human beings with honor and dignity, and no other person has the right to curtail them. “Human rights are thus ‘universal’ rights in the sense that they are held ‘universally’ by all human beings. Conceptual universality is in effect just another way of saying that human rights are, by definition, equal and inalienable” (Donnelly, 283). All human beings, regardless of their age, sex, race, and religion, should have the right to fulfill their dreams in this life. Human rights echo the most common values of human dignity, shared by all people regardless of their religion, race, and political thinking around the world.

Alan Gewirth is among those theorists who think that human rights are universal and that all individuals should have the legal power to accumulate wealth, equal employment opportunity, and the enjoyment of freedom. Gewirth says, “Human rights are based upon and derivative from human dignity. It is because humans have dignity that they have rights.” (edt. Meyer & Parent, 10). This theory of universalism is widely accepted and embraced by intergovernmental organizations. “The Universal Declaration of Human Rights, the two International Covenants on Human rights and other widely accepted postwar international instruments begin by affirming that concern with human rights is rooted in recognition of the inherent and equal dignity of all human beings” (Flood, 18).

George Kateb shares the same philosophy: “The language of rights in general and of human rights in particular, would seem to demand a grounding or foundation in something
timeless and universal, something that establishes the transcultural and transhistorical basis of ethic and duty” (Sarat. Kearns, 9). By this interpretation of human rights, no one should be dehumanized or mistreated because of his or her political or religious affiliation. All people should have equal opportunity of freedom and liberty regardless of the time and place.

The internationalization of human rights concepts by the United Nations galvanized this theory. This effort by the U.N. to assure the implementation of human dignities on a global scale can be realized from its contribution to promote and protect human rights. “The United Nations has increasingly moved from promoting rights to trying to help protect them (along with continued promotion). By promotion, I mean standards setting and education and dissemination…. By protection, I refer to implementation and enforcement action” (Forsythe, 57). Effectively, the human rights agreements mandate all member nations to ensure human values are totally implemented within their domestic jurisdictions.

Contrary to the theorists of universal rights, there are theorists and philosophers who embrace the idea of relativism of human rights and culture. This means that men can be subordinated by the culture in many instances. William Sweet writes, “Society confers upon its members whatever rights, privileges or exemptions they enjoy. According to this concept, ultimate value derives from the social order” (Sweet, 158). Therefore, what one man sees as a right another does not. The cultural interpretation of the word “rights,” necessarily then, varies from one to another. Wrong Kan Seng, a former foreign minister of the Republic of Singapore, leans toward this theory: “The extent and exercise of rights…varies greatly from one culture or political community to another…because rights are products of the historical experiences of
particular people.” (Boston Globe). This assumption implies that no culture has the right to prescribe or impose its values on another. In other words, no culture has a corner on morality. However, the argument of cultural relativism can be undermined by the theory of globalization. Sarat and Kearns write, “In such a world it is hard to mark the boundaries where one culture and its moral values end and another’s begins” (Kearns, 136).

My observation or judgment in this case is that it is logical to reconcile and find common ground between these two ideas. Many human rights idealists are attracted to embrace Appiah’s view. He argues:

We value the variety of human forms of social and cultural life; we do not want everybody to become part of a homogeneous global culture; and we know that…this means that there will be local difference…in moral climate as well. As long as these differences meet certain general ethical constraints—as long, in particular, as political institutions respect basic human rights—we are happy to let them be (Appiah, 621).

To this point, all aspects of a culture cannot be dismissed or considered irrelevant. Likewise, there is no culture that is perfect in all perspectives. Furthermore, the judgment of beauty and taste differs from one person to another and from one culture to another. On the other hand, there are basic human values that need to be respected by all governments. Thomas Buergenthal asserts this theory in his essay called *Codification and Implementation of International Human Rights*. He writes, “A state consequently cannot make the blanket assertion today, as it could before World War II, that the manner in which it treats its own nationals is a matter within its domestic jurisdiction and not the business of any other state…. This is really what is meant by
the internationalization of human rights.” (edt. Henkin, 16). Most importantly, it is necessary to make the argument wide and inclusive, not exclusive.

Literature Review of Human Rights Violations in Africa

By far, most authors approach human rights violations in Africa by explaining the massive abuses that take place during state collapses, such as in Somalia, Liberia, Democratic Republic of Congo, Sierra Leone, and Ivory Coast. Babafami Akinrinade writes, “This study explores the role of human rights violation in the impact of state collapse on the observance of human rights in affected states” (Akinrinade, 3). Many African nations are listed on human rights violations’ lists during internal conflicts and military coups d’état. For instance, a report examining the situation in Darfur states, “U.N. human rights investigators have accused the Sudanese government of orchestrating ‘gross and systematic’ human rights abuses in Darfur and complained that the international response has been ‘inadequate and ineffective’” (Borger, The Irish Times). Another report that examines the situation of Somalia during the war suggests:

A number of Somali journalists covering the crisis in Somalia have been assassinated by insurgents and security forces since about mid-2007. Dozens of humanitarian and human rights advocates have been killed, injured, or imprisoned by TFG and Ethiopian security forces. Because of these targeted attacks, many
human rights advocates and journalists have fled Somalia to neighboring countries for safety (Dagne, *Somalia: Prospects for a Lasting Peace*).

Those writers who link human rights violations with state collaoses in Africa suggest in their works that the more chaos that exists in an African nation, the more the parties involved perpetrate atrocities and human rights violations against their own people. As one researcher suggests:

The degree of violations varies from conflict to conflict and the longer the duration of the conflict, the greater the possibility that massive violations occur. Most longstanding conflicts such as in the Democratic Republic of Congo have resulted in the death of millions of people, an almost total destruction of state infrastructure and a concomitant cultural depreciation of the value of human life (Akinrinade, 56).

Therefore, the outbreak of war and state collapse of African nations led to many catastrophes, including a high level of human rights abuses. “Internally, there may be civil strife, political corruption, economic collapse, societal degradation, domestic collapse, [and] human rights abuses” (Langford, 61).

The articles and books that take this approach emphasize the causes of conflicts in African nations, such as corruption, poor governance, and tribal factors. Most importantly, these books and articles examine the negative impacts of these conflicts on the citizens of affected nations, primarily focusing on rape and sexual exploitation in the case of Liberia, the torture and assassinations of political leaders in Somalia, and ethnic cleansing in the case of Rwanda. “Refugee women are especially vulnerable, often subject to rape and exploitation in exchange for access to relief supplies or assistance with documentation. In areas ravaged by war, women are
frequently rape victims of rampaging armies. Historically, such crimes of mass rape have gone unpunished.” (Shattuck, *Violations of Women’s Human Rights*). In accordance with this approach, many academic articles argue that “the human rights violations in Darfur meet the legal threshold of genocide, war crimes, and crimes against humanity” (Kindiki, 445).

Another approach often followed by the authors in their writing about human rights violations in Africa is to explain the vital connections between human rights and sovereignty and the concept of good governance. For example:

> The basic proposition of international human rights is that to qualify for the name of government, a government now has to meet certain standards, all of which involve restraints on the use of power: no torture, no brutalization, no seizure of property, no state terror, no discrimination on the basis of race, religion, or sex, no prevention of people leaving a particular country, and so on (edt. Adebajo, 195).

In other words, if a regime neglects its citizens’ rights and fails to perform its obligations, their authenticity and legitimacy are put into jeopardy. Stephen Kingah writes, “The main problem is that of the absence of adequate mechanism for good governance. This entails the proper tools to combat political occultism, corruption, the lack of democratic accountability, violations of human rights and unconstitutional practices.” (Kingah, *International Law on Trial*).

The methodology of this approach nourishes the universality of human rights and denounces the philosophy of Western domination on the internal affairs of weaker nations. In fact, the international community has become more firm and involved globally in supporting democratic movements and at the same time tracking down human rights violations’ records of aggressive and brutal regimes in the world. These multinational institutions such as Human
Rights Watch, Amnesty International, and Transparency International record and judge with the same measure in terms of human rights violations, regardless of their military and financial nature. Such progressive step of those institutions helps to stop the empowerment of stronger nations over the weaker in the implementation of human values and dignities.

Thus, many African nations embrace multipartyism and a democratic system of governance, but there is still little progress to be recorded regarding human rights improvement. Aidoo Akwasi writes, “Hence, it is possible for many governments to initiate programs of transition to democratic rule and yet continue to detain, torture, execute, oppress, and discriminate against people who attempt to fight for human rights” (Akwasi, 708).

Some writers and reports approach the discussion of human rights violations in Africa by exposing governments that have engaged in systematic human rights violations in the past decades. The writers demonstrate in their academic works the severity of human rights abuses that take place under repressive African governments. The most common human rights issues that are discussed in those reports include freedom of speech, mutilation of female genitalia, corruption, and elimination of political opposition.

For instance, Amnesty International exposes the massive human rights violations that took place in Somalia during the conflict:

The conflict in Somalia is inflicting a terrible toll on civilians. Many thousands have been killed, more than 1.5 million people are internally displaced and more than three million Somalis—nearly half the population—depend on food aid to survive. But with armed groups attacking humanitarian aid agencies—40 humanitarian or human rights workers were killed this year—aid groups have
been forced to abandon the country, fearing for their safety. The Transitional Federal Government and the military of the Ethiopian government that supports them, and various armed groups opposed to them, including Al-Shabab and clan militias, utilize young men and youths in the fighting, including significant numbers of child soldiers (Amnesty International).

According to World Report 2010, in Burundi, for instance:

Opposition parties met obstacles in carrying out activities. Human Rights Watch documented 120 politically motivated arrests between July 2008 and April 2009, and arrests continue unabated. Many opposition members are arrested for ‘attending unauthorized meetings’—not a criminal offense under Burundian law. While police conduct some arrests, others are carried out by local administrative officials, who have no mandate to do so (World Report, 84).

The previous report emphasizes the massive sexual violations that occurred in DRC in 2009. It continues:

The military operations in eastern Congo were accompanied by brutal rape. In a region already labeled ‘the worst place in the world to be a woman,’ the situation deteriorated further. An estimated 7,000 cases of sexual violence against women and girls were registered at health centers across North and South Kivu in the first seven months of 2009 (World Report, 102).

Finally, some authors write about the reasons African nations are poor on human rights records. According to the analytical explanations of those philosophers, some argue that Africa’s colonial legacy is the cause of poor human rights records in African nations. “This vine of human rights violations has its main root system in the epoch of colonialism and it is fed abundantly by the waters of neocolonialism” (Factors Responsible for the Violation of Human Rights in Africa, 44). These philosophers reason that imperialism “destroyed traditional institutions in Africa that constrained power and protected people” (Cohen, 459). Others argue that the poor economic structure in African countries is the reason for human rights violations in
Africa. Furthermore, some scholars argue that “lust for power and wealth on the part of African leaders” (Cohen, 459) is the main reason of human rights abuses in African nations.

I, personally, think that the root causes of human rights abuses in Africa lay in all the above mentioned reasons collectively. However, the leading causes are greed and power. Most African leaders seek public office not to serve the country but, rather, to become wealthy. Therefore, a political career is the easiest and fastest way to gain money. Furthermore, these leaders think that because of their powers, a lot of rules just do not apply to them. In accordance to such insane thinking, these leaders would abuse human rights, and do whatever it would take to ensure personal interest.
Chapter Three: Case Study of African States

A. The Republic of Liberia

This section examines the violations of women’s rights during war in the case of Liberia. During the civil war in Liberia, “Women were raped and turned into sex slaves known as ‘bush wives.’ Enemies were disemboweled, cooked and cannibalized. All told, human rights groups estimate more than 600,000 Liberians were murdered, raped, maimed, or mutilated in the conflict” (Dwyer, 86). By dissecting this statement, one can realize the violence Liberian women endured during the civil war that lasted from 1989 to 1996.

On December 24, 1989, Charles Taylor invaded Liberia with hundreds of his fighters via the Ivorian border. Within six months into the conflict, Taylor and his fighters were able to capture most of the strategic counties, such as Nimba, Bong, and Margibi. The conflict caused the deaths of 100,000 Liberians, and dozens of them were displaced to neighboring countries, primarily Guinea. The country’s infrastructure and economy were totally set back if not devastated. An estimate of 15,000 fighters were child soldiers who ended up traumatized and addicted to drugs such as heroin and cocaine.

Liberian women experienced many kinds of violence, including rape, sexual exploitation, and enslavement. Rape is one of the nefarious acts of violence that Liberian women encountered during the civil war:

Another complicating factor has been the stigma of rape. Many families of victims try to settle cases out of court, or obstruct the prosecution entirely. According to the Liberian National Police, 780 rape and gender-based violence
cases were reported to its special protection unit for women and children in 2008, but fewer than a quarter were pursued in court (Ackerman, 3).

In January 2007, the Liberian government of Ellen Johnson Sirleaf widened the definition of rape and sexual violence. The so-called zero tolerance for Liberian rapists was signed into law by the president. Lois Bruthus, the president of the Association of Female Lawyers of Liberia, writes, “The new rape law widens the definition of rape to cover penetration of any foreign object, not just the penis, and also raises the age of a child to 18 in harmony with the convention on the rights of the child” (Bruthus, 35). Under this new zero-tolerance law for Liberian rapists, a perpetrator can be charged from seven years up to life imprisonment in accordance with the severity of the rape case.

According to the 2005 survey conducted by the Association of Female Lawyers of Liberia, in six counties, seventy-five percent of (1216), the questioners were raped during the civil war. It is worth noting that women were raped regardless of their ages by both rebel forces and the National Armed Forces of Liberia. For instance, some girls were raped at the age of three and five, as reported by Amnesty International. Another survey from March 2008 indicates that three out of four Liberian women have experienced some type of sexual violence during and after the civil war.

The International Criminal Court perceives the rape of civilians as a crime against humanity. Sarah Krieg writes, “Rape is mentioned as a crime against humanity and a war crime in the statute of the International Criminal Court and the Geneva Convention of 1949 (Art. 27) and can also be recognized as a form of torture prohibited in the Convention against torture”
Women and underage girls were victims of gang rape during the fourteen years of conflict in Liberia.

At the time of the war, many rebel leaders enjoyed unlimited power. For this reason, they tended to seduce young girls to have sex with them and/or their subordinates. For instance, Aminata Keita and her niece Makula’s story gripped the local Liberian media’s attention in 2005:

Twenty-one-year-old Aminata Keita remembers the exact moment when the attackers broke into her home. The four men, armed with guns and knives, stormed the house in the early hours of the morning, going from room to room gathering money and other valuables they could find. After they finished with the house, they took turns raping Aminata and her twenty-year-old niece Makula (Americans for UNFPA).

Some of the women gang-raped by the fighters ended up being impregnated. There were no birth control pills or condoms, which would have helped to prevent women from undesired pregnancy. Elma Shaw describes the emotional situation of Bendu when she was raped by a soldier during the war. She states, “I kept going over my calendar again and again, counting days and trying to remember the facts of reproduction. I had marked the dates when Samson assaulted me, and there was no mistake: I was pregnant. Pregnant with a madman’s child. The one thing I had feared the most had come to be” (Shaw, 118).

During the war, Liberian women were assigned by the fighters to heavy labor without payment; they were treated with cruelty as slaves. For illustration, women were forced to cook for soldiers at their own expense. In most cases, women were ordered to prepare dishes during
the middle of the night and were expected to collect wood and draw water from a nearby creek or river in darkness. One story illustrates this:

Samson beat her for every little thing: his food wasn’t ready, she didn’t put enough pepper in the soup, the shirt he wanted to wear was not washed, his boots were not shined, she didn’t answer quickly enough when he called her, his bath water wasn’t hot enough, his bath water was too hot—was she trying to burn him? For some reason, if she wasn’t in the house when he came home, that was the worst crime of all; twice he beat her for that within an inch of her life (Shaw, 114-115).

In 2009, the Liberian Truth and Reconciliation Commission reported the enormous abuses women faced in the fourteen-year-long conflict. The report describes the level of oppression and sexual exploitation women experience in Liberian society due to extreme poverty and low quality of living standards.

Some Effective Solutions for Liberian Women Restoring Their Rights

One should note the urgency of finding solutions and turning the page on a dark past. In order to achieve equality successfully among genders and to eliminate violence against Liberian women, it is imperative to redefine the role of Liberian women in political, social, and economic arenas. This process does not necessarily mean the eradication of the customary role of women in Liberian society. Rather, it implies the importance of women in Liberia to be able to expand their involvement and responsibilities in political settings. In the article, Women and the 2005 Election of Liberia, Moran and Pitcher (2004) document the experiences of women during the war, and cite examples of women in Liberia providing refugee relief, organizing reconciliation workshops and participating in demonstrations.
In support of this philosophy, President Ellen Johnson Sirleaf appointed many female ministers after her historical inauguration speech in 2006, including to posts in the foreign affairs and finance ministries. “She has also given the plum finance job to her former female World Bank colleague, Dr. Anthonette Sayeh, who has worked for the World Bank for the past 20 years.”(Tonpo, Liberia: A New Beginning). Moreover, “women were elected to 12.5% of the seats in Liberia’s lower house, more than double the 5.7% recorded in 1994”(Bauer, 197).

It is important to note that the exclusion of women in political discourse contributed somewhat to the subordination of women in Liberia. In many studies, Liberian women are blamed partially because of not being active in political settings. “This marginalization can occur when women have focused on their ‘difference’ from men and relied on their traditional roles, or what Waylen calls their ‘gendered identities’—as mothers, caretakers and, peace-builders—as a justification for their political activism” (Bauer, 198).

Indeed, it is also important that international human rights organizations redouble their efforts in collaboration with the Liberian government to rehabilitate those women who were mentally and physically abused during the civil war. Community awareness programs should be adequately funded in order to protect women’s rights in Liberia. International humanitarian law says, “Women must be especially protected against any attack on their honor, in particular, against rape, enforced prostitution, or any form of indecent assault” (Annex,168). These are some significant elements that exemplify the equality and dignity of all humans in Liberia.
This section examines the humanitarian crisis in Darfur that led to human rights abuses. In order to get the real picture of this crisis, which has been described as one of the worst humanitarian disasters on the planet, it is vital to begin with a brief historical analysis.

Darfur is a region approximately the size of Texas, with a population of six million people before the conflict. It has rich deposits of mineral resources including oil, gold and uranium. There are several racially mixed tribes of African descent who primarily practice agriculture, and Arab descent, who are nomadic herders. The overall majority of the populations in the region are Muslims from the Sufi sect. The African descent population of Darfur accused
Khartoum’s government with neglecting their basic needs and rights. A report that describes the horrible situation in Darfur states, “In Sudan’s western Darfur region, a massive campaign of ethnic violence has claimed the lives of more than 70,000 civilians and uprooted an estimated 1.8 million more since February 2003.” (Straus, Darfur and the Genocide Debate). The Jinjaweed, who are armed by Khartoum’s government, are fighting the Fur, Masaalit, and Zaghawa ethnic groups since early 2003.

The United Nations’ 2004 figures indicate “that about 70,000 people have been killed in the violence, while over 1.5 million people have fled their homes, some to neighboring Chad.” (Mulama, Sudan: Action not Rhetoric on Darfur). Also, a 2004 United Nations report indicates that an estimated 1,227,000 people were displaced internally in Darfur.

In 2004, Colin Powell, the U. S. secretary of state, spelled out the main reason for the conflict in Darfur in front of the U.S. Senate Committee on Foreign Relations:

The violence in Darfur has complex roots in traditional conflicts between Arab nomadic herders and African farmers. The violence intensified during 2003 when two groups—the Sudan Liberation Movement and the Justice and Equality Movement—declared open rebellion against the Government of Sudan because they feared being on the outside of the power and wealth-sharing agreements in the north-south negotiations. Khartoum reacted aggressively, intensifying support for Arab militias, the so-called jinjaweid. The Government of Sudan supported the jinjaweid, directly and indirectly, as they carried out a scorched-earth policy towards the rebels and the African civilian population (Powell, Situation in Sudan).

Scott Strau points out the horrific abuses of individual and property rights in Darfur in his remarkable article. He writes:

This violence has produced what one team of medical researchers has termed a “demographic catastrophe” in Darfur. By mid-October 2004, an estimated 1.8
46
million people, or about a third of Darfur’s population, had been uprooted, with an estimated 1.6 million Darfurians having fled to other parts of Sudan and another 200,000 having crossed the border to Chad (Straus, *Darfur and the Genocide Debate*).

Because of the massive reported killing of innocent civilians in Darfur, the U.S. Congress passed a resolution in 2004, using the term genocide to describe the humanitarian crisis in the region. However, “the United Nations, African Union (AU), and most governments have referred to the abuse in Darfur as ‘crimes against humanity’ or ‘war crimes’ but not genocide.” (Shinn, 86). Therefore, “there is no agreement that it constituted genocide as defined in the 1948 Convention on the Prevention and Punishment of Genocide” (Shinn, 86).

The United States and the United Nations have galvanized and demonstrated unwavering support for protecting the human rights of the people of Darfur. In her 2010 address before the U.N Security Council on Sudan, secretary of state Hilary Clinton noted:

> In Darfur and elsewhere, the government of Sudan must live up to its international obligations to respect human rights; to allow humanitarian assistance; to protect civilians, including victims of sexual violence; to ensure that refugees and internally displaced people can return in safety and with dignity; and to bring those responsible for atrocities to justice (States Department, *Remarks by Clinton on Darfur 2010*).

In addition, it is worth noting that the Comprehensive Peace Act on Sudan that became law on December 23, 2004, demonstrates “the affirmation of the human rights protections set forth in the Universal Declaration of Human Rights throughout Darfur” (Dhooge, 1).

The U.N. Security Councils have passed many resolutions concerning the crisis in Darfur. These resolutions include financial and military sanctions, and some are condemnations. Thus there are some advisers of nongovernmental organizations who remain skeptical about the
effectiveness of the U.N. role in solving the issues of Darfur. Among researchers with such feelings is Jemera Rone of Human Rights Watch. In a forum in Nairobi, she noted, “The U.N. and the international community as a whole slackened to take action on Darfur. The U.N. has not acted adequately on this issue.” (Mulama, *Sudan: Action not Rhetoric*).

The African Union has contributed a significant number of troops for the achievement of peace in the region. In his congressional testimony of 2004, Colin Powell explained, “The Sudanese have met some of our benchmarks such as engaging in political talks with the rebels and supporting the deployment of observers and troops from the AU to monitor the ceasefire between Khartoum and the rebels.” Unfortunately, even with those efforts made by the international community, the human rights violations in Darfur reached their peak. “Although some 670 African Union troops have been dispatched to the region with US logistical assistance to monitor a nonexistent ceasefire, and humanitarian aid is pouring in, the death toll continues to rise” (Straus, *Darfur and the Genocide Debate*).

International communities were morally obligated to prevent this humanitarian crisis in Darfur from elevating to the worst level. The U.N. needs to put pressure on Khartoum’s government by introducing isolation policies and economic sanctions. In my view, China and Russia also need to put human rights interests before economic and diplomatic interests. “In 2007, China imported $7.3 billion worth of goods, almost entirely oil, from Sudan. It sold an equally impressive $2.4 billion worth of products or almost 30 percent of Sudan’s total imports in 2007” (Shinn, 88). Indeed, Beijing needs to stand with the U.N., US, EU, and AU, regardless of its cordial relationship with Khartoum, to help prevent the next Rwanda in this millennium.
The humanitarian crisis in Sudan in general and in Darfur primarily has been at the full front of human rights discussion. The international community has criticized and condemned President Oumar Al-Bashir’s government for the massacre and human rights violations in Darfur and other parts of the country. In early 2011, the citizens of Southern Sudan had a referendum to examine if they wished to separate from the North. The people of Southern Sudan recently became an independent state on July 9, 2011 after a long brutal civil war which lasted for two decades, and as a result claimed the lives of thousands of innocent men, women, and children.

C. Somalia

Somalia is located in the Horn of East Africa and was founded in 1960 after the British and Italian Somaliland joined to become one nation called Somalia. In 1969, Mohamed Siad Barre led a coup and seized power in Somalia. Barre’s regime was authoritarian, brutal, and he
was a ruthless dictator who persecuted political dissidents. In 1991, the regime collapsed and civil war broke out. Barre was “an autocrat, between 1978 and 1986, and a tyrant, 1987-1991” (Akinrinade, 79). One researcher points out that:

Immediately upon seizing power, Barre’s government abolished political parties, banned professional associations, and brought civic organizations under the control of the government. The media is government-owned and is closely censored, as are all forms of cultural expression. Draconian legal reforms have institutionalized the denial of basic rights (Neier, 884).

As a result of human rights violations in Somalia, the health situation has worsened for the last two decades. For example, people in Mogadishu have no access to medical services or purified water because of fighting. As a result, Somaliland was founded in 1991 by the Somali National Movement headed by Abdel Rahman Ali Tour. This political movement was founded with financial and moral support of Ethiopian authorities in the early 1990s.

Ethnic Somalia is united by language, culture, devotion to Islam, and devotion to a common ancestral group, the Samaal. Seventy-five percent of the Somali population consists of traditionally pastoral nomadic clans (Dir, Daarood, Isaaq, and Hawiye). The agricultural Digil and Rahanwayn constitute only about 20 percent of the population. During colonial times, the north of Somalia was the British Protectorate of Somaliland, while the rest of country was known as the Italian Trust Territory of Somalia (Linder, 56).

**Human Rights and Somalia as a Failed State**

In most of 1993, Somalia’s capital, Mogadishu, was divided into two sectors with different chains of control and command. This point illustrates the true failure and collapse of Somalia from all perspectives:

The beleaguered residents of Mogadishu had brief cause for rejoicing last week. Under the gaze of TV cameras, Somalia’s leading warlords, Ali Mahdi
Mohammed and General Mohammed Farrah Aidid, jointly announced that the so-called green line dividing the capital into separate sectors under their respective control had been abolished. Thousands of men and women cheered as the two rivals promised that for the first time in more than a year, people were free to travel across the capital (Elson, Purvis, Warlord Country).

According to Foreign Policy’s index of failed states, Somalia was among the top ten in 2010:

The 10 states that fill out the top ranks of this year’s Failed States Index—the world’s most vulnerable nations—are a sadly familiar bunch. Shattered Somalia has been the No. 1 failed state for three years running, and none of the current top 10 has shown much improvement, if any, since Foreign Policy and the Fund for Peace began publishing the index in 2005. Altogether, the top 10 slots have rotated among just 15 unhappy countries in the index’s six years. State failure, it seems, is a chronic condition.

It appears that no unique definition of “failed state” exists from the international legal perspective; however, it comprises characteristics that include ineffectiveness of the government, lawlessness, and chaos. In recent years, approximately two million Somalis had been displaced by the ongoing conflict. Most often the phrase “collapsed state” is used in place of “failed state” by political commentators. However, it is necessary to understand the difference between the two words.

Despite the confusing terminology, “failed states” are distinguishable from “collapsed states.” Generally, “collapsed states” are an extreme version of failed states. “State collapse,” then, refers to a situation where the structure, authority, law, and political order have fallen apart in a particular state (Akinrinda, 27).

As an African nation, Somalia falls under the categorization of a failed and/or collapsed nation. There has been a lack of law and order in the country for the last two decades. Somalia
embodies tribal leaders and terrorist militias who run the activities of the people living under their jurisdiction.

Somalia possesses all the major symptoms of a collapsed/failed nation. As one report asserts:

When a state collapses, it is unable to perform six basic functions of statehood: First, sovereign control over territory; second, sovereign oversight and supervision of nation’s resources; third, effective and rational revenue extraction from the people, goods and services; fourth, capacity to build and maintain an adequate national infrastructure; fifth, capacity to render basic services such as sanitation, education, housing, fire brigade, hospitals and clinics, immunization facilities; and sixth, capacity for governance and maintenance of law and order.”

Without doubt, Somalia is incapable of meeting the criteria of a functional state.

For many years, Somalia has topped the list of the most vulnerable nations on earth due to its ineffectiveness of governance, economic instability, and human rights violations. In 2005, piracy in Somalia has taken to its peak, which illustrates the level of lawlessness and chaos in this failed nation. This report is based on analyses of a range of factors, including implosion of the local GDP, hyperinflation, the abuse of human rights, fragile security, and political instability.

In Somalia, no political institution has the power to protect people’s freedom and rights. The author of Warlord Country asserts:

With no government to speak of, even the most powerful warlords have limited influence over their satraps elsewhere and no hope at all of exercising control over free-lance bandits. As looting and extortion are reduced in areas under military protection, the warlords are losing their means of paying the gunmen—and that only causes their authority to erode further (Elson. Purvis, Warlord Country).
The warlords and their fighters often conduct executions of innocent civilians, including doctors and businessmen. Others are detained and tortured for months with no legal procedure being practiced. In fact, many political officials are tortured simply for holding different political opinions in local affairs than local governments, warlords, and militia groups. On May 10, 2011:

An MP of the transitional Federal Government of Somalia has said that he was “tortured” in Mogadishu airport while travelling to abroad…. The police had recently stopped members of the parliamentary committee on election from travelling following disagreement with the executive over holding of presidential elections in the country (Shabelle, Somalia MP Tortured).

In addition, there is clear-cut gender inequality in Somalia. One researcher states:

Somali women subjected to genital mutilation have generally undergone infibulation. This practice involves the removal of the clitoris and the inner lips, followed by incisions in the outer lips to create raw surfaces which are then stitched together. Only a small opening, sometimes the size of a matchstick, remains for the flow of urine and menstrual blood. Sexual intercourse for women who have undergone this operation is painful unless the opening is gradually expanded over a period of time or they are recut to widen the opening (Gardner, El-Bushra, 72).

The civil war in Somalia has worsened the scenario:

Before the collapse of the Somali government in 1991, there was support for elimination of female genital cutting; the practice was banned from hospitals and health research was conducted. But a decade of civil war put a stop to any attempts at coordinated national action of any kind, and today Somalia has one of the highest rates of genital cutting of any country—98% according to WHO (Tackling Female Genital Cutting in Somalia, Lacent).
According to my research and investigation, it appears that the tribal leaders have to reinforce the practice of genital cutting in order to maintain their power in a patriarchal community. It can also be argued that the elders of tribal community use such a ritual as source of generating wealth; The girls’ parents have to pay money in order to participate and support the ceremony. In fact, most of the fund ended up in the pockets of the elders and spiritual leaders.

The discrimination against women in Somalia is observed in all aspects of day-to-day life. In other words, women are treated by the tribal leaders as less than human. In fact, women are routinely gang-raped by fighters at gunpoint. A report published by the Global Information Network concludes, “Thousands of Somali girls and women were raped during war time in the country between 1991 and 1994. War crimes against the female population have been committed at unprecedented levels and with impunity in Somalia.” It continues:

These were the result of militiamen who abducted several women, imprisoned them in villas and then subjected them to repeated rapes and other forms of sexual abuse. While all the women and girls were vulnerable to these attacks, rapists usually targeted those belonging to rival factions or who had weak clan affiliations (Mulama, Rights-Somalia).

Despite the many successions of Somalian presidents since the collapse of Barre’s regime, violations of human rights continued massively. This especially includes Mohamed Aideed, his son Hussein Aideed, and Abdullahi Yusuf Ahmed. Under those regimes, “Thousands were killed and many more forced to seek refuge outside the country, particularly in Kenya and Ethiopia…. There were civilian massacres, numerous cases of rape, torture, cruel and inhumane and degrading treatment or punishment, looting and destruction of private and public property.”
Due to the fragile and unstable political and economic situations in Somalia, the Union of Islamic Court was created in 2006 (Akinrinade, 142-146).

Today, there is no progress or change that one can point at in the situation of Somalia. The country is a home to groups affiliated to the Al-Qaeda in the Horn of Africa; innocent citizens are killed on a daily basis. Most often, I am optimistic about the future except in the case of Somalia because the reality on the ground supports my position. Thus, members of the young generation who have studied in the Western nations can play a huge positive role by trashing the hard, right-wing values of the tribal leaders and promoting peace, unity and education in Somalia. Most importantly, the new generation would have to promote democracy and institute human rights.
D. Truth and Reconciliation in South Africa

As an optimistic person, I intend to complete this chapter with the discussion of the Truth and Reconciliation Committee in South Africa:

The South African Truth and Reconciliation Commission (TRC) is arguably the most discussed and controversial such body to investigate and document the history of civil unrest and conflict in a transitioning country. Lyn Graybill, who has written extensively on South Africa and the TRC, suggests that the balance between pragmatism and idealism shaped the TRC into an extraordinary example of restorative justice.

This committee’s achievement is inspirational and gives hope to the new generation about the future of Africa. “In fact, the commission has been taken as an instructive example in many other post-conflict countries, such as Sierra Leone, Liberia, or Indonesia” (Verdooleage, 238). If this new generation of Africa put more effort in education and stood for democracy and the rule of law, then the observation of human rights on the continent would prevail. Dictatorships, one-party systems, and corruption would be rejected and denounced by the public.

This paper addresses South Africa TRC’s positive impact on the improvement of human rights in Africa.

The black ethnic group of South Africa lived during the segregation era before apartheid. The segregation era refers to the period when South Africa’s economy was flourishing, mainly in the agricultural and mining sectors, a period that lasted from 1910 until 1948. “During the same period, the whites consolidated their control over the state, strengthening their grip on the black population and eliminating the British government’s legal power to intervene in South Africa affairs” (Thompson, 358).
The second dark period in South African history was the apartheid era, which lasted from 1948 until 1990. “After its initial victory in 1948 the National Party consolidated its power. In that year it created new parliamentary seats for representatives of white voters in South Africa who were elected to support the government, then step by step, it eliminated every vestige of black participation in the central political system” (Thompson, 358).

With the enactment of racial discrimination laws in South Africa in the 1940s, blacks were not allowed to access their rights. They were deprived of achieving better education and of rising to higher positions in the government. “When the Afrikaner Nationalist Party came into power in 1948, it introduced a number of apartheid laws in accordance with basic tenets of neo-Calvinism and neo-Fichtean nationalism in order to extend and entrench its hegemony” (Wiredu, Abraham, Irele, 608).

The institutionalization of racial discrimination laws in South Africa led to the introduction of laws such as “the Prohibition of Mixed Marriage Act of 1949, the Group Act of 1950, the Immorality Amendment Act of 1950, the Bantu Education Act 1953, and, of course, the Extension of University Act of 1959, which brought ethnic universities into existence” (Wiredu, Abraham, 153). In February 1990, South Africa’s apartheid system came to an end with the release of Nelson Mandela. Apartheid was considered a crime against humanity by the United Nations in the early 1960s, and in 1973, the General Assembly adopted a resolution declaring it a punishable crime. As result of mass violence and human rights abuses against blacks, there was a growing concern about retaliation and vengeance from the oppressed blacks during the transition to free democracy in South Africa.
For the sake of promoting national unity and reconciliation, the TRC was founded as a court-like organization. However, the TRC “does not have the power to punish or to determine criminal or even civil liability as a result of any of the disclosures” (Christie, 251). Thus, the commission possesses the power to grant amnesty to those who perpetrated crimes against other races. The TRC was established in April 1996 in order to document all human rights violations that occurred against the victims who were oppressed during apartheid. Bronwyn Leebaw writes, “South Africa’s TRC broadened the moral and political justifications for truth commissions, arguing that these institutions could contribute to reconciliation, individual healing, and restorative justice” (Leebaw, *Human Rights Quarterly*). In other words, this committee enabled the voiceless to articulate what was on their minds. Additionally, perpetrators of violence were given the chance to deliver testimony and demand amnesty from the commission.

The Human Rights Violations Committee (HRVC) conducted hearings from victims and perpetrators of apartheid. Verdoolaege writes “Testimony, complaining, apologizing, venting one’s rage, expressing one’s grief, disappointment or despair, all of these discursive practices took a central position in the proceeding of the TRC” (2). Two other subcommittees, Reparation and Rehabilitation and the Amnesty Committee, accomplished their tasks by restoring the dignity of the victims and considering applications for amnesty from prosecution. Public testimony was held within two years, and the committee established victims’ identity and ultimate doom, as well as those liable for the atrocities.
People from all political, economic, and religious backgrounds contributed towards solidifying the unification of the country:

Academics, politicians, religious communities, and ordinary lay members of the society have shown interest from a variety of perspectives, such as those of people themselves affected by histories of human rights violations, those of people who are interested in how communities move from violent conflict between warring groups to reconciliation, or those of people who are interested in how individuals move from experiences of trauma, suffering and loss to some form of closure, to a restored sense of value and meaning (Anthonissen, Blommaert, 1).

The process of choosing candidates for the commissions was accomplished by a fair and democratic system in which public hearings and examinations were held on each of the twenty-five candidates. Indeed, the president and a parliamentary committee in charge of promoting national unity and reconciliation made the final endorsement of the sixteen commissioners. Many suggestions were made for the selection process, but most ideas were turned down either because of political favoritism or personal interest.

Local NGOs in South Africa played a positive role in this selection process, arguing the necessity of neutrality on this vital commission:

They favored a transparent appointment process in order to prevent the TRC from developing into a partial body. They argued that there should be public examinations and hearings for each candidate (Christie, 215).

The commission consisted of sixteen members who possessed solid backgrounds in standing for human rights and opposing apartheid. This commission was chaired by Archbishop Desmond Tutu, the Anglican Archbishop of Cape Town. Other members included Dr. Alex Boraine, an ordained Methodist minister and co-chairperson of the TRC.
The commission’s mandate included massive violations of human rights that happened between March 1, 1960, and December 5, 1993. The mandate was outlined by the president after consultation with his cabinet members and the parliamentary committee. The commission was successful in achieving its goals and objectives in the time frame given by the South African Authority by promoting unity among the people. Moreover, the commission was able to heal the wounds of some of the traumatized victims and also to provide amnesty to the perpetrators after disclosure. However, with all the achievements and uniqueness of the TRC, some challenges confronted the commission, including the refusal of some top political and military leaders to cooperate fully:

In fact, some scholars show disappointment in TRC’s final report: A stunning irony of the TRC process was that despite the premise that reconciliation would follow from honest dialogue, the report avoids the issue of race almost entirely. As Van der Merwe and Audery Chapman observe, “race and how it played out through the institutionalized racism of the apartheid system is almost invisible in the report” (Leebaw, *Truth and Reconciliation in South Africa*).

Chapman and Patrick Ball argue the ineffectiveness of TRC in terms of seeking the truth surrounding human rights abuses during apartheid:

Truth commissions are best suited for establishing what they term “macrotruth,” which involves assessing contexts, and patterns of human rights abuses with a view to identifying structural causes and intellectual authors of political violence. Nearly all truth commissions take this as a central goal. Many also seek to gather evidence on individual cases. However, Chapman and Ball contend that truth commissions are not well-suited for this latter task, which is referred to here as “micro-truth” (Leebaw, *Truth and Reconciliation in South Africa*).
Today, South Africa is considered as one of the leading countries on the continent in military and technological development. The past few elections in the country were perceived by the international community as free and fair. There are some progresses in South Africa in terms of implementing human rights. However, there is much to be done, primarily with the maltreatment of foreigners from neighboring African countries. In 2008, for instance, the international human rights experts highlighted the xenophobia in South Africa and called for the passing of hate-crime legislation. Dozens of immigrants were attacked by native South Africans or murdered. The South African government pledged to take all necessary means to address the penetration of such crime in the country.
Chapter Four: African Refugees in Omaha, Nebraska

In the early nineties, the immigrants of Southern Sudan started to resettle in the Midwest, especially in Omaha. Omaha was chosen for thousands of Neur and Dinka and other ethnic groups from Southern Sudan by the International Organization of Migration and Lutheran Family Services for resettlement purposes. Those refugees escaped from the persecution and discrimination that was going on in Sudan against the black Christian population. They were registered as refugees by IMO and UNHCR on refugee camps in Ethiopia, Egypt, Uganda, and Kenya. The opportunity of working at the meat companies, such as Nebraska Beef, Omaha Steak and Tyson Fresh Foods, was one of the determining factors in resettling the Southern Sudanese refugees in Nebraska. Indeed, there are a significant number of meat processing companies in Omaha, Council Bluffs, and Grand Island. The illiteracy rate among the Southern Sudanese community was unprecedented, and they had no other option but to work at hard labors to pay off bills and to send their relatives in Africa money. The Southern Sudanese refugees made money working at those companies from 1999-2003, during the Clinton administration’s surplus and economic stability. Many of them worked 50 hours per week in order to make enough money, in the range of $520.

In recent days, the most common problem facing the people of the Southern Sudanese community in Omaha is the unemployment factor. Most of the community members lost their jobs and mortgages due to the recession and the downturn of the American economy. For this reason, many of them have been collecting unemployment benefits for the last eight months, and it caused others to break their lease-contracts and live at project housings in South or North
Omaha. In fact, the vast majority of this community received monthly food stamps from the federal government.

However, it is important to note that the high unemployment rate among the Southern Sudanese is traced back to the lack of proper education among them. For instance, most of the old generation of Southern Sudanese do not speak or write English well, and in most cases, they need someone in some shape or form to help them in filling out forms at DMV or at court hearings. The young generation is expected to do well in the future, but some of them are involved in gang activities, like dealing with drugs, due to the 2007-08 recession.

In examining the similarity between the Neur and Dinka, Maurice Glickman writes, “As part of the fundamental similarities of their societies and culture, both the Neur and the Dinka conceive of their larger tribal unities in the agnatic idiom of their more familiar grouping. There are, however, differences between the two systems. Neur lineages are segmentary and pyramidal in native thinking; alliances of Dinka lineages, by contrast, appear more as temporary and changeable aggregations, without the order and logical neatness of the Neur arrangements” (Glickman, 586).

The Neur are the majority in Omaha, follow by the Dinka and then other ethnic groups. There are more than 10,000 Southern Sudanese in Nebraska, and they socialize only on Sunday after church services. Unfortunately, the Southern Sudanese community, with such significant members, has no influence on the local electoral determination of Omaha, yet most of them have naturalized as US citizens. They are disorganized and disunited to the extent that they own no restaurant or business centers in Omaha. There is an ethnic tension that exists between the
Neur and Dinka in Omaha, which can be detected from the condescending tones and their being uncomfortable with one another’s cultural perceptions. In fact, they do not share tables at restaurants. It is important to understand that 98% of Southern Sudanese are not planning to return to their homeland. Thus, less than 2% of them go to Africa annually for spending time with relatives and friends. Partially, this is due to the poor living conditions in their homeland in terms of security and economy.

The second largest community of African refugees in Omaha is from Darfur. They are approximately over 200 people, and half of them live in Grand Island and Lincoln, practicing business and going to school. The first group started to migrate to Omaha in early 2001. There are two major ethnic groups of Darfur in Omaha, the Fur and the Masalaat. They have a non-profit organization called the Darfur Community Organization of Omaha, which looks after their interests in Nebraska and nationwide. This organization has organized many rallies in Nebraska with other local institutions to speak against the ongoing atrocities in Darfur for the last four years.

Other refugee communities in Omaha include the Liberian community, whose members started migrating in early 2001. They are less than 50 people, working and studying at community colleges. For the last two years, many of these Liberians have relocated to Philadelphia for business purposes. There is also a significant number of Togolese students on student visa in Omaha, studying at Bellevue University and Metro community college. However, they are not considered to be refugees or asylum seekers technically. Others include Nigerian
and Cameroonian communities, who are basically blue collar workers, lawyers and businessmen working in Omaha and its surroundings.

In conclusion, the Southern Sudanese community is the leading African community in the metro area of Omaha in terms of population. They are approximately 10,000 people living in Nebraska, but they are inactive in political and economic arenas. There is no unity and organization that exists among the two leading major ethnic groups of Southern Sudan. Other African communities existing in Omaha include the Liberian community and Togolese, who are here on student visa.

Neur -man

Dinka -woman
Interview with Political Asylum Seekers in Nebraska

This section of chapter four is a collection of detailed information about four political refugees from Guinea, Congo, Sudan, and Libya. I conducted an hour-long interview with each of these individuals, discussing their reasons for immigrating to the United States and their experiences of human rights violations in Africa. In fact, it was clear from these interviews the importance of personal narrative and interview which project the magnitude of human rights violations in Africa. Many people were interested in being interviewed, but I selected these four persons because of the severity of their respective cases.

A) Interview with Fanta Sidibay

Full Name: Fanta Sidibay

Nationality: Guinean

Gender: Female

Age: 25

Interview Date: June 06, 2011

Time: 4:30 p.m.

Place: Islamic Center of Omaha, Nebraska

The Narrative: { the Q/A }

Q1: Can you give a detailed account of your migration to the United States of America, when and how?

A1: Thank you so much for giving me such an opportunity to narrate my story about human rights violations in Guinea. I was born in a small village called Lola in the
forest region of Guinea. My father, Kalu, was a farmer and married my mother at the age of 18. My mother always stayed home with me and my two siblings, Abu and Tata. My father couldn’t afford to send us to school. Therefore, we spent most of our time at home and on the farm.

Normally in my village, all girls at the age of 12 are taken to the cultural bush for a week-long tribal rite in which girls are taught vital aspects of motherhood and circumcision. But in my case, it was different. Two months prior to my twelve-years birthday, my mother passed away, and my father retailed all of his wheat to finance my mother’s funeral services. We had nothing at home to eat after the three days of my mother’s funeral services. I and my two little siblings mourned both the loss of our mother and our desperate condition. In fact, my father took credits from his neighbors to cover our necessities.

With such financial problems on hand, my father had no time thinking about my trip to the bush. There was no one who was willing to credit him in the village. After several consultations with his intimate friends, my father told me in a lower tone that he wanted to send me to spend time with his brother Malik in Kpaya, which was thirty miles away from our town. This step was taken by my father in order to save face. He ordered me to pack my clothes in a bag and then to follow him.

At twelve [a.m], my father and I hit the road by foot, and I had no time to give a hug to my two siblings, whom I love more than anything on this earth after my mother. My father accompanied me half of the distance and asked a man with his wife who were resting under a tree to keep and look after me. They were traveling to
the same town of my uncle. In fact, they knew my uncle, and they quickly agreed to my father’s request. At that point, my father informed them about the reason of my trip and then returned to Lola.

We arrived in Kpaya early in the morning. This man took me to my uncle’s place and informed him about the cause of my trip. In Kpaya, I worked at my uncle’s farm, collecting firewood, drawing water, and cooking. The family was a twenty-minute walk away from the village. I spent three years doing those jobs on a daily basis, and I neither had off days nor wages.

When I became 17 years old, my uncle, Malik, promised his best friend Bala, 27 years old, with arranged marriage with me. On one night, my uncle called for a family meeting. When we all gathered under the palaver hut, my uncle quickly announced the arrangement with Malik. I was bewildered by my uncle’s action. I asked myself these questions: How can a person marry another person’s daughter without the consciousness of the girl? Did my uncle acknowledge my father about this arranged marriage? And more…

However, the worst is yet to come. At the end of the five-minute meeting, my uncle urged me to prepare to join the 57 girls who would be spending time at the tribal bush in two weeks time. I was astonished and upset to the extent that I had no time to answer his request. Indeed, I was mentally disturbed and couldn’t sleep for the rest of the night. I felt less than human.

The next morning, I refused to go to the farm and took a chance to consult my best friend, Amina, about my surprising situation. She argued that I should leave the
village and seek refuge in Conakry, the capital of Guinea. Amina took a loan of 75,000 FG from Mr. Karim Barry, who owns a coffee shop in the village, and gave it to me. On that same day, I escaped from my uncle and rebelled against his decisions. I couldn’t imagine marrying a man I didn’t know and hadn’t spent five minutes with. My mind couldn’t grasp the horrible things that happen in the tribal bush.

In Conakry, I had no one to live with, but at the bus station I approached a police officer, Daoda Kamara, and explained my condition to him. The officer was frightened about my problems and then took me to his house. He was married to a smart lady from Senegal with two kids. I worked as a housekeeper in exchange for food and rent. I had no other choice but to stay with and be grateful to Mr. Kamara and his blessed family. Thus, I didn’t get wages from them throughout my stay of one year, but they treated me with kindness and with love.

Q2: Why and how did you come to America?

A2: I came to America for the purpose of living a better life in which my individual rights would be respected by the government and ordinary people. I was going through tough times in my life.

And, to answer your second question, I had a conversation with a Canadian missionary who, after hearing my story, broke into tears. I became a close friend and visited her every weekend. On one occasion, she took me to the bureau of “I.M.O.,” the Lutheran Family office in Conakry, and to the cultural attaché at the American Embassy. She filed my case with these three departments. After three months, my application was approved by the Visa Center at the U.S. State Department.
On April 22, 2004, my flight arrived at JFK International Airport in New York at about 5:30 p.m. I always pray and thank God for the opportunity. Fortunately, I received my Green Card in seven months. I established my new life.

Q3: I learned that you fled from your uncle in resistance to what is known in legal terms as female genital mutilation, or FGM. Can you describe for me how the process is done by the elders in the tribal bush?

A3: I am sorry; I can’t get into the details. I personally did not experience it. However, my friends in Kpaya explained it to me. It is a bad practice, and it takes away from women a lot in terms of sexuality. It causes severe injuries, including bleeding, problems urinating, and childbirth complications.

Q4: Do you think FGM has anything to do with religion?

A4: I don’t think so.

Q5: Why?

A5: It is because in my town both Muslims and Christians practice this tradition. I think it has a lot more to do with African traditions than Islam or other faiths.

Thank you for your time.

B) Interview with Paul Kong

Full Name: Paul Kong

Nationality: Congo-Zaire

Gender: Male

Age: 17
Interview Date: July 2, 2011

Time: 9:15 a.m.

Place of Interview: Creighton University

The Narrative : {Q/A}

Q1: You told me that your individual rights were abused by the Union of Congolese Patriots (UPC) in 2003. When and how? Give me the complete account of your experience.

A1: Sure. I am from the Ituri region in Congo and lived with my parents until mid-April 2003, when both of my parents were slaughtered in my presence by the government forces at the entrance of the church. During the attack on my village, I was thirteen years old, and my father was a blacksmith. My father had little, if nothing, to support the family, including me and my three siblings, with our basic needs. Due to the financial difficulty, my mother was forced to sell fruits at the local market.

I managed to escape at the time of the slaughtering and had no place to stay for the night. On my way, I found a group of women and children who were displaced by the attack, joined them, and passed the night at the football stadium of Boma, which was fifteen miles away. The next morning, I returned home to see the whereabouts of my three siblings. Unfortunately, I couldn’t find any indication of them being alive or dead. What is more astonishing is the fact that I saw my father’s house, which was made out of mud, demolished by the government soldiers.
I went to the church to see their bodies. Suddenly, I found myself weeping because of the mutilation of my parents’ bodies. I was traumatized when I saw my mother’s breasts were cut off by those barbarians. I was wounded emotionally and physically by these events. Taking into consideration my age, I lost hope in life, and there was no one out there to take care of me.

I turned away and left the spot. A few miles away, I remembered my mother’s love for me and my siblings. I felt guilty about walking away from my mother’s uncovered body. I then returned and covered both of them with leaves that I collected across the street. I thought that my action was a recognition of my parents’ kindness. At least I felt that I had returned a tiny portion of their love.

On my way to the stadium to join others with whom I slept, I saw Kanbougo Gbangako, who was a regular customer of my father. I informed him about the fate of my parents. It was a stunning moment, and he took me with him to his second house in Mayi. I spent one year with him as a houseboy and working at the farm.

On June 22, 2005, our village was attacked by the Union of Congolese Patriots rebels while at the farm doing inspection. When the gun sounds were getting closer, Gbangako ran to take cover in the storage. I took off towards the village, and within three miles, I was abducted and tortured by the rebels of UCP. At the scene of my arrest, I was tied with wires and beaten mercilessly. I was incarcerated for two days with five other kids under the age of fifteen.

After our incarceration for two days, the general arrived in a dark blue jeep with no license plate and ordered us to be released on the condition that we would
join the operational force. We all responded to his demand positively in firm voices. “Yes!” we answered. In other words, we wanted to live. The general took us to the training ground for two days, learning how to shoot at a target and to use drugs, including marijuana and cocaine.

Q2: What was your experience at your first appearance on the front line?
A2: After my two-day training, I was sent directly to fight alongside twenty-five people. In that attack, my right foot was wounded by a bullet. I was feeling dizzy. The general took me to the base for medical treatment.

Q3: What was your worst experience at your recruitment session as a child soldier?
A3: My worst moment was when I was given an AK-47 by a ranking officer to kill an innocent man. I refused to gun him down until I was given marijuana to smoke. Then I shot him and dragged his body into the nearby forest.

Q4: Do you believe that the UCP violated your individual rights by recruiting you as a child soldier? Why?
A4: Yes, with no doubt, because of the following reasons:
   A. I was abducted and recruited against my will, which had devastating effects on my emotional and physical development.
   B. I was subjected to abuse such as drugging.
   C. I was forced to kill innocent souls.

Q5: Why does the UCP faction recruit children to become soldiers?
A5: I think they recruit children because they are easier to influence. Children tend to do things without thinking about the consequences.
Q5: How did you manage to escape from this abduction and end up in Nebraska? And what are the changes in your new life?

A5: When I started recovering from my wound, I started to plan how to escape. I asked the captain to allow me to travel to Kinshasa for further medical treatments. With his approval, I left, and in Kinshasa I registered with the International Rescue Committee and the International Red Cross. Through them, I was fortunate to come over to the U.S. and established a new life.

Here in the U.S., I underwent many physical and mental therapies. I was given more psychological attention by my new adopted family in Omaha. I also started vocational courses at Metro Community College in South Omaha.

Well, thank you so much for your time.

C) Interview: Muhammad Adam Bakar

Full Name: Muhammad Adam Gasim

Nationality: Sudanese

Gender: Male

Age: 35

Interview Date: June 06, 2011
Q1: What was your experience of human rights repression by the government in Darfur, Sudan?

A1: As a political and human rights activist in my native land Darfur, I had a bad experience from the Sudanese government. Indeed, I was subjected to torture and other kinds of ill treatment. In February 2003, I was incarcerated and later sentenced to life imprisonment by the Justice Department of Sudan. The government charged me with conspiracy and collaboration with Sudan’s enemies.

Q2: Can you explain these charges in detail?

A2: The first charge was that I intended to overthrow the Oumar Bashir’s regime. The second was that I collaborated with international NGOs for the purpose of damaging the image of Sudan in terms of human rights abuses.

Q3: How did you get out of prison after being sentenced to life imprisonment?

A3: Fortunately, in 2004, the court formally dropped the former charge and allowed me to serve for ten years. My relatives and friends in the U.S. and Australia seized that moment as an opportunity to talk to the general who was in charge of my case. Obviously, I was serving a much shorter sentence in respect to the previous one. They collected $3500 US to buy off the man in charge of my file. This was a big step in my freedom and release from the jail. After the general received the amount, he immediately ordered my release on the basis of humanitarian
grounds. He got from the hospital a medical record that indicated that I was diagnosed with brain cancer and needed to be released. With this argument, the district court signed and agreed to my release. On December 12, I flew through Kharthoum International Airport to Cairo and applied for asylum with the UNHCR at my arrival.

Q4: Can you describe the systematic violation of human rights conducted by the government in Darfur?

A4: The government and the government-backed Janjaweed militia routinely engaged in attacking civilians and their property. Military officials commit violence against women, including rape and sexual exploitation. Children are killed, and political opponents are subject to torture.

Q5: How did you apply for political asylum in the U.S.?

A5: I applied for political asylum through the UNHRC and IMO in Cairo.

Q6: When are you planning to return to Sudan?

A6: I will, but not now. The conditions are not suitable for such a decision. Most of my relatives were slaughtered by the Janjawid militia, and many others were displaced to refugee camps in Ethiopia and Kenya. Finally, I don’t know whether I am still blacklisted by the Bashir’s government. Remember, I was allowed to travel to Cairo for medical treatment. By no means was I exonerated.

Q7: How is your new life in America?
A7: I am doing fine and hopeful that things will work out perfectly in the future.

D) Name: Dr. Abdul Jalil Awad

Nationality: Libyan

Age: 62

Date: 09/16/2011

Place of the Interview: Islamic Center of Omaha

Narrative {Q/A}

Q1: What was your story with the Libyan authority? Please give me a detailed account of your asylum.

A1: My name is Dr. Abdul Jalil Awad, born in 1967 in Benghazi, Libya. I studied medicine in Canada and returned home to serve my people. I was hired by a local hospital in my home town as a surgeon in 1978. Indeed, I was one of the prominent figures in the city because of my career. I constantly contributed to orphanages and medical services in Benghazi.
On May 25, 1985, I was arrested by three Libyan undercover officers at 5:15 am while coming from the Fajr-dawn prayer. For the first two weeks of my arrest, I was removed from one secret location to another three times. I was arrested in my brother’s car ten blocks away from the mosque and five-minutes’ driving distance to my house. My brother Adnan was a professor at the University of Benghazi.

Q2: What was the reason for your arrest?

A2: I had no clue at the time of my arrest about the crime which I committed until the military judge read out my charges that were filed against me by the Libyan authority. Even the three secret officers who arrested me had no clue about the reasons of my detention. The judge read out two charges against me: instigation of rebellion against President Muamar Ghadafi’s regime, and not honoring the Green Book of Ghadafi and rejecting its concept. After the judge read these charges, he did not ask me if I plead or plead not guilty to the charges. He then continued on to ask me to pronounce my full name. I did and suddenly, he realized that I was not the one who was accused with these charges; rather my brother Adnan was the person to be arrested. But the police were told to arrest the owner of the car which plate number was P65539. Fortunately, my brother decided to pray at home for that morning, and I was using his car for that prayer.

Q3: After such a shocking discovery by the judge, did he apologize to you and let you to go home free?

A3: Unfortunately, I was kept in prison for years after my first hearing. The judge ordered that I should remain in prison until my young brother Adnan was arrested. I was tortured and beaten on a daily basis in order to obtain some sensitive information from me about Adnan’s whereabouts.
At that time, Adnan had escaped to Algeria and was living with our relatives in Algiers, the
capital city of Algeria. I spent two years in jails and was tortured by those criminals. To be
specific, those days are the darkest period in my memory.

Q4: How did you manage to escape and then end up in Omaha, Nebraska?

A4: The man who sat over my hearing and ordered me to be detained was appointed by the
interior minister to another province to a higher position. The next person who replaced him was
a young and friendly officer whose mother I treated from an infection at Benghazi hospital. This
man knew me and acknowledged my kind effort towards his mother when she was hospitalized.
In return of my good deeds, he arranged my escape from prison in condition that I would leave
the country immediately after my release. I escaped Libya to Algeria and sought political asylum
from the Canadian authority. Effectively, I was granted an asylum and lived there for four years.

Q5: How did you end up in Omaha?

A5: In early 2000, I came here for a medical conference and I met with some interesting
Northern African brothers who encouraged me to open my business in Omaha. I found their
advice to be sincere and I embraced their ideas. I have lived in Omaha for the last ten years.

But, I am planning to go home now after the collapse of Ghadafi’s regime. I am eager to meet
my wife, my son, and grandchildren who I haven’t met for years. My brother just returned home
two weeks ago.

Well, Dr. Awad, I wish you the best. Thank you so much for your time.
Conclusion:

Human rights abuses occur in Africa under authoritarian rule and most of the victims are unable to express their grievances and suffering to human rights activists because of the massive restriction of local media by the tyrannical regimes or because of a lack of access to media outlets. Personal narratives and interviews of victims remain reliable sources for recovering stories of abuse. This paper tackles the discussion of human rights from two major angles. The first angle is the narration of personal stories and interviews from refugees living in Omaha, Nebraska who were victims of human rights abuses in their native countries. The exemplifications of human rights abuses in Africa were torture, racial stereotyping, and the abuse of power. These topics were discussed intensively under the scope of the Universal Declaration of Human Rights, constitutions, and scholastic articles.

The second angle is a theoretical discussion which comprises four sections. The paper briefly discusses human rights concepts from a historic background. The next section is a literature review of human rights violations in Africa that outlines the basic causes of human rights abuses in Africa. The third section addresses the argument of universality or relativism of human rights values. Finally, this paper presents a case study of African nations such as Liberia, Somalia, and Sudan in terms of human rights violations. This section concludes with the discussion of the Truth and Reconciliation Committee of South Africa. The progress made by the South Africans in fighting discrimination and creating a nation where people are judged by their talents and the contents of their character, not the color of their skins are tools of inspiration and hope for the improvement of human dignity. The achievements of TRC help to sustain the hope
and trust of many Africans who have long being sufferings and denied of their constitutional rights by rouge leaders and dictators in Africa. Indeed, human rights violations in Africa occur in countries that are governed by dictators and tyrants who deny their people freedom of speech and press. The victims of human rights abuses in Africa have less access to media outlets to explain their stories. They reach out with their grievances to international community via personal narrative and interviews.
Work Cited:


Flood, James Patrick, The Effectiveness of UN Human Rights Institutions, Praeger Publisher, CT, 1998.

Ford, Nathan, Tackling Female Genital Cutting in Somalia, The LancetV358, Iss.9288.


Henkin, Alice, Human Dignity- The Internationalization of Human Rights, Aspen Institute of Humanistic studies, NY 1979.


Woodward, Peter, US Foreign Policy and the Horn of Africa, Asngate Publisher, Abingdon,Oxon GBR 2006

Appiah, Kwame Athony, Cosmopolitan Patriots, 23Critical Inquiry1997: V621
