

THE STATE OF HUMAN RIGHTS IN THE AFRICAN POST-COLONIAL POLITICS

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Abstract

The aim of this study is to identify and critically assess the effects of appropriation of foreign political ideologies and practices in African political systems. This paper argues that there should be no leader, whatever his worth; look on his own personal problems to be exploited for the benefits of western's Politics. Which will enable the African systems to develop, secondly, argues that Human Rights should be looked at to be an apportioned – responsibility, shared by both the former colonial powers and the current post-colonial political elites, rather than seeing Human rights promotion as yet another excuse to interfere or control other sovereign nations. The study will involve qualitative research involving reviewing other authors' literature, identifying current affairs, and critical assessing the ways in which neo-colonialism affects the different societies in transition from a colonial past to independence. The study is based on the fact that colonized countries, during the Cold War, suffered political oppression, economic exploitation, and social degradation, while alignment either with the capitalist or communist ideology failed. Currently there is a felt pressure to adopt a neoliberal ideology in order to access to have access to aid and investment. The study concludes with recommendations to third world leaders, to look at the people they lead as their responsibility, since no leader, whatever his/her worth, can replace the will of people. This results in a felt need to embrace democracy and such democratic values

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as: strong institutions, an independent judiciary and the separation of powers, individual and minority rights, and civil rights.

Keywords: postcolonial politics, appropriation of foreign politics, human rights, principled values of democracy, the inability of African leaders

1.0.1 Introduction

This Study discusses about the post-colonial politics and how different political systems have disregarded the human rights of their people. The study also looks at the dimensions of human rights and how such rights have been violated, as well as attempting to identify the perpetrators. The third World, mostly Africa has historically been a region with widespread human rights violations manifested in several forms including neo-colonialism, and through numerous postcolonial political activities¹. During the colonial times' Africa's human and material resources were largely exploited for the benefit of outside powers. This left Africa in poverty which reflects an acute deprivation of the resources, capabilities, choices, security there by making these countries unable to enjoy their sovereignty even after attaining independence. The list of human rights violations in the 21st century seems inexhaustible. For example, The Lord's Rebel Army (LRA), in the Democratic Republic of Congo, rebel groups forced hundreds of children to serve as child soldiers², a similar case happened in Uganda during the NRA bush war led by Museveni from 1981-1986. The International Labor Organization estimates that 21 million are victims of forced labor. Arbitrary detention and torture were used in many countries. During the just concluded elections I Uganda, 2020/21 there exhibited a lot of brutality by the men in the Military, journalists brutalized and some have been sent to jail for reporting about anti-government protests.

¹ Sergiu Mișcoiu, "Afrique et politique" in Simona Jișa, Sergiu Mișcoiu, Buata B. Malela (eds.), *Littérature et politique en Afrique francophone. Approche transdisciplinaire*, Paris, Editions du Cerf, 2018, pp. 345-348.

² Andreea Bianca Urs, "Du conflit au terrorisme en RD Congo", *Studia UBB. Europaea*, 65(1), 2020, pp. 55-73.

Concept of Human Rights

In this first section we intend to assess if the claim for the universality of human rights is not in fact a tool for political influence used by imperial state in order to interfere or control other sovereign nations? We will answer the question by analysing the school of thoughts, on neo-colonialism and critical analysis of historical perspective of human rights.

According to John Locke: "Human being has inalienable rights, granted at birth and cannot be taken away, what he referred to tabularize: life, liberty, and property"³, was aligned with West liberal democracy as stipulated human rights declarations⁴. Though relativism: beliefs, values, and therefore these rights should be understood as products of culture. The implementation of human rights could be culturally relative, just as these rights are relatively universal⁵. It is much noted that "the Universal Declaration of Human rights ignored colonialism which involved the brutal and systematic denial of most human rights to the most colonized world"⁶. This unpacked on state failure and resulting refugee movements due to States' inability to attain a functional balance, both in terms of societal satisfaction and juridical viability; coupled with the inability of the State to distribute resources equitably between the various ethnic nationalities, which leads the social conflicts and civil wars.

According to Mao Tse-Tung, "the evil system of colonialism and imperialism arose the trade in negroes. And it will surely come to its end with the complete emancipation of black people". Again, according to Birden Güngören Bulgan, the crucial point is about integrating human rights as an inner process and not to use them as a tool for intervention in other countries,

³ Standford Encyclopedia of Philosophy, "Locke's Political Philosophy", <<https://plato.stanford.edu/entries/locke-political/>>.

⁴ United Nations, "The Universal Declaration of Human Rights", <<https://www.un.org/en/universal-declaration-human-rights/>>.

⁵ Jack Donnelly, *Universal Human Rights in Theory and Practice*, New York: Cornell University Press, 2013, p. 14.

⁶ *Ibidem*, p.75.

which we observe in today's world.⁷ In other words; the claims of human rights are the contrast of human rights in practices. And the above statements made by Mao Tse- Tung and Birden Güngören Bulgan, demonstrate how liberalism systematically fails to live up to its own claims of universality and uses colonial violence and racism, both materially as well as ideologically, in order to paper over that ingrained contraction at the core of its Calculations. The controversy over the Universality of human rights based on reality is the only crack between the success of exercising human rights (HR) and the failure to exercise the universality of human rights, whether at a regional or national level.

Neo-colonialism as the biggest threat to African political systems

Neo-colonialism is a process by which colonial masters continue to exploit their newly independent countries through indirect domination⁸ which could be in an economic, political, or social way and they completely take control of African territories⁹. In the past, it was possible to convert a country upon which a neo-colonial regime had been imposed into a colonial territory¹⁰ but today this process is no longer feasible because old-fashioned colonialism is not entirely abolished. The neo-colonialism of today represents imperialism in its final and perhaps its most dangerous stage in a way that once a territory has become nominally independent, it is no longer possible to reverse the process as it was in the last century and existing colonies may linger on but no new colonies will be created. Colonialism being the main instrument of imperialism today, we have neo-colonialism and the essence of this is that the State which is subject to it is in theory independent of all the outward trappings of international sovereignty hence in reality its economic system and political policy is directed from outside¹¹.

⁷ Birden Güngören Bulgan, "Critics of Human Rights from a Historical Perspective", *Filozofia Publiczna i Edukacja Demokratyczna*, 4(1), 2015, p.182.

⁸ Kwame Nkrumah, *Neo-Colonialism: The Highest Stage of Imperialism*, London: Heinemann, 1965.

⁹ Noah Echa Attah, "The Historical Conjuncture of Neo-Colonialism and Underdevelopment in Nigeria", *Journal of African Studies and Development*, 5(5), 2013, pp. 70-79.

¹⁰ Nkrumah, *op. cit.*

¹¹ *Ibidem.*

1.0.2 Discussion

How the word Neo-colonialism enters in African political philosophy?

Neo-colonialism in its historical perspective was proclaimed by Kwame, in his book *Neo-colonialism* which was the last Stage of imperialism (1965) where he was supported by a movement of anti-colonialist groups from African countries, voted a "Resolution on Neo-colonialism "at all African People's Conferences (AAPC). Nkrumah argued that the result of neo-colonialism is that; foreign capital is used for exploitation rather than development. And while the state appears to be independent. And has total control over its dealings. It is in fact controlled by outsiders economically and politically. And the loss of control of the machinery of the state to the neo-colonialists, is the basis of Nkrumah's discourse in his book entitled *Colonialism and Neo-colonialism* (1964). Since then, neo-colonialism is an important concept in the history of ideas and has entered the vocabulary of African political philosophy¹². An illustration of colonial masters: The commentators look closely to define neo-colonialism as "the control of less developed countries by developed countries through indirect means." Neo-colonialism can as well be similar to a village builder (mason) who only knows where he puts the unburnt or sun-dried bricks in his village so that he delays the construction as a form of pure monopoly since he will be called back to replace it with burnt brick and as doing so his labour increases and in this manner, he earns more pay.

One would ask, how did the inability of both African leaders, and intellectuals play a smooth adoption of foreign political ideologies, and practices to be exploited for the benefits of Western imperialists, as a result of the weakness of the African political system? To answer the above question, I can engage Frantz Fanon; "The national bourgeoisie is perfectly clear on their objectives, that are determined to bar the way to this unity, this coordinated

¹² Stephen Ocheni, Basil C. Nwankwo, "Analysis of Colonialism and its Impact in Africa", *Cross - Cultural Communication*, 8(3), 2012, pp. 46-54.

effort by 250 million people to triumph over stupidity, hunger, and inhumanity. This is why we must understand that African unity can only be achieved under pressure and through leadership by the people with total disregard for the interest of the bourgeoisie"¹³.

A lot of Fanon's economic critics, are aligned with nationalism proponents. On how they failed to revolutionize African wealth after independence. Which is more clearly visible than Rabindranath Tagore¹⁴. Fanon demonstrates that not only did they cease to exercise their role as revolutionists to egalitarian of country resources, reform economic mode of exploitation, but also to break it right after independence in the sense that African colonies were used as both sites to procure the raw materials at the same time dumped the finished goods for example unequal exchange through instituting a system of economic exploitation in which African raw materials particularly cash crops and minerals, were expropriated and exported to the sole benefit of the colonizing power.

The extraction and export of minerals could not serve to develop African industries because minerals taken from African soil by Western corporations were shipped to Europe or America where they were turned into manufactured goods which were then resold to African consumers at value-added prices which has led to the fact that Africans remains industrially backward and deficient as a result of economic dependence. In a similar way, they acted as intermediaries or the middlemen through whom economical exploitation was channelized, and who later got the share to the loot.

The failure to organize a truly national economy and community for example foreign aid is noted as evidence that has been given in the form of loans, with high-interest rates and reimbursement of these loans contributed to the underdevelopment of African economies since the collection of interest drained African peoples.

¹³ Frantz Fanon, *The Wretched of the Earth*, Paris, François Maspero, 1961.

¹⁴ Economic & Political Weekly, "What Kind of Nationalism Do We Need Today? Exploring Tagore on Nationalism", <<https://www.epw.in/engage/article/what-kind-nationalism-do-we-need-today-exploring>>.

During the Cold War¹⁵, the increasing level of American and Russian aid intervention in the affairs of independent African states were designed to keep African countries within the capitalist or socialist/communist camp. Fanon argues that the ruling class has not taken any such revolutionary steps in order to dismantle this relationship rather the collaboration continued with the colonial power to ensure that the interests of both would be met after the declaration of formal political independence and this led to degeneration and perversion of nationalist discourse which later became racist and tribalistic which resulted into the inability of the State to distribute resources equitably between the various ethnic nationalities and this created internal conflict and nationwide therefore under the middle-class leadership remained as a workable model of Westerners.

My argument would be that, most African politicians who have access to power and economy with their primitive techniques of playing politics or their politicking ways who serve to their own benefits rather than the public services in fact, they use the public services to extend generosity to people whose royalty supports their needs. In most African countries where governments collect taxes and donors give aid through the states, this creates an opportunity for intellectuals or those so-called elites to use this aid selectively to build their political systems rather than to invest in building public services and institutions this is a critical fact to many African countries. I secondly engage Achille Mbembe in his view, after the colonial era the West did not consider that Africans were capable of organizing themselves socially, economically and politically. The reason is simply because Africans were believed to be intellectually poor and ignorant to the level of irrationality. Since Africans are different in race, language, and culture from the West, they do not possess the power, vigour, quality, and the intellectual analytical abilities that characterize Western philosophical and also this perception of the African primitiveness which is used by colonizers to justify the conquest and

¹⁵ Martin McCauley, *Origins of the Cold War*, London, Longman.

the colonization of Africa is still predominant in the discourses of some Westerner¹⁶.

I argue that, as a matter of fact, local elites with the West have to perpetuate the exploitation of the people in Africa. The reason is simply that most elites got educated by the West and they are not committed to national interest and development, rather their aim is to ensure the continued reproduction of foreign domination of the African economic space. The objective of foreign capitalism therefore to continue to co-opt the weak and nascent local bourgeoisie into its operations.

The protection of stolen money by both African leaders and local elites where by some are kept in foreign banks while others are to support those with power or those subjected to the power to the use of personal benefits through corruption and this approves of the statement of Nkrumah "The result of colonialism is that foreign capital is used for the exploitation rather than for the development of the less developed parts of the world and Investment under neo-colonialism increases rather than decreases the gap between the rich and the poor countries of the world".¹⁷

Due to the fact that most of the African regimes are dictatorial, there is a need to use foreign aids to equip the police and military to limit, harass, and dehumanize opposition. African leaders also needed financial aid from the European countries to enrich and prosper as well as increasing their wealth in order to win legitimacy, favour, and acceptance in the eyes of society¹⁸.

These financial aids attracted African leaders (politicians) as a means of gaining, continuing, and controlling the power they hold. I strongly believe that it is a disaster when political power becomes the most profitable economic activity in the country especially in African societies which are ethnically regionalized and then it is definite that every ethnic group would compete to

¹⁶ Achille Mbembe, *On the Postcolony*, Berkeley, University of California Press, 2001.

¹⁷ Nkrumah, *op. cit.*

¹⁸ Sergiu Mişcoiu, Louis-Marie Kakdeu, "Authoritarian Clientelism: The Case of the President's 'Creatures' in Cameroon", *Acta Politica*, 56(1), 1-29.

access foreign aid which makes a struggle into political power as the matter of life and death.

In Political Science, we have gradual socialization which means in case a hostile group is captured from the group which was in power for a long time definitely you get a civil war because most African politics rotate with ethnicity that's why political power is like a blanket once you lose it you feel cold. It is through this political weakness that African leaders look at their personal problems and the Westerners exploit them (weakness) as their benefits and in the same way, I have seen that neo-colonialism is correlated to Imperialism which is the process of establishing colonial and neo-colonial relationships. In a colonial relationship, the people and resources of one country called the colonized country are subjected to the power, authority, and control of another country called the colonial master. The relationship is an essential one between servants or slaves whose human and material resources primarily serve the interest of the master. A neo-colonial relationship is not very different from a colonial relationship except that it is more subtle. In a neo-colonial relationship, the people and resources of a country that has the outward appearance and trappings of an independent country but poor and relatively weak are subjected indirectly and informally to the power, authority, and control of the rich and powerful states of the world.

1.0.3 Conclusion

I find it imprudent for anyone to believe in middle-class rulings and preferably, one should look at what is the objective reason that has made it a logical necessity for the middle class to have displayed massive blindness in their own ridiculous postures? The most common reasons why African leaders want to remain in power; is that they suffer from the shadow behind/over syndrome sickness. And they found themselves on the top of the mountain. This is because in Africa, Law operates like a cobweb, while in Western & Europeans is like blind kid. It does not know its parents. And secondly to protect their wealth, which is mainly family-based. Thirdly, once they lose the

political values, they get affected by both physical and psychological difficulties, for example Angola with The Dos Santos family's business empire. In Africa where, we have two groups of voters, one with the purpose of power consolidation, while the other group comes to remove; and remember in Africa, there is no impeachment or middle ground, so you either win or lose out. That's why there is election violence. For example, Uganda's 2020-2021 elections¹⁹. In contrast, Americans put the foundations and all means to see their brains back. American presidents make money through their speeches, because they speak on the point of experience.

Politics is like a psychological war, to fight the psychological war, one must be highly intelligent, like grass root politicians who have the potential and explain issues with credibility, this is because there are people who do not know the difference between exposure and knowledge (confine image Politicians.) African leaders can show an acute awareness and a healing cynicism of political situations, only to their families or close friends, and then in whispered metaphors: "anything that boils will eventually cool down"; that's a big no, that's why Fanon rejects the binary of Nationalism. Nationalism should not be rejected but must-have qualities that drive progressive international consciousness; therefore, people should come up with strategic and principled pressure to reform: what is principled is that middle-class ruling must change now, it is not sustainable, people won't wait for another century that's the principled and people should be uncompromising as far as the demand for change is concerned. Strategically, people must be aware of serious work, pulling in rather than shouting down, this would happen through a revolutionary change aligned with solidarity and networks²⁰.

It is true that the African continent was turned upside down for several reasons: solely interests for both the West and bourgeoisie through exploitative institutions. Africans must know that Western nations are states

¹⁹ Human Rights Watch, "Uganda: Elections Marred by Violence", <<https://www.hrw.org/news/2021/01/21/uganda-elections-marred-violence>>.

²⁰ Sergiu Mișcoiu, Sedagban Hygin Kakai, Kokou Folly Hetcheli (eds.), *Recul démocratique et néo-présidentialisme en Afrique Centrale et Occidentale*, Iași, Institutul European, 2015.

with their own interests and it has taken time after African countries gained their independence so therefore; there should be economic, social, and political reforms in order to create and exploit their resources without the hand of external involvement. This would help African countries to gain self-reliance, strong leadership and a party grounded in the lowest of the low mass line from masses to the masses through developing the norms and values of a democratic society and these include strong institutions, formidable leadership, minority rights, human rights as well as civil rights, that can only happen through political education embraced by the free will of people. During times when the government has failed its people by providing less of what is supposed to be like food, education, security and many others because the west liberals who have been providing donations, aids, and investments have failed them by not providing as much as they were before. The people will start to face challenges because the human rights will be violated yet everyone has a right to food, clean environment, education and many others which may results into demonstrations then later violence occurs resulting into death of many people, destruction of property and many others. Again, when the government itself has failed its people, and the west liberals who have been posing as their friends through donors, aids, and investments failed them. And once people see that, all these other sources to which they have turned, have failed (International regulations) due to the confusion of human rights with limited governments.

1.1 State Engineered Human Rights' Abuse

1.1.1 Introduction

Human rights abuse is when a state commits human rights violations either directly or indirectly and this can either be intentionally performed by the state and or come as a result of the state failing to prevent the violation²¹. When a state engages in human rights violations, various actors can be

²¹ Naomi Roht-Arriaza, "State Responsibility to Investigate and Prosecute Grave Human Rights Violations in International Law", *California Law Review*, 78(2), 1990, p. 525.

involved such as police, judges, prosecutors, government officials and more. The violation can be physically violent in nature such as police brutality, while rights such as the right to a fair trial can also be violated²². There are different types of violations which may include the failure by the state to protect like when there's a conflict between individuals or groups within a society reducing the respect of all human types²³. If the state does nothing to intervene and protect vulnerable people and groups, it's participating in the violations. In the United States, the state failed to protect black Americans when lynching's frequently occurred around the country since many of those responsible for the lynching's were also state actors (like the police), this is an example of both types of violations occurring at the same time. Another example is during the election period in Uganda where the National Unity Platform supporters were beaten brutally by the police during campaigns in the different districts: as reported by Aljazeera 1st December 2020, and most of the culprits were not put to fair judgment even when some had lost their lives. The other examples of human rights violation include civil, political, economic, cultural, and social rights can all be violated through various means²⁴. Different rights are violated differently like Civil and political rights may be violated through genocide, torture, and arbitrary arrest. These violations often happen during times of war, and when a human rights violation intersects with the breaking of laws about armed conflict, it's known as a war crime.

Conflict can also trigger violations of the right to freedom of expression and the right of peaceful assembly²⁵. States are usually responsible for the violations as they attempt to maintain control and push down rebellious societal forces hence suppressing political rights, which is a common tactic for many governments during times of civil unrest. Another example of violation maybe economic, social, and cultural rights and the economic, social, and

²² Caroline Beer, Neil J. Mitchell, "Democracy and Human Rights in the Mexican States: Elections or Social Capital", *International Studies Quarterly*, 48(2), 2004, p. 298.

²³ *Ibidem*, p. 310.

²⁴ Stanford Encyclopedia of Philosophy, "JohnRawls", <<https://plato.stanford.edu/entries/rawls/>>.

²⁵ Ocheni, Nwankwo, *op. cit.*

cultural rights include the right to work, the right to education, and the right to physical and mental health. The government ratifies a treaty and they have a three-fold obligation where they must respect, protect, and fulfill human rights. When violations occur, it's the government's job to intervene and prosecute those responsible and it must hold everyone (and itself) accountable. The puppet leaders from third world countries are targeted by Imperialists powers so the third world countries and their different institutions have continued to suffer because such leaders have displayed inability in their positions and in this case the power holders are not to be blamed since they are also leading people who are seen as political cowards.

This paper argues that Human Rights should be looked and apportioned responsibility which should be shared by the former colonial powers and the current post-colonial political elites, rather than seeing Human rights promotion as yet another excuse to interfere or control other sovereign nations. The study is based on the fact that colonized countries especially during the Cold War, suffered political oppression, economic exploitation, and social degradation yet alignment either with the capitalist or communist ideology failed. Now they are obliged to adapt to the neoliberal ideology and do their best to have access to aid and investment. This study discusses about the post-colonial Politics and their reflection and just to rephrase some key words, where different states mean the states with both Military power and Economic power, therefore the main idea here is their hypocrisies and calculations in transposing their values through the exploitive institutions/government departments, to the rest of the world.

For the viewer to understand the study, it is imperative to define some of the key points, among others includes conservatism which is a political and social philosophy promoting traditional social institutions in the context of culture and civilization. Liberal conservatism is a term used to incorporate the classical liberal view of minimal government intervention in the economy where individuals should be free to participate in the market and generate wealth without government interference. The key competence: could it be that

the universality of human rights is actually a dodge, for the political influences by imperial states through their political ideologies? "A human being has inalienable rights granted at birth and cannot be taken away"²⁶, this is a point which was aligned with Western liberal democracy as stipulated human rights declarations act.

Human rights are relatively universal and the implementation of these rights could be culturally relative²⁷, which involved the brutal and systematic denial of most human rights to the most colonized world which unpacked on state failure and resulting into refugee movements due to the states inability to attain a functional balance both in terms of societal satisfaction and juridical viability coupled with the inability to distribute resources equitably between the various ethnic nationalities which leads to the social conflicts and civil wars. Since the practice of human rights in Africa contradicts with the its actual concept, it demonstrates how liberalism systematically fails to live up to its own claims of universality and uses colonial violence and racism both materially as well as ideologically in order to paper over that ingrained contraction at the core of its calculations. The controversy over the Universality of human rights based on reality is the only crack between the success of exercising human rights and the failure to exercise rights whether at a regional or national level.

1.1.2 Liberals and Conservatives

The discussion between liberals and conservatives is quite active in contemporary society. Liberalism is seen as a political and social philosophy that promotes individual rights, civil liberties, democracy, and free enterprise like educational policies while honouring religious and cultural pluralism. It is a political and moral philosophy based on liberty and consent of the governed equality before the law by giving rights to everyone like political rights, property rights and civil rights, on the other hand

²⁶ Standford Encyclopedia of Philosophy, "Locke's Political Philosophy", *loc. cit.*

²⁷ Donnelly, *op. cit.*, p. 14.

conservatism is a political and social philosophy promoting traditional social institutions and distinguishing characteristics.

This section looks at the different ways in which the ideas associated with these social and political philosophies have consequences in the lives of all members of society more so the rights to humanity. Liberal meant to "liberate" or "free" and as applied to social questions meant that individuals should be as free from interference from the government as possible. There is a need to review political systems in Africa in line with the values of human sovereignty though in social affairs it was taken to mean that individuals were to remain free to pursue their own interests and to work then keep the results of their labour, Individuals had a right to property and the pursuit of what would make them happy though what is seen happening in most countries is that there is a lot of government interference with individual's earnings.

1.1.3 Discussion

In my discussion I will address the following introductory questions; The first question would be how and why the issues between power and freedom have not considered Cultural Rights of the third world? Secondly, one would ask who those human rights' opportunists are. How and why, they are human rights violators? Before we get into it, I would like to recall the three dimensions of Human Rights and the core values of a democratic society, through three dimensions of human rights.

I have introduced the three dimensions of Human Rights in order to engage how the most so-called powerful political ideologies understand the controversial issues of both social and economic in the sense that what is more likely to be tolerant when it comes to socioeconomic issues. The understanding on how different political ideologies perceive socio-economic issues in the real world is demonstrated.

The interpretation of the above summary is that the liberal is more likely to be tolerant on socio-economic issues through government programs whereas the conservative in the present generation is enslaved by the past and

does not serve the interest of the many but the few! The next point will be on how they understand foreign policies where the conservatives are well known for example, Trump's (US Republican Party), Immigration policies and Cameron UK 2005-2016: Big society, fiscal austerity, gay Marriage rights & overseas may control immigration/hard Brexit/Industrial Policy but when it comes to the tradition/cultural rights, this is how they see their society Human imperfection, organic society, authority, property and pragmatism²⁸. They conserve their cultural rights but they do not want to hear others claiming their rights for example their exercise in slavery and imposing their cultural values in their colonized countries.

However, we have an image of how superpowers understand socio-economic rights issues but still it does not change the fact that those issues are questionable especially when it comes to the human rights issues and some superpowers see themselves above International laws which makes them the greatest violators of Human Rights. It is true that I have a problem with the late source of human rights in the sense that the abuse of human rights is related to the complicity/government tolerance between different states as we know this US Magnitsky Act Congress, December 14, 2012 and US Rendition program²⁹. It is after US military operations through complicity with local governments' departments like police or military on committing crimes against humanity by kidnapping innocent people for enhanced interrogation methods and later they betray their complicity by indictment through USA Magnitsky Act for example the former Ugandan Inspector General of Police was charged for violating Human Rights yet the operation of counter terrorist was conducted with complicity of US agents where they were kidnapping young Somalis for enhanced interrogation methods somewhere in the middle

²⁸ Atebol Cyfyngedig, "Key Elements of Conservatism" <<https://www.gwleidyddiaeth.cymru/index.php/conservatism/key-elements-of-conservatism>>.

²⁹ Mark J. Murray, "Extraordinary Rendition and U.S. Counterterrorism Policy", *Journal of Strategic Security*, 4(3), 2011, 15-19.

east countries³⁰ but in the Bible, there is a saying “before you remove a speck in the fellow eye, you look at the log which is on your own.” (Matthew 7:3)

In America every 24 hours a black person is shot dead by American Police and millions of black people are either in prisons³¹ or out of prison on parole. It has the largest prison in the whole world in fact the number of black people in prisons is higher than the number of black people at Universities³². That is why I argue that when it comes to the resolution of Human rights, they are more political issues than criminal and to begin with the fact that America and others see themselves above international law and continue to violate Human Rights in their ridiculous posture of so-called veto is why the Human Rights resolutions should be at national level rather than international. Then look at the ongoing expansion of the Mexico–United States barrier during the U.S. presidency of Donald Trump where in June, the Trump administration leveraged the threat of tariffs against Mexican goods thereby putting pressure on Mexico to commit to an unprecedented increase in immigration enforcement and to accept non-Mexican asylum seekers back from the United States under an abusive returns program.³³ I therefore would like to engage some school of thoughts to our discussions about the asked introductory questions where the first question was how and why the issues between power and freedom have defied Cultural Rights of the third world? And to be able to answer this question will be through school of thoughts engagement then analytical assessments.

³⁰ U.S. Department of the Treasury, “Treasury Sanctions Former Ugandan Inspector General of Police for Role in Serious Human Rights Abuse and Corruption”, <<https://home.treasury.gov/news/press-releases/sm775>>.

³¹ Deutsche Welle, “Blacks in the US Targeted by an Unfair Justice System”, <<https://www.dw.com/en/blacks-in-the-us-targeted-by-an-unfair-justice-system/a-53884696>>.

³² Wesley Stephenson, “Are There More US Black Men in Prison or College?”, <<https://www.bbc.com/news/magazine-21791038>>.

³³ Sean Valentine, Gordon Mosley, “Acculturation and Sex-Role Attitudes Among Mexican Americans: A Longitudinal Analysis”, *Hispanic Journal of Behavioural Sciences*, 1(22), 2000, pp. 104-133.

I would first submit my application to Jack Donnelly who defines Human Rights as “Relatively universal and the implementation of these rights could be culturally relative³⁴.” Secondly, I would emerge from Frantz Fanon’s two major arguments that include that the colonized are caught in an impossible blind and unable to achieve equality within the colonial culture³⁵. In other words, there is an inability by Africans to practice their own culture at the expense of foreign culture which they cannot perfect either although Fanon’s whole idea was conceptualized with a colonial dilemma. I have used the above argument in the context of human rights especially culture as an aspect of Human Rights that is actually a given birth right. It is true that not only the colonized countries whether before, during or after decolonization suffer social degradation but also the violation of their cultural rights which is an aspect of Human Rights that was denied but the main question which is always asked is how long colonized world will understand that it has been high time, they have got their independence? When Africans’ middle-class ruling will understand the rights and responsibilities towards the people, they lead to avoid mass Africans’ Graves in Mediterranean Sea therefore now is the time for the third world to understand that it is long overdue since they started working towards their sovereignty as a way of fully making meaning out of their independence.

In his Fanon’s argument he said “If to be human is to be white, but they are not white, they are forced to see themselves as subhuman³⁶” a deeply embedded message like this which pushes the colonized people into an agonizing psychological position where they look to be dehumanized. It is a fact that the colonial masters not only have exploited and colonized economically and suffered political oppression but also their identity, human dignity lost in a dehumanization manner which is critical to the point of view as another aspect of Human Rights. This has resulted in the controversial issues that Human Rights discourse today is laced with all kinds of hypocrisy,

³⁴ Donnelly, *op. cit.*, p. 14.

³⁵ Frantz Fanon, *Black Skin, White Masks*, New York: Grove Press, 1967 (1952).

³⁶ *Ibidem*.

conditionality, selective enforcement and notions of 'Do as I say not as I do. European governments and their big brother, the USA see themselves as the defenders and enforcers of human rights standards and often talk to the rest of the world in condescending terms³⁷. Which has provoked some backlash in Africa and other poor countries. Many see the West's promotion of human rights as yet another excuse for it to continue to interfere and control other people and impose their values causing many challenges to human rights in Africa³⁸.

However, I see the above as a lazy argument in sense that people still have under mistaken beliefs, that one may argue with reasons and with evidence, indeed that the difficulties faced by colonized countries are caused by colonial masters but to describe it as a colonial organization might be, by dodging few factors, that power holders in Africa, whether before, during, or after decolonization have displayed the inability in smoothing appropriation of western politics through looking at their personal problems to be exploited for the benefits of Westerners. When it comes to Human rights relativity, it is an issue between both power and freedom and those who believe Human Rights are relative, are already individuals who have acquired those rights for themselves and for their community so because they have acquired those rights or dominant Rights, they are there to dismiss others' complaints or proposing their own entitlement to Human Rights for example the conservative norms: "Sense of Belonging, Identity, and rootedness generates social/cohesion equates collective to the sense of who we are" and even though those who have access to the power and freedom, those on side of the power including intellectual anthropologists sounding expression of do nothing in fact nobody has come up to deny cultural rights because cultural rights are given. What is at stake is that the opportunists transpose/impose their cultural values in order to dominate the rest of the world. Secondly,

³⁷ T. Abdul-Raheem, "Africa: The Many Challenges to Human Rights in Africa", *Pambazuka News*, 233, 2005, pp. 1-3.

³⁸ *Ibidem*, pp.1-2.

one would ask who are those opportunists, how and why they are human rights violators. To answer this question, we shall look at the spectrum of Decolonisation and Independence a situation soon after the Second World War where large parts of the world were under European colonialism.

1.1.5 Conclusion

This study concludes with recommendations to third world leaders, to look at the people they lead, as their responsibility, since no leader, whatever his/her worth, can replace the will of people. For example, “Marshall plan” by George the American, and Maurice Harold Macmillan, the British Prime Minister 1957-1963. Which results in radical movements for African political weakness system that leads them to look out of their personal problem and imperialists to exploit it at their benefits³⁹. This has given the facts, that the emergence of the new superpowers namely, the USA and the Soviet Union which replaced Britain, France, and Germany and that they latter had failed to protect world peace because the new powers wanted to be free to pursue their trading interests in Africa. In addition, the US wanted to spread the ideology of capitalism while the Soviet Union wanted to extend communism because of their political weakness, African leaders have tried to apply in their countries’ political ideologies and practices of developed countries such as western models of democracy, institutions, political parties, and procedures. The implementation failed because these references could not be transferred and applied automatically in different contexts and it contributed to political instability and crisis because of the internal conflicts created by these policies that were alternatives proposed by Africans and other Third World leaders for example African socialism or non-alignment that have been opposed by big powers and disappeared. Therefore, African countries became aligned during the Cold War which was either towards the capitalist or communist ideology

³⁹ Irénée Ndayambaje, “The Causes and the Effects of Neo-Colonialism”, *History Student Book*, Kigali: Rwanda Education Board, 2019, pp. 97-115.

and now they are obliged to adapt to the neoliberal ideology and do their best to have access to aid and investment⁴⁰.

For example, the current issues of the USA and China that emerged in Africa: Of course, what Achille Mbembe and Bernard Stiegler quoted or referred to “calculations in their new form of diplomacy and militarise the rest of the World⁴¹” which is also resulting into Civil conflict as result in human rights violations. Given the fact that African States are largely modelled on colonial institutions with little regard for the continent's peculiarities and the weaknesses result from the common practice among colonial powers to exclude ethnic factors both during the partitioning of the continent and in its later management. Coming up to the original question, the opportunists are evidently Western Nations with their big brother the USA which are credited with qualifying the Human Rights, they have been the same the greatest violators Human Rights. They are the ones in fact who set emotion amongst us because of the exercise such as Slavery, economic exploitation, and social degradation to indicate that some people are less to human rights than others. Having discussed who, how human rights violators, the final section of this paper addresses ways which” Africa and other colonized countries suffer political oppression, economic exploitation and social degradation that cause those liberals & conservatives to fail them through their donors, aids, and investments so why can't Third world leaders turn to themselves and create a self – reliant programs?”.

According to Fanon, “No leader or whatever his worth can replace the will of the people, and the national government before concerning itself with international prestige and he must first restore dignity to all citizens by furnishing their minds, filling their eyes with human things and developing a human landscape for the sake of its enlightened and sovereign inhabitants”⁴².

⁴⁰ Irénée Ndayambaje, “African Nationalism and Acquisition of Independence”, *History Student Book*, Kigali: Rwanda Education Board, 2019, pp. 82-96.

⁴¹ Achille Mbembe, “Dialogue: Achille Mbembe and Bernard Stiegler”, *APL-TCS-AAU Conference*, <<https://youtu.be/w6gP8Z6NQ3o>>.

⁴² Fanon, *op. cit.*, 1961.

In other words, Fanon teaches us about the internal contradictions within a progressive revolutionary movement, in his way, hints a devoted political education on democracy values; This is because, we are in the world of both non- intellectuals with physical endurance and intellectuals with manipulation. And this can only happen if Africans and the colonized world turn to themselves with the values of democracy, strong institutions, minority rights (Checks and Balances), freedom of speech and freedom of expression, free press and right to protest, right to petition the government Independent Judiciary, and everybody has to follow the law.

They must know that politics is like swimming, you do not swim towards a storm. In other words, you do not make alliances with someone, whom you do not share historical bonds. Because there is no single nation on the earth that does not fight for its own benefits. How far and how fast people become oppressed depends on two things which are the countries that hold an election where sometimes the winner magically gets 90% of the vote and on the other is the opposition is locked up and cannot get on Television or fell out with the government which may turn to Refugees' problems because people cannot be free.

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