

# Righting Wrongs

The LLM in Human Rights &  
Democratisation in Africa  
Alumni Association Newsletter  
Issue No 10 - October 2014

DEFENDING  
with **Excellence**,  
ADVOCATING  
with **Ubuntu**



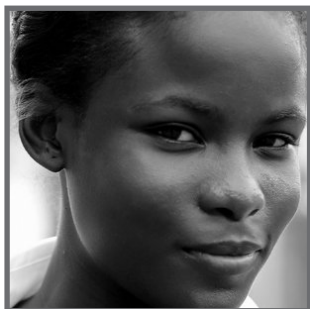
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## Editorial

### Bring Back Our Continent

*Romola Adeola (Nigeria, 2012)*

*(Alumni Coordinator)*

In April this year, global outrage rang heavily when over 200 girls were abducted in Chibok, Nigeria by the extremist Boko Haram sect. Placards with internet-tags saying 'Bring Back Our Girls' from the streets of Abuja to the Red Carpet in Hollywood saturated the internet. The movement was feisty. The campaign was unwavering enough to touch a nerve with political figures.

In no time... Governments sprang to action! The beauty of international cooperation flustered! Accountability was suddenly not an illusion! Political will sailed on the mast of reality! Human rights became a movement! But in the beginning, it was not so. Boko Haram had killed scores of individuals, bombed various places including the United Nations building and international outrage was not of the same magnitude as when Chibok girls were abducted.

What happened differently? Thoughts may vary. Answers may differ. But one thing is clear: some people demanded that the girls must be brought back!

This campaign raises a question which we need to ask ourselves in view of the situation on our continent. This question is: are we ready to act, to push the buttons of humanity and control the tides of change on the continent?

In this piece, Eskedar makes us understand that gender equality will be realised where there is policy change at the top and efforts are made towards community mobilisation. Coincidentally of all places, Switzerland was the last country in Western Europe to grant women the right to vote – in 1971, and this came to pass, partly through advocacy.

If we want to see change on our continent, we must act.

Engineering change on our continent must go beyond paying lip-service to the cause of change.

It begins with the determination to make people aware...

It requires passion to push the button of humanity...

It demands the desire to seek democratisation in Africa...

It includes the permanent resolve to Bring Back Our Continent!



The Centre for Human Rights showing support for the 'Bring Back our Girls' campaign





## The Centre's Word

Yolandi Meyer

*Assistant Coordinator: World Human Rights Moot Court Competition*

I am pleased to add my voice to this issue of the Alumni Newsletter. Over the years the Centre has contributed greatly to the education and development of future human rights advocates by hosting various successful moot court competitions. These competitions have not only served as a platform for students to develop their legal skills, but have also led to the formation of lasting partnerships and beautiful friendships which continue long after the final round has been argued. I have mainly worked on two of these moots, namely the World Human Rights Moot Court Competition, and the African Human Rights Moot Court Competition.

The annual World Human Rights Moot Court Competition was first held in 2009 at the University of Pretoria, and is hosted by the Centre for Human Rights with support from various donors. Held over a four-day period, it brings together undergraduate law students from all over the world, who argue a hypothetical human rights problem.

This year, the 6th World Human Rights Moot Court Competition, in honour of Nelson Mandela, will be held from 8 to 10 December 2014 at the OHCHR Headquarters in

Geneva, Switzerland, in collaboration with the Regional Office of the High Commissioner for Human Rights in Southern Africa (ROSA) and the OHCHR in Geneva. The final round is held on 10 December each year, in celebration of International Human Rights Day.

The African Human Rights Moot Court Competition has become the largest annual gathering on the continent of students and lecturers of law. Established in 1992, 1071 teams from 139 universities, representing 49 African countries, have over the last 23 years participated in this prestigious event. The 23rd African Human Rights Moot Court Competition was held at the University of Nairobi, Kenya from 1 to 6 September 2014.

Over the years alumni members have contributed greatly to the moots' success, whether acting as co - organisers, judges or coaches. Your involvement is an integral part of the success of these events, and as the moots continue to grow in stature and influence, we urge all alumni members to continue providing their support for the competitions and to encourage university students to consider taking part in these competitions.

For more information on the African Human Rights Moot Court Competition please visit

<http://www.chr.up.ac.za/index.php/projects/moot.html>

For more information on the World Human Rights Moot Court Competition please visit

<http://www.chr.up.ac.za/index.php/projects/world-moot.html>

Or email the organisers:

- Armand Tanoh ([armand.tanoh@up.ac.za](mailto:armand.tanoh@up.ac.za)) and
- Yolandi Meyer([yolandi.meyer@up.ac.za](mailto:yolandi.meyer@up.ac.za))

All the best!





## Highlight

### Gender (In)Equality

*Eskedar A. Bekele (Ethiopia, 2006)  
Post-2015 Consultant, Save the Children,  
Addis Ababa, Ethiopia*

#### Introduction

It is my first time to contribute to the Alumni Newsletter and it is an honour on my part to be sharing a subject matter that is close to my heart – Gender Equality. This piece is written from the perspective of Western societies on the one hand and traditional and cultural societies such as those found in Africa on the other.

Let us start by defining gender. What is gender? What is gender equality? Or gender inequality? Gender is a system of beliefs and practices that refer to or deal with creating a sense of difference between females and males (Thompson, Martha E., Armato, Michael (2012). Gender identity is not fixed at birth, both physiologic and social factors contribute to the early establishment of a core identity, which is modified and expanded by social factors as the child matures (Pandey, A.K. (2003). Gender is created, maintained and transformed through a complex arrangement of practices and shared meanings within a given society. To the extent that social practices and meanings serve to create distinctions, even if only implicitly, between females and males, gender is created. Sociologists refer to these difference-creating practices as the *social construction of gender*. Thus, the social differences between males and females are located in social practices, and not simply in biological facts (Oyèwùmí, Oyèrónké (2011); and not only socially constructed but also historical.

Thus, if gender is a social construct, what then is gender equality or inequality? I would rather use the latter term because the issue addressed by this essay is gender inequality, although in the end we all aspire to achieve gender equality. Gender inequality denotes the unequal relationship between women and men as a result of social, cultural, economic and political factors. The Universal Declaration of Human Rights (UDHR) provides 'All human beings are born free and equal in dignity and rights' (Art.1). The International Covenant on Civil



and Political Rights (ICCPR) similarly provides 'The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant' (Art.3). Needless to say, when we talk about gender inequality, we are often referring to women's role as being characterised by subordination to men. However, it is vital to note that women's rights – legal, political, and social, are equal to those of men.

Gender inequality is organised, first and foremost, by the general association of masculinity with authority. Most women especially those who are not aware of their rights (or are aware but do not want to fight or otherwise assert their rights) lack the ability to negotiate and learn to accept the dominance of men. Despite the fact that gender is a socially constructed concept, these women live life in the belief that the dominance of men and subordination of women is simply a natural or biological factor.

Gender inequalities in the twenty-first century are now taking new forms that are partly shaped by the economic, socio-political and cultural climate of the global society in which we live (Scott, Jacqueline,



Crompton, Rosemary, Lyonette, Clare (2010). Different countries have very different trajectories of inequalities. This is very important to note because when we talk about gender, we also talk about various factors. It is essential to see gender from the perspective of all these other factors and thus, the different trajectories or what is commonly known as the concept of intersectionality. These are rather complex cross-cutting influences that modify experiences of gender inequalities. It is also necessary to bear in mind that discrimination and inequalities will interact in certain ways that depend on the context and are specific to time and place. Oyěwùmí rightly stresses that studies in Africa should not rely (but best practices can be applied) on Western driven concepts to map the issue of gender in African societies, but instead must ask questions about the meaning of gender and how to apprehend it in a particular time and place (McCall, L. (2005). The trajectory also applies to many different aspects of inequality including household income, employment opportunities, family circumstances, responsibilities for caring, work-life balance, or quality of life more broadly.

### **Political and social legitimacy**

'The personal is political' was a slogan which was popularised in the early 1970s as part of the women's liberation movement (Jackson, Stevi (1998); Hanisch, Carol (2006). It incited women to understand that the personal choices they make and the challenges they face are rooted in their social, economic and political

worlds and social structures themselves are gendered. The division of labour provides an obvious example. Women are often relegated to low-paying insecure positions such as weaving, waiting tables, working in the informal economy, running small businesses and social service agencies. Men are accustomed to being bread winners and working in medium-to-high paying positions such as directors or managers of organisations and other related good paying positions (Chow, Ester Ngan-ling, Segal, Marcia Texler, Lin Tan (2011). In Africa, more recently, structural adjustment programmes led to increases in school fees and, when coupled with African patriarchy, many young women were removed from schools (Osirim, Mary Johnson, Bose, Christine E., Kim, Minjeong (2009). If families were poor or had low income, young women were removed from school before young men, since women had more limited prospects in the labour market and male wage earners were still regarded as the breadwinners and thus, were needed to support parents in their old age.

There are also other social structures that are not so evident but rather implied, where women feel restrictions imposed on them. A case in point would be clothing choices, which tend to be characterised as women's own personal choice but which is actually influenced by an array of social factors. What is defined as appropriate gendered clothing is based on the historical time and place, the customs and laws of each society and social location such as age, race, ethnicity and social class. This is particularly true in cultural societies like those mostly found in Africa and Asia.



In gender politics, it could be argued that masculinity and femininity are created out of societal and legal structures through techniques of governance (Lee, Yoke-Lian (2010)). In Europe, the expectation on part of the policy makers today is that women will be fully 'individualised' in the sense of being economically autonomous, although policies are often ambiguous on this score. Social reality is more mixed; women are still disproportionately in part-time employment, and still do the bulk of unpaid care work. Scandinavian countries for instance are often heralded as being more focused on providing equal opportunities to women and men, and policies allow women's employment contribution to be different from men's in allowing them longer parental leave, and long periods of part time work following child birth. When policies allow or encourage women to behave differently in terms of their employment participation or their hours of work, gender differences are tacitly endorsed. This difference is often a reflection of gendered normative assumptions relating to women's and men's responsibility regarding caring and domestic work. Thus, shifts in gender equality have been very uneven across different sectors of society. There are marked differences by social class, ethnicity and age and in the way gender inequalities manifest. Here again the inter-connectedness.

In today's urban world most women are becoming economically autonomous. Institutions such as the labour market, education sector and legal systems better tolerate the notion of 'economically autonomous' but there is still a long way to go. With legal reform taking place in most areas governing gender and most employers and

universities advocating for affirmative action, it could confidently be said that there have been some positive changes in addressing gender equality. However, there is still much to be done to change people's negative views and beliefs for the better (and still keep one's cultural identity and integrity). The equity approach for instance called for development organisations to support women's demands for equity, on the ground of their inherent right to this. With its emphasis on changing laws and challenging cultural practices, it was unpopular with governments. The task is not simple. Basically social and religious institutions still believe in the ideology of domesticity, i.e. the man is the bread winner and provider of the family and a woman's place is in the house carrying out the house work, caring for and nurturing the family and this is how it is designed by nature.

It is important to note that each individual has the ability to take actions that may sustain or challenge gender arrangements (Risman, Barbara (2004)). This is referred to as *agency*. If the gender arrangement is not acceptable to women then they must challenge it. They must make their voices heard and advocate their point to convince the society, religious and social organisations







otherwise. Lacking this agency, women are accepting the status quo. Hence, women must use their agency and advocate, so long as their point does not go against the positive cultural norms of the society.

### **Stakeholders**

Who are the actors? Gender equality is not a 'women's issue' as it is commonly conceived but it should concern and fully engage men as well. The stakeholders are, first and foremost, women and girls, men and boys, followed by governments, legislators, judiciary, NGOs, CSOs (which include different social and religious institutions), and the society at large. Many people are still not aware of or convinced about the need to address differences between women and men and girls and boys. Hence, the larger focus should be working on increasing gender awareness among all stakeholders through various means. Lack of awareness and absence of appropriate measures to address gender inequalities will lead to no change in the status quo or even the deterioration in the position of girls and women.

### **Conclusion and recommendation**

According to the Report of the UN Secretary-General on the prevention of violence against women and girls and under educational programmes, it was noted that programmes at all levels of formal education, and in non-formal education settings, that promote gender equality and human rights, can have a significant impact on children and young people early in life. Many of these programmes have demonstrated a reduction in violence and improvements in educational achievement.

Many school-based educational programmes focus on developing respectful relationships, building non-violent communication skills and promoting gender equality, and often include components addressing physical violence, including corporal punishment and other forms of violent discipline, sexual violence and abuse, and bullying. It is also to be noted that women today are generally much less likely, than women in the past, to be excluded from various arenas of social life simply because they are women. Gender relations are constantly and positively changing as the world itself changes. These shifts have been so dramatic that some have argued that masculine authority now suffers from a legitimacy crisis.

Thus, what we need first and foremost is to empower women. It is vital to further create opportunities for women to be autonomous and self-sufficient and participate in the work place, in decision making and management, in their communities, in conflict resolution and in peace building as mediators, in democratic governance, and in their society as a whole. The more women are treated equally to men at every juncture of their lives the more men, households, communities and society at large benefit. Studies show that when women are supported and empowered, all of society benefits. Their families are healthier, more children go to school, agricultural productivity improves and incomes increase. In short, communities become more resilient. Policy change at the top and efforts in community mobilisation will lead us in the right direction towards gender equality. For this to materialise, we need to plan our advocacy campaign strategically, involving all stakeholders with the ultimate outcome being gender equity and equality.



## Alumni Meeting

### Ghana Alumni Meeting

*Benedicta Armah (Ghana, 2012)*  
(for Ghana Alumni)

The Ghana alumni of the Human Rights and Democratisation in Africa (HRDA) masters' programme had dinner with Prof Frans Viljoen and Ms Lola Shyllon (2007) on Thursday 3 July 2014 in Accra. The dinner took place at the Tamtam restaurant within the premises of Afrikiko. Prof Viljoen and Ms Shyllon had been in Accra for a three-day working visit of the African Union Special Rapporteur on Freedom of Expression and Access to Information. Ms Pansy Tlakula was in Ghana to interact with governmental officials, civil society activists, politicians and media practitioners on Ghana's Right to Information Bill.

The dinner with Prof Viljoen and Ms Shyllon was organised by Ms Marian Atta-Boahene (2010) who is the coordinator

of the alumni network in Ghana. Before dinner started, pleasantries were exchanged. At dinner, the alumni shared their experiences on the HRDA programme and also received updates about the recent developments on the programme from Prof Viljoen. One of such updates was that non-lawyers may now apply for the HRDA Masters and upon completion, will receive an MPhil degree. Members of the Ghana Alumni Association also shared their experiences on the job as lawyers, lecturers, consultants or human rights defenders in Ghana; including their successes and challenges.

There were also discussions about the current socio-political and economic developments in Ghana and their impact on human rights as well as the plans by the alumni to shape the development of human rights in Ghana. Amidst the discussions, pictures were taken by the assigned photographers for the night. These were shared on the Ghana alumni whatsapp page.

At the end of the dinner, Prof Viljoen gave out some books on the African Human Rights System to the members of the alumni. The dinner ended at 19:00 to enable Prof Viljoen and Ms Shyllon to prepare for their flight to Johannesburg. They were accompanied by Dennis Armah who managed to secure two bars of the enviable Ghana-made Chocolate to the sheer delight of Prof Viljoen and Ms Shyllon.

The meeting with Prof Viljoen was indeed a memorable one!



Ghana Alumni Dines with Prof Frans Viljoen and Lola Shyllon





## Current Year

### Master's Students demonstrate Human Rights and Democracy through photography

In the spirit of mutual exchange aimed at strengthening the links between the regional human rights master's programmes, and following the positive experience of the EMA programme in this area, the African Human Rights Master's Degree introduced an amateur photography competition on human rights and democratisation in 2009.

Students of the LLM/MPhil Programme take part in this Competition, aimed at promoting the ideals

of human rights and democratisation through still pictures. Only currently enrolled students of the LLM/MPhil programme take part in this competition and only photographs taken during the 2014 LLM/MPhil field trip may be submitted. This year, 26 students participated in field trips to six southern African countries, namely: South Africa, Swaziland, Botswana, Lesotho, Mozambique and Zimbabwe.

#### First prize

The 2014 first prize winner of the photography competition was **Mr Adebayo Okeowo** (Nigeria) with **'My Brother is at School'**.

**Location:** Village in Ezulwini, Swaziland

**Description:** Her name is Madla and I found her herding her father's cows into the pen. Fascinated by the sight, I ran after her to the homestead where she brimmed with a smile as she struck a pose for my photo. She told me: "Someday I hope to be a teacher". She may however never realise this dream because under traditional Swazi culture, education for the girl child is a luxury. While the boy is given the opportunity to be educated, the girl is asked to assume 'her role' in the home to raise a family.



**'My Brother is at School' by Adebayo Okeowo**

### Second prize

The 2014 second prize winner of the photography competition was **Ms Sally Hurt** (South Africa) with **'Taking Food Security Seriously.'**



**Location:** Harare, Zimbabwe

**Description:** In a country with rising food prices, and decreasing farm production levels (often because farms are switching to more lucrative cash crops such as tobacco), people in urban areas have to find creative ways to ensure access to staple foods. This includes participating in urban agriculture projects. The Zimbabwean state is party to international and regional instruments, which have provisions guaranteeing the right to food security. The Zimbabwean Constitution also makes provision for food security. However, this sign seems to suggest that local government does not take these commitments seriously.

### Third prize

The 2014 third prize winner of the photography competition was **Ms Lucyann Wambui Thuo** (Kenya) with **'Africa, the land of milk and honey, but for who?.'**



**Location:** Free State, South Africa

**Description:** This photo appeals to me because it shows the contrasts in socio-economic status of different South Africans. Whereas some people are being invited to get expensive cars and upgrade their lives, there are those who cannot easily tap into the wealth that this country has. For this man, owning a car is a very distant dream. His dream today, is for someone to put just enough money in his cup so that he can buy bread.



Adebayo Okeowo, Sally Hurt and Lucyann Wambui Thuo





## Graduation Highlights

### **Two alumni graduates with LLD (Doctor of Laws) degree**

On 10 december 2013 Horace Adjolohoun (2007) and Bonolo Dinokopila (2008) graduated with the Doctor of Laws (LLD) degree from the Centre for Human Rights.





## Centre News

### Alumni of the Masters Programme participating in the Young African Leaders Initiative in Washington

Ms Rumbidzai Dube, a graduate of the Master's in Human Rights and Democratisation in Africa (class of 2010), was selected for the Young African Leaders Initiative (YALI) programme in Washington, USA. The YALI Programme, an initiative launched by President Barack Obama in 2010, draws African youth from all over the continent seeks to support young African leaders in fostering African growth and development.

Rumbidzai, who is a human rights defender and lawyer from Zimbabwe, works as a Legal Researcher at the Research and Advocacy Unit (RAU), a local

NGO in Zimbabwe where she is involved in analysing and contributing towards the transformation of public policy, legislation, and state institutions respectively. In Washington, Rumbidzai is currently hosted by the Presidential Precinct, one of the 20 institutions selected for the YALI programme.

Upon her return to Zimbabwe, Rumbidzai will continue her efforts at legal education through her blog as well as launching her upcoming website, a project that will take law to the streets by simplifying the law in a way the layman can relate to. She will also continue her research work, holding state and government institutions accountable.

#### Please visit:

- [http://www.presidentialprecinct.org/category/fellowsBlogs/rumbidzai\\_dube/](http://www.presidentialprecinct.org/category/fellowsBlogs/rumbidzai_dube/)
- <https://youngafricanleaders.state.gov/yali-africa/>



## Contact Details - Righting Wrongs

Email: [hrda.alumni@up.ac.za](mailto:hrda.alumni@up.ac.za) | Website: [www.chr.up.ac.za](http://www.chr.up.ac.za)

Editor: Romola Adeola (Nigeria, 2012)

Advisory and Review Team: Prof Frans Viljoen, Norman Taku, Dr Martin Nsibirwa, Dr Magnus Killander and Yolanda Booyzen.

#### Alumni Dues:

To pay your dues, please obtain transfer details from: Harold Meintjes ([harold.meintjes@up.ac.za](mailto:harold.meintjes@up.ac.za)) or Romola Adeola ([romola.adeola@up.ac.za](mailto:romola.adeola@up.ac.za))



Centre for Human Rights

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*Issue No 10 - October 2014*

THE CENTRE FOR HUMAN RIGHTS

Faculty of Law  
University of Pretoria  
PRETORIA  
0002  
Republic of South Africa

Phone: +27 12 420 3810

Fax: +27 12 362 5125

Email: [chr@up.ac.za](mailto:chr@up.ac.za)

Website: [www.chr.up.ac.za](http://www.chr.up.ac.za)



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