Politics of universal human rights: Exploring leisure and development for interrogating the capacity of the African states to implement universal rights

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ABSTRACT

This article addresses itself to universal rights’ implementation in Africa, against the backdrop of the fact that African states do not have the capacity to implement universal rights as contained in the International Bill of Rights. Using the descriptive analysis, the paper argues that the leisure of political elite to perpetuate exclusivist politics, coupled with development challenges in Africa, are potent factors which erode the capacity of the African State to deliver and promote universal rights. The article accentuates the need for political elite to realign their interests with the purpose of the State, and the State in Africa to refocus its development policy direction.

Key words: Africa, development, implementation, leisure, politics, universal rights.

INTRODUCTION

Basic international statements on human rights are usually of the assumption that the benefits of Universal Human Rights would penetrate all human communities of the world irrespective of national or state peculiarities. The philosophy behind the assumption, in the wisdom of the advocates of universal rights, is based on the significance of human dignity preservation as well as equality and freedoms of all members of the human family. This significance and necessity is accentuated in the preamble of the International Bill of Rights recognizing the sacredness of the human being and the sanctity of human life. The international bill spelt out the obligation or duties of individuals to other individuals and also the obligation of states to promote universal respect, and observance of human rights and freedoms.

However, parallels of interest on the nature and character of human rights began to manifest right from the initial attempts to draft the International Bill of Rights, when argument involving the basis of human rights by the Universalists and the Positivists, and over the form, either as a proclamation or a treaty ensued among the early stakeholders. The initial parallels among the early United Nations stakeholders set the tone for the diffusion which characterized the generation of an acceptable international human rights document. For instance, the Human Rights Commission which was set up in 1945 ran into confusion as it was divided along the parallels which characterized the discourse. The controversy within the Human Rights Commission was over what was regarded as “proclamation” that may not give binding effect to the bill particularly compelling states to implement the human rights bill, and “treaty” which was also suggested, and over which the advocates felt would compel states when ratified to implement the bill. These parallels defined the initial myths and crisis involving universal character of human rights (Oladele, 2003).

What appears to be a convergence of opinion however was the universal declaration emitted by the United Nations’ General Assembly on the 10th of December, 1948, following a draft submitted by the Economic and Social Council which of course was a more technical body and superior body to the Commission on Human Rights. Among
The resolutions of the General Assembly which had given direction to the course of global human rights was the insistence of the General Assembly that the Human Rights Commission should give priority to the production of a draft treaty that would give legal force to the declaration, and over which states were obliged to honor in the interest of the global human community.

The significance of the global human rights became fundamental, given the wanton violation of human rights in the world war years, and the incessant movement of people from state to state and from one part of the world to the other, which increased the tendency of the demand for the promotion and enforcement of universal rights of people wherever they find themselves. The universal rights of the people of the world recognize that every human being is sacred in view of the fact that the dignity and worth of the human person is involved.

In spite of profound recognition accorded the human person by virtue of the high premium of United Nations’ doctrine of necessity with regard to human rights, the obligation for its implementation or promotion is largely given to states, as entrenched in the document. But many states of the poor world do not have the capacity to deliver them, particularly those of Africa. This has made the issue of the promotion and enforcement of universal rights a matter of convenience. Some articles in the universal declaration unequivocally express the inescapability of universal rights. Articles 22 and 25 for instance make vivid mention of some of such rights which appear targeted to state implementation. Article 22 for instance states that:

*Everyone, as a member of society, has the right to social security and is entitled to realization through national effort and international cooperation and in accordance with the organization and resources of each state, of the economic, social and cultural rights indispensable for his dignity and free development of his personality.*

Article 25 also states that:

*Everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing, medical care, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.*

A careful examination of these rights including those in other articles of the universal declaration would reveal that they are rights that only functioning states with reasonable level of political and economic development can basically implement or promote, especially article 26 which emphasizes on the right to education in fundamental stages. The dependence of human rights on state raises critical questions of doubt of the universal affirmativeness of rights. This is particularly so, when we talk about states capacity to promote and implement the rights. This circumstance of universal human rights makes the rights relative phenomena, reasonable only when the states have the capacity. This perhaps is why some scholars are beginning to say that the universal human rights should be put in context, a situation that has generated the debate and dilemma of the ideological conflict between universalism and positivism or cultural relativism. Although, this work appreciates the polemics in the contemporary literature on human rights, involving universalism and positivism, its major concern is the philosophical foundation of the basic moral guarantees that people in Africa have, since they are humans and the practical realization of their rights in view of the incapacity of the State in Africa. The basic moral guarantees, otherwise known as universal human rights, appear utopian in Africa because of the lack of development and therefore the incapacity of the state in Africa to implement them. It is instructive, therefore, that African States are evaluated on human rights only in terms of their capacity to deliver or promote the human rights. It appears *ab initio* that universal rights declaration was based on the capacities and strengths of western countries and not on the realities that faced the peculiarities of the weak states of the world. If States’ capacities were considered, then there would have been inserted in the declaration, qualifiers to accommodate the poor countries, especially countries of Africa. Therefore the traditional path which essentially involves developing the domestic capacity of the state to cope with its responsibility is a necessary state condition for Africa, emphasized in this work. It is on this basis that this work considers State capacity or level of development as the center of dynamics for the actions or inactions of states to promote universal human rights.

In line with this understanding, this work interrogates the capacity of the State in Africa to implement universal human rights, by exploring the leisure of the political elites, and development, to evaluate the capacity of the State in Africa to implement human rights. The work briefly examines three major countries of Africa, Nigeria, Egypt and South Africa. It proceeds from the claim that universal human rights’ implementation and state capacity are largely related. This means that human rights implementation by a state does not occur in a vacuum or merely by a proclamation by an international institution; rather, its implementation is dependent on the capacity of the State, governed by factors such as political will, economic development and even cultural development, that provide the State, the high ground to develop for instance, infrastructure and acquire stability, and the latitude to deliver social, cultural and political rights in a modern state.

The paper is also premised on the assumption that the proper management of African States is a necessary condition for the delivery of human rights to the citizens of the state. The paper adopts the qualitative analysis approach for the discourse as it aims to provide a deeper insight into the capacity of the State in Africa, given the
nature of underdevelopment and the leisure of political elite in the continent.

CONCEPTUAL PROLOGUE

This aspect of this study explores and clarifies the major concepts used in this paper, relating them with human rights to facilitate the understanding of the discourse and how they apply in the work. The concepts are: Leisure, Universal rights, Political power, State capacity and development.

Leisure: Generally, leisure involves time for rest and it relates to freedom of labour and activity. Like many other concepts however, leisure suffers definitional pluralism especially among philosophers such as Aristotle, Karl Marx and Herbert Marcuse. In Karl Marx's terms, leisure emerges as a prerequisite of freedom from labour. Marx envisages that technological developments through which the quantity of labour is reduced would guarantee man the necessary freedom he deserves. For Marx, therefore, leisure is essentially the alienation of labour in a capitalist society (Veblen, 2003).

Aristotle, on the other hand, believes that while happiness has nothing to do with labour, leisure does. For Aristotle, though labour plays important role in society as it has to do with the necessities of life, but the pre-requisite for a virtuous and happy life hinges on leisure (Kilinc, 2006). Herbert Marcuse analysis of leisure begins with the realm of freedom and the realm of necessity. He sees leisure as an end for those who were exempted from the necessity of labour such as philosophers and politicians. To this end, the labour of others was a means for the leisure of the privileged people (Kilinc, 2006).

It is along the above logic of thinking that the paper regards the attitude of Political Elites’ freedom to exploit the state, freedom to appropriate and exploit the labour of the masses particularly unemployed youth for their self interested political ends, as activities that incapacitates the state in Africa. In this paper therefore, leisure is used to indicate the freedom of political elites to engage in activities that erode state power and thus rendering the State incapable to deliver universal rights to the people.

Universal Rights: These are rights that accrue to all human beings irrespective of their nationality, place of residence, sex, ethnic origin, race, colour, religion or social status as proclaimed by Universal Declaration of Human Rights 1948. The rights according to the International Bill of Rights are interrelated, interdependent, and indivisible. These rights are guaranteed by international law and its general principles. The governments of all countries are usually expected to promote and protect these rights and fundamental freedoms of individuals or groups in their nations. The rights are said to be universal and inalienable according to the universal declaration of human rights, 1948. The politics of universal rights as conceived in this work therefore, relates to the act by the First Generation States in the United Nations, who conceived a bill of rights to be implemented by all States of the world without considering the capacity of the poor States, or adding qualifiers to the Bill.

Political Power: Political power involves the high ground of authority exercised by a group of people in a society or state who are given the right to control or administer public resources and implement policies. In politics, power is the ability to influence or control the behaviour of people. This essentially is what this paper questions particularly concerning the capacity of the State in Africa to control political forces especially the activity of political elite.

State Capacity: This is one of the defining characteristics of any effective political system. It involves the ability of government of the state to administer its territory effectively. There are about four basic characteristics of state capacity in modern states: capacity to mobilize financial resources; pursue national interest; guide national economic development; and, dominate political force in the state with effective use of coercive capacity.

Development: Development is one concept that has received the emphasis in this work. The concept like some other concepts, enjoy definitional pluralism. Some authors actually confuse development with growth. When some people talk about development, especially national development, the reference is about increases in the Gross National Product (GNP) or Gross Domestic Product (GDP), otherwise known as economic growth (Iwara, 2009). But, a State may be growing without development because the fruits of growth have not been equitably distributed throughout the State. Therefore, development in this paper is conceived as an integral process of widening opportunities for individuals, social groups and communities, and mobilizing the full range of their capacities for the common benefit in social, economic and political spheres. This is a way African countries can promote the social, economic, and political rights of their citizens.

LEISURE OF POLITICAL ELITE AND STATE CAPACITY IN AFRICA

The debate about the leisure conception is not yet laid to rest. So far however, there is a convergence of scholarly views that leisure can be seen from three broad perspectives: Leisure, as relating to freedom, activity or labour, and state of mind. As involving time, leisure is seen as free periods of time devoted to resting or what is popularly known as free time. Activity leisure is the
freedom of choice of what to do and what not to do especially in relation to occupation or labour choices. Leisure as a ‘state of mind’ describes the intrinsic motivation of a person or group of persons, particularly not being influenced by external forces (Risse, 2008). Perhaps, leisure as freedom, an activity and state of mind best fits into the logic of persuasion of this work, in view of the fact that activity and motivation, relate with economic and political activities of the Political Elites in Africa that erode the purpose of the state. The average political elite in Africa enjoys unlimited freedom to erode the purpose of the State. The leisure of the political elites is discussed here, in two parts: i, freedom (leisure) of political activity over which the political elites manipulate both the State and the Masses, and ii, Labour leisure which relates to the Political Elites exclusive preoccupations. The question is, how does the activity of the leisure of political elites actually erode the capacity of the State in Africa?

In spite of the Vienna declaration which claims that human rights are universal, indivisible and interdependent, the experience of universal rights in Africa shows the contrary. Firstly, the freedom of political elites to manipulate both the State and the Masses affect the capacity of the State in Africa to implement universal rights. There are clear indices that show that part of the problem hinges on the State and politics, particularly political practice involving political elites. The State, having been weakened by the leisure exercising political elites through penetration and swaying the State from the purpose of the State renders the masses as the worse off. This makes Ake (1996) to contend that political conditions are the greatest obstacle to development in Africa. The practical reality is that the exclusivist politics of the political elites (leisure class) penetrates the State in such a way that they go up, down, and under together, protecting their class interest at the detriment of the masses. This penetration has to do with their connivance to exploit State resources through corruption, relegation of the purpose of the State and the denial of property rights to the people through policy decisions. For instance the Land Use Act 1978 in Nigeria states that: All Lands in the federation and properties there-in belong to the Federal Government, a situation that denies the underprivileged individuals and communities of their property rights in Nigeria (Eteng, 1997). Apart from the political elites and State penetration, the political elites enjoy the freedom of enlisting the youth into lawlessness, militancy or insurgency in order for the political elites to protect and further their political interests of primordialism and prebendalism. The State, under the Universal Rights, has the obligation to protect and to promote Universal Rights. For instance most of the rights contained in the covenant on Economic, Social and Cultural Rights as well as the civil and political rights recognize among other things:

The right to social security; to adequate standards of living; the freedom from hunger; to health; and education, as well as in human or degrading treatment, freedom from torture; and the ideal of free human beings enjoying civil and political freedoms which would enable them participate in the governance of their states (Oladele, 2003).

Unfortunately, in Africa, the State lacks autonomization and will, to control the political elites and other political forces (Eteng, 1997). This is coupled with the parallel between the interest of the political elites and the purpose of the state, a situation that affects the way the state in Africa is managed. Secondly, on the Labour Leisure which has to do with the occupational behaviour of Political Elites, the freedom of the Political Elites almost completely to avoid industrial occupation and live a free-time life style only to appropriate the labour of the masses is detrimental to development and statehood in Africa. As noted by Adorno (1991), it is absurd to expect men to be productive in their free time. It is along this line that this work is at polemics with the way the political elites’ “negative freedom” of about 80% work free time, over which they contribute little or nothing to the productive activity in Africa that it becomes worrisome.

Veblen (2003), for instance, in his “history of the leisure class” with regard to industrial employment, notes that:

The men of the upper class are not exempt but by prescriptive custom they are debarred from all industrial occupations, and are reserved for certain employments to which a degree of honour attaches.

Though, the Veblen conception of activity leisure was used for conditions outside Africa where emotional attachment to the state is higher, but the absence of such a condition in Africa makes the Upper Class consciously exclude itself from industrial work or labour as corruption and non commodity bearer-ship get more and more attractive for this class in Africa, and also because most African leaders are lovers of glory. The argument here is that human rights would remain unattainable where equity, justice and state development are missing. The freedom of the upper class from industrial activity is the expression of their superior rank in the state. A very fundamental element therefore of leisure class occupations in the modern African state is that they are the beneficiaries of at least eighty percent of labour rewards in the state in Africa, while the masses are the worse-off. The situation in Africa worsens because the political elites promote consumption rather than production. The nature of the economy attests to this.

Table 1 is a reflection of Karl Marx’s theory of class and the process of production which he characterized as exploitative relations between the two gulf classes in modern state. For Marx, the dominant class does less but appropriates the largest chunk of rewards. While on the other hand, the masses that produce more get little reward from their labour (The percentages in the table are the author’s emphasis). This labour matrix is in consonance
with the situation in many African States where political elites contribute less to development but accumulate so much of public wealth.

The leading African states such as Nigeria, South Africa and Egypt have manifested class exclusive interests that portray the state as having been hijacked or displaced from its historic role, in view of the fact that the purpose of the state is replaced with the interests of the Political Elites. Perhaps, a few instances would suffice. It appears, and constantly so, that the state in Africa allows the Political Elites so much freedom to determine how the state is run without consultation with the people or the masses. Two instances would be used to justify the case of Nigeria. First, in Nigeria, Political Elites enjoy the freedom of political action without challenge, since the Masses have been disempowered. The Political Elites assume the ownership of political party platforms and by implication exercise control over state resources and the various sectors of the state, just as they influence the making of policies which are suitable for their class interest, while jettisoning the purpose of the State and by implication the interest of the masses, including property rights. The masses, which invariably include the civil servants, small and medium scale entrepreneurs, the peasants and the teeming unemployed youth, etc, are manipulated for the political gain of the Political Elites. Thus, the masses are left without property rights and better standards of life in line with universal standards. Second, the conspiracy of the Political Elites characterized the way in which the petroleum subsidy crisis was repelled by the Elite class in Nigeria.

The petroleum subsidy resistance crisis of 2012 was frustrated by the elite class, who responded by tactically withdrawing the protests from the streets and public centers, to designated stadia where they hired musicians to entertain the protesters, thus, bringing down the spirit of the protests and its ramifications. This allowed the government to make just a marginal reduction on the petroleum pump price to end the protests. By so doing, the political elites made a musical carnival out of a very serious national issue. As a result, the almost one-week boycott of work for public demonstrations eased out at recreation centers without positive outcomes. Within this leisure posture is the fact that political campaigns also take this form of recreation. Such centers as Eagles Square in Abuja, Tafawa Balewa Square in Lagos and some stadia were used to display a brand of recreational politics which reduced to insignificance important national issues which were supposed to enjoy the primacy of attention from the government to insignificances. What the masses needed was not recreational politics or political celebrations but political programmes or issues discourse targeted at good governance.

In South Africa, for instance, the political currents of the post Mandela era also indicate the leisure of exclusive and the invocation of Mass politics. Ashutosh (1998) states that the exclusive politics which characterize political practice in South Africa under Jacob Zuma encouraged social groupings along racial, ethnic and cultural lines. He described Mass politics which is a product of exclusive Elite politics as involving political discussions among social groupings in beer parlors and on the streets over marginalization. This according to him had profound consequences such as instability, racism and ethnicity. Already, the masses have located the massacre of the mining workers in Marikana region in 2012 in the inability of the ruling African National Congress (ANC) to address the enduring legacy of apartheid, and the ANC’s alliance with the South African Communist Party (SACP). In effect, the leisure Elite politics in South Africa, coupled with the ANC’s contradictory political attitude toward the mass base (black working class) breeds polarization which erodes the capacity of the State. The South African State incapacity was very clear in the recent xenophobic situation in South Africa as the Masses transferred aggression led to the killing and molestation of foreigners in the Country. This is because polarization brings about divergence political attitude to ideological extremes which are not in tandem with State capacity building. In South Africa, this polarization produced a deepening rift between trade unions, the urban and rural poor, and Blacks and the Whites, and the State. The rift deeply divided South Africans to the extent that it became clear that:

Though apartheid might have ended twenty years ago, the country remains deeply divided... with millions yearning for the fruits of the 1994 revolution (Draiter, 2004).

In Egypt, the so called ‘revolution’ sometimes referred to as ‘Arab Spring’ which came about as a result of the discontentment by the masses, was hijacked by the Political Elites that eventually ensured that the revolutionary action was without success in view of the absence of such factors as the intellectual vanguard, an alternative programme for paradigm shift, and of course the fact that the old elites

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**Table 1.** Showing labour-reward matrix of industrial occupation in Africa.

<table>
<thead>
<tr>
<th>Class</th>
<th>Labour (%)</th>
<th>Reward (%)</th>
</tr>
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<tbody>
<tr>
<td>Political Elites</td>
<td>20</td>
<td>80</td>
</tr>
<tr>
<td>Masses</td>
<td>80</td>
<td>20</td>
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</tbody>
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Source: Derived from Marx’s Theory of Class (Iwara, 2009)
where allowed to play frontal roles in the so called new paradigm. After Mubarak was overthrown, two groups: Muslim Brotherhood and the Islamic Coalition group, which were supported by the masses, wanted the civil political parties to redraft the constitution of Egypt to reflect the rights of the masses particularly over the recruitment of political rulers. Unfortunately, according to the “middle-eastmonitor.com” Morsi, who was elected president from the Muslim Brotherhood after defeating Ahmed Shatik of the Islamic Group, had his election protested by the civil forces due to the severe difference between the Muslim Brotherhood and the Islamic groups. Invariably, the elected president and the civil parties found it difficult to reform the state institutions. The masses, particularly the youth, felt they were not given the opportunity or the right to participate in the political process even though they were in the majority and therefore were desirous of purging state institutions. The position of the political elites and Morsi’s policies was similar, and this triggered protests by the masses. The resultant feeling of particularly the youth who felt they have not been allowed the right of political participation was that on 26 April, 2013, the Tamarod Movement launched some resistances (Gamal Nassar, 9 February, 2014). This situation did not give the government the authority and moral high ground to conduct the affairs of the state.

These instances emphatically tell us that the politics of leisure that we have described here as the freedom of the Political Elites in Africa to act only in their own interest and not in the interest of the state, incapacitates the state against citizen diplomacy and by implication, human rights promotion. The domination exacerbated by this class of individuals’ proceeds from the hijacking of the state, and this constitutes a key variable of state incapacity in Africa. This perception converges with the argument that the state in Africa is absent, having been hijacked by the political elites (Eteng, 1997).

A major dilemma militating against universal human rights implementation in Africa is therefore the capacity of the state to deliver such rights to the people having had its capacity decimated by the freedom of the political elites. There is no doubt that the state that is so obligated by the universal declaration of human rights requires some degree of political authority among others to engage in processes of human rights delivery ranging from socialization processes through which international human rights norms are internalized into domestic practices, to processes of law enforcement and administration of justice.

Political power is important because it enables the state to act organically and atomically. Max Weber (1983) sees political power as synonymous with power, coercion, order, legitimacy and authority. It is along this sense that Aligwekwe (2002) also defines political power as:

*That possibility given to an actor in a given social group to direct or govern the group accordingly, as is fitting to the laws, customs and aspirations of the people.*

With the above conception of political power, and the obligation of the state on human rights, it becomes lucid that political power is an essential ingredient in the promotion or implementation of universal rights in Africa and even elsewhere. For instance, Aligwekwe (2002) presents us with three basic functions of political power in a state. For her, political power:

i. Provokes respect to rules and regulations on which it has been accepted as the ultimate ideology of the state;

ii. Defends the society against its own imperfections because no matter how good rules and regulations are, no society obeys them automatically. For her, man’s nature as it appears demands discipline; and,

iii. Puts a limit to the impacts that competition or rivalries between individuals and groups may have on the society.

The question is whether the state in Africa enjoys this important attribute of political power. The literature in the area of political power of the State in Africa is large and pessimistic, consisting of internalist arguments which support the claims of this work on the ills of political leisure.

Ayittey (1998) who is an internalist believes that the unprecedented crisis of underdevelopment of the state in Africa is a factor of several variables. The crises of underdevelopment, according to him, cuts across political, economic and social, and are largely the result of internal states’ mismanagement, political tyranny, and flagrant violation of human rights and military vandalism. These crises, according to him, are absorbed into a larger framework of the ills of ineffective political system and defective economic statism. Another internalist Eteng (1997) points out that political forces in Africa consistently manifests tendencies which erode the political power quest of African states. These tendencies according to him include the fact that:

i. Political struggle in African states is utterly Hobbesian, just as politicians operate like cult of personalities.

ii. State wealth of physical or material and psychological are increasingly personalized, while the rule of law and due process are blatantly derogated and largely observed in its breach.

iii. Many political actors are self-imposed leaders and are thus not the legitimate representatives of the people.

The crises highlighted by Ayittey and the tendencies accentuated by Eteng (1997), goes a long way to deny African states the kind of stability and statehood necessary for development and appropriate citizen diplomacy, which involves strategic national policies for citizens welfare.

The externalists, on the other hand, argue that the causes of African States’ incapacity can be located in the activities
of western countries. For them, the West ruined Africa’s capacity in view of western colonialism and imperialism. Eskor (2000) blames Africa’s development predicament on the various paradigms of globalization, ranging from what he described as mercantilist globalization to contemporary globalization. Scholars, such as Ali Mazuri, Walter Rodney and Claude Ake, to mention just a few, have written extensively on the externalist perception of Africa’s predicament and blaming the West for the disconnect between Africa and development.

Frankly, however, while one is not denying the impacts of colonialism and imperialism in Africa, it must also be noted that we cannot deny the fact that internal political forces have worked against development in Africa and are in fact bigger problem in the quest for development. For some decades, African states have been independent at least, politically. This renders claims that externals forces are impediments to Africa’s progress inelastic at least not beyond the colonial era, if colonialism would not be over stretched. To this extent, rationality would demand that we do not overstretch such neologisms as colonialism and imperialism. It is important for Africa to check the leisure of its Political Elites and indeed their followers to align their interests along the purpose of the state which has to do with giving good life to the people. It is along this thinking that African development for capacity building as precursor for human rights promotion will be discussed.

DEVELOPMENT CHALLENGES AND THE STATE CAPACITY IN AFRICA FOR UNIVERSAL RIGHTS’ IMPLEMENTATION

The lack of capacity of the State in Africa is very much recognized in the literature of African development. Perhaps, this realization was responsible for the establishment of the African Capacity Building Foundation to address challenges of development capacity. This this paper discusses the major challenges of State development and State capacity to deliver universal rights in Africa focusing on three major countries mentioned earlier on, such as Nigeria, South Africa, and Egypt. The choice of the discourse of development and State capacity for universal rights is informed by the urge to shift away from the prevailing mainstream focus on the demand side of the rights, to a more radical thinking of a focus on the supply side, which focuses on State capacity to deliver universal rights to the citizens of the State in Africa. The demand side usually addresses the justification of universal rights and how compulsory it is for the State to implement them. This mainstream idea relies on the old western philosophical “interest theory” emanating from Rawls’ natural law which holds that human rights codify moral behaviour being a social product developed by a process of biological and social evolution (Regan, 2010). But the supply side of human rights which is the focus of this paper adopts Max Weber’s “Will Theory” which considers universal rights as possible only on the basis of the unique capacity of the State to implement them, and the unique human capacity for the rights (Regan, 2010). It is along this theoretical understanding that we briefly examine the challenges of development as a measure of the capacity of the African States intended, and using same to make our generalization.

Nigeria

Nigeria is the most populous country in Africa, geographically located in the sub-Saharan Africa, West Africa to be precise. Like many African States, Nigeria is blessed with rich land and human resources. Nigerians have largely always been found anywhere they are to be among the best in their various endeavors. The paradox here is that, in spite of natural blessing in material and human, the Nigerian State remains underdeveloped and ranks very low in the comity of nations. Nigeria’s challenges of underdevelopment are already well established incapacity to implement development policies, political instability, and mono-cultural economy. These challenges among others have hindered the States’ match to development.

The scourge of corruption, according to Sen (1999), involves the violation of established rules for personal gain, against public interest. Corruption takes several forms such as the use of power by political office holders for self-enrichment, sometimes through inflation of contracts, grafts, over invoicing in both public and private sector of the economy, and so on. Suberu (1994) stated that Nigeria cannot expect to develop in the face of flagrant violation of administrative procedures and principles of governance. On industrialization, the country is largely a consuming economy. It lacks the techniques and skills to process its natural resources to manufactured goods. To that extent, many Nigerians particularly the youth are unemployed and many Nigerians are living below the level of survival. The inability of the Nigerian State to produce goods especially from its natural resources incapacitates the State in the delivery of development and rights to the citizenries.

Also posing as a big challenge for development is political instability. Apart from incessant change of governments prevalent in 1970s through 1990s under the civilian-military and military transitions, which marred stable polities, the current unrests perpetuated by sub-national groups especially those unleashed by Niger Delta militants and Boko Haram insurgency also destabilized the Nigerian State. Instability anywhere does not allow development to take place. It rather erodes the capacity of the State. Lastly, on this issue of challenges of development in Nigeria is the mono-cultural economy. The discovery of Crude Oil in regrettably terminated other sources of government revenue such as cash crops. The Internally Generated Revenue (IGR) of all the States of the Nigerian federation
has dropped to insignificant level, to the extent that all depend on revenue from the federation account, a situation that does not make for reasonable national development.

In view of the States’ lack of development, the State institutions in turn lack the capacity to deliver the ends which the States are supposed to serve the people. This means the Nigerian State is incapacitated in the provision of reasonable standards of living for its citizens, provide security infrastructure, and so unable to implement universal rights of the citizenries.

South Africa

The second country examined briefly in this work is South Africa. The challenges of development in South Africa were enumerated by the world Development Report 2005 to include: severity of the legacy of apartheid; underinvestment in the education of the Black South Africans; unfriendly business environment for small scale enterprises; and, poor rate of economic growth. Disk (2008) accentuates the point that the post-apartheid democratic era is still faced with numerous democratic challenges which the State has not demonstrated enough capacity to resolve. The State under Zuma, is faced with exclusive elite politics on the one hand, and Mass politics on the other hand, a situation that has culminated in the recent xenophobic attacks over which the State showed incapacity to react swiftly. The availability of large mass of unemployed youth, like in many other African countries, ensured that there were enough people for increasing lawlessness, crime, and instability in South Africa.

Lodge (2013) laments that the high rate of school drop-outs coupled with unemployment rate has contributed to the social menace in South Africa which makes small scale enterprises unsafe in view of the problem of high cost security maintenance. On the challenge of inequality, Lodge (2013) accentuated the point that despite policies by the ruling African National Congress (ANC) to close the gap, the Blacks still constitute about 90% of the poor in South Africa. The crime rate in South Africa drives away investors, both foreign and domestic. Apart from the economic effect of crime, the social implication which manifested in deaths through murder, led to the establishment of the National Injury Mortality Surveillance System (NIMSS) which eventually was a distraction of development efforts in South Africa.

Essentially, the studies on South Africa, on the social issues cited above, show clearly that the rate of crime and instability in South Africa has contributed to the challenges of its development. The fact remains that investors would always put their capital where there is relative stability. Invariably, therefore, the downward trend of development or the lack of capacity to develop is as a result of multiple variables, including unemployment, poverty, improper policy making and implementation, social inequality, and inadequate municipal laws to regulate human relations, as well as lack of state regulation and autonomization.

Egypt

Tracing the development challenges in Egypt, Hazem (2008) stated that the initial struggle to develop and modernize Egypt dates back to the effort of Mohammed Ali’s personal and military ambitions in 1805. Unfortunately according to Hazem, that effort of Mohammed was truncated by a coalition of British Army. The British intervention, according to Hazem, laid the foundation for disempowerment of the Egyptian State (Hazem, 2008). After the initial attempt, subsequent projects initiated by subsequent regimes or leaders to build development frameworks also ran into some domestic hindrances.

Kassem (2014) argues that some of the hindrances include: the absence of an efficient and accountable management of the State, and the inability to make strategic policies for economic development. Kassem observed that one of the factors hindering economic development in Egypt is the multiple modes of corruption which involves the misuse of public funds, tax fraud, misuse of power and authority, favoritism and ascription. It was also the case that the State institutions were involved in exclusive politics while jettisoning inclusive development planning. The Egyptian elites, according to Marrisa (2014), live large at the detriment of the masses. Acemoglu et al. (2013; citing Noha Hammed) sum up the Egyptian situation with a statement at the Tahrir Square that: “We are suffering from corruption and bad governance. We are living amid a corrupt system which deserves change”.

The quoted statement above summarizes the feelings and agitations in Egypt, which culminated in Egyptians’ urge to join the ‘Arab Spring’ maelstrom sometimes called ‘revolution’ in North Africa, which in the end produced no developmental results.

Conclusion

What has so far been made clear from the analysis of the paper is that most African States have similar problems of development of their capacity. This follows the inability of the States to properly manage their affairs, and by implication, facilitate universal rights to the people. A careful diagnosis of the development challenges in the three countries briefly examined reveals that the problems African States are similar, with very little divergences in terms of intensity. Thus, in most the States is found one form of corruption or the other, institutional failure, economic underdevelopment, and the lack of proper State regulation and autonomization. In all the States, we find elite exclusivist politics which erode the capacity of the State to act organically and atomically.
It is, therefore, abundantly clear that these States can ill-afford to deliver universal rights to their citizens as contained in the International Bill of Rights for now. In view of this, the paper recommends that political elites in Africa should realign their sectarian interest with the ends of the State, particularly State promotion of citizen diplomacy. There is also the need for African States’ policies and programmes to be appropriately directed towards developing the capacity of the State to deliver universal rights, to make African States fit into international competitiveness.

REFERENCES


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