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THE ROLE OF THE AFRICAN COMMISSION IN SHAPING THE AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS

KWADWO APPIAGYEI-ATUA*

ABSTRACT

More than twenty years ago, after a protracted attempt to have a regional human rights instrument established for Africa, the African Charter on Human and Peoples' Rights was born. The Charter was received with scepticism in view of some unique elements it introduced, some of which detracted from the human rights standards already established through the UN system. These included the absence of a court system, the claw-back clauses, the element of duties on individuals and the third generation rights, including the right to development, even before this right was adopted by the UN General Assembly.

There were also fundamental concerns with the mandate and composition of the African Commission on Human and Peoples' Rights, the body set up under Part II (articles 30-62) of the Charter to, among others, monitor compliance with the Charter.

However, the Charter has evolved to a level that it could be recognised as having attained the status of a regional customary international norm. The Commission has also come up with some innovative decisions based on a purposive and beneficent interpretation of some of the weak provisions of the Charter. There have also been some protocols (on women's rights and the establishment of an African Court on Human and Peoples' Rights) and a separate Charter on the Rights and Welfare of the Child to complement the existing Charter and modify some of the weak and controversial provisions in the latter.

This paper seeks to chronicle some of these developments. It starts by undertaking a historical review of the Charter. It focuses on an analysis of the activist role played by the Commission to re-shape the Charter and identifies some factors that may shape the future of human rights in Africa for the better.

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WHOSE WORLD VIEW IS PROPAGATED IN AFRICAN EDUCATION?

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Abstract

A fundamental role of education is to inculcate a people's knowledge system within its members. There is much misunderstanding concerning the African world view and its cultural and spiritual foundations. The suggestion is that African culture is not really known to modern man; that its spirituality is aesthetically displeasing and consequently its world view is of no account. This perception questions the role of the African in the world where it burgeons on that role being as a subject people, rather than a people with contributions to offer the world. Being subject to the ways of others means replacement of the African world view by the world view of others. This does not engender national pride and self-worth, build dignity, nor develop loyalty - all ingredients of nation building and national progress. A people who offers itself to be subject to another sets itself up to be controlled for purposes other than its own. This paper discusses education in Ghana and Africa and the spiritual values which permeate the education system. It raises the question of the national appropriateness of a world view and spirituality over and above its own in the classroom. The paper's underlying premise is that the role of culture and spirituality to a people is to situate that people within the world as distinctly different from others and through practicing that difference ensure the survival of that people. Further, culture and spirituality enable a people to interact with life in a predefined way that ensures balance. Therefore, whether racially, nationally, or cosmically, cultural suppression is untenable.

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THE PREVALENCE OF SOCIAL AND EMOTIONAL DISORDERS: DEFINITIONS, MEASUREMENTS AND IMPLICATIONS FOR EDUCATIONAL SERVICES

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Abstract

Social and Emotional Disorders (SED) have emerged as an issue of major international public health interest. This is particularly important for the fact that there is the need for policy intervention in terms of educational services. But there is currently a controversy as to the appropriate definition and measurements. "Definition" is argued to be judgemental or "labelling" of diseases as "inappropriate" behaviours. This lack of standardized diagnostic constructs and assessment techniques makes it difficult to estimate the prevalence rate of different SED conditions. However, all definitions have been classified into medical (clinical) and behavioural. This paper focuses on the implication for behavioural characteristics for educational intervention.

Introduction

"Social and Emotional Disorders" (SEDs) are psychosocial disorders that contribute to malfunctioning of individuals in their social setting caused by a spectrum of factors including: neurological, cognitive, genetic and socio-cultural factors. SEDs are a condition in which emotional reactions are

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AN ASSESSMENT OF GHANA'S EFFORTS IN ACHIEVING SUSTAINABLE DEVELOPMENT

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Abstract

The United Nations Conference on Environment and Development held in Rio de Janeiro in 1992, called on all countries to adopt National Sustainable Development Strategies (NSDS) that will integrate and harmonize development policies by ensuring that they balance economic, social and environmental objectives. It also called for the establishment of solid and resourced institutions that can ensure this integration in a more coherent and coordinated manner. This paper assesses Ghana's efforts in the implementation of sustainable development (SD) strategies with particular emphasis on the period 1990-2002. The study does this using SD indicators selected by the Ministry of Local Government, Rural Development and Environment.

Analysis of the data indicates that the country has made some efforts in ensuring SD through the formulation of new policies and/or the modification of existing ones to suit SD objectives. In the area of economic sustainability, Gross Domestic Product (GDP) per capita, Foreign Direct Investment (FDI) flow, net Overseas Development Investment (ODI), Gross National Savings (GNS) and Gross Domestic Investment (GDI) has all increased. However, dependence on external loans, huge trade and current account deficits as well as the inability to add value to primary product pose a threat to SD. On the social indicators, poverty and inequality has generally reduced. Also, access to sanitation and safe water has improved together with other health and education indicators. In the area of environment, total land area under cultivation has increased together with irrigated agricultural land though the increase is

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