Understanding Freedom and Human Rights in Africa

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Abstract: The issues of human rights and freedom are topical in most socio-political discourse especially in the African continent given the plethora of cases of human rights abuse and unnecessary curtailment and most times outright denial of freedom to citizens. This constitutes a serious bane to the flowering of human potentialities and the general human well-being. This anomaly has however continued unabated despite the volumes that have been written on the subjects and seminars and conferences held on the same. This paper, through the analytic and critical methods, argues that much may not be achieved until the philosophical foundation upon which these subjects rest is well articulated and appreciated. The paper equally claims that one of the ways of enhancing the respect for human rights and freedom in Africa is to recognize the symbiotic relationship between the two subjects. The paper finally argues that an integral view of human freedom/rights which recognizes not only freedom-from but also freedom-to and rights-to, is foundational for the promotion of human well-being.

Keywords: Human rights, human dignity, freedom, equality, justice, Africa.

Introduction
The quest for freedom and human rights has been from antiquity and has continued to the contemporary times, taking different approaches and assuming various complexities and dynamisms. This quest is itself a product of man’s unflinching penchant for idealities and promotion of human dignity and development even in the face of the most gruesome conditions of suppression and oppression. Thus, the history of freedom and human rights is the history of human struggles against oppression and other impediments to the realization of human developments.
In view of this, volumes on the history of this struggle and the best possible means of achieving, sustaining and promoting freedom and human rights have been written by scholars, social and legal icons, activists and non-governmental organizations (NGOs). These volumes expectedly have expressed various nuances and dynamism to the idea of the twin concepts of freedom and human rights.

The relevance of these concepts to any legal system or justice system for the establishment of a social order requisite for human flourishing and development cannot be overemphasized thus the reason for the much attention they have received and will continue to receive. Herein lays the relevance of a philosophical contribution to and exposition on the concepts – freedom and human rights.

As philosophical as possible, there is need to raise some fundamental questions about the ideas of freedom and human rights. Such questions are: what is the meaning and nature of freedom? Is freedom possible? What are the possible obstacles to the realization of human freedom? What is the meaning and nature of human rights? Are humans entitled to rights? Can human rights be inalienable and absolute? What are the possible and actual obstacles to the realization and protection of human right ideals? What is the relationship between freedom and human rights?

The focus of this paper is therefore to provide answers and further reflections on the above questions. This paper is thus divided into seven sections namely: introduction, meaning and nature of freedom, obstacles to the realization of human freedom, meaning and nature of human rights, obstacle to the realization and protection of human rights, relationship between freedom and human rights and conclusion.

Meaning and Nature of Freedom

Man has a natural inclination for freedom. He can do anything and everything to be free from the encumbrances of nature, laws, and the environment and even from fellow human beings. This he does both at the theoretical level and the practical level. To this end therefore, freedom has the theoretical as well as the practical angles to it. Simply put freedom or to be free is usually regarded as the capacity to act free. This perhaps explains why Hannah Arendt (1997) opines that men regard themselves as free as long as they act neither before nor after: for to be free and to act are the same. The practical basis of freedom is shown in the political and legal spheres. The making of laws, the passing of judgments in the law courts and the making and taking of decisions in the government circles are all manifestation of the notion of practical freedom. While the issues of desires, choice whether it is self-imposed or predetermined by some other factors and the will power to carry out the choice are subjects for theoretical discussion on freedom.

Rudolf Steiner (1964) provides a good theoretical analysis on freedom. He makes a distinction between “freedom of thought” and “freedom of action”. Steiner argues that inner freedom is achieved by bridging the gap between our perception which reflects the outer appearance of the world and our cognition which gives us access to the inner structure of the world. According to him outer freedom arises when we
bridge the gap between our ideals and the constraints of external reality by letting our deeds be inspired by moral imagination. He uses the term moral imagination to mean an act of creative synthesis which an individual particularly employed to respond to the immediate demands of a given life situation. For Steiner, free deeds can only be achieved by the application of moral imagination.

Further, Steiner (1964) discusses the necessary conditions for freedom of thought and the condition necessary for freedom of actions. He calls the first condition “epistemology of freedom” and the second he calls “metaphysics of freedom” (p.90). In epistemology of freedom, Steiner stresses the importance of consciousness in particular of rational thought for the attainment of freedom and further explores the various compulsions of motives acting within us. He further differentiates motives into seven levels: reflexes, drive, desires, motives, wishes, intention and commitments. On metaphysical freedom, Steiner notes that whereas our feelings tell how the world affects us, our will tells how we affect the world. However, neither attain to true objectivity. Giving the fact that we can either act out of compulsion of our natural being (reflexes, drives, desires etc) or out of the compulsions of ethical principles, and that neither of these leaves us free, there is need for a moral imagination, a kind of a situational ethic arising neither from abstract principles nor from our bodily impulses. It is only within this context can an action be truly free.

Rousseau’s analysis of human nature also gives us insight into the meaning of human freedom. Rousseau saw animals as slaves to instinct. Though they could think in that they could form ideas from observations, all of their motivation was due to inherited programs that worked effectively in the same way as the laws of physics, deterministically. Humans have instincts too, but often override them. In that ability to override instincts lays Rousseau’s definition of freedom. For instance, a boy may skip launch during an intense session of video games. Though the instinct to eat is present and food is readily available, he however overrides it in order to do something which instinct provides him no reason to do. According to Rousseau an animal would not do so. Therefore animals are not free because of lack of this capacity to alter or override instincts.

Moreso, the ability to advance as a species and as an individual supports the idea of human freedom. Inanimate matter cannot advance; it has no such goal as survival so it cannot become better at surviving. Animals can to a very limited degree; most grow to a better adapted adult stage and are able to learn to a limited degree through conditioning. But only humans are able to make huge leap and bounds far surpassing their “natural” abilities – invention in technologies and agriculture etc. Therefore for Rousseau freedom means the ability to act differently and against instinct.

Be that as it may, the idea of human freedom pushes beyond Rousseau’s narrow concept of freedom. An adequate rendition of human freedom captures the ideas of “freedom from” and “freedom to”. Freedom from otherwise called negative freedom or
freedom of the ancient, is the removal of the restrictions that obstruct the full development of the person (Iroegbu, 2000). It equally means emancipation from the shackles of something considered to be evil, undesirable and inhumane to something seen to be good, desirable and commendable. For instance, “freedom from” a state of dehumanization to a state of dignity or “freedom from” colonialization to independence. On the other hand, “freedom to” otherwise known as freedom of the moderns is also called positive freedom. It means the granting to someone the chance and opportunity he or she needs for the full realization of his or her potentialities and personality. This can also be called freedom – enablement which gives the capacity to do anything without hindrances or restriction. To this end, C.B. Okolo (1993) writes,

“Freedom from” in social and practical meaning becomes inseparable from “freedom to” actualize oneself through effective choices for man is not an object but a subject of history, the controller and shaper of his world” (p. 9)

What this means is that there is a strong link between “freedom from” and freedom to” such that to deny “freedom from” is to seriously jeopardize “freedom to”. “Freedom from” is meaningless if not backed up with “freedom to”.

Obstacles to the Realization of Human Freedom

Anything that hinders the full exercise of one’s talented capacities and other natural endowments constitutes itself as an obstacle to the realization of human freedom. These restrictions or obstacles are either external or internal. They can equally be preventive or compulsive. For instance to be compelled to act is to be prevented from omitting an action; and to be compelled to omit (forbear, abstain) is to be prevented from doing (acting). According to George Henrik (1984), external restriction on freedom can either be physical or normative. Where physical restriction can prevent one from doing what one would have willfully done without external barrier (be it natural or artificial), external normative restrictions on an agent’s freedom are those prohibitions of a legal or moral character which are instituted in the social order or orders to which the agent belongs. Fayemi (2010) states that “The impressive evidence of dictatorship (secular and ecclesiastical tyrannies), crass for power and clinging on to it at all cost, extradition, wars between peoples, persecutions and imperialism are all sorts of un-freedom and infact, factors responsible for the destruction of freedom” (p. 14). The problem of power mongering in the African continent amongst African political leaders is a good case in hand. From Zimbabwe to Kenya to Ivory Coast the story is the same. This problem of clinging to power at all cost has wasted and continues to waste properties and lives. Even those who managed to be alive have their freedom seriously eroded and curtailed. Besides these, human freedom may be seriously hampered by physical and psychological defects and weaknesses, which hinder the full expression and realization of man’s full potentialities and personality. Apart from the external constraints, there is need to also consider the
problem of determinism vis-à-vis human freedom. Determinism is a philosophical doctrine which holds that man’s actions are not borne out of freedom but rather are predetermined by external factors or by factors within himself or by his own being. On the other hand, indeterminism holds that the naïve consciousness of freedom is not an illusion and points out that all our concepts of merits, guilt, responsibility, praise and punishment presuppose it, and without a basis in freedom lose all meaning. Be that as it may, the question of human freedom is a topical one and also very much relevant in any discourse on human development. Hence it demands a serious and philosophical approach.

**Meaning and Nature of Human Rights**

Certainly two terms are related together in the concept “human rights”. We therefore consider it essential to give a brief characterization of the term “right” before relating it to human. In ordinary language right can be construed to mean ‘claim’. Thus, when a Nigerian citizen says that he has a right to vote or be voted for, he is in way saying that he has a justifiable claim to take part in the electioneering process of choosing representatives to fill certain public offices; this claim is made possible because the citizen is aware that he satisfies the requirements either to vote or be voted for as stipulated in the constitution of the Federal Republic of Nigeria, and that he is equally convinced that he has the abilities and the capabilities to take part in such a process. This citizen is therefore in a way calling the attention of the enforcers of the provisions of the constitution to respect his right and be just to him in this regard. This, no doubt is the sense in which Davitt (1959) understands right when he says, “A right is a claim for the enforcement, redress, or protection of which the jurisdiction of a court may be properly invoked” (p. 33). This understanding of right gives it a legal status, that is, as something to be recognized and protected by a legal system. Paton (1957) captures the legality of right when he defines right as the “will power of man applied to a utility or interest recognized and protected by a legal system” (p.223). The three elements involved in the definition (which are will, power, interest, recognition and protection) qualify right as a legal one. McCloskey (1976) also argued that a right must or ought to be recognized in law. However, we are aware that right other than being legally conceived can equally be normatively construed. When right is seen as a normative claim, it need not necessarily be backed up or be protected by the authoritative pronouncement of a court, for instance, the right to conscience which is prior to legal rights (McCloskey, 1976.)

So said, Human rights therefore may be defined as those rights which all men enjoy simply by virtue of their humanity, the deprivation of which would constitute a grave affront to man’s natural sense of justice. Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. Thus we are all equally entitled to our human rights without discrimination. Like rights, human rights can equally be seen in two senses: legal rights and moral rights. Rights in
the legal sense denotes a benefit validly conferred by law, while moral rights designate rights as assertions of notions of wrongness and rightness without any backing of the legal and judicial system. Talk about human rights presupposes human interaction otherwise the whole concept of human rights wallows in meaninglessness. Carl Friedrick (as cited in Fasaro, 1993) captures the intersubjectivity basis for human rights when he, for instance, argues that, to have a right is to have a warrant, provided by socially establishing rules that hold against some at least loosely specified range of objections and that authorizes A, usually on his decision, to engage in a type of action that A judges to be advantageous to himself and that is often judged or can be expected often to be judged, disadvantageous to some B or Bs. It is observable from the above extract that rights are seen as social phenomena between or among humans in a social context – A’s rights, the practice of which is often to be judged, disadvantageous to some B or Bs. This definition of rights is itself an agreement with H.L.A. Hart’s view of anyone having right. According to Hart (1955), to have a right entails having moral justification for limiting the freedom of another person and for determining how he should act. Thus the concept of rights is rooted in human interaction whereby X’s freedom in some sense restricts P’s. No rights exist or can exist where there are no individual, identifiable people exercising or practicing those rights and justifying them. For instance A’s rights to free movement may restrict B’s because both of them are operating within the same social environment. If A were to be existing alone in such an environment, then it will be meaningless for A to assert that it has a right to free movement first for the fact that no one restricts its movement in the first place and second for the fact that A in that context will be talking to no one in particular, hence its assertion or claim makes no sense.

**Basic Tenets and Components of Human Rights**

There are some tenets and concepts that are basic to the idea of human rights. For instance, human rights are universal and inalienable. The principle of universalism speaks of universal rights that apply to all humans equally, whatever geographical location, state, race, or culture they belong to. In fact, all international human rights instruments adhere to the principle that human rights are universally applicable. The 2005 World Summit on Human Rights reaffirmed this principle when it argues that, the universal nature of human rights is the cornerstone of international human rights law. This principles as first emphasized in the Universal Declaration on Human Rights (UDHR) in 1948, has been reiterated in numerous international human rights conventions, declarations and resolutions. The 1993 Vienna World Conference on Human Rights noted that it is the duty of states to promote and protect all human rights and fundamental freedom, regardless of their political, economic and cultural systems. To this end therefore, regional human rights instruments based on cultural relativism should conduce or be made to conduce itself to the principle of universality of human rights. In fact, they should see the universal declaration of human rights as the benchmark for all
regional human rights. Human rights are also inalienable. The term inalienable rights (or unalienable rights) refer to a set of human rights that are fundamental, are not awarded by human power, and cannot be surrendered. The inalienability of human rights suggests that they should not be taken away except in specific situations and according to due process. For example, the right to liberty may be restricted if a person is found guilty of a crime by a court of law.

Another basic tenet of human rights is that of equality and non-discrimination. The principle of non-discrimination applies to everyone in relation to all human rights and freedoms and prohibits discrimination on the basis of a list of non-exhaustive categories such as sex, race, colour etc. Non-discrimination is a cross-cutting principle in international human rights law. It is present in all the major human rights treaties and provides the central theme of some of international human rights conventions such as the international convention on the elimination of all forms of racial discrimination and all forms of discrimination against women. The principle of non-discrimination is complemented by the principles of equality as stated in Article 1 of the Universal Declaration of Human Rights. “All human beings are born free and equal in dignity and rights”.

Moreso, human rights are interdependent and indivisible whether they are civil and political rights such as the right to life, equality before the law and freedom of expression, economic, social and cultural rights, such as the rights to work, social security and education or collective rights such as the rights to development and self-determination. These rights are indivisible, interrelated and interdependent such that the improvement of one facilitates the advancement of others; and the deprivation of one adversely affects others. The indivisibility and interdependence of all human rights is confirmed by the 1993 Vienna Declaration and Programme of Action (as cited in Fasaro, 1994) which says:

“All human rights are universal, indivisible and interdependent and related. The international community must treat human rights globally in a fair and equal manner on the same footing, and with the same emphasis” (p. 88).

What this passage is saying is that equal weight should be given to all rights be it civil and political rights or economic and social rights.

However, opponents of the indivisibility of human rights argue that economic, social and cultural rights are fundamentally different from civil and political rights and require completely different approaches. According to this categorization, economic, social and cultural rights are said to be: positive (meaning that they require active provision of entitlements by the state as opposed to the state being required only to prevent the breach of rights), resource- intensive (meaning that they are expensive and difficult to provide) progressive (meaning that they will take significant time to implement) and that they are aspirations or goals as opposed to legal rights. On the other hand civil and political rights are categorized as negative (meaning the state can protect them simply by taking no action), cost-
Human rights have been categorized under three generations - first generation, second generation and third generation of rights. However, this categorization is not rigid for the rights are closely related.

The first generation human rights deal essentially with liberty and participation in political life. They are fundamentally civil and political in nature and serve to protect the individual from the excesses of the state. First generation rights include among others freedom of speech, the right to fair trial, freedom of religion and voting rights. It was pioneered by the United States Bills of Rights and in France by the Declaration of the Rights of Man and of the Citizen in the 18th century. At the global level they were first enshrined by the 1948 Universal Declaration of Human Rights and given status in international law in Article 3 – 21 of the Universal Declaration and the International Convention on Civil and Political Rights.

The second generation of rights is related to equality and was first recognized by governments after World War I. These rights are fundamentally social, economic and cultural in nature. They ensure different members of the citizenry equal condition and treatment. These rights include the right to work, the right to just condition of work, the right to fair remuneration, the right to an adequate standard of living, the right to organize, form and join trade union. The right to collective bargaining, the right to equal pay for equal work, the right to housing and health care, the right to social security, the right to education, the right to property and the right to enjoy the benefits of one’s own creative activity. These rights are covered by the Universal Declaration of Human Rights and are also embodied in Articles 22 to 27 of the Universal Declaration and the International Covenant on Economic, Social and Cultural Rights.

Third generation of human rights are those rights that go beyond the mere civil and social as expressed in many progressive documents of international law, including the 1972 Stockholm Declaration of the United Nation Conference on the Human Environment and Development, and other pieces of generally inspirational “Soft law”. The third generation rights are largely unofficial and include such rights as: group and collective rights, right to economic and social development, right to a healthy environment, right to natural resources, right to participation in cultural heritage, right to intergenerational equity and sustainability and the right to commutate and communication rights.

Be that as it may, a number of criticisms have been leveled against the concept of human rights. Charles Blatterg in his essay, “The Ironic Tragedy of Human Rights”, has argued that rights talk, being abstract, demotivates people from upholding the values that rights are meant to assert. Alasdair Macintyre (1981) in his book, “After Virtue” claims that the concept that all human beings have certain rights simply by virtue of being human is illogical. He says the best reason for asserting so bluntly that there are no such rights is indeed of precisely the same type as the
best reason which we possess for asserting that there are no witches and the best reason which we possess for asserting that there are no unicorns: every attempt to give good reasons for believing there are such rights has failed.

Karl Marx (cited in Fagan Andrew, 2006) has equally criticized the declaration of the rights of man and of the citizen as bourgeois ideology. He writes:

> Above all, we note the fact that the so-called rights of man, the *droits de l’homme* as distinct from the *droits du citoyen*, are nothing but the rights of a member of civil society – i.e. the rights of egoistic man, of man separated from other men and from the community...according to the Declaration of the Rights of man of 1791: “Liberty, consists in being able to do everything which does not harm others” liberty, therefore, is the right to do everything that harms no one else. The limits within which anyone can act without harming someone else are defined by law, just as the boundary between two fields is determined by a boundary post (Andrew, 2006:p.154).

What the above passage shows is that for Marx, liberal rights and ideals of justice are premised on the idea that each of us needs protection from other human beings. Therefore, liberal rights are rights of separation, designed to protect us from such perceived threats. Freedom on such a view is freedom from interference. What this view denies according to Marx is the possibility, the fact that real freedom is to be found positively in our relations with other people. It is to be found in human community, not in isolation. So insisting on a regime of rights encourages us to view each other in ways which undermine the possibility of the real freedom we may find in human emancipation.

However, contrary to Karl Marx’s argument that human rights create isolation and separation among human beings, the beauty of human rights is that it creates the needed atmosphere for peaceful human interaction without making wolves out of men. Without human rights, the concepts of duty and obligation will be meaningless. Real freedom lies in the ability to respect other people’s rights in the course of the exercise of your freedom. John Finnis and Fagan Andrew (2006) argue that human rights are justifiable on the grounds of their instrumental value in creating the necessary condition for human well-being. Niraj Nathwani (2002, p.16) corroborates this when he argues that “human rights law, applied to a state’s own citizen serves the interest of states, by, for example minimizing the risk of violent resistance and protest and by keeping the level of dissatisfaction with the government manageable”.

Whatever the arguments of the critics of human rights may be, human rights are ordained “to protect ordinary people, minorities, groups and races, from oppressive rulers and governments” (Humana, 1983 p.10). The protection that human rights afford protects an individual against his fellow individual or human collectivities, organizations and institutions. The recognition and the promotion of equal and inalienable rights of all members of the human family is an imperative for freedom,
justice and peace in the world. President Reagan corroborates this view when he asserts that “world peace is attainable only if governments observe and guarantee human rights of their citizen (Reagan, 1987 p. 223). From a positive communitarian angle, human rights, other than preventing the State from interfering in the lives of citizens also obliges the State and other social beings within the social system to intervene in the lives of the people in other to create opportunities that will enable them lead a minimally happy life. Therefore contrary to the critics of human rights, human rights are categorical imperatives for not only ensuring the dignity and equality of man, but also world peace.

Obstacles to the Realization of Human Rights

The gross violation of human rights across the world shows that the issue of human rights is yet to be accorded the recognition and respect it demands across nations and across peoples. Gross violations of human rights abound in Africa. Amaku Ejiogu (2003) opines that majority of Africans are illiterates, homeless, jobless and refugees in foreign grounds. Denial of salaries, arbitrary beheading of human beings for unjust reasons, forced marriages and rapes, unjust victimization of the weak by superior powers, damage of social amenities, the irremediable issues of ethnic marginalization, the swindling of justice to the richer etc are cases of human rights abuses on the black continent. Many are the obstacles and circumstances that make the realization, protection and enforcement of fundamental human rights impossible. Obafemi Awolowo (cited in Shivji, 1989) lists such obstacles as: epidemic, war, relationship, taking of other people’s life unjustifiably, improper acquisition of wealth and property etc. Awolowo suggests that anybody who takes another person’s life unjustifiably or acquire wealth/property through an improper means can have his/her human rights like right to life or right to property eroded away. But taking somebody’s life under any circumstance even as a punitive measure is itself de-humanizing and therefore unacceptable; thus Awolowo errs here. Instead, the person’s other rights say his/her rights to and freedom of movement, association can be curtailed and not his/her right to life for right to life is inalienable and absolute, it is innate and natural dignity of man and therefore should not be taken under any guise.

Moreso, we identify the problem of leadership or government itself and the overwhelming contradictions plaguing the constitution of many states as obstacles to the realization of human rights in addition to the ones listed by Awolowo. Through corruption and bad leadership, governments most times trample on people’s human rights in order to satisfy and further their egoistic tendencies. The issue of abuse of human rights by governments is more pronounced under military and autocratic/authoritarian regimes. Military regimes are known for ruling by decree. There is no respect to the rule of law among the military juntas. In such regimes human rights are not easily recognized and protected. Examples of this abound during the military regimes of General Ibrahim Babangida and the late despot General Sani Abacha in Nigeria. Surprisingly, even in democratic regimes, especially in
Africa, human rights have not fared well. There were cases of human rights abuses and non-respect to the rule of law during the nine years of former President Obasanjo’s administration and the present administration of Muhammed Buhari where there are many cases of where courts of competent jurisdiction have positively ruled on the bail applications of certain accused persons, yet the federal government refused to grant them bail or where the federal government have used the apparatus of DSS to harass certain persons without due process.

In addition, the justice system that operates in a given state can hinder the flowering of human rights. If the justice system is punitive then gross violations of people’s rights and freedom will be inevitable. Moreso, the influence of nature and nurture as limiting factors to the realization of human rights ideals has been identified. By nature, some people are biologically servile and feel nothing wrong with being treated unequally. While at the level of nurture, education and society play major role. One’s level of education can determine one’s attitudes and approach to issues of human rights. Illiterates or the less educated often times are less concerned or totally ignorant of their rights. At the level of society, there are some conditions that affect one’s level of freedom such as childhood experiences and the domineering posture of the society/community over the individual. For instance the African exaggerated ideas of society almost exclude entirely the philosophy of the individuality of the human person. The African individual is not known and interacted with as an irreplaceable, autonomous being, but only through his or her family or society backgrounds; the individual is forced as it were to hide under the cloak of society. The individual has almost no person and can hardly exercise personal voluntariness outside his or her social community pretentions. Acting outside the interests of his community would automatically attract ostracism and marginalization, as he or she would be judged a social deviant. It is upon this depersonalization and dehumanization of the individual that human rights are crassly violated in Africa: politically, religiously and culturally.

Relationship between Freedom and Human Rights

Our analysis of the concepts of human freedom and human rights shows a strong link between the two concepts. In fact to talk of one is to talk of the other, for none of the concepts can be successfully discussed without including the other. Therefore both concepts are interrelated ideals that humans aspire to attain. Human rights and human freedom are mutually reciprocal and reinforcing and should be treated as such. For instance in the exercise of every “right to”, there is or ought to be “freedom to”. The recognition and the accordance of “right to” association; religion etc. should invariably be recognition and the promotion of “freedom to” association, and religion etc. Having a “right to” should be corresponded with having a “freedom to” in the context of availability of the enabling condition for the exercise of the “right to”. What is a “right to” if there is no corresponding “freedom to” exercise such right? Therefore in matters of voting for instance, which is a right to all qualified citizens guaranteed
by the constitution, a candidate succeeds in exercising a “freedom to” within the context of a “right to” if he or she succeeds in voting for a candidate of his or her choice without arbitrariness, constraint and undue interference with his/her choice. The provision of a “right to” should be backed up with the creation of the atmosphere for the preservation and expression of “freedom to” exercise such a “right to”. A right to vote (choose one’s representative) or be voted for is empty and useless if there is no provision of maximum security for the lives of voters given the incessant cases of election brutalities and violence that characterize elections in Nigeria. Due to insecurity of lives and properties many would not be able to exercise that right. A right to choose one’s representatives is made useless if one’s votes do not count at the end of the day because of rigging and other electoral malpractices. Most people in Nigeria today, have developed apathy towards election because what actually takes place is selection and not election. The much talked about right to be voted for today lacks the ‘freedom to’ because of the expensive nature of electioneering process. Election in Nigeria today is meant for the ‘money bags’ not for the low or middle class but visionary citizens.

In the same vein, every “freedom from” on the part of the citizen is an entitlement or a right demandable by them, while every “right to be free from” constitutes an obligation on the part of state denoting actions that a government should not take. For instance, where the citizens have the freedom of assembly which is a “right to” on their part, the state has the duty of not restraining the rights to be free from assembly. Therefore every “freedom from” manifests itself through a right to”. Since every “freedom from” discrimination is a fundamental element of human rights that promotes human dignity, the corresponding right to it is the “right to equality”. The universalism of life claims demands that all people treat all others equally without discrimination. This freedom from discrimination gives birth to the right to equality which has been the driving force for human development and equality before the law. The above instances show the intricate relationship between freedom and right. Ant it must be noted that when these freedoms and rights are recognized, respected and promoted, they enable man to fully develop and use all human qualities such as intelligence, talents and conscience to satisfy both spiritual and mundane needs. Human freedoms and rights promote and protect the dignity of the human person. Therefore every constraints and impediments to the flowering of human freedom and rights should be minimized if not totally removed.

Conclusion
Human freedom and human rights are considered great beacons and springboard for human flourishing, thus it is understandable why the two concepts have become topical in contemporary discourse and the quest for it has continued despite mounting obstacles to its realization. The general well-being of man and world peace has been seen to largely depend on the promotion of human freedom and human rights.
Therefore, no matter what the arguments of the critics of human rights and human freedom are, they have not succeeded and perhaps will never succeed in vitiating the relevance of philosophical discourse on how better to achieve and promote human freedom and human rights nor will it even vitiate the quest for human rights and freedom in the first place.

The ideals of human rights and human freedom should be the concern of all and sundry cultural particularities and ideological differences notwithstanding. They should not be seen to be the prerogative of the West neither should other nations shy away from its recognition and promotion as a universal ideal. To this end therefore, the former prime ministers of Singapore, Lee Kuan Yew and of Malaysia Mahathir bin Mohammad were both wrong when they claimed in the 1990s that “Asian values were significantly different from Western values and included a sense of loyalty and foregoing personal freedom for the sake of social stability and prosperity and therefore authoritarian government is more appropriate in Asia than democracy”. Authoritarianism is not appropriate anywhere since it stifles the flourishing of human freedom and rights. Infact, Mahathir’s former deputy, A. Ibrahim in reaction said, “To say that freedom is Western or Un-Asian is to offend our tradition as well as our forefathers who gave their lives in the struggle against tyranny and injustices”. However, granted the fact that there may be, for matters of convenience and uniqueness of interests, differences in the regional instruments of human rights, the Universal Declaration of Human Rights should provide the benchmark for all regional declaration of human rights. Moreso, there should be serious commitment to the recognition and promotion of human rights and human freedom by government, states and peoples the world over.

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