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CHAPTER NINE

HUMAN RIGHTS AND AFRICAN MIGRATION

MICHAEL U. MBANASO
AND CHIMA J. KORIEH

INTRODUCTION

Africa witnessed an increase in migration following decolonization in the 1960s. Migrations are common occurrence across the continent both within and cross borders.¹ The migration patterns occurred overwhelmingly between the rural environs and the urban centers or what has often been referred to as rural-urban migration. Some of the explanations for the post-colonial migration patterns across Africa include stagnation in the agrarian sector, urbanization, industrialization, and seeking better economic opportunities in the large metropolitan centers. A constant phenomenon which is pervasive across the continent is an urban development policy that disproportionately favors large urban centers over the small towns and the rural areas.

While the emphasis in the literature has tended to revolve around rural urban migration as predominant in African migration patterns, very limited work has offered an explanation for the accelerated pace of African migration in the last few decades to Western Europe and North America, particularly the United States. The effects of human rights abuses in the migration of Africans to foreign lands including the United States have often been overlooked. This paper examines the role that human rights abuses in select African countries may have played in the rapid rate of African migration to the United States over the past few decades. The paper analyzes African migration to the United States from select years where data are available between 1980s and 2000s to ascertain if there is a relationship

between African migration patterns of this period and human rights conditions on the continent. Data are drawn from the U.S. Department of State Human Rights Report along with the U.S. Department of Homeland Security Immigration Data by country. It is our goal in this paper to stimulate dialogue and encourage a global policy response for improved human rights conditions in the emerging democracies of Africa.

Many African countries experienced de-population in staggering numbers over the past three decades as a result of migration to countries in Western Europe, North America, and to a lesser extent, to Eastern Europe, Asia and the Middle East. There is plethora of work in the literature on African migration since the Trans-Atlantic Slave Trade to the present.² Some migrations have been forced while others are voluntary. While migration is part of the human experience, the accelerated pace of transnational migration of Africans from the 1980s raised an alarm for many international observers. Subsequently, the subject of African "Brain Drain" began to dominate the discourse on socio-economic and human development in Africa as the world witnessed mass exodus of highly skilled African professionals to foreign lands of Western Europe and North America, particularly the United States. Often, in these instances, no job offers were in sight as would be African migrants searched for greener pastures and safe havens. This pattern was similar across all categories from the artisan to the highly skilled professionals in the fields of, law, medicine, and university professors. For a period of time, international organizations, including the United Nations and the World Bank sought solutions to reverse the prevailing trend of "African Brain Drain." The recurring question was how the African continent expects to transform from a predominantly traditional and agrarian society to an urbanized and industrialized society in an environment of increasingly depleting intellectual capital.³ This unfolding trend was a major crisis facing the continent.

While the conventional assumption towards an explanation for the transnational migration of Africans to the United States, for example, centered around such claims as: economic opportunities; access to higher education; family reunification; and most recently, globalization and labor mobility, there has been little reference to human rights abuses as contributing factors to African migration pattern in recent decades. Such factors as regional economic imbalance, structural underdevelopment, and favored capital investments in

certain regions provide partial explanation for transnational migrations or the rapidity of African migration of the past few decades.⁴ Rural urban migration tended to dominate the literature on African migration patterns following de-colonization as more Africans uprooted themselves from their rural environs to the urban areas in search of better economic opportunities.⁵ While the push-and-pull factor of rural-urban migration has been part of the African transformative experience, this trend alone fails to capture the rapidity of African migration to the United States in recent decades.

POST-COLONIAL AFRICAN REGIMES AND HUMAN RIGHTS CRISIS: 1960-2000

It has been argued that Africa has known no peace since the period of European intrusion on the continent.⁶ Yet the 1960s were seen as a transformative period in African modern political history as over thirty countries gained independence from the colonial powers. What many Africans and their friends around the world saw as a welcome development soon turned into an unprecedented crisis as the continent erupted in conflicts and was engulfed in political turmoil, wars, military coups, political assassinations, dictatorships, kleptocracy, and in some regions, anarchy.⁷

From the 1960s, post-colonial Africa was marred in armed conflicts from ethno-religious violence, territorial disputes, civil wars, rise in military dictatorships, and one party rule. This unprecedented militarism in the wake of de-colonization period wreaked havoc across the continent. Still, some of the armed struggles in Africa were legitimately waged to sack once and for all, the remnants of colonialism. In Africa, countries such as, Namibia, Angola, South Africa, Mozambique, Zimbabwe, and Southern Sudan, all witnessed a sustained period of armed struggle for liberation from colonial claws. It is a common knowledge that whether one is addressing the issues of armed conflicts, civil wars or liberation struggles, they are littered with untold human rights atrocities on all sides.⁸

A close review of post-colonial Africa of the 1960s paints a picture of a continent under siege. Students of African political history, often, have debated the origins of African post-colonial crisis. Some have argued that most of the political turmoil of this period in Africa was as a result of the struggle for balance of power between the then Soviet Union, and the United States and her Western allies in the

post-World War II era. Others have suggested that the origins of the post-colonial crisis in Africa could be traced to colonial rule and their creation of artificial geographical boundaries. Still others have identified the amalgamation of disparate ethnic nationalities into nation-state by European colonizing powers as the major contributing factor to the political crisis across the continent.⁹ Still, some scholars have merely described the post-colonial political crisis across Africa as one of class struggle.¹⁰

While there may be disagreements over the origins of African human rights crisis, it is safe, however, to argue that beginning in the Congo (Democratic Republic of Congo) in 1960, African human rights crisis took a drastic turn for the worst as the world watched in horror, the brutal assassination of Patrice Lumumba in 1961, the duly elected Prime Minister by Joseph Mobutu and his Allies.¹¹ Its aftermath was the assumption of power by Mobutu who became one of the longest running autocratic regimes that Africa had ever witnessed in its modern history. Mobutu's rule which lasted for over thirty years and his deplorable records on human rights, in no small measure may have hastened the migration of many Congolese to foreign lands including the United States of America.¹² Elsewhere in the East-African sub-Region, Ethiopia, for example, did away with the rule of law under Mengistu with a total breakdown in the rights of the citizens. Under Mengistu's watch, Ethiopia witnessed one of the worst refugee crises in Africa in the 1980s, resulting from famine that engulfed the Sahel region.¹³ Many Ethiopians fled to foreign lands as a result, including the United States, and many of whom have settled today as immigrants of permanent residents and naturalized citizens of the United States. Most large United States urban centers are hosts to significant numbers of Ethiopian immigrants. Following Mengistu's regime, was Zenawi, who overthrew Mengistu and consolidated power with a one party rule until his death in August 2012. Ethiopia's human rights abuses under Zenawi were not much better than that of Mengistu's regime.¹⁴

In neighboring Somalia, one could safely assume that the country had descended into the abyss while anarchy rules. In such an environment, it would be difficult for any semblance of human rights to exist.¹⁵ In nearby Rwanda, the world witnessed an untold genocide in the mid-1990s that stunned human kind with the outpouring of refugees across Rwandan borders into foreign countries including the United States, as asylum seekers.¹⁶ In the southern African sub-

region, the iron grip on power by Robert Mugabe in post-colonial Zimbabwe and the regime's repressive tendencies towards the opposition have produced some of the worst cases of human rights on the continent.¹⁷

Similar accounts can be given in the Dafur region, where the Arab backed Sudanese autocrat, Bashir has ruled with impunity. Until the recent birth of the newly independent Southern Sudan, Bashir and his regime waged a genocidal war against the Dafur Christians of Southern Sudan inflicting human rights atrocities. It is worth noting that Bashir is under indictment by the International Criminal Court of Justice for crimes against humanity.¹⁸ Additionally, religious conflicts which were often triggered by Islamic fundamentalism and fanaticism have held sway and contributed to human rights atrocities and refugee crises in the Islamic dominated regions of Africa. The insistence, for instance by these fanatic elements for the imposition of Sharia legal code based on rigid interpretation of Islamic law across the African nation-states have been unsettling to Christians in particular who reside in these regions. An example is the menace of the terrorist group, Boko Haram operating in central and Northern Nigeria. The outcomes have been the unspeakable slaughter at will of Christians in the heat of the night while they are at sleep. Suicide bombers now exist in Nigeria as witnessed around the world in the war torn Afghanistan and Iraq. Churches and places of religious worship in Northern Nigeria are routinely bombed by Islamic fanatics whose sole aim is to impose Islam on the country.

The ongoing bloodshed in northern Nigeria with population displacement and refugee crisis fuelled by Islamist fundamentalist group, Boko Haram, for example, has given rise to human rights concerns. Disproportionately, churches, Christians, and the Igbos are the prime targets of the Boko Haram attacks. The combined insurgency of Boko Haram terrorist group and the counter offensive by the state security forces have raised an alarm on human rights abuses.¹⁹ One of Nigeria's earlier human rights crises was witnessed in the 1960s in the genocidal war against the Christian Igbos by the Nigerian army during the Nigerian-Biafran war that lasted from 1967 through 1970. These accounts are well documented in numerous reports and other publications.²⁰ One could argue that the Nigerian political crisis of the 1960s that led to the Nigerian-Biafran war paved the way for military incursions into Nigerian politics, violent military coups and counter coups, and brutal military regimes with untold human rights atrocities.

ties. Recurring religious conflicts stemming from fanaticism of Islam have often produced human rights crises across the affected regions in Africa. Elsewhere in the West African sub-region, countries such as Liberia, Sierra Leone, Guinea Bissau, and Ivory Coast are still recovering from civil wars and violent conflicts. Military dictatorships across Africa along with human rights abuses, often, produced population displacement and human migrations across international borders.²¹ It is instructive to note that in the face of human rights abuses among the respective regimes, those who were able to migrate, did so in record numbers to far away countries of Europe, and North America in order to escape the clutches of tyrants and their repressive regimes.

No matter its origins, the crisis of this historical epoch accelerated the pace of destruction and political instability in Africa, leading to structural underdevelopment, underperforming economy, poverty and misery, repression by the ruling class and rampant abuse of human rights. To be sure, the rampant political crisis of this period was an enormous drawback on efforts towards socio-economic and human development in Africa. The continent has not recovered from the atrocities that the crises created including the destruction of lives and the stagnation of the economy across the regions some of which are the results of the conflicts and raging wars in Africa. The total disregard for human rights in Africa as a result of these conflicts have fuelled the accelerated pace of African migration to foreign countries including the United States. Let us briefly examine some of the crises of this period in post colonial Africa.

Those who viewed the continent as a theater of proxy wars and as pawns of the Cold War between the Super powers during this period considered the continent as weak with failed states that merely represented the hegemonic interests of the world powers. New weapon systems were routinely tested, and their destructive capability evaluated across the continent in what some Western military observers dubbed low intensity warfare as the battle for predominance of communism versus western democratic capitalism raged on. In Mozambique, Angola, Namibia, South Africa, Zimbabwe and the Congo, warring sides aligned with either the then Soviet block or the United States and her Western allies. In Angola, for example, a civil war was waged between Western-backed Jonas Savimbi's army, the Union for the Total Independence of Angola (UNITA), and the Angolan forces, the Popular Movement for the Liberation of Angola (MPLA) which was supported by Soviet Union and Cuba.

Elsewhere in the Southern African sub-region, Mozambique's, the Front for the Liberation of Mozambique (FRELIMO), which was backed by the Soviet Union was locked in an armed struggle with a rebel insurgent group, the Mozambican National Resistance (RENAMO), which was being supported by South Africa and her Western Allies.²²

In Zaire (now, Democratic Republic of Congo), the autocrat ruler, Joseph Mobutu who was backed by the West became a conduit for reinforcement and supply lines to the Western backed Jonas Savimbi forces battling Angolan government, and as a result, helped in prolonging the conflict. Similar accounts of conflicts and proxy wars raged across the continent as both the West and the Soviet Union readily supported any regime in power, no matter how autocratic or brutal the regime might be, so long as their respective hegemonic interests were protected.²³ Out cries of human rights abuses from within the conflict stricken regions were of little or no priority among the world powers particularly the Western countries, which many Africans may have assumed, though wrongly, should have been in a better position to understand the brutality and human rights abuses. The continent has not yet recovered from these conflicts.

Another scourge that faced post-colonial Africa was military coup. Military coups were prevalent in post-colonial Africa, and they paved the way for military dictatorship in Africa, rise in brutal regimes across the continent, and poor human rights records. Successful military coups over the period brought about bloody conflicts across the continent and the flouting of human rights.²⁴ Abuse of power was prevalent in countries including Nigeria, Ghana, Togo, Burkina Faso, Ethiopia, Congo (Zaire), Liberia, Sierra Leone, Sudan, Uganda, Somalia, Cameroon, Gabon, Central African Republic, Libya, and Egypt. Once in power, the regimes suspended their respective country's constitution and imposed a rule by decree while eliminating the rule of law.²⁵ The outcome was unbridled power among the autocratic regimes where no opposition was tolerated.

Political freedom was increasingly lost. The freedom to assemble was done away with, while intellectual freedom and freedom of the press were curtailed. People were picked up and locked up for saying or writing things unfavorable to a regime, others were tortured or killed for what might be termed anti regime activities. Unnecessary harassments of citizens, and unlawful detention and imprisonment were routine. The regimes reigned with no visible opposition.²⁶ Afri-

can countries with civilian regimes or some semblance of democratic process were no better than the autocratic military governments. Often, where civilian government existed, power was consolidated to one party rule with non-viable opposition party to challenge the dominant political regime. The same lawlessness and brutal crackdown of any descent that characterized the military regimes were found among the one-party civilian governments.²⁷

The combined effects of uncertainties and the infringement on human rights compelled those who could to migrate in record numbers. Many of those who migrated to pursue higher education eventually sought adjustment of their non-immigrant student status to permanent resident, and subsequently naturalized citizenship in their host countries. News of brutal crackdowns of the opposition by autocratic regimes and human rights abuses in the countries of origin of these migrants influenced their decision against returning home. Thus, having experienced relative freedom, and respect for the rights of human (*droits de l'homme*) in their host countries, it became increasingly difficult to convince these recent African migrants to even contemplate a return to their home countries.

Table 1: Political "Realities" of Contemporary Africa: Regime Types Today

<i>Democratic (17)</i>	<i>Partially Democratic (15)</i>	<i>Undemocratic (16)</i>
Benin	Chad	Algeria
Botswana	Comoros	Angola
Cape Verde	Congo (Brazzaville)	Burundi
Gambia	Gabon	Cameroon
Ghana	Egypt	Congo (Democratic Republic)
Kenya	Eritrea	Cote D'Ivoire
Malawi	Ethiopia	Djibouti
Mauritius	Lesotho	Equatorial Guinea
Mozambique	Madagascar	Guinea
Namibia	Morocco	Libya
Nigeria	Rwanda	Mauritania
Sao Tome	Sierra Leone	Niger
Senegal	Swaziland	Somalia
Seychelles	Tanzania	Sudan
South Africa	Uganda	Togo
Tunisia		Zimbabwe
Zambia		

Source: J. Mertzner, *Making Sense of Post-Colonial Africa, 1960-2007*
[http://www.slidefinder.net/m/making_sense_post_colonial_africa/makingse
 nseofpost-colonialafrica1960-2007-johnmetzler/26191745](http://www.slidefinder.net/m/making_sense_post_colonial_africa/makingse

 nseofpost-colonialafrica1960-2007-johnmetzler/26191745)

AFRICAN MIGRATION TO THE UNITED STATES IN THE LATE TWENTIETH CENTURY

In the midst of an unstable political atmosphere in Africa, a large number of Africans fled as refugees and asylum seekers. For a long period of time, and beginning in the 1960s into the twenty first century, one would be hard pressed to identify any African country that was not engulfed in one political crisis or another, including: military coups; ethno-religious conflicts; violent uprisings; marshal law; civil wars; political assassinations; suppression of opposition; and the rise of totalitarian regimes

It is often expedient to explain the migration patterns of the past few decades of Africans to Western Europe and North America as necessitated by the global economic imbalance, whereby populations from underdeveloped regions of Africa migrate to the industrialized regions of Western Europe and North America in search of better economic opportunities. While the later part of the twentieth century witnessed a distinct phenomenon of globalization with the intensification of internationalization of capital and labor, African migration is often oversimplified to reflect one of labor mobility. Following decolonization, Africans poured into Europe and North America in huge numbers to pursue higher education. The United States received a significant number of these African students. At the conclusion of their studies, most of these students were quick to return to their respective countries to take up positions in various fields.²⁸

While African migration into the United States has continued apace over the years, it intensified in the 1980s and peaked in the mid-1990s. Several explanations can be offered for transatlantic migration trend. The political conditions across most African regions over the same period, reveal that a significant number of African countries experienced undemocratic system of government, including, military dictatorship or one-party rule that exacerbated human rights abuses

Increasingly, a large number of Africans continue to migrate to the United States under the categories of refugees and asylum seekers (see Tables 2-7 and Figures 1-4 below). Thus, mere economic imbalance or globalization and labor mobility are insufficient explanations for African migration patterns of the past few decades into the U.S. When an examination is made of the data from U.S. Homeland Security from 1999 to 2008, for example, on persons from Africa obtaining

legal permanent resident as well as persons naturalized from Africa as region of birth, the figures continue to show an increase over the period.

Figure 1. Immigration by Country - 1989 - 1996 - Northern African Countries

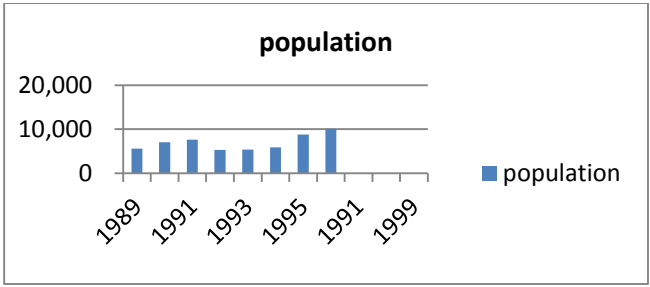


Figure 2. Immigration by Country - 1989 - 1999 - East African Countries

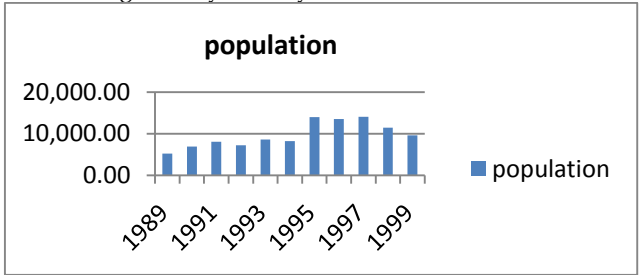


Figure 3. Immigration by Country - 1989 - 1999 - Western African Countries.

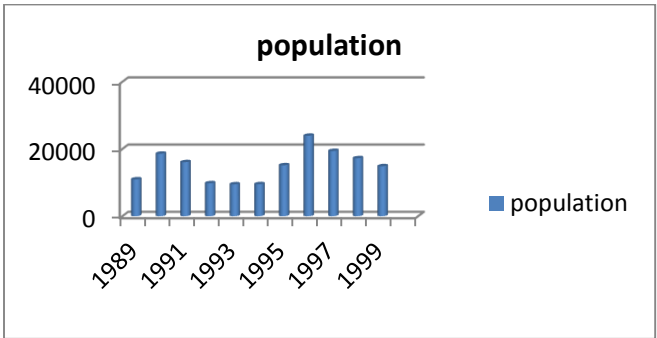
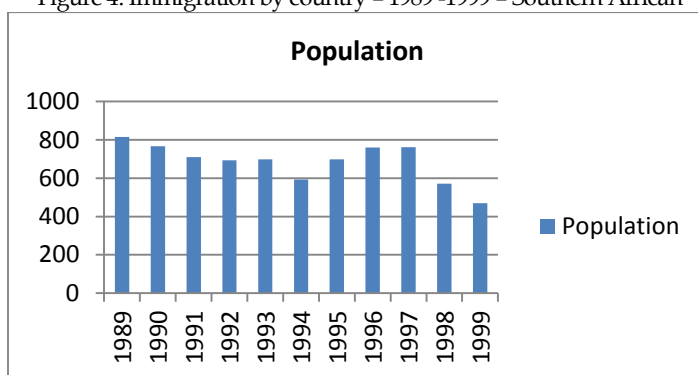


Figure 4. Immigration by country – 1989-1999 – Southern African



Figures 1-4 were compiled from the United States Department of Homeland Security. (2008). *Yearbook of Immigration Statistics*. Washington, D.C.: U.S. Department of Homeland Security, Office of Immigration Statistics.

Table 2: African Refugees and People seeking Asylum, Permanent Residents & Naturalized Citizens in the United States, 1999-2008

Year	Non-immigrant Admission from Africa as Region of Citizenship	Total number of non-immigrants	Persons naturalized from Africa as Region of Birth	Total number of Persons Naturalized	Persons obtaining Permanent Residency from Africa as Region of Birth	Total Number of Persons obtaining Permanent Residency
1999	407,218	31,491,819	20,358	837,418	36,578	644,787
2000	447,131	33,660,320	25,772	886,026	44,534	841,002
2001	465,598	32,824,088	24,255	606,259	53,731	1,058,902
2002	387,396	27,107,139	31,489	572,646	60,101	1,059,356
2003	371,799	27,849,433	28,529	462,435	48,642	703,542
2004	384,442	30,781,330	34,531	537,151	66,422	957,883
2005	395,734	32,003,435	38,830	601,280	85,098	1,122,257
2006	394,163	33,667,328	50,397	702,589	117,422	1,266,129
2007	426,922	37,149,651	41,652	660,477	94,711	1,052,415
2008	474,160	39,381,928	54,420	1,046,539	105,915	1,107,126

Table 3: Immigration by Country – 1989 – 1996 – Northern African Countries

Country	1989	1990	1991	1992	1993	1994	1995	1996	Total
Algeria	230	302	269	407	360	364	650	1,059	3641
Chad	4	8	9	4	3	9	11	13	61
Egypt	3,717	4,117	5,602	3,576	3,556	3,392	5,648	6,186	35,794
Libya	1,175	2,004	1,292	999	1,050	1,762	1,929	2,206	12,417
Niger	7	3	D	D	4	8	10	102	134
Tanzania**	507	635	500	352	426	357	524	553	3854
Total	5640	7069	7672	5338	5399	5892	8772	10,119	55901

Table 4: Immigration by Country – 1996 – 2004 – Northern African Countries

Country	1997	1998	1999	2000	2001	2002	2003	2004	Total
Algeria	717	804	789	907	878	1,031	760	804	6690
Chad	18	8	24	23	45	47	8	23	196
Egypt	5,031	4,831	4,429	4,461	5,182	4,875	3,355	5,522	37,686
Libya	171	166	156	181	224	159	140	185	1,382
Niger	22	24	13	30	54	47	40	40	270
Tanzania**	399	339	316	481	477	584	555	746	3,897

Table 5: Immigration by Country – 1989 –1996– East African Countries

Country	1989	1990	1991	1992	1993	1994	1995	1996	Total
Burundi	9	5	16	11	13	14	26	36	130
Ethiopia	3,389	4,336	5,127	4,602	5,191	3,887	5,960	6,086	38,578
Eritrea	X	X	X	X	85	468	992	828	2373
Djibouti	8	22	21	14	14	10	25	19	133
Kenya	910	1,297	1,185	953	1,065	1,017	1,419	1,666	9512
Somalia	228	277	458	500	1,088	1,737	3,487	2,170	9945
Sudan	272	306	679	675	714	651	1,645	2,172	7114
Uganda	393	674	538	437	415	391	383	422	3653
Rwanda	7	6	12	10	25	16	41	118	235
Total	5216	6923	8036	7202	8610	8191	13978	13517	71673

Table 6: Immigration by Country – 1997 - 2004 Eastern African Countries

Country	1997	1998	1999	2000	2001	2002	2003	2004	Total
Burundi	59	51	16	28	79	121	74	97	525
Djibouti	18	15	6	14	23	30	16	37	159
Eritrea	948	641	326	383	544	561	556	673	4632
Ethiopia	5,031	4,831	4,429	4,461	5,182	4,875	3,355	5,522	37,686
Kenya	1,387	1,696	1,412	2,210	2,514	3,207	3,216	5,323	20,965
Rwanda	170	52	98	73	148	217	109	162	1029
Somalia	4,005	2,629	1,710	2,465	3,026	4,537	2,448	3,929	24,749
Sudan	2,030	1,161	1,354	1,538	1,655	2,924	1,886	3,211	15,759
Uganda	400	355	250	423	459	577	457	717	3638
Total	14048	11431	9601	11595	13630	17049	12117	19671	109142

Table 7: Immigration by Country – 1989 – 1996 – Western African Countries

Country	1989	1990	1991	1992	1993	1994	1995	1996	Total
Benin	16	27	24	10	21	18	23	38	177
Burkina Faso	11	8	8	16	11	16	17	17	104
Ivory Coast	98	184	347	259	250	268	289	432	2127
Cape Verde	1,118	907	973	757	936	810	968	1,012	7,481
Gambia	71	170	159	93	76	93	153	207	1022
Ghana	2,045	4,466	3,330	1,867	1,604	1,458	3,152	6,606	24,528
Guinea	45	67	84	104	102	97	152	220	871
GuineaBissau	9	8	14	8	D	-	D	D	39

Source (Tables 2-7): United States Department of Homeland Security. (2008). *Yearbook of Immigration Statistics*. Washington, D.C.: U.S. Department of Homeland Security, Office of Immigration Statistics.

It is thus, plausible to argue, that as more and more African countries transform from military, undemocratic or one party rule to

a democratic political system, where freedom of expression is the norm and the respect for human rights is enjoyed, one may begin to observe a reversal trend in the African migration patterns with more Africans actually beginning to return to the continent. In this way, a reverse type of migration may take hold with the desired impact of expertise and knowledge transfer from the advanced economies of the United States and Western Europe to the continent of Africa, thereby, stimulating socio-economic and human development in various ways.

HUMAN RIGHTS CONDITIONS IN SELECT AFRICAN COUNTRIES

African immigrants are a constant presence across the United States with overwhelming number of them residing in the large metropolitan centers.²⁹ It is often suggested that out of every four Africans in the United States, one is a Nigeria.³⁰ Another set of conspicuous African immigrants in the US are the Ethiopians.³¹ Both of these countries had long running autocratic regimes with rampant human rights abuses. We will examine closely, the country conditions of both Nigeria (in West Africa) and Ethiopia (in East Africa) along with some of their neighboring countries to draw some inferences of any association between human rights conditions and African migration to the United States.

To understand the relationship between human rights and migration in post-colonial Africa, one must place the respective countries within their socio-political, economic and geographical context. At the onset, it is important to understand that successive regimes in most of post-colonial Africa whether military or civilian regime often ruled with little or no political opposition of any kind, and were based on ethnic cleavages, nepotism, and flagrant disregard for human rights. Of course, opposition could never be tolerated under an African military dictatorship which also tends to have excessive cases of human rights abuses.

Military incursions into the polity by ways of coups and counter coups were common occurrence in most African countries from the 1960s through the 1990s under the pretext of restoring order, discipline, and the stamping out of corruption from the society. In all of these instances, the military, however, never faired any better than the regime they sacked from power in any measure. Regardless of

their claims, the military regimes were the worst in governance with their rule by decree, and repressive tendencies. Although many African countries are viewed today as emerging democracies with increasing electoral politics, human rights records are still dismal as the quest for power trumps every other consideration. For a long period of time, the issue of human rights was not part of the consciousness within the African society. Citizens lived in fear of their rulers as their security agents monitored people's activities and movements. Human rights issues were conspicuously absent as successive regimes paid little or no attention to the basic human rights of the citizens, despite international human rights campaigns. Even among the citizens, very little was expected of their leaders and their regimes on the issue of human rights. Under close examination, one may begin to wonder, if perhaps, the impacted citizens had become immune to human rights abuses.

The concept of human rights in most African countries began to gain some attention in the 1990s as the Cold War ended and military regimes were in retreat as their Western backers had no interest in sustaining the regimes in the absence of any perceived threat from Communism. Thus, the end of the Cold War was a welcome development across Africa as the strangle hold of autocracy, and brutal and repressive regimes began to some extent, loosen their grip.

One cannot expect much with regard to favorable records on human rights under any military regime. Except for a few in the society who benefited directly or indirectly from military regimes, their presence in most of post-colonial African countries, led to widespread of human rights abuses.

If we turn to West Africa, for example, it is said that "from around 1960 through 2004, 16 West African countries experienced forty-four successful military-led coups, forty-three often-bloody failed coups, at least eighty-two coup plots, seven civil wars, and many others of political conflict."³² If we examine Nigeria from 1960 through 2000, she was under military rule over the following periods: 1966-1978; 1983-1999. Thus, for over a forty year period following independence, Nigeria was ruled by successive military regimes for thirty years and a number of them came to power through bloody coups. The earlier coups of the 1960s plunged the country into a civil war with an untold genocide against the Igbos in the hands of the Nigerian military forces that came to be known by the Biafrans as the '*Vandals*' because of their sub-human brutality not only against the

opposing combatants, but also against unarmed civilians, as well as women and children. Civilians, markets and other public places were targets of the Nigerian Air Raids that destroyed lives. What sort of human rights report could one expect from such regimes? While the war was brought to an end in 1970, the Nigerian military did not return to their barracks, but rather, continued with their iron grip on power through 1999 except for a brief period of 1979 -1983 when a civilian government was in power.

Under the Nigerian military regimes, citizens were subjected to human rights abuses on the roadways through the extortion of money at military and police checkpoints and unprovoked harassments by state security agents. Freedom of speech was curtailed, and unlawful assembly could subject one to an indefinite detention without rights to legal representation. An examination of available data from the U.S. Department of State Human Rights Report provide an extensive account of gross human rights abuses under the military regimes between 1983 through 1999 with blatant violations of human rights that culminated in the iron rule and brutal regime of General Sani Abacha. Abacha ruled Nigeria from 1993 to 1998 with one of the worst human rights records ever recorded in the country, if not in Africa. Nigerians nicknamed Abacha, the *butcher*, and his security agents, *murderous imbeciles* because of the blood thirsty nature of the regime. Abacha and his *Boys* (as his security agents were nicknamed locally) instilled fear in Nigerians that many who could, fled and never to return until his death in 1998.

Consistently, the U.S. Department of State Report on country conditions in Nigeria throughout Abacha's regime were mostly the same and reflected thus: there was no *respect for human rights nor respect for the integrity of the person*; extrajudicial killings and excessive use of force by police and security services were common; people died annually while in police custody; police and security services are seldom held accountable for the use of excessive, deadly force or the death of individuals while in custody; government detentions practices have the effect of causing many detainees to be missing for extended periods; torture and other cruel, inhuman, or degrading treatment or punishment were common; detainees frequently died while in custody; arbitrary arrest, detention and exile were reported; there was denial of fair public trial; publication of materials critical to the government was a serious offense; freedom of peaceful assembly and association were banned.³³ According to the 1994 United States

Department of State Human Rights Report, Abacha's first speech as the Nigerian military head of state declared: "All processions, political meetings and associations of any type in any part of the country are hereby banned."³⁴

When one examines the migration of West Africans to the United States (see Figure 3 above), the peak years of migration for this sub-Region coincided with the 1990s and the highest peak periods being around the mid-1990s when wars raged across this sub-Region and the political crackdown of the opposition by Abacha regime was taking place. There was also the subsequent rise in Nigerian democratic movements both at home and abroad (most of the members of the movement fled the country) with the slogan heard around the world including in Washington, D.C. that *Abacha Must Go*. The slogan reflected frustrations among Nigerians and their urgent demand that Abacha must be removed from power. Over the same period, political conflicts and wars were raging in neighboring Liberia, Sierra Leone, Ivory Coast, and Guinea Bissau in the West African sub-Region. Some observers have referred to these political crises as the diamond wars, where children were conscripted into the army (Child Soldiers), mothers raped in front of their children, while civilians were maimed by cutting off their limbs by both sides of the warring factions.³⁵ The human rights atrocities in these environments were beyond human comprehension. As the conflicts and tyranny escalated in this sub-Region over this period, massive population displacements and refugee crisis were created. Once again, people fled their countries to foreign lands including the United States. Under the United States Temporary Protected Status Program, the U.S. Department of Justice over this period, went further to implement a policy of granting Temporary Protected Status (TPS) to those on non-immigrant status from the war torn regions of West Africa so as to avoid, for instance, deportation of those with expired visas or out of status.³⁶ Thus, the official United States National Policy recognized the gravity of the human rights crisis on the ground in the West African sub-region.

In East Africa, Ethiopia suffered under the control of one ruling political party, the Ethiopian People's Revolutionary Democratic Front (EPRDF) with Prime Minister Meles Zenawi at the helm. The Zenawi regime under the pretext of waging war against local militias, and the Ogaden National Liberation Front (ONLF), an ethnically based, nationalist, insurgent movement operating in the Somali Region, as well as its ongoing border dispute with Eritrea came down

with an iron hand and repressive measures on opponents of the government. There was little or no regard for human rights within the Zenawi regime and its security forces.³⁷

The 2009 Human Rights Report on Ethiopia by the United States Department of State showed excessive human rights violations including unlawful killings, torture, beating, abuse and mistreatment of detainees and opposition supporters by security forces; arbitrary arrest; detention without charge and lengthy pre-trial detention; infringement on citizens' privacy rights, including illegal searches; restrictions on freedom of assembly and association; violence and societal discrimination against women and abuse of children.³⁸ The war ravaged region of Ethiopia and the Horn of Africa in general witnessed an increased recruitment of child soldiers by both Ethiopian government forces and insurgent groups with children as young as 14 years of age being conscripted to fight in the ongoing warfare around the region according to U.S. Department of State Report on Human Rights.³⁹

Religious persecution and restrictions on religious freedom were major human rights concerns in Ethiopia. Besides the Ethiopian Orthodox Christians and Sufi Islam, which are the dominant religion, the rights of other religions were infringed upon by the government according to U.S. Department of State Human Rights Report. Protestant groups which include Pentecostal/Evangelical Christians accused the Ethiopian authorities of discrimination and bias towards their religious activities.⁴⁰ This discriminatory practice posed human rights problems for many Ethiopians.

Where for instance, asylum was denied and impacted Ethiopians deported, detention of those deported Ethiopians was always a major human rights concern. Deported Ethiopian asylum seekers from Yemen, for example, were reported to have been detained by the Ethiopian authorities according to the U.S. Department of State Human Rights Report. Incidents of arbitrary killing of Refugees by the Ethiopian security forces on trumped up charges were all common place.⁴¹

In neighboring Eritrea, the border dispute with Ethiopia raged on in the 2000s and the Eritrean government used the border crisis as a pretext to justify severe restrictions on civil liberties. Systematic gross human rights violations persisted on an ongoing basis under the watchful eyes of the government. Human rights abuses including unlawful killings by security forces, torture and beating of prisoners

and sometimes resulting in death, abuse and torture of national service evaders and some of whom reportedly died from their injuries while in detention; arbitrary arrest and detention including of national service evaders and their family members; executive interference in the judiciary and the use of a special court system to limit due process; roundups of young men and women for national service, and the arrest and detention of the family members of service evaders.⁴²

In the newly independent Eritrea, international human rights groups and local civil society groups sounded an alarm on the conditions in Eritrea as repression of her citizens increasingly created human rights crisis. Even as a newly independent state, Eritrea has turned into a one-party state controlled by The People's Front for Democracy and Justice (PFDJ) formerly known as the Eritrean People's Liberation Front under Isaias Afwerki.⁴³ Afewerki's regime has turned autocratic and brutal with its military style dictatorship since independence in 1993. As well, there has been an increasing restriction of democratic freedoms since 2001 when political opposition and the media suffered a major crackdown on their activities. His regime's human rights record has been dismal with a total breakdown of law and order. Further, Human Rights Watch noted that prolonged military conscription was common for young men and refusal of military service could mean extensive detention and torture and possibly death. Conscripts and detainees were subjected to torture, cruel and degrading treatment and forced labor.⁴⁴ Human Rights Watch in addition, observed that refugees who escaped to other countries and were repatriated back to Eritrea faced detention and torture upon their return. And because of the brutality meted to Eritrean returnees, the United Nations High Commissioner for Refugees (UNHCR) had come out strongly against the deportation of Eritreans to Eritrea including rejected asylum seekers.⁴⁵

Evidently African tyrants and autocratic regimes across the continent shared similar characteristics in their flagrant disregard for human rights and *lack of respect for the integrity of the person*. Whether one is analyzing country conditions and human rights under a military rule, one-party rule or any form of undemocratic government in Africa, the official human rights reports tend to arrive at similar conclusions with systematic gross violations of the rights of their citizens: from arbitrary arrest and detention to restrictions on freedom of speech and lawful assembly. Other reported human rights violations include: unlawful killings, torture, beating, abuse and mistreatment

of detainees and opposition supporters by security forces; arbitrary arrest; detention without charge and lengthy pre-trial detention; infringement on citizens' privacy rights, including illegal searches; restrictions on freedom of assembly and association; violence and societal discrimination against women and abuse of children.⁴⁶

The rapidity of African migration in the post colonial period to Western Europe and North America, particularly the United States can, therefore, be understood among other explanations, as a function of deplorable human rights conditions that deteriorated over time across the continent. While we acknowledge that migration is part of the human experience as well as a global phenomenon, the accelerated pace of African migration across international borders to Europe and North America should be a major concern to the international community that demands a global action.

GLOBAL RESPONSE

If rural urban migration constitutes a frame of reference in African migration patterns, the foregoing analysis on migration and human rights makes no pretension to be conclusive on the subject. Our hope, however, is to interject human rights in the discourse of African migration patterns to the United States in the later part of the twentieth century, thereby, drawing some contrast on the labor mobility and globalization argument. In addition, it is expected that Africa and other impacted regions of the world will have the further gain in transforming Global Human Rights agenda to broader considerations beyond the hegemonic interests of a few select countries with rapid inclusion that embraces respect for the integrity of the person: young and old, man, woman, and children without prejudice.

To argue that a relationship exists between human rights and the rapid migration of Africans to the United States is to draw attention that, unlike globalization and labor mobility explanation, human rights issues in Africa suffered major setbacks following decolonization despite the 1948 Universal Declaration of Human Rights by the United Nations. The recognition of the role of human rights in African migration patterns provides some missing gap in the progressive knowledge in what can be gained in the preservation of human rights across the world regions without selective interests. While we note that in recent years, some semblance of reverse migration may be taking place among African immigrants in the United States

due to the relative democratization process as being witnessed across the continent, migration of Africans to the United States continues apace.

In Africa and elsewhere, citizens are generally vulnerable under undemocratic and autocratic regimes when human rights are at issue. Many African countries have had a long history of institutionalized human rights abuses of those within their borders by state agents and security apparatus. Young and old, women and children, citizens in impacted regions face discrimination and human rights abuses on an ongoing basis with little or no recourse available to the victims.

Global efforts should, therefore be mobilized to advocate for the implementation of the universality of human rights and protect vulnerable citizens from tyrants and their agents who find themselves in circumstances in volatile regions where there is little regard for human life and blatant abuse of their rights as humans. Extreme compassion should be directed towards the impacted vulnerable members of the human community so that they can be protected from self serving and repressive elements of the state.

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