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Claude Welch  
*University at Buffalo*

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## **Human rights, environment and the Ogoni: Strategies for non-governmental organizations**

Claude Welch\*

One of the most chilling telephone calls that I ever received came on a Wednesday morning in the middle of November 1995, from England. On the other end of the line was the editor of the *Journal of Modern African Studies*. "Claude," he said, "have you heard the latest news from Nigeria?" "No, David, I have not." "They're going ahead with the execution," he said.

This was a chilling reminder of how an authoritarian government often responds to challenges to its authority. In this case, Ken Saro-Wiwa, the noted Nigerian writer, headed the Movement for the Survival of the Ogoni People (MOSOP). The penalty that he faced for becoming an active spokesman for his group and for being implicated by association in the deaths of some village leaders was execution, with no chance of appeal to an independent civilian court. His environmental and human rights activism meant paying the ultimate penalty. I was appalled, but not surprised, given the bloody record of the Nigerian military regime. Standing up for the environmental health and political interests of his homeland was indeed dangerous! The *Journal of Modern African Studies* let me add an extra page in small type, in which I explained the failures of all the efforts to release Saro-Wiwa, or at least to give him a truly fair trial.

The case of MOSOP and Ken Saro-Wiwa raises broad questions about how human rights and environmental groups can most effectively translate their concerns into changed government

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\* SUNY Distinguished Service Professor, Department of Political Science, Chairman, SUNY/Buffalo Faculty Senate, Co-Director, Human Rights Center. In addition to teaching courses in human rights, African politics, civil-military relations, and political change, Professor Welch serves on the Board of Human Rights Watch/Africa and is active in numerous community organizations. He has presented invited lectures at Harvard University, Oxford University, the International Institute of Human Rights, and Beijing University among others.

policies, particularly in relatively closed political systems. In this article, I would like to reflect on the strategies of non-governmental organizations that seek to link environmental concerns with human rights.

Human rights and environmental protection are, ultimately, matters of political power. Behind every international agreement for the promotion and protection of human rights or environmental integrity, there needs to be political commitment on the part of the government; this commitment itself is in large measure the result of informed, mobilized citizen action. How is this citizen pressure itself mobilized and directed? Political scientists argue that political parties and interest groups play the primary roles. Parties aggregate interests; groups mobilize pressure on specific economic, ethnic, religious or possibly regional concerns. Only recently has attention been concentrated on the phenomenon of NGOs (non-governmental organizations) that focus on issues of public concern without necessarily being driven primarily by motives of profit or policy advantage. NGOs provide the most fruitful way in which we can study the interactions of human rights, environment and community. In all three areas we find organizations that have developed and articulated positions that have helped bring about policy change. The ways in which groups from these areas have cooperated and established networks of mutual support provide object lessons for the future.

Saro-Wiwa, as already noted, was a Nigerian activist. He pressed for the economic and political betterment of the Ogoni ethnic group; but, in so doing, wanted to establish certain basic principles in Nigerian public life:

-- The right of a community in whose midst significant wealth is being extracted to share in this largesse (under a controversial decree, an earlier Nigerian military government had assigned to the federal government essentially all the revenues

derived from petroleum production, with little guarantee any would be returned to the area of origin; oil accounted for over 90 percent of the Nigerian government's revenues);

-- The importance of political accountability of leaders who had assumed power by means of military coups d'état and who governed by decree, forbidding any independent review of their actions;

-- The significance of links between indigenous environmental and human rights activists, and similar international movements;

-- The necessity for establishing the basic conditions of "civil society," in which independent citizens' organizations would be free from excessive government interference, particularly in terms of pressing peacefully for policy changes;

-- The need, in short, for a constitutional order in which the rights of all would be respected and public concern for the environment could be translated into effective government action.

How have NGOs sought to achieve these rather sweeping goals? Let me summarize suggestions I recently advanced, based on analysis of human rights groups in four African states, including Nigeria.

My 1995 book *Protecting Human Rights in Africa: Roles and Strategies of Nongovernmental Organizations*, which I have drawn upon in this article, started out from a simple interest. For many years, I had been interested in human rights in Africa. I had tended to approach these issues largely in terms of specific countries, however, or to focus on tensions between "development" and human rights rather than on areas of commonality between them. For my sabbatical leave in 1993-94, taking into account geographic and historical variety, as well as inherent interest, I settled on Ethiopia, Namibia, Nigeria and Senegal as countries whose human rights performance I would examine. Grants from the US Institute of Peace,

the Fulbright Commission, and my University made possible an uninterrupted year of research and writing, a period in which I could interview activists like Saro-Wiwa *in situ*.

About three weeks into my research in Africa I recognized that the approach I proposed -- to examine human rights NGOs and policies in four different countries and write vignettes about each -- contained inherent weaknesses. Who would find comparative value in a book that juxtaposed countries rather than compared them? Far more useful would be to compare the strategies the NGOs followed to change national policies and to influence public opinion. I asked, what functions do these NGOs serve? How do NGOs influence policy formation and implementation, not only in the four states that I was examining but more broadly in Africa and indeed in the world as a whole? What factors affect NGOs' performance?

Clearly, some NGOs -- environmental as well as human rights -- are very much involved with the legal framework. They insure that there is a constitutional setting, a network of laws, and adherence to international conventions, so that standards of human rights and/or environmental protection accepted by the government are incorporated into authoritative legal structures. Secondly, I recognized that there is not only *protection* of human rights, but also *promotion* of human rights. The former, together with encouragement of environmental awareness, involves shaping popular culture, trying to create an atmosphere where human rights and/or environmental protection are understood or accepted within the society as a whole. And thirdly, the struggle for human rights and/or environmental protection means political assertion, obtaining a measure of power denied to groups under existing arrangements.

My trinity of strategies thus started with a legal strategy of *enforcement*, which depended upon the rule of law. The second strategy, that of reaching out and creating popular awareness, is a classic one of *education*. The third meant creating (or grabbing) political power for groups that had limited power within the existing system, hence *empowerment*. Thus was born my "three Es."

A few months later, I discovered that my trio of strategies was insufficient. Human rights and environmental NGOs uncover and distribute information. They are thus concerned with *documentation*. Secondly, many human rights groups in Africa favor implementation of economic and social rights, while environmental groups south of the Sahara (the number of which remains small) focus on degradation of natural environment through misguided industrial projects. Both are thus concerned with *development*, for better or for worse. Thirdly, human rights and effective protection of the environment tend to flourish more in settings that are politically open or democratic than in those that are authoritarian; “civil society” seems essential. So, in addition to my “three Es” of *enforcement*, *empowerment*, and *education*, I added the “three Ds” of *documentation*, *development* and *democratization*. These are strategies that NGOs in the areas of human rights, and environment all use in different measures. The question is, What would make each effective under specific circumstances?

The effectiveness of NGOs is obviously influenced by several factors. One is the political punch they can muster. Human rights and environmental protection are not given; they are taken, as a result of political struggle. Effectiveness of NGOs depend, secondly, on the human resources that they possess -- volunteers, paid. Thirdly, the links NGOs establish with other groups (particularly in wealthier, developed countries) play important parts in their effectiveness. As Keck and Sikkink have documented in an important recent book, networks have proven crucial to the success of environmentalists and human rights advocates alike.

But do NGOs from the “north” and those from the “south” share identical priorities and strategies? Grassroots groups in Africa have definite ideas about ameliorating bad human rights or environmental conditions. But their conceptions might not mesh with what Human Rights Watch or Greenpeace, for example, thinks would be most appropriate. We must be aware of tensions between the well funded, usually much larger, focused northern NGOs and the indigenous or grassroots southern NGOs. In the case of human rights, as Mutua has convincingly discussed, “conventional doctrinalism”

marks the major "First World" human rights organizations, which focus far more on civil and political rights than on economic, social or cultural rights. By contrast, "Third World" grassroots NGOs respond to community interests, and may be quite parochial. Yet, on the other hand, they are directly and vitally involved with their communities, trying to obtain what the people want and need -- be this justice in terms of human rights or of environmental protection. How can environmental NGOs complement and cooperate with human rights NGOs, and vice versa? Let me commend ideas suggested by political scientist Paul Wapner. Wapner has included three interesting case studies, on Friends of the Earth, World Wildlife Federation and Greenpeace, in his recent, fascinating book. He argues that political scientists tend to focus too much on "high politics," that is to say strategic issues involving military might, economic position and super power relationships. *Global Civic Politics* instead concentrates on "low politics." Here we find the realm of citizen involvement. Fruitful parallels and indeed significant overlaps between human rights and environmental protection as community movements exist. Friends of the Earth, Greenpeace and World Wildlife Fund might be compared and contrasted with Amnesty International, with Human Rights Watch, or with the Open Society Institute of George Soros. Or perhaps much more modestly but even more interestingly, attention might be given to the NGO Defense of Children International, which did a superb job in effect writing an international agreement, the Convention on the Rights of the Child, the most widely ratified of all the international human rights agreements.

How do NGOs envisage their goals and seek to develop the strategies to achieve these goals? What types of resources do they draw on, financial and human? What sorts of channels do they work through? To what extent is their choice of strategy dictated by priorities fixed by external funding agencies more than by members' own interests? Are the six strategies I described, namely education, empowerment, enforcement, development, democratization and documentation an exhaustive list?

It strikes me that comparative analysis of human rights and environmental NGOs would accordingly include elements of the following framework:

- The establishment of goals, in particular the balance of initiative among “grassroots” members, volunteer leaders, and professional staff;
- The development of budget priorities, notably reliance on funds other than from the contributions (in services as well as in cash) of members (the degree of responsibility toward a community may be inversely proportional to the amount of support received from it);
- The extent to which purported goals of citizen involvement and representativeness are in fact carried through within the NGO itself;
- The ability to weather the periodic crises of leadership and funding that affect small, largely volunteer organizations, including revision of goals where necessary.

It took a few years before Nigeria broke away from -- hopefully not temporarily -- the cycle of military intervention and authoritarian rule that had resulted in Saro-Wiwa's execution and the political, economic and ecological marginalization of the Ogoni people. By late May 1999, a new president (albeit himself of military background) had been inaugurated; he pledged a new beginning in the face of significant public skepticism. The future of the Obasanjo government will rest, in significant measure, on its ability to safeguard the institutions of civil society. Groups that protect human rights and the environment must form an important part of this renewed political compact, lest the death of Saro-Wiwa be a fruitless martyrdom on the altar of authoritarianism.



