

4-1-1993

The Rights Stuff: African-born Oxford Scholar Brings a Challenging Thesis on Human Rights to UB

UB Law Forum

Follow this and additional works at: https://digitalcommons.law.buffalo.edu/ub_law_forum

Recommended Citation

UB Law Forum (1993) "The Rights Stuff: African-born Oxford Scholar Brings a Challenging Thesis on Human Rights to UB," *UB Law Forum*: Vol. 7 : No. 1 , Article 15.

Available at: https://digitalcommons.law.buffalo.edu/ub_law_forum/vol7/iss1/15

This Article is brought to you for free and open access by the Alumni Publications at Digital Commons @ University at Buffalo School of Law. It has been accepted for inclusion in UB Law Forum by an authorized editor of Digital Commons @ University at Buffalo School of Law. For more information, please contact lawscholar@buffalo.edu.

The Rights Stuff

African-born Oxford scholar brings a challenging thesis on human rights to UB

His two little boys, the 6-year-old and the 4-year-old, are used to it by now: Daddy has to travel again. They know little of the wide-ranging works of legal philosophy that their father, Dr. Chaloka Beyani, spends his time researching and writing. They know only that he'll be back in a week, that he'll bring back presents for the whole family, and that he'll miss them.

Beyani's journey this time took him to Buffalo. In March he spent a week at UB, teaching formally and informally about his specialty, international human rights. His visit came under the auspices of the Baldy Center for Law and Social Policy, where a new "short course" program brings distinguished scholars from around the world to spend a week with faculty and students to discuss their areas of expertise.

Born and reared in the south-central African nation of Zambia, Beyani did his graduate work at Oxford University in England. Having just completed his doctoral degree there, he remains on the Faculty of Law at Oxford. He divides his time between teaching and research, under a Ford Foundation grant.

Beyani, who is 33 years old, taught three seminars during his week's stay at UB. He says he was impressed by the quality of the students he encountered.

"One of the greatest satisfactions of teaching is to see students reacting to what you say, in a way that shows they've been thinking about it," Beyani says. "There were a lot of questions on the situation in Bosnia, for example. The students were really keen to ad-

dress those issues."

Indeed, today's world is an active laboratory for some of the issues Beyani studies. He is most interested in how human rights can be fixed within international law—specifically, how a whole set of economic, cultural and social rights can be assured and enforced.

"Most of the time human rights are spoken of in very rhetorical fashion," Beyani says. "Politics has crept in. As lawyers, it's important to see human rights as a matter of international law, regardless of the politics involved."

Beyani argues strenuously against the idea of a "hierarchy" of rights—the idea that emerging nations must first guarantee civil and political rights, such as free elections and freedom from military intervention in their homes, before moving on to guarantee economic, cultural and social rights, such as food, shelter and education.

"If rights are based on human dignity, and I think they are, they cannot be divided," Beyani says. "These sets of rights are interdependent and indivisible. Rights are rights."

The scholar listed these rights as examples of what the state is obliged to provide to its citizens: the right to work under satisfactory conditions; the right to food, decent shelter, health care and education; the protection of the family, "the fundamental group unit of society which the state and society must protect." Included in that, he notes, is the idea that parents have obligations to their children that fall under the concept of human rights.

As well, Beyani discussed with the students the idea of human rights in situations of humanitarian assistance

—such as the United States' recent airdrops of food and medicine in Bosnia, or U.S. intervention to ease starvation in Somalia.

"The danger of relief," he says, "is that you're going to subordinate the productive capacity of a country. Improperly handled, you'll produce a lot of people dependent on humanitarian aid. They know the food is coming from somewhere. The real challenge is, how do we help that country build up its own means of production to feed itself?"

The United Nations, Beyani says, has in place an excellent structure for delivering significant humanitarian aid quickly. "But what is not so well understood is the legal basis for this," he says. His own influence on the process comes through a like-minded policy-making body: the U.N. Committee on Economic, Social and Cultural Rights.

About 18 students, most of them from the Law School, attended Beyani's three seminars, and there were a number of auditors. The students were extravagant in their praise of Beyani, finding him an eloquent speaker and an interested and accessible teacher.

Before his visit to Buffalo, Beyani had been in such disparate places as Zimbabwe, Vienna and Boston. After UB, he was heading to New York City, back to England, and then to Kenya for an exercise in applied philosophy: He will give a week-long seminar for immigration and police officials on matters of human rights.

As for Buffalo, which he visited during a week of heavy snowfall, Beyani says: "It's very cold, but at least I've enjoyed the warmth of the people here." ■

UB LAW

FORUM

Summer
1993