

Threatening Disgruntled, Oppressed and Economically Starving Liberian Citizens to Stay Their Plan to Protest against Injustices Meted out against them by the Sirleaf Regime is a Violation of Their Constitutional Rights as Citizens of Liberia!

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Introduction

Threatening disgruntled, oppressed and economically starving Liberian citizens to stay their plan to protest against injustices meted out against them by the Sirleaf regime is a violation of the general principles of national policy and the fundamental rights of said citizens of Liberia. Accordingly, it violates Chapter II, Articles 6, 7, 8, and 17, and Chapter III, Article 21 (e) and (f) of the Constitution of Liberia, respectively. These chapters and articles in a nutshell shed light on some basic national policies and fundamental human rights of Liberians. Thus, as we move forward from decades of mayhem and human carnage to restoring our lives as civilized human beings and members of a bigger and more global family of nations, it is important that we respect the rule of law, abide by the Constitution of Liberia and respect the human dignity, promote social justice and individual right of every Liberian citizen based due process and the rule of law.

In the following paragraphs, I provide salient examples of human rights abuse not based on mere sentiments but based on certain provisions of the 1986 Constitution of Liberia. In this light I will begin with Chapter II, Article 17 since the key issue in this debate is centered on the right of the Liberian people to assemble and present their grievances to authorities for redress.

Article 17: Right to Assemble and Consult upon the Common Good

Since the major issue of concern here is the request of the citizens to hold a peaceful march or demonstration, let us analyze the constitutional provision regarding holding peaceful marches/demonstrations when injustices are meted out against the vast majority of the citizens of Liberia. Chapter II, Article 17 informs that:

All persons, at all times, in an orderly and peaceable manner, shall have the right to assemble and consult upon the common good, to instruct their representatives, to petition the government for the redress of grievances...

Considering the provision for peaceful assembly in Chapter II, Article 17, did the government (in your honest opinion) allow the citizens to exercise their right to freely assemble in a peaceable manner to petition the government? No! Instead, Rapid Response Units of the Liberian National Police were deployed to put fear in the citizens not to demonstrate. Consequently, this was a gross violation of the fundamental rights of the citizens to assemble peaceably to seek redress of grievances based on the government's assumption (not facts) that the demonstration would disturb the fragile peace of Liberia if it were held. Notwithstanding, no guarantee was given by the Liberian government that it would improve the deplorable conditions that prompted the need to hold a peaceful demonstration.

Article 6: Equal Access to Educational Opportunities and Facilities for All Citizens

Chapter II, Article 6 addresses the issue of equal access to educational opportunities and facilities for all citizens and the eradication of illiteracy. It reads as follows:

The Republic shall, because of the vital role assigned to the individual citizen under this Constitution for the social, economic and political well being of Liberia, provide equal access to educational opportunities and facilities for all citizens to the extent of available resources. Emphasis shall be placed on the mass education of the Liberian people and the elimination of illiteracy.

Recently, it was announced by the President herself that the educational system in Liberia was a “mess.” Also, there are growing concerns that instead of the Liberian government utilizing the human resources of its educated citizens to provide equal access to educational opportunities and facilities for all Liberian citizens and to increase its efforts to eradicate illiteracy, the government is rather importing educators from other African nations to teach post-war Liberian students, while Liberian educators are underused and/or are poorly paid. Further, many Liberian public schools are under staffed and poorly equipped, and Liberian students do not perform well academically as compared to their West African colleagues due to the lack of educational resources and culturally relevant instructional materials to reflect the lived worlds of post-war Liberian teachers and learners. For this reason, Liberia’s manpower development is substandard and irrelevant to the realities and needs of the Liberian society at this time.

Therefore, what is needed is for the government to organize a technical team of Liberian educational leaders and experts that will reconceptualize the national curriculum and provide a road map for the recovery of our educational system. ***Bottom line: the education of Liberians must be spearheaded by Liberians and not foreigners; and, greater emphasis should be placed on the eradication of illiteracy and providing equal access of educational facilities to all Liberian citizens as per Chapter II, Article 6 of the Liberian Constitution.***

Article 7: General Welfare of the Liberian People and Economic Development of Liberia

This is a crucial area of concern that prompted Liberian citizens to decide recently on a peaceful demonstration because Chapter II, Article 7 **recognizes the principles of individual freedom and social justice, demands the proper management of the national economy and the natural resources of Liberia** in such manner as shall ensure the maximum feasible participation of Liberian citizens under conditions of equality as to advance the general welfare of the Liberian people and the economic development of Liberia. In view of the foregoing need I stress how the present regime is god parent to nepotism, rampant corruption, and that the Sirleaf regime is selling our hegemony and limited national resources to expatriates for little of nothing? Does the government of Liberia have any explanation to give the Liberian people for the 5% offshore oil deal it struck with foreign ‘investors’? Can the government show any guarantee that the exploitation of the Gedeh Mountain may not end up as another **“Bomi Holes”** in a few decades to come! Someone please come to my rescue because I am not an accountant or economist by profession! I am just an educator and an artist who is sensitive to the general needs and well-being of the Liberian people.

Article 8: Ensuring for All Citizens without Discrimination, Opportunities for Employment and Livelihood

Article 8 softly reads:

The Republic shall direct its policy towards ensuring for all citizens, without discrimination, opportunities for employment and livelihood under just and humane conditions, and towards promoting safety, health and welfare facilities in employment.

Based on the quote above, is it true that there is a portion of our constitution that stipulates that the government should ensure for all citizens without discrimination, opportunities for employment and livelihood! Maybe this might be true for different ethnic groups other than for the Krahn citizens of Liberia! Is it true that the President and her relatives and sons have more shares in the oil and mining business than the government and people of Liberia do! Can the government at this time bet on the fact that it is upholding the law regarding Chapter II, Article 8 to the fullest extent possible in terms of making sure that the individual freedoms of all Liberian citizens are respected day and night, and social justice is meted out toward all with no discrimination based on ethnic backgrounds, social and political persuasions? Can the government prove its compliance with the Constitution of Liberia by respecting the fundamental rights of all Liberian citizens and order the forthwith release of Liberian citizens who are accused and detained without due process as per Chapter III, Article 21 (e) and (f)? Ladies and gentlemen, please join me as we explore Chapter III, Article 21 (e) and (f) in the following paragraphs below.

Chapter III (Fundamental Rights): Article 21 (e) and (f): Violation of Due Process

Presently, there are some Grand Gedeheans and renowned Liberian journalist Darlington Pelenah and others who are detained without due process. Further, I understand these citizens were accused and arrested more than half a year ago from Grand Gedeh and Montserrado Counties but they have not been properly charged, and they are lingering in the South Beach prison without due process. Chapter III, Article 21 (f) states that:

“Every person arrested or detained shall be formally charged and presented before a court of competent jurisdiction within forty-eight hours. Should the court determine the existence of a prima facie case

against the accused, it shall issue a formal writ of arrest setting out the charge or charges and shall provide for a speedy trial. There shall be no preventive detention.”

In some instances there are reports of torture being executed by state security forces against detainees that have not been convicted and tried. Chapter III, Article 21 (e) stipulates:

No person charged, arrested, restricted, detained or otherwise held in confinement shall be subject to torture or inhumane treatment; nor shall any person except military personnel, be kept or confined in any military facility; nor shall any person be seized and kept among convicted prisoners or treated as a convict, unless such person first shall have been convicted of a crime in court of competent jurisdiction.

In view of the above mentioned, Mr. Pelenah’s and other detainees’ ‘scheduled’ hearings were abruptly postponed in a deliberate attempt by the government to delay justice. Of course Mr. Pelenah and the detainees from Grand Gedeh are being held in contravention of said Article. In fact, constitutionally, the Legislature has a direct say and/ or responsibility in making sure this provision of the constitution is enforced. Thus, Article 21 (e) further states that:

Legislature shall make it a criminal offense and provide for appropriate penalties against any police or security officer, prosecutor, administrator or any other public or security officer, prosecutor, administrator or any other public official acting in contravention of this provision; and any person so damaged by the conduct of any such public official shall have a civil remedy therefor, exclusive of any criminal penalties imposed.

You will observe above that not only is it a violation of the Constitution to arrest and detain citizens without due process, but the law requires that any security officer, prosecutor acting in contravention of this provision and any person (s) affected by said violation shall have a civil remedy for the damage caused to the persons and reputation of those arrested and detained without due process. Therefore, the government should be mindful of this provision and release forthwith those detained without due process and provide them the requisite civil remedy as required by law.

Always Use the Constitution to Analyze and Resolve National Issues

In view of the discussion in this paper, it is safe to say that supporters of the Sirleaf regime have failed to outline or recognize the injustices that Liberians continue to go through for more than six years under the administration of Ellen Johnson-Sirleaf. Their overall thing is that as long as their personal “choppings” are secured, then to hell with the rest of the other Liberians! For this reason, the regime in Liberia continues to ignore the daily basic needs of the Liberian people, such as the lack of basic utilities like safe drinking water, electricity, paved and safe motor roads, equipped hospitals and schools, mass unemployment for the youth and work force, hire of foreigners in high positions of public trust while Liberian citizens have no jobs, etc. All of these circumstances are a violation of the Constitution and Liberian citizens have a right to protest if their best interest and common good are at stake. Therefore, the citizens must have alternative non-violent sources such as a peaceful march or demonstration to air their grievances and get redress. Other than that, it is likely that with such repression from the status quo, the Liberian society may become chaotic and lawless once again. That is the reason why I have chosen to shed light on the gravity of the offenses that are being committed against the Liberian people by the status quo by using the Constitution of Liberia to analyze and resolve our national issues rather than to spurt out baseless and selfish emotions without any legal backing.

Conclusion

To conclude, I want to ask supporters and surrogates of the regime the following simple questions:

1. **in the absence and abject lack of these basic life needs (safe drinking water, electricity, equipped hospitals and schools, paved roads, qualified and well paid teachers, hospital personnel, and so forth), is it justified and indeed Christian in nature for those who are licking grease down to their elbows to ask the starved and needy citizens of Liberia to continue to starve and go without food, safe drinking water, electricity, while the privileged reap the meager resources of the Liberian society?**

- 2. Is it justified to ask fellow citizens who are dying of diseases everyday not to exercise their freedoms of association and expression in order to seek national and international attention and redress and to cure their numerous diseases? Is it fair to ask the oppressed not to revolt and yet not ask the *oppressors* to provide basic services and utilities that are lacking and that are the focus and cause of the planned protest?**

I rest my case!

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