

**The 'Know Your Rights! Project
Putting Community Service and Outreach in the Heart of the Law School and in the
Heart of its Graduates**

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Know Your Rights! (KYR) is a collaborative project initiated in 2006 by the African Commission for Human and Peoples' Rights, the West African Research Association and Center (WARA/WARC), and Brandeis University¹. It seeks to disseminate information about human and peoples' rights through the medium of African languages, with a focus on lingua francas and cross-border languages. The KYR target audience is the large sector of the African population that has not had sufficient access to formal schooling in order to learn about the various human rights charters and protocols created by the African Union through its official languages (English, French, Portuguese, and Arabic). This audience includes women, rural dwellers, and various marginalized groups.

The establishment of the Know Your Rights project was inspired by commissioners of the African Commission on Human and Peoples' Rights (ACHPR). They pointed out that African populations that are illiterate in the official (and foreign) languages of their governments do not have access to the content of documents that describe their guaranteed rights. The project began with a two-day workshop, June 26 - 27, 2007, entitled "Know Your Rights," which was organized in Dakar (SENEGAL) by the African Commission of Human and Peoples' Rights (ACHPR), the West African Research Center (WARC), and Brandeis University of Boston (USA). Linguists, adult literacy specialists, jurists and media outlets that operate exclusively in Senegalese languages were part of the team of experts brought together for the workshop. The workshop's purpose was to discuss the best models for translating and adapting human rights materials for dissemination to local populations. Salamata SAWADOGO, then President of the African Commission of Human and Peoples' Rights (ACHPR), explained that: "The Know Your Rights project's aim is to inform our African populations of the legal instruments securing their rights and the subsequent need to develop a culture of human rights in our countries." Pr. Ousmane SENE, Director of WARC further stated that : "The project is based on the need for human rights to be translated into local languages in order to become relevant to the everyday lives of the public; enabling African populations to take ownership of human rights in the national languages they know best."

As the only law professor present at that first meeting, it seemed at once to me that the Law Faculty of Cheikh Anta Diop University and its students ought to be involved in that project, because ultimately teaching about the law is our business. However, because Senegal has only one official language, French, law is taught in only that language, which is a language

¹ Documents pertaining to the development of the project are available on the ALMA (African Language Materials Archive) website : <http://alma.matrix.msu.edu/know-your-rights>

that is not understood by the majority of the population. Students who are taught law in French lack the necessary training to later efficiently share their knowledge with their non-French-speaking compatriots. The need to educate African populations about human rights in their own languages will be addressed in the first part of the paper. The second part will describe the procedure that was followed to make the law school part of the KYR project. Finally the paper will explore the expected results of the KYR project.

I. Rationale of the KYR Project: Addressing the Need to Publicize International Human Rights Instruments and to Educate African Populations about Human Rights in their Own Languages

The African Union's legal instruments,² which constitute the central documents that the KYR project aims to publicize, are currently available in English, French, Portuguese, and Arabic, the official languages of the African Union. None of those languages is understood by the majority of the Senegalese people, least of all, women. According to reliable data, only 10% of the Senegalese population understands French³. A Canadian survey found that only 1% to 2% of Senegalese women understand French⁴. According to that same survey, French is the maternal language of no more than 0,2% of the population, whereas more than 80% of the population understands Wolof, the national lingua franca. Nonetheless, French is the only official language in Senegal, and consequently all legal material, all legal codes, and all court decisions are written and published in French. Ninety percent of the general population, and up to 99% of the female population, are thus barred from knowing the law of their own nation.

In terms of translation/adaptation of human rights texts for the purposes of informing, training and sensitizing of populations, a lot of work has already been done in national languages⁵. However the results of these efforts are little known to the greater public. The main problem remains the dissemination, at the grassroots level, of the documents that have already been translated. There seems to be a lack of political will for standardizing and disseminating the contents of these documents. There is hence a need for civil society and for the law schools to fill that void.

II. Procedure: Organizing Community Dialogues with Law students under the Supervision of a Law Professor

In 2008, with limited funding available from WARA and Brandeis University, a KYR team organized a series of "community dialogues" for the discussion of human rights issues and the "harvesting" of human rights terminology in national languages.

² The primary goal of *Know Your Rights!* is to make available in African languages the content of the five legal instruments of the African Commission

1. The African Charter on Human and Peoples' Rights
2. The African Charter on the Rights and Welfare of the Child
3. The Protocol to the African Charter on the Establishment of an African Court on Human and Peoples' Rights
4. The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa
5. The OAU Convention Governing the Specific Aspects of Refugee Rights in Africa

³ *Délégation Générale à la langue Française et aux Langues de France, Références 2006*, p. 3.

⁴ <http://www.tlfg.ulaval.ca/axl/afrique/senegal.htm> (last visit, July 6, 2008), p. 5.

⁵ The Constitution of Senegal refers to local African languages as "national languages" (*langues nationales*).

This community dialogue work began in Wolof in April and May 2008 in the region of Dakar, led by law professor Fatou Kiné Camara of Cheikh Anta Diop University (UCAD), in collaboration with linguistics professor Mamadou Cissé of UCAD, radio journalists Henri-Pierre Koubaka (West African Democracy Radio) and Oumy Cantome Sarr (Manoore FM, “The Voice of Women”), and the *Regroupement des Etudiants du Troisième Cycle* (RETC), an association of Masters and doctoral UCAD law students. KYR meetings have, to date, focused on various articles of the Protocol on the Rights of Women in Africa.

The Law School students served as the meetings’ leaders. They encouraged participants to discuss and debate various aspects of a human rights issue, with the double objective of 1) informing participants about the rights their governments have pledged to protect, and 2) hearing the local language terms they use to talk about them. In some cases, participants were also led to discuss the very notion of 'rights' as well as the relevance of particular rights guaranteed them in these legal instruments. This entailed going beyond informing people of the rights guaranteed them by their governments to actually engaging them in defining these rights.

Each dialogue was recorded so that the discussions could be subjected to later analysis. Terminology from community dialogues that can be useful in the formal translation of the legal instruments of the Commission will eventually be compiled into a database. These first dialogues also served as the basis of radio programs, which broadcasted portions of the community meetings.

The dialogues were purposefully prepared and led by law students with the following objectives:

1. To break down the language barrier in disseminating information about the content of the human rights’ conventions ratified by the State of Senegal.
2. To collect the local language terms the audience uses to talk about the issues relevant to the African Union’s Charters and Protocols. For that purpose, each dialogue is documented and then analyzed for relevant terminology as well as for information that can be used in the future design of dissemination materials.
3. To show law students – who are Senegal’s future lawyers, judges, legal experts – how to find the words and the ways to explain the black letter law that they have been taught in French to a non-French-speaking audience.

The law students worked under the supervision of a law professor and a linguistics professor to:

- Prepare for the community dialogue with a clear understanding of the article of the AU convention that was to be discussed.
- Lead the community dialogues.
- Record the discussions and take notes.
- Establish a draft lexicon of all the relevant Wolof terminology that emerged during the meeting.

The following challenges were encountered before and during the community dialogues by the law students and their supervisors:

- ✓ Expressing the legal content of the article being discussed in meaningful local language.
- ✓ Getting the audience to actually discuss rights that conflict with their religious beliefs (e.g., abortion is equal to infanticide) or local practices (polygamy, female genital mutilation) and thus need particular elaboration.
- ✓ Finding in local practices the equivalent of rights that participants find unfamiliar or confusing.

Examples:

- To express contraception and spacing of children in terms of rights is confusing, because traditionally it is solely a health issue under the name of “nef”, a Wolof word for “close pregnancies”, which was something to be avoided at all costs.
- “Parity” (“Parité” the word used in the French version of article 9 of the AU Protocol) was also a confusing term. It was rejected when the audience perceived that it meant gender equality, but accepted it when it was translated into “equal number of men and women” in representative assemblies. At the same time some participants recalled the way that traditionally women’s opinions were taken into account in the decision making processes

III. Expected results: Bringing Law in African languages into the Law School’s Curriculum and Enhancing Law Students’ Involvement in Community Service

The offer of optional courses on human rights and international human rights conventions in local languages in the law school curriculum is one of the expected results of the KYR project. Improving law students’ involvement in community service is the other positive result one can expect.

3. 1. Enriching the Law School’s curriculum

The KYR project is an innovative project in the field of formal justice education and, at university level, an optional class of *Law in National Languages* is now being envisaged. *Law in African Languages* will thus become part of the law School curriculum. This specifically addresses the issue of the language of law: law students are not taught in the languages understood and spoken by the vast majority of the citizens of the country in which they will serve as lawyers, legal consultants and judges. This situation only exacerbates the problems in communication between lawyers, the justice system and ordinary citizens. The students of the *Law in National Languages* class will, moreover, have to actively participate in a mandatory number of community dialogues in urban as well as rural areas, thus building their interest and competence in community service.

3.2. Enhancing Law Students’ Involvement in Community Service

Article 2 of the statutes of the RETC (Association of masters and doctoral law students of Cheikh Anta Diop University) states the purpose of the Association as follows:

“The association is apolitical and secular.. Its purpose is to:

- promote and develop research at the postgraduate level.
- contribute to the academic production and the blossoming of talents at the University.
- disseminate university research within the community.
- Encourage authorities to improve conditions for research at the postgraduate level.
- organize academic events.

- supervise students.

By playing a central role in the community dialogues, the RETC fulfils its mission to disseminate the results of university research and to organize academic events. KYR Community dialogues do have a scientific purpose since one of their aims is to collect legal vocabulary in Senegalese national languages. At a later stage, once a course of Law in national languages is set up at the Cheikh Anta Diop law faculty, law graduates of the RETC will have the necessary experience as pioneers in this field to help supervise the students who will be taking this course. Moreover the law faculty authorities as well as the state's authorities will be able to draw from the RETC experience to widen that experience to other universities, other faculties and other government institutions (i.e. the justice department, the administration, the courts of justice)

One documentary film has also been made as part of the KYR project. The filmmaker was Mariama Khan, a graduate of Brandeis University program in sustainable international development and a citizen of The Gambia (a neighboring country to Senegal, that has many of the same language groups). The film, titled *Sutura: What judges need to know about rape and justice in Senegal*, is largely based on a community dialogue on the topic of rape. The dialogue was conducted in Wolof by the postgraduates law students of the RETC under the supervision of a women's rights association, *L'Association des Juristes Sénégalaises* (Association of Senegalese women Jurists). This film won an award at the 2008 United Nations World Population Fund Agency's Panafrican Film Festival of films about Gender Violence. Since its release, *Sutura* has been shown to various audiences of men and women from different backgrounds and associations⁶, and the general consensus is that producing this documentary in Wolof made it particularly effective in informing viewers about Senegalese and international law on rape and allowing the voices of rape victims to be heard. Mariama Khan has filmed a recent KYR dialogue on divorce and human rights led by the RETC in partnership with AJS and the Konrad Adenauer Foundation. She is currently looking for funds to finish her film and the KYR team is also looking for funds to organize more community dialogues.

⁶ Here is the web link to the Brandeis write up of the gender justice conference that talks about Sutura: <http://www.brandeis.edu/ethics/news/2008/2008.Dec.8.html>