

Violation of Dignity and Life: The Fate of Women with Albinism in African Mythology

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Abstract

The mythology of most African societies include the belief in patriarchy and primogeniture, holding the view that succession and the continuity of family lineage is only possible through the males. As such, women are generally considered inferior to men and often treated with prejudice. Albinism is also treated with prejudice in African mythology, including the belief that sexual intercourse with an albino woman or girl can cure serious infections like HIV/AIDS. Women with albinism are hence vulnerable to rape and sexual violations, in addition to common forms of discrimination and abuse suffered by women in Sub-Saharan African societies. In extreme cases, especially in East and Central Africa, albino women are kidnapped for general ritual purposes. Their vital organs are also harvested for preparing "charms" for magic and spiritual powers. In other cases, they are simply murdered to ensure that they do not procreate. This paper explores common myth-based violations against women with albinism in Africa. It argues that women living with albinism in Africa suffer double tragedy and special violations to dignity and life, contrary to standard templates of human rights prescriptions. It concludes that albino women suffer special and particular prejudice in African mythology. It then suggests specific measure for dealing with these

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special and particular violations at all levels, societal, municipal, regional and international.

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Introduction

In the mythology of most Sub-Saharan African countries, women are considered inferior to men and often treated with prejudice.³ Women with albinism, however, suffer special and extra-ordinary forms of physical and psychological abuse,⁴ as well as social exclusion and discrimination.⁵ All these compound the general global menace of violence against women, and contradict relevant life and dignity provisions in most national Constitutions⁶ and international human rights instruments.⁷

In the belief of some African communities, albinos are mystery beings of special spiritual, magical and mystical consequences,⁸ and that sleeping with an albino woman is a sure

³ Aloy Ojilere & Chukwumaeze, U. U. (2010). CEDAW and Gender-Based Discriminations against Women in Nigeria. *Nigerian Journal of Food, Drug and Health Law*, 3(1), 95-105.

⁴ Cruz-Inigo, A. E., Ladizinski, B., & Sethi, A. (2011). Albinism in Africa: stigma, slaughter and awareness campaigns. *Dermatologic clinics*, 29(1), 79-87.

⁵ Aquaron, R., Djatou, M., & Kamdem, L. (2009). Sociocultural aspects of albinism in Sub-Saharan Africa: Mutilations and ritual murders committed in east Africa (Burundi and Tanzania). *Medecinotropicale: revue du Corps de sante colonial*, 69(5), 449-453; Thuku, M. (2011). Myths, discrimination, and the call for special rights for persons with albinism in sub-Saharan Africa. *Amnesty International editorial review on Special Programme on Africa* <https://albinismawareness.or.tz/wp-content/uploads/2017/04/Calls-for-special-right-to-people-with-albinism-report.pdf> (31/8/2017).

⁶ Shulztiner, D., & Carmi, G. E. (2014). Human dignity in national constitutions: functions, promises and dangers. *The American Journal of Comparative Law*, 62(2), 461-490.

⁷ Frowein, J. A. (2004). Human dignity in international law. *Völkerrecht—Menschenrechte—Verfassungsfragen Deutschlands und Europas*, 307-320.

⁸ Bryceson, D. F., Jønsson, J. B., & Sherrington, R. (2010). Miners' magic: artisanal mining, the albino fetish and murder in Tanzania. *The Journal of Modern African Studies*, 48(3), 353-382.

cure for serious infections including HIV/AIDS.⁹ As a result of this dubious belief, women with albinism are vulnerable to predatory men, and likely to suffer sexual molestation¹⁰ as well as rape.¹¹

In Nigeria, male suitors are reluctant to marry them, hence, the proportion of albino women who are married is “very low”.¹² In Tanzania and Burundi, they are often considered as witches and accused of witchcraft, and in extreme cases, they are killed for ritual purposes or simply murdered to ensure that they do not give birth to new albino generations.¹³ In some extreme cases, albino children, including girls with albinism, are killed at birth or abandoned to die.¹⁴ Yet in some communities, women and people with albinism are regarded as semi-outcasts from birth and they engage in little or no participation in daytime tribal and social activities.¹⁵

They suffer violent attacks in South Africa¹⁶ as well as in Ghana and other parts of West Africa.¹⁷ In parts of East and southern Africa,¹⁸ relatives and parents of albinos and albino women are similarly victimized and abused.¹⁹ The view has also

⁹Baker, C., Lund, P., Nyathi, R., & Taylor, J. (2010). The myths surrounding people with albinism in South Africa and Zimbabwe. *Journal of African Cultural Studies*, 22(2), 169-181.

¹⁰Aceves, W. J. (2015). Two Stories about Skin Color and International Human Rights Advocacy. *Wash. U. Global Stud. L. Rev.*, 14, 563.

¹¹Ntinda, R. N. (2010). *Customary practices and children with albinism in Namibia: A constitutional challenge?* <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.616.6635&rep=rep1&type=pdf>(31/5/2018).

¹²Okoro, A. N. (1975). Albinism in Nigeria. *British Journal of Dermatology*, 92(5), 485-492.

¹³Aquaron, R., Djatou, M., & Kamdem, L. (n 5 above).

¹⁴Baker, C., Lund, P., Nyathi, R., & Taylor, J. (n 9 above).

¹⁵Wan, N. (2003). 'Orange in a World of Apples': The voices of albinism. *Disability & Society*, 18(3), 277-296.

¹⁶Mswela, M. (2017). Violent attacks against persons with albinism in South Africa: A human rights perspective. *African Human Rights Law Journal*, 17(1), 114-133.

¹⁷Benyah, F. (2017). Equally able, differently looking: discrimination and physical violence against persons with albinism in Ghana. *Journal for the Study of Religion*, 30(1), 161-188.

¹⁸Thuku, M. (n 5 above).

¹⁹Aquaron, R., Djatou, M., & Kamdem, L. (n 13 above).

been expressed that albinos and women with albinism are vulnerable to a shortened life span²⁰ and prone to skin cancer.²¹ Drawing random instances from across Sub-Saharan Africa, this paper posits that discrimination, indignity and abuse sum the fate of albino women in African mythology. It argues that these violations deepen other existing pain of womanhood and the violation of women's dignity and other rights in African trado-cultural and social mythology.²² At the end, it makes reasonable suggestions for addressing these ancient attitudes and mind-set.

The Concept of Albinism

Albinism is a natural birth defect²³ which occurs as a result of lack of melanin pigment.²⁴ It usually changes the colour of the skin,²⁵ eyes and hair texture,²⁶ and sometimes necessitates blurred or impaired vision due to high sensitivity to the sun.²⁷ In the opinion of experts, albinism is most evident in excessive skin coloration induced by human pigmentation, the commonest of which is the inherited oculocutaneous albinism

²⁰King, R. A., Creel, D., Arvenka, J., Okoro, A. N., & Witkop, C. J. (1980). Albinism in Nigeria with delineation of new recessive oculocutaneous type. *Clinical genetics*, 17(4), 259-270.

²¹Kiprono, S. K., Chaula, B. M., & Beltraminelli, H. (2014). Histological review of skin cancers in African Albinos: a 10-year retrospective review. *BMC cancer*, 14(1), 157.

²²Aloy Ojilere (2008). The Implication of Customary Law and Socio-religious Mythology on the Rights of Women in Nigeria. *Nigerian Journal of Public Law*, 1(1), 257-266.

²³Okulicz, J., Shah, R., Schwartz, R., & Janniger, C. (2003). Oculocutaneous albinism. *Journal of the European Academy of Dermatology and Venereology*, 17(3), 251-256.

²⁴Murray, B. H. (2015). Albinism in Africa: A Medical and Social Emergency. *International Health*, 7, 223-225; Benyah, F. (n 17 above).

²⁵Kiprono, S. K., Chaula, B. M., & Beltraminelli, H. (n 21 above).

²⁶Kinnear, P., Jay, B., & Witkop, C. (1985). Albinism. *Survey of ophthalmology*, 30(2), 75-101; Witkop, C. J. (1989). Albinism. *Clinics in dermatology*, 7(2), 80-91; Jablonski, N. G., & Chaplin, G. (2014). The evolution of skin pigmentation and hair texture in people of African ancestry. *Dermatologic clinics*, 32(2), 113-121.

²⁷Creel, D., O'Donnell, F. E., & Witkop, C. J. (1978). Visual system anomalies in human ocular albinos. *Science*, 201(4359), 931-933.

(OCA).²⁸ Persons with albinism are generally known as albinos. Women with albinism may as well be rightly termed, 'albino women'.

In spite of available medical and scientific information on albinism, some African myth, though misconceived, regarding the cause of albinism include the belief that the devil replaced the African child with an albino or that the mother was impregnated by a white man.²⁹

Regrettably, the lack of proper knowledge of albinism by the albinos themselves fuel the discrimination against them and reduce their propensity to courageously resist such indignities. For instance, a study on albinism carried out in Zimbabwe (using 138 school children with albinism averagely aged 14.4 years old as respondents), found that 70 (50.7%) of them had no knowledge of why they lacked skin coloration and were different from their classmates. 15 (10.9%) said it was due to biological factors, 19 (13.8%) believed it was an act of God, while 13 (9.4%) stated other incorrect causes, such as witchery, top layer of skin missing, and divine punishment for a family member mocking an albino.³⁰

Contrary to this or other popular African mythology, albinism is merely a natural consequence of human life³¹ which cuts across the globe³² even though it is speculated, albeit unconfirmed by data, that the frequency of albinism is higher in black-skinned people (Africans) than white-skinned people (Europeans).³³

²⁸King, R. A., Creel, D., Arvenka, J., Okoro, A. N., & Witkop, C. J. (n 20 above).

²⁹Simona, B. E. (2004). Albinos in Black Africa. *International journal of dermatology*(43), 618–621.

³⁰Lund, P. M. (2001). Health and Education of Children with Albinism in Zimbabwe *Health Education Research*.(16), 1-7.

³¹George, A. (1988). Skin Diseases in Tropical Africa. *International journal of dermatology*, 27(3), 187-189.

³²Healey, N., McLoone, E., Saunders, K. J., Jackson, A. J., & McClelland, J. F. (2014). Are worldwide albinism prevalence figures an accurate reflection? An incidental finding from a Northern Ireland study. *British Journal of Ophthalmology*, 98(7), 990-990.

³³Barnicot, N. (1953). Albinism in South-Western Nigeria. *Annals of Human Genetics*, 18(1), 38-73. Some scholars query this claim on the ground that even outside Africa, organizations exist which are dedicated to promoting

Of a truth, therefore, albinism is neither spiritual, African nor devilish. It also does not emanate from any deity or spirit-being, or caused by any “missing” top skin, hence, acts of indignity, discrimination, trafficking, abuse or killing of women with albinism is a gross violation of core municipal, regional and international human rights instruments,³⁴ and ought to be decisively redressed.³⁵

Dignity and Life of Women with Albinism in African Mythology

Dignity is life. Both are inseparable and once dignity is lost, human life seem almost worthless. Accordingly, most constitutions do not allow any balancing with the inviolable value of human dignity; hence any right, value, or public interests that conflict with human dignity must yield to dignity.³⁶

albinism awareness, appropriate care and proper medical assistance including sun protection facilities for albinos. See Fayoyin, A., & Ihebuzor, N. (2014). Advocacy for Minorities in Africa: Issues and lessons in advancing the Rights of Albinos in Tanzania and Osus in Nigeria. *Asia Pacific Journal of Research Vol: 1 Issue XVII*.

³⁴ For detailed discuss on women’s dignity and sexual rights in international law, See Aloy Ojilere & Gan Ching Chuan (2015). The Protection of Women’s Dignity and Sexual Rights in International Law: Basic Lessons on Core Thematic Human Rights Documents. *Orient Law Journal Vol. 2* January 2015, pp. 61-81.

³⁵ Murray, B. H. (2015). Albinism in Africa: A Medical and Social Emergency. *International Health, 7*, 223-225. In redressing the violations to dignity and life of women with albinism, the dictum of Justice Bhagwati in the celebrated Indian case of *Minerva Mills Ltd v. Union of India*, (1990) AIR SC 1987, should be borne in mind, namely, that:

“...a large majority of people who are living in almost sub-human existence in conditions of abject poverty and for whom life is one long unbroken story of wants and destitution, notions of individual freedom and liberty, though representing some of the cherished values of a free society, would sound so empty...and the only solution for making those rights meaningful to them is to remake the material conditions and usher in a new social order where socio-economic justice will inform all institutions of public life so that the preconditions of fundamental liberties for all may be secured.”

³⁶ Shultziner, D., & Carmi, G. E. (2014). Human dignity in national constitutions: functions, promises and dangers. *The American Journal of Comparative Law, 62*(2), 461-490.

Typical African society is a ‘man’s world’ where women are meant to be seen and not heard. The prejudice, discrimination, exploitation and abuse of dignity of women is common in those societies, and this begins even before the child is born. And by the culture of “son preference” common in most African societies, the baby girls are sometimes starved of food so that that baby boys will have enough to eat.³⁷ It is also reported that between 19% and 28% of women in eight facilities in north eastern Tanzania experienced disrespectful and/or abusive treatment from health providers during childbirth.³⁸

Researchers like Possi and Possi posit, and rightly too, that “at the centre of all challenges confronting persons with albinism, women and children with albinism have always been most vulnerable in this regard.”³⁹

It is, therefore, logical that the general violation of dignity and life of women and girls in African mythology becomes worse for women and girls who possess other vulnerabilities such as albinism.

³⁷Oyekanmi, F. D. (2004). Socioeconomic Dimensions of Gender Equality in Nigeria. In S. O. Akinboye (Ed.), *Paradox of Gender Equality in Nigerian Politics: Essays in Honour of Dr.(Mrs.) Veronica Adeleke*(pp. 41-61). Lagos, Nigeria: Concept Publications Ltd.

³⁸Human dignity became a central concept in contemporary constitutionalism following World War II and subsequent to its inclusion in the preambles to the United Nations Charter (1945) and the Universal Declaration of Human Rights (1948). Only five countries used the term in their constitutions before 1945. At the close of 2012, there were 162 countries that did so. This is a striking number, comprising 84% of the world's 193 sovereign countries that are members of the United Nations (UN). See: Kruk, M. E., Kujawski, S., Mbaruku, G., Ramsey, K., Moyo, W., & Freedman, L. P. (2014). Disrespectful and abusive treatment during facility delivery in Tanzania: a facility and community survey. *Health Policy and Planning*, czu079.<https://academic.oup.com/heapol/article/2907853> (7/6/2018).

³⁹Possi, A., & Possi, A. (2017). The Identity Question Versus Appropriateness of Legal Anti-Discrimination Measures: Endorsing the Disability Rights Approach to Albinism. *African Disability Rights Yearbook*, 5, 118-140, 120. Retrieved from http://www.adry.up.ac.za/images/adry/volume5_2017/Chapter%207_2017.pdf (9/6/2018).

Common African mythology greet albinism with resentment, stigma⁴⁰ and prejudice of self⁴¹ as well as prejudice of family members and parents of the albinos.⁴² Such mythology symbolize the African traditional allegiance and belief in the unseen divine. It underscores their ancestral socio-cultural belief, especially in relation to themselves *inter se* and *intra* their 'unseen' gods.⁴³ This accentuates additional African belief in reincarnation⁴⁴ and the decisive role of ancestors as formidable spiritual forces for directing and determining human affairs.⁴⁵

African mythology see albinos as spiritual and extraordinary spirit-beings naturally 'different' from other human beings, hence, albino women are usually derided in several ways not excluding kidnapping, murder and killing for organ harvest and ritual purposes. It is also an African myth that albinism is a curse from the ancient divine, albeit, sometimes possessing special spiritual healing powers.⁴⁶ This is probably the reason behind the misconceived myth that sexual intercourse with an albino woman can cure serious infections including HIV/AIDS.⁴⁷ In some extreme cases, albino children

⁴⁰Ikuomola, A. D. (2015). Socio-Cultural Conception of Albinism and Sexuality Challenges among Persons with Albinism (PWA) in South-West, Nigeria. *AFRREV IJAH: An International Journal of Arts and Humanities*, 4(2), 189-208.

⁴¹Cruz-Inigo, A. E., Ladizinski, B., & Sethi, A. (n 4 above); Braathen, S. H., & Ingstad, B. (2006). Albinism in Malawi: knowledge and beliefs from an African setting. *Disability & Society*, 21(6), 599-611; Baker, C., Lund, P., Nyathi, R., & Taylor, J. (n 9 above).

⁴²Aquaron, R., Djatou, M., & Kamdem, L. (n 19 above).

⁴³Aloy Ojilere (2018) African Mythology in the Violation of Life and Dignity of Albino Minorities in Nigeria. *University of the Gambia Law Review*, 1(1), 235-247.

⁴⁴Sharma, A. (2006). Human Destiny: Karma and Reincarnation. *A Primal Perspective on the Philosophy of Religion*, 189-197.

⁴⁵Uchendu, V. C. (1976). Ancestoricide! Are African Ancestors Dead? *Ancestors*, 283.

⁴⁶Kittles, R. (1995). Nature, origin, and variation of human pigmentation. *Journal of Black Studies*, 26(1), 36-61.

⁴⁷Baker, C., Lund, P., Nyathi, R., & Taylor, J. (n 41 above).

are killed at birth or abandoned to die.⁴⁸ Worse still, is the conscious abortion of female albino foetuses.⁴⁹

The fate of indignity and exclusion of women with albinism in East Africa is so miserable that in Zimbabwe, educated albino women never get employed for jobs for fear that albinism is contagious, and employers always believed that “an albino secretary would hurt the company’s reputation.”⁵⁰

This lack of education and high unemployment rates ultimately give rise to additional problems associated with low income and poverty. As a result, albino women and other persons with albinism in Africa cannot afford the cost of what they particularly need, including proper sun screen lotions,⁵¹ and, therefore, face a greater risk of developing skin cancer. The effects of these vulnerabilities certainly amplifies in the specific case of women with albinism.

This indignity and exclusion is even worse in countries like South Africa⁵² and parts of East Africa, especially Kenya, Burundi and Tanzania where albino women risk kidnap for harvest of body parts or out rightly killed for ritual purposes.⁵³The Tanzanian government has, however, sentenced a handful of albino killers to death but not much has been done to protect women with albinism or other albinos from future outbreaks of violence.⁵⁴This may be likened to the situation in Zimbabwe where a recent research by Gwenlisa Mushonga, a 33-year-old albino woman and Director of Alive Albinism Initiative, a local NGO working to improve the lives of albinos,

⁴⁸*Ibid.*

⁴⁹Oyekanmi, F. D. (n 37 above).

⁵⁰Kuster, R. (2000). White Skin, Black Souls. *New African*, 382, 40-41;

Cruz-Inigo, A. E., Ladizinski, B., &Sethi, A. (n 41 above).

⁵¹Nzagi, I. (2009). *Securing the rights of people with albinism in Tanzania mainland: The fight against social exclusion* (MA), International Institute of Social Studies, The Hague., cited in Possi, A., &Possi, A. (n 39 above).

⁵²Mazibuko, N. G., &Kromberg, J. G. (2018). A Personal Perspective: Living With Albinism. In *Albinism in Africa* (pp. 295-307).

⁵³Aquaron, R., Djatou, M., &Kamdem, L. (n 42 above).

⁵⁴See: Bucaro, S. (2009). A black market for magical bones: the current plight of east African albinos. *Pub. Int. L. Rep.*, 15, 131 (cited in Possi, A., &Possi, A. (n 50 above).

also confirmed the upsurge in such cases of rape in June 2015.⁵⁵

In the great lakes region of Africa, violation of dignity and life of women with albinism is often fuelled by robust negative superstition linked to witchcraft.⁵⁶ Consequently, the body parts and vital organs of albinos, especially women albinos were sometimes harvested as ingredient for preparing magic medicines⁵⁷ and special spiritual charms.⁵⁸

These albino women are also often derided for supposedly having a pungent unique “smell” which is offensive and capable of making any one sitting next to them to “vomit”.⁵⁹

Media report has equally been cited of attackers in Kenya trying to hack off body parts from albino for sale in the black market.

In its advocacy report, *Through Albino Eyes*, the International Federation of Red Cross/Red Crescent in Tanzania made a qualitative expose of the plight of albinos in East Africa and stated, *inter alia*, that at least 10,000 albinos and albino women were unable to study, trade or cultivate their land for fear of hunters hired by big money traders and witch doctors to harvest albino body parts for witchcraft.⁶⁰ Other reports abound of myth-based affront on the dignity and life of

⁵⁵ See: Duri, F. P. T., & Makama, A. (2018). Disabilities and Human Insecurities: Women and Oculocutaneous Albinism in Post-Colonial Zimbabwe. *Rethinking Securities in an Emergent Technoscientific New World Order: Retracing the Contours for Africa's Hi-jacked Futures*, 77.

⁵⁶ Oakford, S. (2014). Fuelled by superstition, people are violently attacking albinos in Tanzania. *Vice News*, 27.

⁵⁷ Tanner, R. (2010). Ideology and the killing of albinos in Tanzania: A study in cultural relativities. *Anthropologist*, 12(4), 229-236.

⁵⁸ Bryceson, D. F., Jønsson, J. B., & Sherrington, R. (n 8 above).

⁵⁹ Ntinda, R. N. (2010). *Customary practices and children with albinism in Namibia: A constitutional challenge?* :

http://www.kas.de/upload/auslandshomepages/namibia/Children_Rights/Children_n.pdf (31/8/2017).

⁶⁰ Cross, R. (2009). "Through Albino Eyes: the plight of albino people in Africa's Great Lakes Region and a Red Cross response." Geneva: International Federation of Red Cross and Red Crescent Societies; Cruz-Inigo, A. E., Ladizinski, B., & Sethi, A. (n 50 above). See also Fayoyin, A., & Ihebuzor, N. (n 33 above).

albinos and women with albinism which is common in East and Southern Africa⁶¹

These reports underscore the conclusion that “the murders, amputations and trafficking in body parts of persons with albinism in parts of East and southern Africa is an affront to the dignity and sanctity of the human body as guaranteed under international human rights law.”⁶²

To a lesser extent, violation of dignity and life of albinos and women with albinism also occur in parts of West Africa⁶³ including Burkina Faso, Guinea,⁶⁴ Nigeria,⁶⁵ Sierra Leone, Ivory Coast,⁶⁶ Ghana and Mali.⁶⁷

Among the Yoruba tribe of South West Nigeria, local mythology promote the belief that albinos belong to deities and may be used for rituals.⁶⁸ They are generally derided as *Afinor*

⁶¹Aquaron, R., Djatou, M., &Kamdem, L. (n 53 above); Ikuomola, A. D. (2015). Socio-Cultural Conception of Albinism and Sexuality Challenges among Persons with Albinism (PWA) in South-West, Nigeria. *AFRREV IJAH: An International Journal of Arts and Humanities*, 4(2), 189-208.

⁶²Thuku, M. (n 18 above).

⁶³Stevens, G., Ramsay, M., & Jenkins, T. (1997). Oculocutaneous albinism (OCA2) in sub-Saharan Africa: distribution of the common 2.7-kb P gene deletion mutation. *Human genetics*, 99(4), 523-527.

⁶⁴Bertolotti, A., Lasseaux, E., Plaisant, C., Trimouille, A., Morice-Picard, F., Rooryck, C., . . . Arveiler, B. (2016). Identification of a homozygous mutation of SLC24A5 (OCA6) in two patients with oculocutaneous albinism from French Guiana. *Pigment cell & melanoma research*, 29(1), 104-106.

⁶⁵King, R. A., Creel, D., Arvenka, J., Okoro, A. N., &Witkop, C. J. (1980). Albinism in Nigeria with delineation of new recessive oculocutaneous type. *Clinical genetics*, 17(4), 259-270; Cruz-Inigo, A. E., Ladizinski, B., &Sethi, A. (n 60 above).

⁶⁶Yoboue, P., Sangare, A., Kaloga, M., Kouadio, A., &Djedje, M. (2005). Epidemiologic and etiologic features of pigmentation disorders observed during consultation at the Dermatology Center of Abidjan, Ivory Coast. *International journal of dermatology*, 44(s1), 33-34.

⁶⁷Wiafe-akenten, B. C. (2016). Disharmony in diversity: Traditional beliefs, attitudes and stigmatization of persons living with albinism in Ghana. *International Journal of Psychology*, 51, 438.

⁶⁸Oyewole, S. (2016). Kidnapping for Rituals: Article of Faith and Insecurity in Nigeria. *Journal of Pan African Studies*, 9(9), 35-53.

eni-orisa, that is, “one who belongs to the deity.”⁶⁹In some cases, they are denied certain amenities and social benefits including employment, education, and other basic provisions which are, instead, said to be reserved exclusively for the “free born”.⁷⁰As a last resort, some women with albinism in South West Nigeria are constrained to undertake menial outdoor work only.⁷¹

Among the Ibos of South East Nigeria, the influence of the teachings of Christian missionaries watered down most of the myth-based abuse and violations to the dignity and life of women with albinism. Prior to this time, albinism was out rightly considered a taboo, just like giving birth to twins.⁷²At that time, Africans saw no natural justification for black parents with natural black skin giving birth to a “yellow” or “white” child (albino), or how a pregnancy to produce more than one child!

In present day South East Nigeria, Christian theology has substantially reconciled with ancient *Ibo* mythology, hence, women with albinism, as well as twin women are no longer scorned or treated ‘differently’. They now enjoy social inclusion as well as other privileges and public amenities.⁷³Among their peers or at school, however, albino girls may playfully and without seriousness, be called ‘unfortunate Europeans’.⁷⁴

Among the *Hausas* of Northern Nigeria, women with albinism, like other albinos, are simply called *Bature Ntuda*, meaning “fake white man”.⁷⁵ The segregation of albino

⁶⁹Olagunju, O. S. (2012). Towards a Biblical Response to Myth and Discrimination against the Human Right of Albinos in Yorubaland. *Journal of Studies in Social Sciences*, 1(1), 46-58.

⁷⁰Olagunju, O. S., *ibid.*

⁷¹Okulicz, J., Shah, R., Schwartz, R., & Janniger, C. (n 23 above).

⁷²Jell-Bahlsen, S. (2014). The dialectics of Igbo and Christian Religion in contemporary Nigeria. *Interface between Igbo theology and christianity*, 51-65.

⁷³Ibenwa, C. N. (2014). Influences of Christian Religion on African Traditional Religion and Value System. *world*, 4(9).

⁷⁴Aloy Ojilere (n 43 above).

⁷⁵Olagunju, O. S., *op.cit.*

children, including albino girls, have also prevented them from attending school in some other parts of Africa.⁷⁶

In Mali, women with albinism, like all other albinos, are derided as *gombélé* or *gombolé*, which literally means “red monkey”,⁷⁷

It is noteworthy that some dedicated NGOs have in some cases offered various support and assistance to albinos including women with albinism.⁷⁸ For instance, at the foremost International Albinism Awareness Day held in Accra by the Ghana Association of Persons with Albinism (GAPA) in June 2015, some of the placards raised by members read: 'Persons with albinism are human beings'; 'Send children with albinism to school'; 'Say no to societal prejudice'; and 'Albinism is not a curse'.⁷⁹ These messages copiously summarize the fate of albinos, especially albino women and girls in Sub-Saharan African mythology.

Even so, myth-based violations to dignity and life of women and other persons with albinism persists across Africa,⁸⁰ but regrettably, most violations are either unreported or under-reported.⁸¹

The foregoing make it obvious that women with albinism are vulnerable to double jeopardy in Sub-Saharan Africa. Firstly, women with albinism must cope, like other women, with general forms of gender-specific domestic violence, prejudice, indignity and male-subjugation common in patriarchal African societies. Secondly, they must also cope with special forms of violence including discrimination,

⁷⁶Baker, C. (2008). Writing over the illness: the symbolic representation of albinism. *Social studies of health, illness and disease: perspectives from the social sciences*, eds. PL Twohig and V. Kalitzkus, 115-128.

⁷⁷Imperato, G. H. and P. J. Imperato(2006). Beliefs and practices concerning twins, hermaphrodites, and albinos among the Bamana and Maninka of Mali. *Journal of community health*, **31**(3): 198-224.

⁷⁸Hong, E. S., Zeeb, H., &Repacholi, M. H. (2006). Albinism in Africa as a public health issue. *BMC Public Health*, **6**(1), 212.

⁷⁹Benyah, F. (n 24 above).

⁸⁰Carnegie, C. V. (1996). The dundus and the nation. *Cultural Anthropology*, **11**(4), 470-509.

⁸¹Burke, J. (2013). Media framing of violence against Tanzanians with albinism in the Great Lakes region: A matter of culture, crime, poverty and human rights. *Australasian Review of African Studies*, *The*, **34**(2), 57.

prejudice, kidnapping for ritual or organ harvest, social exclusion and denial, threat to life or actual killing, peculiar to the special circumstance of their birth. This double jeopardy underscore the urgent necessity for specific legal and other protection mechanisms for securing the dignity and life rights of albino women in Africa and beyond. These proposed legal mechanisms should be a globalized one to cut across municipal, regional and international human rights lines.

Remarkably, the strength of African myths, including its inherent negative consequences on women with albinism, lie in the recognition of customary law (or native law and custom) as part of the pluralist legal system in most African countries. In such countries, including Nigeria and South Africa, customary law is recognized as part of the regular *judex*. As such, it is difficult and almost practically impossible for adherents to abandon or write-off African mythology altogether. Historically, and rightly so, this has been attributed to “an explicit part of British policy to retain indigenous institutions in Africa and even to avoid tampering with them where it is not strictly necessary.”⁸²

Protecting the Dignity and Life of Albino Women in International Human Rights Law

Thus far, there is no known regional or international legal instrument for specifically protecting the dignity, life or other rights of women with albinism. As such, women with albinism may enjoy general protection under existing regional and international human rights instruments.⁸³ Regrettably, none of

⁸² Lewin, J. (1938). The recognition of native law and custom in British Africa. *J. Comp. Legis. & Int'l L. 3d ser.*, 20, 16.

⁸³ Article 1.3 of the UN Charter state, among others, that one the purposes and principles of the United Nations is “promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion.”

And by Articles 1 and 5 of the Universal Declaration of Human Rights (UDHR), all human beings are born free and equal in dignity and rights and “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” Without doubt, the prejudice, acts or omissions of physical and psychological violations of the dignity and life of albino women in African mythology are in clear breach of the instant prohibitions.

these instruments take specific cognizance of the special vulnerability and double jeopardy of albino women in core African mythology. This is the bane of securing albino women's dignity and life in international human rights law, and consequently justify relevant recommendations made in the later part of this paper. This is without prejudice to the reasonable belief that the pledge to promote, respect, protect and guarantee the rights to life and dignity of all persons and minorities in contemporary international human rights law is intended and reasonably believed to cover all persons with albinism, irrespective of sex.⁸⁴

For the avoidance of doubt, some of the human rights instruments which enshrine the equality, respect and protection of the rights of all persons and minorities (though not specifically mentioning albinos but may reasonably cover the rights to dignity and life of women with albinism) include the Universal Declaration on Human Rights 1948, the Convention on the Rights of the Child 1989, International Convention on the Elimination of all Forms of Racial Discrimination,⁸⁵ the Africa

Some of the latest advances of the United Nations and the African Union for the protection of persons with albinism are cited below, even as they are gender-neutral contrary to the later recommendations of this article.

⁸⁴Kane, I. (2008). *Protecting the rights of minorities in Africa: A guide for human rights activists and civil society organizations*: Minority Rights Group International.

⁸⁵ Adopted and opened for signature and ratification by General Assembly resolution 2106 (XX) of 21 December 1965. Entry into force 4 January 1969, in accordance with Article 19. UN Office of the High Commissioner for Human Rights:

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx> (accessed 21/11/2017). Part of its Preamble clearly captures global disdain for racial discrimination, which invariably includes myth-based prejudice, discrimination, indignity, threat to life and actual killing of women with albinism in Africa. The Preamble is *inter alia*,

“Convinced that any doctrine of superiority based on racial differentiation is scientifically false, morally condemnable, socially unjust and dangerous, and that there is no justification for racial discrimination, in theory or in practice, anywhere.”

It also reaffirm “that discrimination between human beings on the grounds of race, colour or ethnic origin is an obstacle to friendly and peaceful relations among nations and is capable of disturbing peace and security among peoples and the harmony of persons living side by side even within one and the same State.”

Charter on Human and Peoples' Rights 1986,⁸⁶ the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, 1992, the International Covenant on Civil and Political Rights (ICCPR) 1966⁸⁷ and the International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966.⁸⁸

However, between 2013 and 2016 the United Nations, UN (and later followed by the African Union, AU), introduced certain remarkable status-specific legal instruments for

It finally “resolved to adopt all necessary measures for speedily eliminating racial discrimination in all its forms and manifestations, and to prevent and combat racist doctrines and practices in order to promote understanding between races and to build an international community free from all forms of racial segregation and racial discrimination.”

⁸⁶ This is also known as the Banjul Charter. Its Article 18(3) recognize and enjoin State Parties to “ensure the elimination of every discrimination against women and also ensure the protection of women and the child as stipulated in international declarations and conventions.” Its Article 4 provides that: “Human beings are inviolable. Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right.” Article 2 thereof states also that: “Every individual shall be entitled to the enjoyment of the right and freedom recognized and guaranteed in the present charter without distinction of any kind such as race, ethnic group, colour, sex, language, religion, political or any other opinion, national or social origin, fortune, birth or other status.” It is hereby proposed among others, that the Charter be further amended by Protocol to specifically recognize and protect the dignity, life and other rights of women with albinism in Africa.

⁸⁷ The Preamble to the International Covenant on Civil and Political Rights (ICCPR) recognize the inherent dignity, equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace worldwide and state that “these rights derive from the inherent dignity of the human person.” Articles 2.1 of the Covenant provide *inter alia*, for the equal protection of the law “without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.” Article 26 thereof further “prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”

⁸⁸ The Preamble to the said ICESCR recognize, among others, that cultural and socio- economic rights are inseparable from the “inherent dignity of the human person” and that the enjoyment of the right and freedom against fear and want is only be achievable if conditions exists for enjoying of economic, socio-cultural, political and civil rights.”

advancing the rights of persons with albinism. These instruments offer protections to persons with albinism generally and not for the specific protection of women with albinism. The earliest of the international legal instruments is the United Nations Resolution on Attacks and Discrimination against Persons with Albinism.⁸⁹ Three months later, in September 2013, the Office of the UN Human Rights Commissioner issued the Preliminary Report on Persons with Albinism.⁹⁰ Soon after this report was published, the Human Rights Council adopted a Resolution on Technical Co-operation for the Prevention of Attacks against Persons with Albinism.⁹¹

To further place albino protection on the fore of global discuss, the United Nations took three additional steps. Firstly, it proclaimed 13 June as the International Albinism Awareness Day.⁹² Secondly, it issued the Human Rights Council's Advisory Committee Report on a Study on the Situation of Human Rights of Persons with Albinism,⁹³ and thirdly, the appointment of the Independent Expert on the Enjoyment of Human Rights by Persons with Albinism.⁹⁴

At the regional level, the African Union (AU) through the relevant African human rights institutions, also took laudable measures for protecting the rights of albinos generally, without gender-bias. First, it adopted the Resolution on the Prevention of Attacks and Discrimination against Persons with

⁸⁹Adopted by the UN Human Rights Council as Resolution 23/13 of June, 2013.

⁹⁰HRC *Persons with albinism: Report of the Office of the United Nations High Commissioner for Human Rights* (2013) paras 10 & 11.; United Nations Convention on the Rights of Persons with Disabilities, General Assembly Resolution A/RES/61/106 of 2006.

⁹¹Human Rights Council Resolution 24/33 of 2013.

⁹²Resolution on International Albinism Awareness Day, Human Rights Council Resolution 69/170 of 2014.

⁹³HRC *Report of the Human Rights Council Advisory Committee on the study on the situation of human rights of persons living with albinism* (2015).

⁹⁴Resolution on the Independent Expert on the Enjoyment of Human Rights by Persons with Albinism, Human Rights Council Resolution 28/6 of 2015. The Independent Expert issued her maiden report (*HRC Report of the Independent Expert on the Enjoyment of Human Rights by Persons with Albinism* (2016) para 15) on 18 January 2016.

Albinism.⁹⁵ Secondly, the AU adopted a Declaration on Ending Discrimination and Violence against Girls in Africa, also known as the Addis Ababa Declaration on Ending Discrimination and Violence against Girls in Africa.⁹⁶ Finally, it also initiated an investigative mission with respect to the situation of children with albinism.⁹⁷

The fact that these landmark instruments are gender-neutral and do not seek to specifically protect the dignity, life and other rights of women with albinism, underscore the essence of this article and justifies the recommendations made herein.

At the municipal level, the Bill of Rights or Fundamental Rights provision in the Constitutions of most myth-believing African countries equally contain wholesale provisions on the guarantee of human dignity and life. They make no provision for the specific protection of women with albinism or albinos generally.⁹⁸ However, it may be reasonably

⁹⁵Resolution on the Prevention of Attacks and Discrimination against Persons with Albinism, African Commission on Human and Peoples' Rights Resolution 263 of 2013.

⁹⁶It was adopted on 5 November 2013, at the 22nd session of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC). In accordance with Article 45 of the ACERWC Charter, the Committee may decide to investigate in a State Party where alleged violations of children's rights have been reported. Girls with albinism may certainly find protection under this instrument.

⁹⁷ Recently, the ACERWC conducted an Investigation Mission in Tanzania, following an application to investigate on alleged violations of the rights of children with albinism. The application was introduced on November 2013 by a Non-Governmental Organization, *Under The Same Sun* (UTSS), drawing Committee's attention on the alarming conditions of children with albinism subjected to violations of their rights in Tanzania. The Committee considered the application at its 24th Ordinary Session held on 01-06 December, 2014, in Addis Ababa, Ethiopia. Given that the request falls within its mandate and was also in line with the aims of investigation missions as stated in Article 2 of ACERWC's Investigation Guidelines. A Report was released after the Mission, namely, Report on Investigative Mission on the Situation of Children with Albinism in Temporary Holding Shelters – Tanzania, African Children's Committee, 2016, <http://www.acerwc.org/investigation/> (8/6/2018).

⁹⁸ For instance, the Constitution of the Federal Republic of Nigeria, 1999 (as amended) guarantees the right to life [section 33 (1)]; right and respect for the dignity of person, as well the prohibition of torture or inhuman or

inferred that persons with albinism, including albino women, are covered under such protection. Nonetheless, the recommendations made hereunder for the enactment of gender-specific legislation for securing the dignity and life of women with albinism in regional and international law should, *mutatis mutandis*, be adapted and enshrined in the Constitutions and municipal legislation of individual African states.

Recommendations

The relevant provisions of existing regional and international human rights instruments confirm that every act or omission rooted in African mythology which inflict or promote injury, hate, indignity, intimidation, discrimination or killing of albinos, especially, women with albinism amount to fundamental human rights breach.

The protection of dignity and life of minorities and vulnerable persons, especially women with albinism, must, therefore, be decisive and beyond rhetoric. It must follow the pattern prescribed by the Indian jurist, Justice PalokBasu⁹⁹ who posited that the right to gender equality and equal protection of the law must not only exist on paper but must be real, and that government is under an obligation to take steps to ensure its full application.

Bearing in mind the sound reasoning of the Supreme Court of India in the case of *Indra v. Union of India*¹⁰⁰, that “a mere formal declaration of the right would not make unequals equal”, it behooves on African governments to initiate and enforce additional executive, legislative, judicial, administrative, social and supervisory measures to equip the

degrading treatment [section 34 (1) (a)] and the right not to be deprived or denied of social or other benefits by reason only that a person belongs to a particular community, ethnic group, place of origin, sex, religion, political opinion or circumstances of his birth [Section 42 (1) (a) and (2)]. The Bill of Rights in the Constitution of the Republic of South Africa, 1996, provides in section 10 that “Everyone has inherent dignity and the right to have their dignity respected and protected” and in section 11 that “Everyone has the right to life.”

⁹⁹Justice Palok Basu. (2002) *Law Relating to Protection of Human Rights Under The Indian Constitution and Allied Laws* Modern Laws Publications, Allahabad, India. P.83.

¹⁰⁰ AIR 1993 SC 477.

disadvantaged and bring them to the level of the fortunate advantaged.

Consequently, the highest political and legislative leadership of various African countries must, among others, ensure judicial independence which will trigger the emergence of “hero judges” at all levels of court, especially the Supreme Courts. These hero judges would make bold to judicialize and interpret relevant constitutional Bill of Rights or other legislation on life and dignity in a broad and all-inclusive manner, particularly protective of women with albinism.

The introduction of gender-specific (as opposed to status-specific) regional and international legal instruments for the protection of dignity, life and other rights of women with albinism is equally plausible.

Such instruments may include: UN Convention on the Elimination of All Forms of Discrimination against Women with Albinism (CEDAWWA), UN Convention on the Rights of Women with Albinism (CRWA), African Charter on Human and Peoples’ Rights on the Rights of Women with Albinism in Africa.¹⁰¹ This recommendation is without prejudice to an earlier one for the enactment of status-specific legal instruments for the general protection of all albinos, without regards to sex.¹⁰²

¹⁰¹ Similar agitations for special protection for women’s rights globally (in spite of existing gender-neutral human rights instruments), led to the enactment of innovative women-specific international instruments. They include the Beijing Declaration and Platform for Action, 1995, the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), African Charter on Human and Peoples’ Rights on the Rights of Women in Africa, 2003 and especially the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (also known as the Maputo Protocol) which enjoin states to ensure equal rights of women and men. The essence of this Protocol is contained in the introductory note to the Draft thereof which states *inter alia* that “To date, no African instrument relating to human rights proclaimed or stated in a precise way what the fundamental rights of women in Africa are. This is thus a vacuum in the African Charter [in relation to protecting women’s rights].”

¹⁰² In See Aloy Ojilere (n 74 above), recommendations were earlier made for the introduction of status-specific legal instruments for the protection of albino minorities in Nigeria, irrespective of sex. The proposed instruments are: UN Convention on the Elimination of All Forms of Discrimination

The United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, 1992 may be amended by protocol to specifically include albinos as an ethnic/racial minority” within the contemplation of the Declaration. This will also benefit women with albinism.

It is further suggested that the United Nations should consider a novel Resolution on Attacks and Discrimination against Women with Albinism while the African Union should follow suit with the Resolution on the Prevention of Attacks and Discrimination against Women with Albinism.

With such innovation, the protection of dignity, life and other rights of women with albinism in Africa, will be placed on appropriate international frontline, and invariably reflect on the domestic legislation of concerned African states.¹⁰³ These suggestions are deemed auspicious because as much as women’s rights are special, relative to human rights, albino women’s rights are also special relative to those of other persons with albinism.

In the interim, courts and judicial tribunals in African states should, whenever the need arises and irrespective of any possible constitutional lacuna to the contrary, give liberal interpretations to existing constitutional or legislative provisions on fundamental rights. Such judicial activism may effectively secure the dignity and life of women with albinism by check-mating certain permissible derogations in the Constitutions of countries like Nigeria and Tanzania where, it is trite that in spite of existing protections in the Bill of Rights,

against Persons with Albinism (CEDAPWA), UN Convention on the Rights of Albinos (CRA), African Charter on Human and Peoples’ Rights on the Rights of Albinos in Africa, as well as Albino Rights Act in Nigeria. Similar suggestions made by feminists and women rights advocates culminated in the enactment of a number of gender-specific domestic legislation and international instruments which form part of Nigeria’s current human rights jurisprudence.

¹⁰³This was the case with the 1989 UN Convention on the Rights of the Child (CRC) which led to the introduction of the regional instrument known as the African Charter on the Rights and Welfare of the Child, and later, the enactment of the Child Rights Act in some African countries including Nigeria.

“little has been done to make sure that such provisions protect the rights of Albino people.”¹⁰⁴

This proposed judicial activism must also overlook the *dualist* approach to treaty enforcement applicable in a country like Nigeria, where international law is considered different and inferior to municipal law, and must be first domesticated into local legislation in accordance with Section 12 of the country’s 1999 Constitution before they can become enforceable in the local courts.

It is consequential too, that the abusers and other violators of the dignity and life of women with albinism in Africa based on any socio-cultural, religious or other native mythology, must be decisively dealt with according to any appropriate law. And where the existing legislation is inappropriate, deficient or lacking, the courts in relevant African countries must exercise their power of *judicialization*, that is a path of judicial honour popularized by the Supreme Court of India, whereby a court, in its wisdom, creativity and activism, “makes law” known as *Judislotion*(as against *legislation*) in order to fill a legislative void pending enactment of a proper law.¹⁰⁵

¹⁰⁴Salewi, D. H. (2011). *The killing of persons with albinism in Tanzania: A social-legal inquiry*. (LLM (Human Rights and Democratisation in Africa)), University of Pretoria, Centre for Human Rights, University of Pretoria. On this note, the various Sub-Saharan African governments should initiate realistic constitutional mechanisms for supervising and coordinating the implementation of relevant legislation for protecting the dignity and life of women with albinism. Unfortunately, in Tanzania where such agency exists, research reveal continued abuse and violence against women and other persons with albinism due to corruption and laxity of such government institutions.

¹⁰⁵ Ordinarily, it is the constitutional preserve of the legislature to make laws, and of courts to interpret the law. However, the celebrated Indian cases of *Sheela Barse v. Union of India* AIR 1987 (1) 153, and *Vishaka & Ors v. State of Rajasthan* JT 1997 (7) SC 384; AIR 1997 SC 3011, arose at a time when there were no specific laws for protecting women’s dignity against sexual violations in custody and at their workplace respectively. Nonetheless, the Indian Supreme Court invoked its *judislative* power and formulated appropriate elaborate rules to address these issues and effectively fill the existing legislative void. Those Rules became known as the *Rule in Sheela Barse* and the *Vishaka Guidelines*, respectively and endured until Parliament enacted substantive legislation on the subject. See also,

Another approach to securing the dignity and life of women with albinism in Sub-Saharan Africa is by facilitating and ensuring the active interplay of political, religious, social, traditional and legal stakeholders, including civil society and community advocacy groups, theatre and movie practitioners,¹⁰⁶women and albino rights NGOs, as well as social and mass media practitioners.¹⁰⁷The proactive participation in community sensitization by school teachers and pupils, lawyers, trade unions, prominent activists, medical practitioners, the police, the courts, town unions, traditional healers, local magicians, farmers and hunters will also expedite the drive for securing the dignity and life of women with albinism in Africa.

This is apposite because religious, community and traditional rulers exist as major custodians of the conscience, morals, traditions and native customs of the people, hence, can play significant roles in ensuring proper understanding of albinism, especially with regards to the unreasonableness of African myths and mind-sets which perceive albinos, especially women with albinism as ‘anything different’ or other than human.

Finally, since the violation of women and albino rights are known to be prominent among Sub-Saharan African countries (most of whom are poor, either underdeveloped or developing, and still look up to the West and Western donor agencies for various essential aids),it follows that the United Nations, the international diplomatic community, as well as Western nations and donor agencies may adopt sanctions or threat thereof to arm-twist African countries into living up to the responsibility of taking decisive legislative, administrative

Vallinder, T. (1995). When the courts go marching in. *The global expansion of judicial power*, 13-26 and Aloy Ojilere & Ine Nnadi (2018).Judicialization of the Fundamental Rights and the Directive Principles of State Policy in India: Road Map for the Globalization of Women’s Dignity and Other Rights in Nigeria, (Unpublished).

¹⁰⁶Baker, C., & Lund, P. (2017). The Role of African Fiction in Educating about Albinism and Human Rights: Jenny Robson’s Because Pula Means Rain and Ben Hanson’s Takadini. *Journal of Literary & Cultural Disability Studies*, 11(3), 271-284.

¹⁰⁷Aloy Ojilere (n 43 above).

and other steps to particularly secure the dignity, life and other rights of women with albinism. This is without prejudice to the fact that most African countries have resisted such threats for being contra-cultural in relation to African mythology.¹⁰⁸ Although such move may seem like an “indirect regional threat”,¹⁰⁹ the fact remains, that economic sanctions remains the policy tool of choice for states and organizations for compelling other actors to adhere to international law.

This suggestion is trite, bearing in mind that one of the purposes and principles of the United Nations as expressed in Article 1.3 of the UN Charter, is the quest “to achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion.”

Conclusion

Although albinism is a natural circumstance of birth, African mythology deride albinos as “unnatural” and “different”. This culminates in general prejudice, discrimination and the violation of dignity and life of persons with albinism, contrary to relevant or implied provisions of relevant regional and international human rights instruments.

These general breaches, however, only complement other special violations and prejudice faced by women with albinism in African mythology, thereby underscoring the fact that the dire belief in and practice of certain African mythology

¹⁰⁸ Most African countries have refused to legalize homosexuality and same-sex marriage on the ground that they contradict African culture and mythology, notwithstanding Western threats of sanctions. See: Aloy Ojilere (2018). *The Diplomacy of Homocapitalism against Africa: Same-Sex marriage and the West's Promotion of Homosexuality*. *World Affairs: The Journal of International Issues*, 22(1), 152-163; Aloy Ojilere (2016). *Homosexuality and Same-Sex Marriage: The Dilemma of Human Rights in Sub-Saharan Africa*. *Journal of Commercial and Contemporary Law*, Vol. 6, pp. 159-169.

¹⁰⁹ Christopher, W. (2018). *Economic Sanctions as an Indirect Regional Threat: The Regional Impact of Sanctions on the Level of Human Rights Protection in Non-sanctioned Countries*. (Master's Thesis in Human Rights), UPPSALA UNIVERSITET.

pose a double tragedy of violation to dignity and life of women with albinism in Sub-Saharan Africa.

Without doubt, these negative social perceptions are a major obstacle to the enjoyment of the right to dignity, equality, life and other human rights of albinos, especially albino women and girls.¹¹⁰

Protecting the dignity, life and other rights of albino women amidst certain misconceived African mythology, therefore, pose a desperate human rights challenge for sub-Saharan Africa where neglect and failure to prioritize disability rights are known to be common,¹¹¹ and the regional human rights system is ranked least in the comity of regional systems.¹¹²

This challenge may, nonetheless, be addressed through a number of measures including the introduction of gender-specific (not just status-specific) human rights instruments, judicial creativity and activism, as well as the active interplay of core stakeholders in the communities, government, civil society, religious and traditional institutions, especially those operating within Sub-Saharan Africa.

¹¹⁰Mswela, M. (2013). The “evil albino” stereotype: An impediment to the right to equality *Medicine and Media*, 32, 89-92.

¹¹¹Van Reenen, T. P., & Combrinck, H. (2011). The UN Convention on the rights of persons with disabilities in Africa: Progress after 5 Years. *SUR-Int'l J. on Hum Rts.*, 14, 133.

¹¹²Steiner, H. J., Alston, P., & Goodman, R. (2008). *International human rights in context: law, politics, morals: text and materials*: Oxford University Press, USA. This particular claim has, however, been challenged as capable of diminishing or denying Africa's other contribution to the growth of international human rights law. See: Van Reenen, T. P., & Combrinck, H. (2011). The UN Convention on the rights of persons with disabilities in Africa: Progress after 5 Years. *SUR-Int'l J. on Hum Rts.*, 14, 133; Viljoen, F. (1998). Supra-national human rights instruments for the protection of children in Africa: The Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child. *The Comparative & International Law Journal of Southern Africa*, Pretoria, 33, 199; Olowu, D. (2009). *An Integrative Rights-Based Approach to Human Development in Africa*: Pretoria: Pretoria University Law Press.