

CHAMPIONING A FREE, FAIR, JUST, AND EQUITABLE SOCIETY THROUGH HUMAN RIGHTS ADVOCACY: CHRONICLES OF A LAWYER, ACTIVIST, AND LEGISLATOR

By

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1. Introduction

Ladies and gentlemen, distinguished guests, and fellow advocates for human rights,

I am grateful for the opportunity to be here today to deliver this lecture before your good selves - Faculty, students, and academic community of the University of South. I am particularly grateful to Prof. Amy Patterson of the Department of Politics, and to the University for the warm reception accorded me in this great institution of higher learning and academic excellence.

In the complex medley of social advancement, the convergence of law, activism, and lawmaking stands out as the guiding compass, steering the course toward a liberated world characterized by freedom, fairness, justice, and equity. This is because, our rights, freedoms, and liberties are defined by law. Laws give and take rights. Laws give and take liberties. Laws are tools for social engineering, and the directions and progress of societies are defined by laws.

Indeed, as a result of the primacy of law to social advancement, the role and the world view of the lawmaker is key. A lawmaker with narrow and conservative ideas can only advocate and supports laws that are conservative. A lawmaker who is open to diversity and inclusiveness would support those ideals in the legislature. Thus, in the fight for a free, just and equitable society, the philosophical underpinnings of the lawmaker are key.

When laws are made, they are enforced through the courts which makes very important pronouncement on our rights. In American realism, which is a legal theory, it is often said that “**What the judge says is the law**”. Also know as Legal Realism, this concept of law developed in the late 19th and early 20th Century focuses on what the law is, as opposed to what the law should be. Thus, realists believe that Judicial decisions are the crux of the law. To the realist, what the judge says is the law becomes the law.

This is probably not new to you because, in 2022, a single historic decision by the Supreme Court that overturned **Roe v. Wade**, ended the almost half a century old reproductive right to abortion. This is the confirmation of this jurisprudence.

For Societies to progressively advance to become more tolerant to diversity, human rights compliant, free, fair and equitable, the law, the lawmaker and law enforcement agencies, all agents of the state, must be held accountable through active citizens’ activism. There must be effective and well-coordinated processes to get minority voices unto the policy table in ways that ensure they become so loud that they cannot be ignored.

America again has a good example of activism. As in the words of Jeffrey O.G. Ogbar, a professor of history at the University of Connecticut, published by the New York Times on February 8, 2016,

“Activism is politically essential in a society like ours, with such a long history of legal and de facto discrimination. Civil disobedience has helped realize everything from the 40-hour work week, child labor laws, voting rights for women and people of color and stronger environmental policies. To quote the abolitionist Frederick Douglas, “power concedes nothing without a demand.” Demands for expanded access to democracy and basic civil and human rights have resulted in radical permutations of civil disobedience — disruptive marches, sit-ins and illegal occupations of public and private spaces.”

I respectfully submit to this convocation that the fight for fair and equitable society is a continuous one and multidimensional. It is why my own background experience and the deep search for this sense of fairness and compassion and fellow feeling, led me on this profound journey of championing a free, fair, just, and equitable society, through the relentless pursuit of human rights advocacy in Ghana.

2. Free Fair, Just and Equitable Society

To understand the context of our discussion, lets hazard a contextual definition. **Equity** is just and freedom from bias or fair inclusion and **Equality** is ensuring that every individual has an equal opportunity to make the most of their lives and talents irrespective of whom they were born to, their race, ethnicity or any form of disability. **A Free, Fair, Just and Equitable Society** is one in which all can participate and prosper without any limitations whether structurally or socially created. The goals of free, fair and just societies must be to create conditions that allow all to reach their full potential – a society that creates a path from hope to change. This was the Society I envisaged while growing in Ghana but from

the accounts I will share, my daily expectations were disappointed. Instead of simply becoming a victim of a society that does not live to the full ideals of a just world, I took up the challenge to contribute my quota, through the space offered me as a lawyer, legislator and activist using human rights as a guide.

A. Brief Overview of the Intersection between law, activism, and legislation

As an individual who wears multiple hats; that of a lawyer, activist, and legislator, like many others who have dedicated their lives to this noble cause, this cause will continue to serve as a beacon of hope and change in our ever-evolving world.

As a lawyer, activist, and legislator in search for a free, fair, just and equitable Ghana, I resorted to the tools of my legal expertise, passionate advocacy, and strategic legislation to weave together a narrative of societal transformation which I share with you today.

Grounded in the principles of human rights advocacy, my journey navigates through the complexities of legal frameworks, the fervor of activism, and the transformative power of legislation, all aimed at sculpting Ghana or at least attempt at doing so. I must say that the intricate interplay between legal expertise and grassroots activism, where my passion intersects with my professional knowledge to confront injustices and advocate for the rights of marginalized individuals was such a rewarding journey.

B. Brief Background Reflections

I hail from Denu in the Volta region of Ghana. Born in a ghetto in Accra as a destitute child. I was the third born in a family of 8. My mother, a slave girl to a voodoo shrine and my father a desperate drunk. My eldest sister became blind at an early age having suffered measles as a result of lack of education on the situation. My parents could not find solution to her illness until it was too late.

The only way I was able to survive the war of life, was through education. I began to crave and search for knowledge. I began nursery school when I was 8 years old. As an elementary boy I had no option than to sell on the streets while pursuing education. I lived and endured the streets even when I was in Senior high school for many years just to remain in school and gain knowledge. Apart from my usual street trade, I begged for money on the streets to supplement my daily earnings. In this quest I realized that Education made a difference in my life. Without education, life in Africa will continue to be but a dream for me. Today, I would not have been a Human Rights Lawyer, Activist and Ambassador, reaching out to the world and desiring to fight for a better Society. The greatest tragedy of Africa today is IGNORANCE. Ignorance of our innate Rights, encoded in National, African and International Human Rights instruments.

I spent many years as a street child before finding refuge at the Village of Hope Orphanage, which was a project of Churches of Christ in Ghana. My educational journey led me to graduate from the University of Ghana and the Ghana School of Law, eventually becoming a member of the Ghana Bar in 2010. Before embarking on my legal career, I was deeply involved in student activism, advocating for change in various aspects of leadership in Ghana for over two decades. Currently, I serve as a legislator, human rights lawyer, activist,

author, the 2nd Vice President of the United Nations Association of Ghana, and play key roles in my fight.

I have shared details of my background story in two books titled: “Love Lifted Me from the Street and “Homeless”

"Love Lifted Me from the Streets" is a deeply personal account of my journey from a desperate street child without hope to a bright future. It reflects what the show of love and compassion can achieve in our hurting world.

"Homeless" underscores the pivotal role of education in every child's life, particularly those less privileged, whose path to success is often uncertain. This book has been approved by the Ghana Education Service (GES) and the Conference of Heads of Assisted Secondary Schools (CHASS) as a supplementary reader for educational institutions in Ghana. It provides practical guidance for students, teachers, and educators on how education can transform the lives of every child.

2. The Foundation of Human Rights

A. Definition and Importance of Human Rights

At the core of any just and unbiased society lies the bedrock of human rights; A set of fundamental principles that transcend borders, cultures, and ideologies. Human rights, in their essence, are the inalienable and inherent rights and freedoms every individual is

entitled to because of their humanity. They serve as the cornerstone of justice, equality, and dignity in any civilized society.

B. Historical Context and Evolution

Distinguished guests, Human rights are not static; they are dynamic principles that have evolved through the ebb and flow of history. The Magna Carta to the Universal Declaration of Human Rights (UDHR), represents a significant evolution in the recognition and protection of human rights. During the transformation from the Magna Carta to the UDHR, the Magna Carta, also known as the Great Charter, was signed in 1215 in England. A historic document that aimed to limit the powers of the monarchy and protect the rights and privileges of the English barons. While the Magna Carta primarily addressed the concerns of the nobility, it contained principles that laid the groundwork for the protection of individual rights. It introduced concepts such as due process of law, protection from arbitrary arrest, and the right to a fair trial, which are seen as early precursors to modern human rights.

In 1945, the United Nations (UN) was founded, and the promotion of human rights became one of its core missions. This was in response to the horror and genocide experienced during World War II. Representatives of 50 countries gathered at the United Nations Conference on International Organization in San Francisco, California from 25 April to 26 June 1945 to draft and sign the UN Charter.

During the Second World War, estimates of total fatalities generally ranged between 70 and 85 million people, and up to two thirds of these deaths were civilians, killed through various means such as famine, disease, aerial bombardment, and mass genocide. Records

show that in total, upwards of 17 million people were systematically murdered by the Nazis, **Approximately 2.7 million** Jews were murdered at killing centers. **About 2 million** Jews were murdered in mass shooting operations and related massacres. **Between 800,000 and 1,000,000** Jews were murdered in ghettos, labor camps, and concentration camps. **At least 250,000** Jews were murdered in other acts of violence outside of camps and ghettos

In 1948, the United Nations General Assembly adopted the Universal Declaration of Human Rights (UDHR). The UDHR was a landmark document that articulated a comprehensive set of rights and freedoms applicable to all people, regardless of their nationality, race, religion, or other distinctions.

The UDHR drew inspiration from various historical documents, philosophical ideas, and lessons learned from past atrocities. It aimed to provide a universal framework for the protection of human rights, including civil, political, economic, social, and cultural rights.

Societies have grappled with the recognition and protection of fundamental liberties throughout history through various means, including legal documents, social movements, and political reforms. Some social movements such as the movement (18th and 19th centuries) to abolish slavery were one of the earliest human rights movements. Activists worked tirelessly to end the institution of slavery and secure the freedom and rights of enslaved individuals. The struggle for women's right to vote and gender equality involved decades of activism and advocacy. The suffrage movement achieved significant milestones in recognizing women's political rights. In the United States, the Civil Rights Movement sought to end racial segregation and discrimination, leading to landmark legislation such as the Civil Rights Act of 1964.

3. The African Regional and Local Perspectives

Ladies and gentlemen, now, let us turn our attention to Africa, a continent rich in cultural heritage but grappling with significant human rights violations. Africa, a continent of tremendous diversity and cultural richness, brawls with severe human rights challenges. Out of a population of approximately 1.2 billion, a staggering 64% struggle with illiteracy. Furthermore, over 33 million children in Africa find themselves out of school, deprived of the basic right to education. Tragically, more than 125 million girls and women in Africa and the Middle East have undergone Female Genital Mutilation (FGM) and Circumcision, a clear instance of human rights violation rooted in misconceptions and cultural practices. Governance crises, political corruption, manipulated elections, abuse of power, child trafficking, child labor, child prostitution, gender and sexual orientation discrimination, and more, afflict the African continent.

For instance, Burkina Faso, the Republic of Congo, and other African nations have experienced civil unrest in the past year. There have been protests, loss of lives, and brutal injuries, all of these, clearly human rights violations. The sad reality is that Africa, despite achieving political independence, still wrestles with widespread human rights violations. This can largely be attributed to a population that is often uninformed or ill-informed about their rights and the principles of human rights.

In Ghana, a nation committed to upholding numerous international human rights instruments, these principles find their foundation in the 1992 Constitution. Article 12(1) of the Constitution unequivocally states that all branches of government, agencies, as well as natural and legal persons in Ghana shall respect and uphold fundamental human rights and freedoms. Article 12(2) further underscores that every person in Ghana, regardless of race, place of origin, political opinion, color, religion, creed, or gender, is entitled to these

fundamental human rights and freedoms, subject to the respect for the rights and freedoms of others and the public interest. These encompass a range of rights, including personal liberty, the right to life, education, good health, a healthy environment, a fair trial, and access to legal representation, among others.

The most significant tragedy in Ghana today is not merely the presence of injustice but the collective failure of the young generation to boldly confront it, speak out against it, and actively work to eradicate it. It is not that we lack rights; it is that we have failed to stand up for them, both for ourselves and for others. Injustice persists because we often turn a blind eye to blatant violations. Lawyers, judges, students, and citizens often recoil from confronting injustice due to the fear of intimidation. We have seemingly become a society devoid of conscience, and this must change.

4. Personal Journey

A. Work as a Lawyer in Protection of the Vulnerable

Fellow advocates, as a lawyer, I put my service at the disposal of the most poor and vulnerable in Ghana. I have defended minority rights and fought against domestic abuses, state-led abuses, violations and extra-judicial killings through police or military brutality. I have been to every prison in Ghana and advocated for rights of prisoners particularly pre-trial detainees. I have represented over 800 of such pre-trial detainees for free and led the way to free 100s of such detainees. My work as a lawyer has been against religious violations as well and most of what I did have been detailed in three important books I have written:

"Guilty Until Proven Innocent" (2022) is a reflection of the dysfunctional criminal justice system in Ghana. It employs legal satire to expose the systemic failures that have dire consequences on the liberty, livelihood, and prospects of individuals. This book sheds light on the presumption of guilt until proven innocent, revealing the intricate web of conspiracy involving the media, police, prosecutors, judges, and political influences. It underscores the need for reform and the price we all pay when justice is denied to one.

"I am a Street Lawyer" chronicles my journey to becoming a prominent figure in legal practice in Ghana. Through the eyes of the victims, this book offers a unique perspective on my accessibility to the poor and vulnerable victims of various injustices in our flawed system. It illustrates how I led and represented victims of rape, defilement, military brutality, police abuse, extrajudicial killings, religious and political abuses, even at the risk of my legal career as powerful interests sought to silence me.

In **"The Pro Bono Lawyer Without Honor,"** I delve into my personal experience of facing injustice while fighting against it. This book sheds light on the perils of pro bono practice in Ghana, the importance of legal aid and selfless service. It also highlights the challenges I encountered while navigating a career in law in the face of a grand conspiracy by the General Legal Council to end my legal career.

Some Cases I led:

1. Christopher a sixteen-year-old boy, endured brutal abuse by three military officers in the north, subjected to torturous, cruel, and dehumanizing treatment over a stolen mobile phone. Despite eyewitness testimonies, justice remains elusive.

2. Eric Asante, a teacher, spent 15 years wrongfully imprisoned for defilement, an offense he did not commit. Even after his acquittal, his life was irrevocably damaged, and the damages awarded were inadequate.
3. **Blessilia**, a twelve-year-old girl, was defiled by a senior police officer, resulting in her pregnancy and the birth of a child before completing junior high school.
4. **Patrick Raynold**, a student, was paralyzed by a billboard at a public place due to negligence, with no adequate support or compensation from the state.
5. Vulnerable children living with HIV/AIDS, many of them orphans, face dire circumstances, with inadequate access to basic needs such as food, clothing, and shelter.
6. **Charles Antwi**, had a bi-polar disorder and went to the Church of a sitting President of Ghana. There was a huge news of attempted assassination of the President. He was convicted and sentenced to 10 years in hard labor. I got the sentence quashed and got him freed.

B. Legislative Contributions

Distinguished Guests, January 7 2024, marked three years of my tenure in Parliament. Since then, I have made significant strides in both my constituency, Madina, and at the legislative level. My approach was built on the philosophy that progress requires a shift in mindset.

I was determined to transform the way politics was perceived and conducted, continuously willing to make sacrifices for this cause. I established the Madina Job Center, a vital initiative that provided various modules such as Youth in Fashion Design, Youth in Hairdressing, Youth in Mushroom Farming, and Youth in Website Development. These programs have connected over 5,000 young individuals to job opportunities and skills development.

In the realm of education, I have launched the Basic School Library Project, the MP's Education Scholarship Fund, the Service Above Self Best Teacher Awards, and the Water for All Project impacting over 40,000 students.

As a member of Parliament, I have in the past 3 years introduced **17 Private Member's Bills** covering areas including disability rights to work, climate change, mental health, rights of unlawful detainees, victims of sexual violation, prohibition of witchcraft accusation, non-custodial sentences for petty offences abolition of death penalty, and removal of taxes from mensural health products, among others. Three (3) out of the 17 Bills were passed in 2023 relating to prohibition of witchcraft accusations, and abolition of death penalty for ordinary crimes; with 1 receiving Presidential Assent to become law.

A little emphasis on the following:

Community Sentence Bill

I am currently advocating for **community sentences** and Bonds of good behavior for minor offenses, aimed at decreasing overcrowding in various prisons and minimizing custodial sentences in Ghana. Overcrowding in prisons, such as the Nsawam Medium Security

Prison and Kumasi Central Prison, has become a serious dehumanizing, and torturous experience.

Climate Change Bill

I introduced the **Climate Change Bill** in 2023, recognizing the pressing need for climate action to ensure a clean, healthy, and sustainable environment. The impact of climate change extends to every aspect of our lives, from our living spaces to the water we consume and the air we breathe.

Period Poverty Bill

Moving on to another critical issue, even though nearly a quarter of the world's population menstruates, approximately 500 million people lack access to menstrual hygiene products, leading to period poverty. I sponsored a private member's bill proposing an amendment to eliminate the 15% value-added tax (VAT) on menstrual hygiene products. This bill seeks to reclassify these products from final consumer goods to zero-rated essential social goods under the Customs Tariffs and Levies Act, 2022 (Act 1082).

Witchcraft Accusations

In July 2023, the Ghanaian Parliament passed a law criminalizing the accusation of witchcraft and the practice of witch doctors or witchfinders. As a lead and co-sponsor of this bill, I was pleased with its passage. However, it is disheartening that the President has not yet assented to this bill; as there are currently over 600 individuals locked up in various witch camps, awaiting decisive action to address this longstanding issue, which has persisted for over a century.

In 2020, a 90-year-old woman, Madam Akua Denteh, was lynched in the Savannah region of Ghana after being accused of witchcraft, highlighting the urgency of addressing this practice, which is outdated and harmful.

Death Penalty

Finally, the death penalty remains a contentious issue worldwide, with debates focusing on its morality, justice, human rights implications, and deterrence value. Ghana recently voted to abolish the death penalty, replacing it with life imprisonment for ordinary crimes. Despite being a signatory to international human rights treaties, Ghana still retained the death penalty within its legal framework until recently.

C. Activism Experiences

Distinguished ladies and gentlemen, in my journey of activism, I have over the years spoken up against various ills in society, and championed the rights of many persons in Ghana. I have confronted and kicked against treatments meted out as a result of one's vulnerability, social status, economic or financial incapacity, and cultural practices, among others. For instance, I have spoken up against injustices and corrupt practices in our Judiciary; against the continued retainment of the death penalty in our statute books and imposition of same by Courts in Ghana; advocated strongly for the removal of taxes on menstrual hygiene products; participated in demonstrations and advocated for increased access to legal education in Ghana; among others.

Over the years, I have also collaborated and worked with various CSOs in Ghana to pursue strategic objectives. This includes CSOs such as Amnesty International Ghana, Action Aid Ghana, The Sanneh Institute, Commonwealth Lawyers Association, and Lawyers Without

borders, among others, to preserve and safeguard rights of persons, especially minority and vulnerable persons in Ghana.

I am also a frequent guest Speaker on various radio and television shows, and advocate against various injustices, and matters of public interest. I also take time to visit schools in Ghana, and engage young persons about their rights, their roles and responsibilities in society, and the need for them to be active participants and defenders of the rights of vulnerable persons in Ghana. In this regard, I have reached out to over 600,000 students in high schools using various platforms and fora to speak for and advocate for Human Rights. This led me to set up the Youth for Human Rights Advocacy Group, and to undertake various works with the Diplomatic Community to champion various rights. All these can be found in my book - "**Being the Change**", where I challenged every individual to rise to become an agent of change in being a free and just Ghana.

Conclusion

Distinguished convocation, in conclusion, my life's journey underscores the transformative power of education, resilience, faith, and advocacy. From a challenging childhood to the halls of Parliament, I have strived to make a profound impact on Ghana and the world at large. As I continue to shape the future, my legacy of progress, advocacy, and unwavering commitment to human rights and social justice endures.

I thank you All for your attention and urge all of us to continue championing a free, fair, just, and equitable society through human rights advocacy and legislative action; as the time to do so is now.