

PRESENTATION AT CIVIL SOCIETY CONCLAVE

FEBRUARY 28, 2018

THE STATE OF (HUMAN) RIGHTS IN THE COMMONWEALTH OF THE BAHAMAS IN 2018

Joseph Darville

VP RIGHTS BAHAMAS (Grand Bahama Human Rights Association)

The Israelites, the Bible states, wandered forty years in the desert. It's not that they were physically lost, for they knew where they were headed, and knew how to get there. The stars by night and the sun by day were the only GPS they needed. And they were fortified by manna in the desert.

But woefully, that nation of people was mentally and psychologically lost. Leaving the land of enslavement, after coming to the realization that as a people of value and dignity, they no longer cherished the ungodly treatment meted out to them. Yet, having subjected themselves for so long to this bondage, they were infused with the consciousness of enslavement at the very core of minutest parts of their being.

By Divine grace and a genetic transformation, they came to realize that no entry into the promised land was possible until every iota of mental slavery was exorcised from the very foundation of their being. It could have taken them but a mere sixty days by foot to reach their ultimate physical goal. But as long as forty years were necessary to wipe out the vestiges of enslavement.

Four decades, yes, it took them to wipe clean their minds and hearts, that long, indeed before old habits died out. The very genetic recalibration had to take place. Even the great Moses was never allowed to enter the promised land. He and the other "old" heads had to literally die out and take with them the residual of the consciousness of slavery, for indeed, a consciousness of enslavement cannot ever enter the Promise Land.

For many years too, we were enslaved. Almost two hundred years ago, the physical shackles tumbled from our ankles, and we began our wandering in the desert of

human reconstruction, not really knowing who we were or where we wanted to go. But yet, like the Israelites, we knew intuitively, and our souls cried out in desperation for our promise land.

But the sounds and sensation of those damn shackles kept us in mental bondage. Even now, and after forty plus years of political independence, the curse of enslavement still hangs around our necks. And if we listen very quietly, we can still hear the hammering and the clinging of those despicable physical shackles.

For fear of retribution, many, too many of us, cling to the old vestiges of the plantation. Our masters now, only having changed color, and having elevated themselves to the status of demi-gods, have so fine-tuned their capricious power and control over us, that mental enslavement has become their special art. Thus, our promise land is nowhere even on the horizon.

So, my lamentation is that we are more enslaved now under our own native leaders than we were under our white slave masters. Please excuse my expression, but the 'black/white nigga' syndrome of slaving on the plantation, without any notion of our singular rights, is very much alive in this nation, both for poor blacks and whites.

In such a state of affairs, one can conclude that the state of human rights in this nation is defunct, not even in ICU, but in rigor mortis, having for too long under gone the rites of extreme unction (last rites). Sadly, we have yet to see the birth of real freedom in this land. As a matter of fact, if what has been now called the Spy Bill had been passed, our individual freedom especially of privacy and public utterances would have been drastically curtailed, if not totally abolished. It would have indeed further shackled our most precious gift of freedom to express.

Individually, we are very proud people, and we love our Bahamaland. However, a child given a piece of candy, when she deserves a full meal, is also very happy and proud. Essentially, we have gotten rid of one set of slave masters and embraced another; and that "another" is even more pernicious. For when our own, knowledgeable about every iota of our psyche, enslave us, they do so with even more vengeance, for they have fine-tuned the technique of psychological enslavement as an art.

At the rate we're going, or really, not moving, we may achieve true freedom and independence by 2041, when I'm 100 years old. In other words, we will take five

times longer than it took the Israelites. I pray I'm still alive to witness that illusive reality.

We are an independent people, and as such should have the freedom, the right and ability, even obligation to structure and build one by one our beautiful communities. We can then become the envy of island nations, the glory of our own nation and the focus of the world. Our beauty, of both people, land, and sea with their natural and abundance of resources, are all we need to become all that the Good, Gracious and Great Creator meant us to be. But we will recognize and accept this reality only when we are REALLY independent, really free, relying on those wonderful gifts so bountifully bestowed upon us by our loving Creator.

The Good and Gracious Creator gives to each and every one of us all that is essential, not just for our survival, but enough to prosper and grow together as wonderful reflection of his glory and power.

First we have to recognized what we have been bountifully given, give thanks for it all, and then work to create a fruitful and enjoyable life for everyone else. Selfishness, greed, and false pride must be removed from our hearts, and replaced with joy, thanksgiving and the ultimate gift of unconditional sharing. Dreadfully, our political leaders, embracing wholeheartedly the colonial mentality, know not such an enlightened path.

When Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment are meted out to our defenseless citizens, with impunity, even when our constitution and the UN Declarations of Human Rights, forbids such, we are again embedded in the plantation syndrome. From the same thirty articles, simple and yet profound, in the United Nation Declarations, and to which our nation is a signatory, some nineteen of them are contravened and denied on a daily basis in this nation. When our disciplined forces are so uninformed, or simply calloused, in these matters, brutal and dehumanizing treatment of our citizenry, as well as those who enter our shores from other nearby nations, become the norm.

Beating of suspects by the very ones designated to protect our safety, as if they were only useless black niggas is carried out with impunity, no accountability; only when someone actually dies does an individual family member become sufficiently incensed or is courageous enough to report brutal and dehumanizing treatment. And then, even then, the course to justice is literally a nightmare.

But these reprehensible acts come to light from time to time, as has occurred recently in the cases of the despicable treatment of individuals held illegally in the detention centre. Consequently, our national and international image sank deeper and deeper into the abyss and the quagmire of ignominy.

Yet the most sad thing about this matter, in the present STATE OF THE NATION, is that for those who can excuse such behavior, mistakenly on our behalf, view even the expression of "human rights" with anger and vengeance. We, rights defenders, are seen as being anti-Bahamas, devious, infidels, subversive, carrying out treasonous acts against the state. That my sisters and brothers, spells out clearly the state of human rights in our nation. Thus, this legitimate arm of any civilized and democratic society has to be practiced mainly underground for fear of threats, ridicule and retribution.

Without even keeping in mind the serious physical actions brought against individuals in society at the hands of law enforcement personnel, the daily life of citizens of this nation is burdened with a plethora of uncertainties.

One does not share in the daily decisions which fundamentally affect our lives. Our leaders play the secrecy game, making decisions which often create havoc, fear and apprehension in the nation. They take umbrage in the fact that there is no Freedom of Information Act yet enacted. We are thus subjected to the old colonial civil servant secrecy law, and thus in all matters, confidential or not, we only become aware of them and the consequences of these many decisions after the fact, when our lives have been seriously impacted.

This again, is in the order of the old plantation regime, keeping us ignorant, uninformed, and thus our masters can ride higher and higher on their thrones of pontification, in the name of "divine right of kings." We are under the illusion that we live and operate in a participatory democracy; this is, in fact, a fallacy, and illusion. The system of democracy we exercise in this land remains one of psychological enslavement; we daily obey our masters for fear of retribution. As a matter of fact our leaders aim to become plutocrats (rich), and rule as if we were an oligarchy (ruled by the wealthy), and not a democracy. Whether they be ecclesiastical or political leaders, they are our servants and not demi-gods who rule with a condemning iron fist.

The Commission on the reform of our Constitution states the following in reference to freedom of information:

" 15.11 A corollary of the right of free speech is the right to have access to public information. The right of free expression embraces the right to impart and receive information. Thus it is not surprising that some Constitutions link the right of freedom of information to that of free speech. Some provide for extensive rights of freedom of information, such as the South African model, which provides a right of access to information held by the state (art.32). Others do not elevate it to a constitutional right, but have adopted freedom of information laws. It would be difficult in a common law system, where legislation dealing with official secrets, breach of confidence legislation and the regulations governing the public service still pertain, to grant a constitutional right to government- held information. But the Commission is of the view that some form of statutory regime should provide the citizen with the access to information needed for the proper functioning of a democracy."

One by one, our civic, human and natural rights are denied in so many ways, resulting in many of our brother and sisters suffering relentlessly. And according to my venerable friend, and veteran poetic prophet, Etienne Farquharson: we have been shackled with the 7D's: disregard, disrespect, deceit, dishonesty, denial, disorder, and culminating with the seventh D: DAMNATION. You may wish to add more D's.

These are the modern-day shackles inhibiting our way forward; aware of our fundamental freedom and rights under the constitution and international protocols, the frustration of enslavement becomes even more malicious.

The contravention of our basic human, civic and social rights, are mainly perpetrated by official agencies of the state. As was stated in the human rights report, a few years ago the UN in referencing to cruel and dehumanizing treatment of persons:

"The constitution prohibits such practices, but human rights monitors and members of the public expressed concern over continued instances of police abuse of criminal suspects. Police officials, while denying systematic or chronic abuses, acknowledged that police on occasion abused their authority.

With a large percentage of our citizens living at the level of subsistence, and many even below that, too few have the means to fight for, defend or legally afford the costs to maintain or regain their fundamental rights as citizens in a democratic society. These abuses will continue unabated until sufficient numbers of our citizens wake up, realize and accept their individual freedom. So until then, expect the carnage to continue, due to ignorance of our national and international rights: acts which result in the maiming of our citizens, even to the finality of death; desecration, pillage, raping of our environmental heritage by foreign entities, like what took place and still presently taking place in Bimini, South Cat Cay, to just name two; the dispossession of our crown land generally without our knowledge; the fallacy that our leaders have infallible rights to do as they please without consultation of the citizenry. This is the very antithesis of a true and participatory democracy.

Yes, we do elect leaders every five years, but then, soon after, we go into a catatonic state, mesmerized, hypnotized, seduced by the trickery, deception of our leaders, as we fall prey to their almost despotic rule. Then again, after five long years we awaken from our slumber. With the enticement of plenty liquor, money, adorned with T-shirts and an abundance of Bahamian food, we become aggressively passionate again, elect others or the same individuals; then we're back into our slumbering state, ruled by our masters, having again reaffirmed their continued power base of domination.

Oh, how our psyche loves to be ruled; it is indeed so much easier to be ruled, ordered and subjugated to the will of our masters. They are no longer our servants, but our indomitable plantation slave masters. And thus continues the regime of banana republic politics.

My brothers and sisters, all the acts which undermine our fundamental rights are the basis of much of the malaise, crime in our nation. A people who have no sense of ownership, power or participation in the national life are easily led to feed on and destroy the nation. Thus, the level of murders, the rape and pillage of our women and children. As has been so truthfully stated, "society prepares the crimes and individuals commit them."

Did you know that in 2010, the Bahamas was declared by the United Nation to have the highest per capita in the world for rape, some 133 in 100,000. And those are just the reported cases. The way we treat our women and children marks the

manner of our bearing. I cannot imagine at this moment the statistics! But who pays attention when our beloved women still cannot officially be recognized as equal to men in this nation. And our LGBT Community becomes the vicious prey of religious bigots.

Our environmental rights are daily being eroded in the manner our lands and seas are offered to the highest bidder, irrespective of the pillage, rape and devastation which can result. All of this again is carried out in secrecy, and I've already addressed one of the prime examples in the utter and on-going destruction of the beautiful gem in the ocean, Bimini.

These are our lands, sea, sea coast and seabed and they should not be sold, given away, or in any way used unless benefitting us, the Bahamian people. So states the legislation governing crown land. By virtue of the stewardship of these islands, we have a serious responsibility to safeguard this heritage patrimony for thousands of generations to come; it is our right and privilege; and, thus, a national and fundamental and individual right. We should aim to protect and preserve for the generations from whom we are borrowing them.

The Freedom of Information movement is embedded in Universal Declaration of Human Rights developed by the United Nations in 1948. The guiding principle is based upon four freedoms: Freedom of speech; Freedom of religion, Freedom from want; and Freedom from fear.

In further expounding on freedom from fear, it states:

"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

If our people do not wake up soon, and very soon, we will continue to be doomed and sacrificed on the altar of political expediency. Our voices need to be heard and not simply on talk shows, but in practical, meaningful, and dynamic ways. If ever we needed a quiet, peaceful, non-violent revolution, it is NOW! We labor under the calloused burden of unrighteous taxation with, certainly no representation, but even more so without consultation. Information is power, and we need to know every fundamental right we should enjoy as a human being, citizen of this Commonwealth, and actually citizen of the world.

We have by virtue of the ignorance of our fundamental rights, have inadvertently sold our freedom to the calloused, indifferent and corrupt demagogues. They tread upon us furiously, as if it were their legal prerogative.

As someone has so truthfully stated in historical perspective:

Apartheid was legal

The Holocaust was legal

Slavery was legal

Colonialism was legal

Legality is a matter of POWER, not justice

Thus, it is not righteousness or justice which governs our nation, but rather power and that unrighteous power breeds corruption without limitation.

I encourage more individuals, especially the young, to become educated, informed, committed and passionate about leading this Commonwealth into the promise land, "God's Kingdom come on Earth", as promised by Jesus Christ. According to His admonition, we are not independent until our spirits are free and all fear is removed from our hearts! Until then, we are nothing but slaves in our masters' vineyards. Fear not my sisters and brothers, fear not; do not even fear itself, for then that is still fear!

The Good and Gracious Creator gives to each and everyone of us all that is essential, not just for our survival, but enough to prosper and grow together as wonderful reflection of his glory and power.