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**Contribution to "Parliaments as promoters of human rights, democracy and the rule of law**

**Professor Abdoul Lamine Kamara Institut des Hautes Etudes Dakar Senegal**

Human rights, democracy and the rule of law are inextricably intertwined inasmuch as none of them can prosper without the existence, promotion and protection of the other two concepts.

Parliamentary democracy should be perceived as the backbone of the protection and promotion of the rule of law and human rights, for it is the representative mechanism in which laws affecting the institutions of governance, the stability of the state and wellbeing of its citizens are debated and approved.

Free and fair elections alone cannot guarantee the protection and promotion of human rights, democracy and the rule of law, especially within the framework of hyper- or neo- presidential system of government in which the head of the state and government exercise enormous constitutional powers.

Constitutional manipulation, the manipulation of the judiciary, and the oppression and imprisonment of political opponents, endemic corruption are some of the characteristics of neo -or hyper-presidential system of government. In most states where the ruling party or coalition of ruling parties enjoy parliamentary majority, the views of the minority are not seriously taken into consideration. Major constitutional amendments are carried out without serious parliamentary debates. The parliamentary is just a rubber stamp approving executive legislative proposals without any consensus or serious consultation with the minority parliamentary opposition. In consequence, the parliament instead of being the institution which checks the excessiveness of executive powers has become the mechanism for the approval of the dictatorial proposals of the executive.

The growing complexities of the modern state and population expansion have made the continuity of the Ancient Greek form of democracy impossible. The indirect form of democracy is the expected consequence of the limitations of direct democracy which enabled citizens to engage in the deliberation of major issues affecting their societies and wellbeing.

The domestication of the international human rights law which includes the passage of national and local legislations that conform to international treaties is only possible through parliamentary democracy. Nonetheless, the incorporation of international human rights law into domestic legislations alone is not sufficient for the prevention of human rights violations in situation where the judiciary is controlled by the executive. Countries for instance may pass laws criminalizing acts of torture based on the definition of torture in the UN Convention Against Torture but impunity continues to reign supreme inasmuch as law enforcement officials such as the police, prison guards, immigration officers, etc. who commit acts of torture against citizens and civilians are not brought to justice due to the absence of judicial independence.

Judicial independence which is one of the conditions for the existence of the rule of law is absence in states where the executive arm of government exercises unlimited powers. Thus, it is only a democratic parliament and an independent judiciary that can ensure the rule of law, the protection of democracy and human rights. The protection of human right is inefficient in a context in which the rule of law is inexistence.

Free and fair elections alone is not an absolute guarantor for democratic rule which includes respect for human rights and the rule of law. In fact, free and fair elections are only possible if the parliament can exercise full control over executive actions because the manipulation of the constitution and the amendment of electoral laws on the eve of elections are the key features of dictatorial democracies. In dictatorial democracies there is semblance of press freedom and key state institutions, including the judiciary, ministry of interior, judicial service commissions and the parliament are controlled by the puppets or marionettes of the ruling party or coalition of parties in power.

The denial of minority rights due to the absence of democratic governance often spark off secessionist and irredentist struggles.

Rhetoric, power nostalgia arrogance, demagogy and the lust for power and opulence are the characteristics of dictatorial democratic leadership.

Dictatorial democratic leadership is a signatory to almost all the international human rights treaties and it does not accommodate the legitimate aspirations of the political minorities –opposition parties. It suffers from an incurable mental disease, which makes it to be afraid of even its own shadow. It speaks and negotiates peace with the view to deceiving the nation and its political opponents. It peace rhetoric aims at decapitating the critics of its policies. Forces or repression are its disposal and laws are evoked to justify police brutality and prohibitions of peaceful demonstrations on so-called grounds for public safety for greater freedoms and liberties. It is seen by the great powers as the champion of democracy, international stability and peace because it preserves their hegemonic economic, and strategic military aspirations or interests.