

# SOCIAL EXCLUSION AND HUMAN RIGHTS VIOLATION AGAINST PEOPLE LIVING WITH ALBINISM

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## Abstract

People living with albinism in South Africa continue to experience various forms of social exclusion and discrimination despite the country's progressive constitutional and human rights framework. Albinism is a genetic condition characterised by a lack of melanin in the skin, hair and eyes, often accompanied by visual impairment and extreme sensitivity to sunlight. Beyond the medical challenges associated with the condition, individuals with albinism frequently face stigma, marginalised and harmful stereotypes within society. These social attitudes contribute to barriers in accessing education, healthcare, employment opportunities and full participation in the community life. Such exclusion often results in violation of the fundamental human rights, including right to equality, dignity and security of person as protected under the Constitution of the Republic of South Africa. This paper examines the extent to which social exclusion contributes to human rights violations against people living with albinism in South Africa. It further evaluates the adequacy of existing legal and policy framework aimed at protecting vulnerable group from discrimination. The discussion also highlights the role of government institutions, civil society organisations and public awareness initiatives in addressing prejudice and promoting social inclusion. The article argues that though legislative protection exists, persistent social attitudes and inadequate implementation of policies continue to undermine the effective protection of persons with albinism. The study concludes that a stronger human rights-based approach is necessary to combat discrimination and exclusion. This includes improved public education, access to healthcare services, effective enforcement of equality laws and greater recognition of the specific needs of people living with albinism. Such measures are essential to ensure that the individuals with albinism can fully enjoy their constitutional rights and participate equally in South African society. The desktop methodology is used in this research endeavour. This study is conducted through a doctrinal and comparative research method examining the legal framework of social exclusion and human rights violation against people living with albinism in context. The author analysis the existing information and documents. The research is conducted through books, journal articles, legislations, case law and official reports.

**Keyword** Albinism, human rights, social exclusion, constitutional violation, genetic condition

## 1. INTRODUCTION

Albinism is a rare inherited genetic condition characterised by reduced or absent melanin pigmentation in skin, hair and eyes. This condition often results in impairments and heightened vulnerability to ultraviolet radiation, which significantly increases the risk of skin cancer. Although albinism occurs globally, it is particularly prevalent in Sub-Saharan Africa, where estimate suggest that approximately one in every 5,000 individuals is born with the condition.<sup>1</sup> Despite its medical explanation, albinism remains widely misunderstood in many societies, leading to stigma, discrimination and marginalisation of persons living with the condition.

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<sup>1</sup> Macmillan Dictionary.2018. retrieved 08 March 2018. Lund& Gaigher

The South African Constitution consists of the Bill of Rights that guarantees the protection of rights of every citizen. However, the right to life, freedom and security regarding an albino are often violated by fellow citizens. South Africa does not have a dedicated institution addressing such issues and their rights. There are also no projects to sensitise persons and raising awareness of the rights of people living with albinism.<sup>2</sup> Across many African societies, people with albinism have historically been subjected to harmful myths and misconceptions. In some communities, albinism is associated with supernatural beliefs, witchcraft or curse, resulting in social stigma exclusion. These beliefs have contributed to discriminatory attitudes that undermine the dignity and equality of persons with albinism. Social exclusion is a multidimensional process through which individuals or groups are systematically disadvantaged because they are discriminated against on the basis of their identity or characteristics. This process limits access to opportunities, resources and participation in social, economic and political life. Additionally, negative social attitudes frequently exposed them to bullying, harassment and isolation within educational institutions, and also they are exposed to physical violence.

From a human rights perspective, the treatment of persons with albinism raises significant concerns regarding the protection and promotion of fundamental rights. International human rights instruments such as the Universal Declaration of Human Rights affirm that all individuals are entitled to equal protection of the law and freedom from discrimination. Similarly, regional instruments including African Charter on Human and People's Rights emphasise the importance of equality, dignity and protection of vulnerable groups. The growing recognition of the vulnerable persons with albinism has increased attention from international and regional human rights bodies. The United Nations has recognised persons with albinism as group requiring special protection due to unique challenges they face, including discrimination, violence and social exclusion. This recognition led to the appointment of an Independent Expert on the enjoyment of human rights by persons with albinism and establishment of initiatives aimed at promoting awareness and protecting their rights

## 2. UNDERSTANDING ALBINISM

Albinism is a genetic condition resulting from a mutation that affects the body's ability to produce melanin, the pigment responsible for colouring the skin, hair and eyes. Individuals with albinism therefore typically have very light skin, hair and eye colour regardless of their ethnic background. The condition also associated with visual impairment such as photophobia, reduced visual acuity and nystagmus<sup>3</sup>. Catherine Baker and her co-authors examine albinism primarily from social and cultural perspective, focusing in how myths, stigma and discrimination shape the experiences of persons with albinism in African societies. In their study, they explain that although albinism is a genetic condition caused by the absence or reduction of melanin, societal misunderstanding often transforms it into a source of prejudice and marginalisation. Baker *et al* argue that the challenges faced by persons with albinism are not only medical but also social. They highlight that many communities attach superstitious and mystical meanings to albinism, which leads to stigma, and social exclusion and sometimes violence. According to the authors such beliefs contribute to the perception that person with albinism are different or abnormal, resulting in their exclusion from community activities, education and employment. Overall, Baker *et al* view albinism as a biological condition whose negative social consequences are largely produced by cultural myths, ignorance and discrimination<sup>4</sup>.

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<sup>2</sup> South African Human Rights Commission "Report on the situation of Human Rights of Persons with albinism.

<sup>3</sup>Hong, Zeeb & Repacholi 2006. Choma HJ, The Protection and Enforcement of Socio-economic Rights in South Africa, in the discussion of Treatment Action Campaign and Others v Minister of Health and Others 2002 4 BCLR 356 (T)

<sup>4</sup> Baker C, Lund P, Nyathi R & Taylor J (2010)

A notable incident illustrating violence against persons with albinism occurred in Mmabatho in the North West Province of South Africa, where 54 years old sangoma (traditional healer) was linked to the killing and disturbance of the grave of the person with albinism<sup>5</sup>. This is the vivid indication to prove the violation of the rights of citizens with albinism. According to reports, the sangoma, identified as Koketse Jabane, together with accomplice, was arrested by police after they were found in possession of human remains believed to belong to an albino man. This case illustrates how harmful myths and ritual beliefs surrounding albinism can lead to serious crime. In some communities, body parts of persons with albinism are wrongly believed to possess magical powers capable of bringing wealth or good fortune when used in traditional rituals. Such beliefs have contributed to attack, killings and the desecration of graves of persons with albinism across parts of Africa. From human rights perspective, the case highlights the vulnerability of persons with albinism and demonstrate the need for stronger law enforcement, public awareness and protection of this group. It also underscores the importance of combating harmful cultural beliefs that fuel violence and discrimination against people with albinism.

Myths and misconceptions regarding people living with albinism are coupled with beliefs that their parts are able to cure diseases. It is also a belief that having sexual intercourses with an albino woman can cure HIV/AIDS. These superstitions places mothers of children with albinism in a vulnerable position, and further that they are subjected to the stigmatisation and harassment. These stigmatisation and harassment result in severe psychosocial distress.<sup>6</sup>

### 3. VARIOUS WAYS IN WHICH PEOPLE LIVING WITH ALBINISM ARE VICTIMISED

South Africa is regarded as a country with an admirable Constitution. It also consists of the human rights law in the form of the Bill of Rights in a Constitution.<sup>7</sup> The South African Constitution is the supreme law of the country and any obligations imposed by it should be fulfilled. The State has a duty to respect, protect, promote and fulfil the rights of all people in the Bill of Rights.<sup>8</sup>

Even with the existence of both the Constitution and the Bill of Rights, human rights are often violated. People living with albinism are subjected to endemic, racism, sexism and homophobia. There are various ways in which people living with albinism's rights are violated and leaving them being victimized.

Section 9 of the Constitution prohibit any form of discrimination. South Africa being regarded as a country with the most prominent Constitution, the rights of an albino are still violated. As results they are victimised. People living with albinism are often discriminated against. This is due to their lack of pigmentation that is visible to their hair, eyes and skin. Racial discrimination in South Africa goes hand in hand with the history of the apartheid era. Section 9 of the Constitution states that

‘[T]he state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.’<sup>9</sup>

One of the ground of discrimination based on Section 9 of the Constitution is colour. With regard to the person living with albinism, it is regarded or perceived as a scant attention seeking in the South African legal context. This is so because people living with albinism falls under the marginalised

<sup>5</sup> <https://www.ohchr.org/EN/HRBodies/HRC/Advisorycommittee/Pages/HRCACindex.aspx> retrieved 7 march 2018.

<sup>6</sup> Hong ES, Zeeb H, Repacholi MH. Albinism in Africa as a public health issue. *BMC Public Health* 2006;6:212.

<sup>7</sup> [www.brandsouthafric.com/people-culture/history-heritage/eighteen-years-of-the-world-s-best-Constitution](http://www.brandsouthafric.com/people-culture/history-heritage/eighteen-years-of-the-world-s-best-Constitution). Retrieved 26 June 2018.

<sup>8</sup> Hansen LD *Christian in Public: Aims, Methodologies, and Issues in Public Theology* (2007, Stellenbosch: African Sun Media) at 183-184.

<sup>9</sup> South African Government. *Constitution of the Republic of South Africa*. Pretoria: Government Printers, 1996.

group in the society to the extent to which any form of discrimination against them is overlooked or ultimately unreported.

Although discrimination corresponds with race and colour, with albinism these grounds are not observed and respected. An albino is rather exposed to discrimination, stigmatization and prejudice based on their colour. This is because they are associated with certain beliefs that certain people have negative perception about them. The albinos are associated with witchcraft. The colour of an albino that appears to be pale does not classify them racially. Hence the beliefs and the superstitions that follow them, they ought to be protected against unfair discrimination regarding their race and the lack of their colour thereof.<sup>10</sup>

With the protection granted by the Constitution, people living with albinism still suffer from severe discrimination both in the public and private sectors. They then cannot participate in the community as they would. Even though the workplaces offer an opportunity to people living with albinism to integrate into a larger community, it contributes to the establishment of the stereotypes, myths and misconceptions followed by a false beliefs associated with living with albinism.<sup>11</sup>

Section 10 protects the right to human dignity. It means that a person should be valued and be respected. A good example in the violation of this right is seen in the infamous case of Sipho Lolwane (supra). The victim to the right to human dignity is a deceased (Sipho Lolwane) who lived with albinism. As discussed in the previous chapter wherein, it was stated that between the year 2010 and 2012, the deceased's grave was robbed several times for his bones.<sup>12</sup> There are beliefs that an albino possesses magical powers. These beliefs are disseminated to the members of the public by certain traditional healers. A traditional healers was arrested and sentenced in Mmbabatho Magistrate Court in connection with the crime.<sup>13</sup>

Section 11 of the Constitution provides for the right to life.<sup>14</sup> South Africa is founded on the recognition of Human rights. All persons are obliged to the value of the right to life.<sup>15</sup> Therefore no form of punishment should impose a threat to the right to life by any person or the state.

Murder in South Africa falls under schedule 6 offences. The Bill of Rights states that everyone the right to life.<sup>16</sup> This right is also protected by the Constitution. People living with albinism are often associated with being victims to ritual murders. They are attacked based on the superstitions that their body parts can transmit magical powers or wealth. In cases that involve murder of an albino person, a traditional healers is found to be among the accused's. As a result they are the most vulnerable to brutal attacks such as being killed in ritual murders. This is due to the beliefs that their body parts are magical.

Section 12 of the Constitution stipulates the right to be free from all forms of violence either from the public or private sources.<sup>17</sup> Section 12 further stipulates that everyone has the right to freedom and security. Section 12(1) (c ) (d) (e) makes it clear that none should be subjected to any form of violence from both public and private sources, not to be tortured in anyway whatsoever, and not to be treated or punished in a cruel, inhuman or degrading manner.

<sup>10</sup><https://www.news24.com/SouthAfrica/Local/Express-News/end-albinism-discrimination-20170620>.

<sup>11</sup> The Vision for Tomorrow. About albinism: what is albinism. <http://www.visionfortomorrow.org/albinism/> (retrieved 25 June 2018).

<sup>12</sup>Sowetan live, Sangoma nabbed for bones dug up in grave, Boitumelo Tshele, North West, 08 October 2012. (retrieved 07 March 2018)

<sup>13</sup><https://www.ohchr.org/EN/HRBodies/HRC/Advisorycommittee/Pages/HRCACindex.aspx> retrieved 7 march 2018.

<sup>14</sup> The Constitution of the Republic of South Africa 105 of 1996, section 11.

<sup>15</sup> *S v Makwanyane*, paragraph [24].

<sup>16</sup> The Bill of Rights, chapter 2(11).

<sup>17</sup> Section 12(1)(c.) Act 105 of 1996

#### 4. MOTIVE BEHIND THE VICTIMIZATION OF PEOPLE LIVING WITH ALBINISM

For an action to be regarded as a crime, there are elements that are taken into consideration. There are elements such as *mens rea* and *actus reus*. People living with albinism are most prone to brutal attacks. The attacks mostly aimed at their lives. This is precisely because of the violent acts such as those that involves the dismembering of their body parts. Such crimes are the results of the beliefs instituted by some traditional healers.

Albinos are victims of the violation of human rights. These are rights such as the right to life, dignity, security, freedom of movement, right not to be discriminated against and the right not be tortured. When an albino falls victim to such violation of a specific right, other rights are as well violated since human rights are interrelated and interdependent. For a crime to be committed there should be a reason to commit the crime. The paper concentrates on the reasons and motives that lead to albinos rights being violated as a result therefore be victimized.

The right to dignity may be violated in various ways, rape being amongst them. For instance, in Zimbabwe, it is believed that an HIV positive male person, when he have sex with an albino woman, HIV could be cured.<sup>18</sup> As a result, women in that area have been raped. On 12 July 2012, Jonas Lingumu Mathia a resident of Omatando no.2 village was accused of committing a witchcraft related rape. The accused was caught by the Ongwediva Police on 12 May 2012 after a tip off from the local community. It is said that the accused enticed the victim with money, shiny cars, cattle and marriage. On that day he took her out for a joyride and a drinking spree. Upon their return he then took her to an abandoned building where he allegedly raped her.<sup>19</sup>

The commission of rape results to the right to dignity being violated. This is so because the perpetrator of the crime, unlawfully have sexual intercourse with the victim by force or with the use of threat without consent. It is degrading and disrespectful to a person's integrity. Women and children are seen as easy targets to rape resulting to them being attacked more.

In other parts of Africa, people living with albinism are not regarded to be human being but sacrificial lambs. Their body parts such as hands and genitals are regarded as their strongest parts to be used in rituals.<sup>20</sup> In these rituals traditional healers make potions in which they advice their clients to drink in order to acquire wealth.

For instance, during ritual murder the vital parts needed are those such as human body tissues, tongues, eyes, ears, heart, liver, hands, breasts, genitals of both males and females. These parts are removed when the person is still alive, screaming while fighting for their lives.<sup>21</sup> In other cases it is believed that to acquire certain results, the hair on the head and pubic areas of the victim must be shaved off first.<sup>22</sup>

With the above discussed, it is evident that various rights are violated when the right to life is being violated. People living with albinism when subjected to ritual murder are tortured. While in other instances are raped before being killed. Their right to freedom of movement and their right to security turn to be violated. They live in fear of their lives because of the stigmatization that follows them. These led them to be victims of the violation of their human rights both in the Bill of Human Rights and the Universal Declaration of Human Rights.

<sup>18</sup>Ntinda RN *Customary Practices and Children with Albinism* in Ruppel OC *Childrens Rights in Namibia* (2009, Windhoek: McMillian Education Namibia) 244-245.

<sup>19</sup> <http://www.informante.web.na/node/10308>.

<sup>20</sup> Mswela MM "The Evil Albino Stereotype in Film: An Impediment to the Right to Equality" (2013) 32 (1) *Medicine and Law* 79. See also Choma HJ, *The Relevance of the Courts and Human Rights Organisations in the Enforcement and Monitoring Socio-Economic Rights in South Africa*, 258

<sup>21</sup>Khangala, P.B. (1990). *The role played by witchcraft and ritual murder beliefs in Venda; with special reference to the western, eastern and northern areas*. Masters dissertation: University of Venda.

<sup>22</sup> RAWA News. (2005). *Afghan Woman was Stoned to Death for Adultery*. <http://www.rawa.org/stoned.htm>

Generally, in Africa, murder related to albinism is influenced by traditional healers, cultural beliefs, superstitions and myths.<sup>23</sup> The beliefs and practices have a negative impact on emotionally, physically and psychologically to people living with albinism. There are superstitions that children born with albinism are a blessing and can see the future. They are believed to be magical beings.<sup>24</sup> While others believe that they are a curse.<sup>25</sup> One who gives birth to an albino child is believed to be punished by the gods for wickedness.

The motives behind the victimization of the human rights of people living with albinism is merely based on superstitions. For example. Some people believe that an albino person does not die in the presence of anyone. But rather they disappear or seclude themselves to die.<sup>26</sup> Some believe that if a fisher man waves the golden hair of an albino into the nets, he/she will fetch more fish.<sup>27</sup> Some would advise one to sprinkle the ground up hair and bones of the albino on the nets. While in fact they are sprinkled all over the ground.<sup>28</sup>

##### 5. STATUTE AND LEGAL INSTRUMENTS IMPLEMENTED TO MITIGATE THE VICTIMIZATION OF PEOPLE LIVING WITH ALBINISM IN SOUTH AFRICA

People living with albinism are subjected to their rights being violated in various ways. The South African Constitution and the Bill of Rights are the main instruments that will be discussed that aid in the protection of the rights of people living with albinism. The Constitution is the supreme law of the country. Any law that is in contradiction with it is regarded to be invalid. Section 7 of the Constitution states that the Bill of Rights is the cornerstone of democracy in South Africa. It also emphasizes that the state must respect, protect, promote and fulfil the rights enshrined in the Bill of rights.<sup>29</sup>

Section 9 states that everyone is equal before the law and has the right equal protection and benefit of the law. This section provides for the right not to be discriminated against. The right to equality includes the full and equal enjoyment of all rights and freedom. One of the grounds in which one may not be discriminated against is disability. In South Africa, albinism is regarded as a disability. Being disable does not mean that one is unable to perform, it may mean that one is able differently.

Equality is a central standard linked together with dignity and freedom. Section 9 adds value to section 7, section 36 and section 39 of the Bill of Rights.<sup>30</sup> Everyone is entitled to the right of equality either natural or juristic. It means that each person is an equal holder of both rights and obligations in a fair and lawful order.<sup>31</sup> Discrimination with albinism has generally been overlooked by courts in South Africa.<sup>32</sup>

<sup>23</sup> Gaigher RJ et al "A Sociological Study of Children with Albinism at a Special School in the Limpopo Province" (2002) 24 (4) *Curationis* 4

<sup>24</sup> Macklem P *Indigenous Indifference and the Constitution of Canada* (2001, Toronto: University of Toronto Press)

<sup>25</sup> Van Reenen TP "Equality, Discrimination and Affirmative Action: An Analysis of Section 9 of the Constitution of the Republic of South Africa" (1997) 12 *SA Public Law* 151  
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<sup>26</sup> Lund PM & Gaigher RA "Health Intervention Programme for Children with Albinism at a Special School in South Africa" (2002) 17 (3) *Health Education Research* 365

<sup>27</sup> Uromi SM "Violence Against Persons with Albinism and Older Women: Tackling Witchcraft Accusations in Tanzania" (2014) 2 (6) *International Journal of Education and Research* 323

<sup>28</sup> *Barta v Sears, Roebuck and Co*, 307 F. Supp. 2d 773 (E.D. Va. 2004)

<sup>29</sup> Section 7, the Constitution of the Republic of South Africa Act 108 of 1996.

<sup>30</sup> Van Reenen TP "Equality, Discrimination and Affirmative Action: An Analysis of Section 9 of the Constitution of the Republic of South Africa" (1997) 12 *SA Public Law* 151-165 at 152.

<sup>31</sup> Macklem P *Indigenous Indifference and the Constitution of Canada* (2001, Toronto: University of Toronto Press) at 212.

<sup>32</sup> Scott SA "New Category of Colour: Analyzing Albinism under Title VII of the Americans with Disabilities Act" (1999) 2 *Journal of Gender, Race and Justice* 493-522 at 495.



Section 10 of the Constitution stipulates that everyone has the right to human dignity. It also states that the right to human dignity should be respected and protected. This section is linked with the right to equality, right to life and the right to health care. Section 9, section 11 and section 27 complements each other.

Section 11 states that everyone has the right to life. In South Africa, death penalty has been declared unconstitutional. The state may not impose death penalty as punishment for any crime. The right to life is applicable to natural person. That means that any person is regarded as a human being and has the right to life by the law. The right to life limitation may be achieved in terms of the general limitation clause.<sup>33</sup> Section 11 is not absolute and may also be limited by section 36 of the Constitution.<sup>34</sup>

It was held in the case of *Makwanyane* by the Constitutional Court that death penalty constitutes a cruel, inhuman, degrading and unusual punishment. The Constitutional Court held that such punishment infringes on the right to life and the right to dignity.<sup>35</sup>

Section 12 consists of the right to freedom and security of all persons. It includes the right to be free from all form of violence from either public or private sectors, the right not to be tortured in anyway and the right not to be treated or punished in a cruel, inhuman and degrading way.

Section 21(1)(3) of the Constitution covers the right to freedom of movement and the right to enter, to remain in and to reside anywhere in the Republic. For a person living with albinism, they are unable to enjoy this right fully. This is because of the mysterious killings that causes uneasiness. As a result, they feel insecure. They fear to walk, travel or stay alone due to risks imposed on their lives.<sup>36</sup>

Section 29(1) of the Constitution states that everyone has the right to basic education. People living with albinism have problems with their vision.<sup>37</sup> As a result they have difficulties in ordinary school due to their poor eye sight. It is required that special considerations should be made with students living with albinism. Considerations such as allowing students to sit upfront in class. Not every family can afford to take their children to special schools. The government should take initiative to promote the principle of educating people about this condition.<sup>38</sup>

## 6. RECOMMENDATIONS

To get the disability grant there are many-sided quality of therapeutic and means tests that must be conducted in terms of the South African Social Assistant Act 7. The paper recommends that the Government ought to consider implementing an interminable illness grant. This would benefit people living with albinism since they are inclined to endless afflictions, for example, skin malignancy (cancer). The grant will help different groups of people with albinism to enhance their medicinal services. By providing the disability grant to people living with albinism, it will enable them to easily access sunscreen moisturizers.

A scope of clinical medical problems including the national health insurance scheme, tuberculosis, the harming impacts of smoking and liquor misuse, and the lifestyle was discussed in the Department of Health's Strategic Plan for 2014-2019. The paper suggests that the medical

<sup>33</sup> Venter B "A Selection of Constitutional Perspectives on Human Kidney Sales" (2013) 16 (1) Potchefstroom Electronic Law Journal 352-403 at 361.

<sup>34</sup> Venter 361. Also see Mubangizi JC *The Protection of Human Rights in South Africa: A legal and Practical Guide* (2005, Lansdowne: Juta) at 83.

<sup>35</sup> *S v Makwanyane 1995 (3) SA 391 (CC)*.

<sup>36</sup> Masanja MM et al "Albinism: Awareness, Attitudes and Level of Albinos' Predicament in Sukumaland, Tanzania" (2014) 3 (9) *Asian Journal of Applied Science and Engineering* 14-27 at 15.

<sup>37</sup> Dominguez B et al *Building Blocks: Foundations for Learning for Young Blind and Visually Impaired Children* (1991, New York: American Foundation of the Blind).

<sup>38</sup> Rautenbach & Malherbe 386. See also Choma HJ, *The Protection and Enforcement of Socio-economic Rights in South Africa* 154

problems faced by people living with albinism be added to the list of critical medical problems. People living with albinism should approach the court to challenge the Government inability to recognise their rights to health care by failing to give preventative services. These services are, for example, the dermatological skin checks, eye checks and protective sunscreen lotions, vision aids and eye corrections within its resources.

The Government needs to handle the unjustifiable discrimination of people living with albinism. It has been discussed in the previous paragraph that when people living with albinism raise the issue that they are being discriminated against it is viewed as attention seeking. Discrimination dependent on colour has been subsumed by prejudice that happened during the Apartheid Era. Colorism is related with the different generalizations and shame dependent on skin tone instead of ethnicity, it is a suggestion of the paper that it must be perceived as a particular sort of discrimination not subsidiary with race. People living with albinism are victims of skin tone discrimination. An incorporation of colour discrimination from race in the Constitution could be grounds of security from discrimination.

Colorism is otherwise called a skin tone discrimination that maybe interracial or intra-racial. Intra-racial discrimination happens when an affiliate of a specific racial group makes a distinction based on skin colour between people of the equivalent racial groups. Interracial discrimination happens when a member of a specific racial group makes a refinement based on skin colour between people of another racial group. Albinos are discriminated dependent on their skin. At the point when such issues are raised, it is viewed as a scant attention in literature and legal research because of the more common focus on correlations among blacks and whites as racial groups. In Tanzania, President Jakaya Kikwete delegated an albino, Al-Shymaa John as a member of Parliament under a unique seat. In addition, the paper contends that if South Africa can stick to the same pattern, it will offer hope to the nation.

Insecurity among people living with albinism requires a prompt consideration before it spirals wild. People living with albinism are frequently hunted with the end goal of ritual murder. For example, two 19-year-elderly men were arrested and pleaded guilty in Vryheid Regional Court for the murder of a 20 years old albino woman. Both accused was sentenced 20 years behind bars. The deceased mutilated body of deceased was found in a shallow grave after the accused confessed and led the police to the grave. The paper recommends that the government provide a safe and secure environment in which the right to life of people living with albinism is also respected.

## 7. CONCLUSION

People living with albinism are also entitled to their human rights in the Constitution and the Bill of Rights. The myths said about them is based on rumours passed on by traditional healers out of greed. It is vital that the Government implement the protection of people living with albinism. It is the responsibility of the Government to provide adequate legal protection of people living with albinism. The Government must also raise awareness about this medical condition with the disadvantages, obstacles, threats and limitations they are faced with on their daily lives.

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