

ABSTRACT

The African human rights system (system) has faced challenges in implementation, state participation, and contestation over its directives. Thus, to put these challenges into perspective, the thesis investigates the purpose of the system and its influence on behaviours of key actors. The research adopts a processual practice-based analytical framework to examine key actors' practices and their relation to the formation of *de facto* authority. The study employs legal, history, doctrinal methods, sociological approaches, and a case study of Tanzania to collate and analyse data. The thesis finds that despite the main purpose of ensuring rule of law, the design of the system prioritised state sovereignty over human rights. Nevertheless, the cooperation between the institutions of the system and non-state actors has played a crucial role in shaping key actors' level of engagement with the system. The study highlights that the generation of *de facto* authority of the system is a process influenced by the complexities of the political, social, and legal contexts defining the relationship between key actors and the system. This implies that to address challenges of state participation, implementation and contestation within the system it is crucial for states, non-state actors and the institutions to cooperate and engage with the system to achieve its goals.