

Human rights and the new realities

By Dr Syed Jaffar Ahmed

Human rights 5.1.02 Dawn

FIFTY-three years ago, the proclamation of the UN Universal Declaration of Human Rights was a landmark in the long history of human endeavour in self-awareness and in the evolution of man's collective consciousness. The 30 articles of the UDHR had summed up the essence of man's experience of the abuses of his rights, and had also indicated the means through which these could be realized, thereby restoring his dignity and total personality.

The declaration in its preamble proclaimed that 'inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.' Earlier, the charter of the UN had also reaffirmed its faith in fundamental human rights, in the dignity of the human person, and in the equal rights of men and women. It demonstrated its resolve to promote social progress and better standards of life in the larger contexts of freedom.

About two decades later, in 1966, two international covenants on human rights were adopted. The International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR) translated the principles enshrined in the Universal Declaration into Treaty Law. These two covenants, in conjunction with the UDHR came to be known as the International Bill of Human Rights. The Universal Declaration is now regarded as forming part of customary international law being binding upon member states who are signatory to it.

Since 1948, the UN has expanded in membership, scope and operations and its work around the world. Its numerical strength has increased to include almost all countries of the world; its component institutions, bodies and agencies have also increased manifold. With reference to human rights, more than one hundred instruments have so far been adopted by the UN, out of the inspiration provided by the UDHR.

The Universal Declaration has received universal acclaim. It is one of the most frequently-quoted documents in today's world. All nations and governments enunciate their adherence to it. Similarly the International Covenant on Economic, Social and Cultural Rights, which after being adopted by the General Assembly entered into force in 1976, was signed by 142 states by March 2000. As for the International Covenant on Civil and Political Rights, which addresses the states' traditional responsibility for administering justice and maintaining the rule of law and the relationship between the individual and the state it was accepted by 144 states by March 2000.

suffered. Wars have resulted in destruction and displacement. Repression has paved the way for refugees seeking safer places. Unemployment has promoted expatriation which in turn has cultivated xenophobic tendencies in the host countries. Racial discrimination has transformed into ethnic polarization and ethnic cleansing in its more extreme form.

In a way, the UN has defeated its own cause by its double standards, its failures and inaction. The human rights instruments in the first place were formulated very slowly, undergoing decades long periods of debates and parleys. Then the laws adopted by the UN more often, lacked coercive implementation power and remained mere moralizing. Furthermore, in the last five decades, the UN has demonstrated blatant contradictions in its policies and actions.

It has emerged as a hierarchy of powerful and powerless countries. The acceptance by the UN of five major powers, and conferring on them the veto power and a permanent seat in the Security Council, demonstrates the inherent bias in the working of the UN. This system of inequality promotes the designs of the big powers. Then the UN has been selective in the implementation of its own policies.

It operates swiftly in cases where the United States and other Western powers demand results. It simply turns a blind eye where these powers prefer to maintain the status quo. Palestine, for instance, is an illustration of UN neglect. Iraq and Afghanistan constitute examples of over-reaction. The UN has very pliantly acceded to the American differentiation of 'responsible' and 'irresponsible' states. The only country in the world which has so far used the nuclear bomb stands as the head of the 'responsible' states, and the UN accepts it as such. The countries of the world which are living below the poverty line, and are victim of poverty, hunger and deprivations are 'irresponsible', with some of them qualifying as 'rogue states'. Unfortunately, the UN endorses this biased stand acting as a mouthpiece of the sole superpower.

The contradictions of the world system have manifested themselves more nakedly in the last decade. With the rise of globalization and spread of market economy which

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by March 2000.

Apart from these legal instruments a number of conferences have been held under the agencies of the UN in the last fifty years. The International Conference on Human Rights held in Tehran in April and May 1968, and the Vienna World Conference on Human Rights in 1993 were especially important in laying down the standards of human rights.

Today the ambit and conceptual framework of human rights is wider than ever before in human history.

However, despite all these monumental efforts, achievements and ratifications, the world today stands at a place where the state of human rights is more precarious than it had ever been in the past.

Notwithstanding the achievements of the world community in respect of human rights in individual instances, the overall picture of world today is disappointing and dismal, both at the level of separate states as well as internationally.

At the national level despite the liquidation of empires, end of monarchies, and collapse of numerous dictatorial regimes a new set of authoritarian power has emerged on the globe. Not only this, new tools of repression have been invented. Human dignity is still threatened. Dehumanizing conditions prevail in almost all countries.

Either we do not have democracies, or if we have a few, they have their inadequacies and failures. In these, inequality of laws, discrimination against women, minorities and other under-privileged sections of society pose severe problems which by and large have remained unaddressed. For the victims of human rights abuses, for the under-privileged and the destitute, Universal Declaration of Human Rights holds more or less a utopian status as a theoretical ideal — but one whose practical application is frustrated.

Equally noticeable are the glaring distortions at the world level. With the collapse of the Soviet bloc the world was designated as a global village, implying that the major divisions in the world have been done away with. However, the world today is more divided and more polarized. There are big and small countries. There are developed and under-developed countries, and then there are 'civilized' countries and the countries designated as 'uncivilized.' The UDHR means different things to different parts of the world and applies its varying criteria accordingly.

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entailed technological advancement, the gap between the owners of wealth and the poor has widened. Taking into account the amount of wealth which is in circulation and is moving across the borders, one could assume that today the world has an unprecedented opportunity and potential to eradicate poverty.

But globalization has in fact brought about greater debt and has increased poverty. Today, more than 80 countries have a lower per capita income than they had in 1990. Today 1.3 billion people have to survive on less than a dollar a day. Instead of promoting pluralism and democracy, globalization has in many a case strengthened authoritarianism. A number of multinational companies have lately been criticized for their exploitative anti-people role in the under-developed countries where they operate. Amnesty International had to take up the case of an oil giant which allegedly passed intelligence information about the local population to the Colombian military in order to ensure the protection of its oil installations. The Colombian military is responsible for killing 30 thousands people on political grounds.

Globalization poses a unique paradox. It, on the one hand, provides opportunities to people to come closer, but on the other its forced agenda alienates people who in turn seek refuge in their tradition and identities. This makes them intolerant and xenophobic with the result that the world is becoming more and more vulnerable to ethnic extremism. The ethnicization has increased the ferocity of conflicts and has widened the arena of human rights violations. ■

The writer is Associate Professor at the Pakistan Study Centre, University of Karachi.