



Human Rights – Challenges in new Global Order

Professor Dr. D.Venkateswara Rao, Head, Dept. of Public Administration,
PG Centre, Sri Y.N.College, Narsapur, W.G.dist, AP

Abstract:

It is important that we find ways to involve a far greater number of people, from all strata of society, in the debate about human rights, what they are, and how they should be both protected and realized. This will involve public education, and the incorporation of ideas of human rights into processes of community development and deliberative democracy. In the meantime, a debate about human rights that remains the exclusive domain of the privileged few is a contradiction, and a betrayal of the people in whose interests we claim to be acting. Human rights are the fundamental, that this represents a major problem, and a major contradiction, in the current human rights debate.

Key words: human rights, cultural expression, economic development

Introduction

To engage with an idea of human rights that will adequately meet the diverse needs of people and in a globalizing world, it is necessary to expand our understanding of human rights. The popular perception of the meaning of the term 'human rights' has been largely confined to civil and political rights, sometimes referred to as the 'first generation' of human rights: the right to vote, freedom of speech, freedom of expression, freedom of assembly, the right not to be imprisoned without fair trial, the right of access to the law, the right to be protected from torture, the right to join a trade union, the right to minimum labour standards, and so on. These rights are, of course, important. But they are only one aspect of human rights, and the idea of human rights, as understood both in the literature and in international treaties, is much broader than this. The so-called 'the right to work, the right to adequate health services, the right to housing, the right to education second generation' of human rights incorporates economic,

social and cultural rights, the right to economic security, the right to freedom of cultural expression, and so on. These are often not associated, in media reports, with 'human rights'; for example a country with inadequate health services or a poor education system would not be described as a country with a 'poor human rights record'.

Human rights- and overview

There is increasing recognition now being given to so-called 'third generation' human rights, or collective rights. These are the rights we can only achieve collectively rather than individually, and they include such things as the right to economic development, the right to political stability and the range of environmental rights, such as the right to breathe clean air, to drink clean water, to eat non-toxic food, and so on. Such rights are also critically important, and belong alongside the other two sets of human rights.

If human rights are about people in dialogue, what it means to be fully



human, it is not enough to confine the debate to the privileged few, and we need to be looking to ways to ensure that the voices of the marginalized, the poor, the disadvantaged, and the many victims of human rights abuse, are also heard (Mahoney & Mahoney 1993). Indeed, it is itself a human rights abuse to deny such people a say in the debate about what constitutes human rights that belong to the entire human family. The various human rights conventions, including the Universal Declaration of Human Rights, were drafted and discussed only by a very few people, from the most privileged section of society. As such, they are hardly representative of the voice of humanity. Human rights are so fundamental, that this represents a major problem, and a major contradiction, in the current human rights debate.

Challenges

That debate, at present, is a discourse of the powerful about the powerless, and it therefore itself represents a violation of human rights. No doubt that this is one of the greatest challenges facing those of who are concerned with human rights. The problem of western domination of the human rights discourse is being addressed, but the problem of the exclusive and undemocratic nature of the human rights debate itself has barely been recognized. It is important that we find ways to involve a far greater number of people, from all strata of society, in the debate about human rights, what they are, and how they should be both protected and realized. This will involve public education, and the incorporation of ideas of human rights into processes of community development and deliberative democracy. In the meantime, a debate about human rights that remains the

exclusive domain of the privileged few is a contradiction, and a betrayal of the people in whose interests we claim to be acting.

Rights imply duties or obligations, and one of the most difficult challenges for policy makers have been to strike the right balance between the two. To emphasize rights at the expense of obligations is to encourage irresponsibility and a selfish approach to rights that does not recognize that we live in communities and have obligations to our fellow citizens. On the other hand, to emphasize obligations at the expense of rights is to invite oppression and coercion, and to deny the importance of individual and family autonomy and self-determination.

Both rights and obligations are equally important. In this context I would like to identify briefly three important obligations implied by human rights. The first is the obligation on the part of the state to ensure that human rights are met and protected. First generation rights require strong and independent legal systems, with full access to, and equality before, the law. These need to be backed with strong legislation guaranteeing fundamental rights and freedoms for all citizens (Holmes and Sunstein 1999). Second generation rights require governments to ensure that there is adequate provision of health services, education, housing and income security for all the population, to ensure that there is enough paid work, and so on. And third generation rights require an active economic policy, community development, and strong policies of environmental protection. Human rights, in other words, require a strong state, or a strong non-government sector that is



resourced to provide these public functions (Holmes & Sunstein 1999).

The second set of obligations attached to human rights is the obligation of the citizen to respect the human rights of other citizens. A society that respects human rights cannot be a society of only self-seeking individuals with no respect for other citizens. Rather, a society that respects human rights is a society where people acknowledge and celebrate their mutual inter-dependence, and where we understand our responsibilities to others as well as to our own self-advancement. This underlines the importance of community and the necessity of strong communities if human rights are really to be recognized and respected. The third set of obligations is the obligation on citizens to exercise their rights. There is no point in having a society where there is freedom of speech, for example, if very few people choose to exercise that right; if that were to happen, the right becomes eroded. Similarly the right to education only really makes sense if people are prepared to exercise that right and to educate themselves to the maximum level possible in order that they may better contribute to society. The rights which many of us take for granted – such as the right to vote, the right of free speech and the right to join a trade union – were not easily won. Many people struggled and suffered in order that we can have those rights, and hence we have an obligation to exercise those rights in an active and constructive way. A society that respects human rights is therefore an active, vibrant, participatory society, where people value their human rights and exercise them vigorously. For this reason, those who believe in the importance of human rights need to be working towards increasing the level of participation in

society as a whole, and helping people to realize that their citizenship obligations extend beyond the role of tax payer and passive consumer.

Conclusion

We can see, therefore, that a commitment to human rights, if understood in the broadest sense, requires a great deal more than simply supporting bills of rights, international treaties and conventions, and ensuring that legal structures and processes are strong and independent. These are important, but they are only part of the whole human rights picture. A commitment to human rights requires that we also are concerned with community development, with promoting an active, participatory society, with developing strong public services, and with balancing independence with interdependence. For these reasons, human rights and social welfare are intimately connected. Social welfare is, at heart, a matter of human rights, and those concerned with social welfare are, in a real sense, human rights workers (Ife 2001). Similarly, human rights are about social welfare; they are about making sure that the welfare of all human beings is adequately safeguarded and adequately realized.

References:

1. Ife, J. 2001, *Human Rights and Social Work: Towards Rights-based Practice*, Cambridge: Cambridge University Press
2. Barlow, M. & Clarke, T. 2001, *Global Showdown*, Toronto: Stoddart.
3. Beetham, D. 1999, *Democracy and Human Rights*, Cambridge: Polity Press
- Hayden, P. (ed) 2001, *The Philosophy of Human Rights*, St Paul: Paragon
- Holmes, S. &



- Sunstein, C. 1999, *The Cost of Rights: Why Liberty Depends on Taxes*, New York: Norton
5. Mahoney, K. & Mahoney, P. (eds) 1993, *Human Rights in the Twenty-first Century: A Global Challenge*, Dordrecht: Martinus Nijhoff
 6. Mares, P, 2001, *Borderline: Australia's Treatment of Refugees and Asylum Seekers*, Sydney: UNSW Press.
 7. McMaster. D. 2001, *Asylum Seekers: Australia's Response to Refugees*, Melbourne University Press.