

If human rights is to concern all human beings, and not just those in the West, a radical change of thinking is needed.

A radical revision of human rights: the need for rethinking in a universal perspective

The Universal Declaration of Human Rights needs, like most United Nations documents, a fundamental rethinking, not only because it is rooted in the 'parochial' thinking of the West about such matters, but also because it was born of the Second World War and embodies the 'victors' view of the world and tries to 'freeze' it primarily in their favour.

The doctrine of 'natural rights' and the even more fundamental one of 'natural law', from which it is derived, is no longer accepted by most thinkers, who deny the validity of any thinking in terms of 'essences' which lie at the very foundation of thinking about human rights in the Western tradition. Thinking about human rights cannot be done in isolation from other values and ideals that men pursue, and has to be done in a far more integral manner than the usual analytical mode of thought permits, unless consciously taken care of.

The usurpation of the role of the United Nations by the United States in this regard should not be allowed to continue as it has until now. The role of minimizing the violation of 'human rights' or the attempt to persuade the member states regarding

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their observance belongs strictly to the United Nations alone and not to any particular member state, however important or powerful it may be. The same is true with the 'selective' intervention concerning the violation of human rights in certain countries only, while the same or similar violations by others are either totally ignored or underplayed or excused on one pretext or another. This provides a justification to those who allege that some Western nations use 'human rights' in pursuit of their own political purposes and not because they really value them.

The history of the way human rights have been sought to be applied during the last fifty years shows not only that it can be manipulated as a political weapon by states to serve their own interests, but also that the choice of the areas in which it is applied is highly selective in character. The extensive violation of the right to privacy by the mass media has, for example, not been touched at all. Similarly, the case of powerful pharmaceutical industries who 'freely' dump drugs banned in many Western countries in the so-called 'Third World' without protest from anybody. Or the advertising industry, which in the name of the 'right to choose' exercises the 'right to deceive' people. The dumping of nuclear waste by nations and the sale by armament industries of slightly obsolescent weapons to individuals, groups and nations, thereby encouraging terrorism and local wars and endangering the 'basic right to live' of hundreds of thousands of people, are not even mentioned by anybody. The instances are legion, the cases well documented. But few care or 'dare' to accuse the 'powerful', who determine what shall be talked about and what ignored, or forgotten.

There are other deeper dimensions to the problem which need to be discussed. The issue of human rights is not only conceived in terms of isolated individuals, but lays emphasis on that which is 'legally enforceable'. Such an approach achieves the opposite of what it seeks by ignoring the fact that social functioning of human rights is made possible by unconscious attitudes in one's personality which makes one think in terms of

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others and not of oneself. One begins to think of oneself as a bearer of legal rights against others, enforceable by recourse to law, thus inducing in the other a counter-attitude which tries to think of all legally permissible means to evade the realization of the other's rights. The law of evidence, which is heavily weighed against the victim, and the complex legal structure as it has evolved in the West helps in this, particularly through the modalities it has developed in its adaptation to the sociocultural conditions of non-Western countries, into which it was implanted after their subjection by some Western nation or another.

Law, of course, is a necessary component of every society and coercive enforcement is a necessary part of it. But if this element becomes a dominant aspect of the system, it is a sure sign of sociocultural decay rather than of development in that society. In most cases, it is a sign of decline in moral responsibility and the sense of obligatoriness towards the other, which is the heart of the matter, as the real preservation of 'human rights' resides there.

There can be little doubt that during the last few decades awareness regarding human rights has grown substantially and that it has spread to areas of human concern which had been neglected by all civilizations until now. But it would be well to remember in this context that even in the West advances in these areas have been very recent and that it is not uniform in all countries. Moreover, the effective realization of human rights in these countries has been a slow process and has been made possible by far-reaching changes in their social, political and economic structures. In countries where these structures have not evolved or have not taken firm roots, the observance of human rights in the form it has taken in the West and in the fields where it is practised there today, is neither feasible nor possible. Nor are the Western forms the only forms in which these rights can be realized by mankind. Ultimately it is the 'other'-centric consciousness which alone can ensure the observance of human rights

and not the 'self'-centred thinking which characterizes all discussions about human rights in recent times. What is needed is a radical rethinking on the issue, beyond the framework of Western thought and practices, in which it has been done until now, and without using the issue of human rights as a weapon in the political battle between nations. It is time that United Nations institutions truly become representative of mankind and not remain the appendage of the West as they have been until now.

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TAKING ACTION FOR HUMAN RIGHTS IN THE TWENTY-FIRST CENTURY

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