

Human Rights and Culture

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Session Outline

- What are human rights?
- Where do the rights come from?
- What are they?
- Are human rights universal or culturally relative?

Question: what are human rights?

- a) Rights that are inherent to human beings.
- b) Rights that are necessary for a dignified life.
- c) Rights of citizens in accordance with the laws.
- d) Rights that are granted to citizens by the state.
- e) Rights that the state has a duty to respect, protect and fulfill.
- f) Rights that people have to claim.
- g) Right to do as one wishes as long as it is not against the law.

Human Rights = Rights that are inherent
to human beings

Who said so?



Universal Declaration of Human Rights (UDHR) 1948

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

“We hold this truth to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights...”

(2nd para of the US Declaration of Independence 1776)



Where do the inherent human rights come from?

(Philosophical basis of HR)

Natural law or law about human nature e.g., people have innate belief that killing is bad; desire for self-preservation, thus, they are expected to also respect the desire for life of others. (John Locke)

Natural rights i.e., a moral quality of a man (the use of reason) is what entitled him to the corresponding moral claim (people have freedom to live their lives according to their own reasoning, thus, they should respect one another on that basis). (Immanuel Kant)

But... history and what we see today tell us that not everyone was/is considered as an equal human being. Not everyone is able to have the same human right as others...



Holocaust by Nazis,
killing 6 million
Jewish and other
minority groups.
1933-1945

Khmer Rouge
regime killing
1.4 million
people or
about 25% of
the population.
1976-78



Genocide in
Rwanda: Over
100 days in 1994,
about 800,000- 1
million Tutsi
were killed
leaving 75,000
children
orphaned.





Genocide in
Bosnia: About
100,000 Bosnian
Muslim were
killed in 1995.







CHRISTOPHE ARCHAMBAULT via Getty Images









What Human Rights are we suppose to have anyway?

- Rights that are prescribed in the Universal Declaration of Human Rights (UDHR), 2 International Covenants, and 7 human rights conventions.

Civil and Political Rights

(International Covenant of Civil and Political Rights)

Civil rights (enable people to participate /live in society with dignity)

- Religion freedom
- Right to privacy
- Right to marry & have children
- Freedom of movements
- Freedom of expression
- Right to a nationality
- Right to property

Political rights (allow people to participate in politics)

- Right to vote
- Right to run for political offices
- Freedom of association
- Right to assemble

Economic, Social and Cultural Rights

(International Covenant of Economic, Social and Cultural Rights)

Economic	Social	Cultural
• Rt to work • Rt to fair wages, safe and healthy work condition • Rt to rest and leisure • Rt to social security	• Rt to healthcare • Rt to education • Rt to food, water, housing	• Rt to practice the language, religion and culture activities

7 international HR conventions

Addressing specific groups

- Women
- Children
- Migrant workers and their families
- People with disabilities

Addressing specific issues

- Torture
- Racial discrimination
- Enforced disappearance

Are human rights universal?

What happens if some freedoms and rights as prescribed in the international human rights treaties are in conflict with local and traditional values/norms?

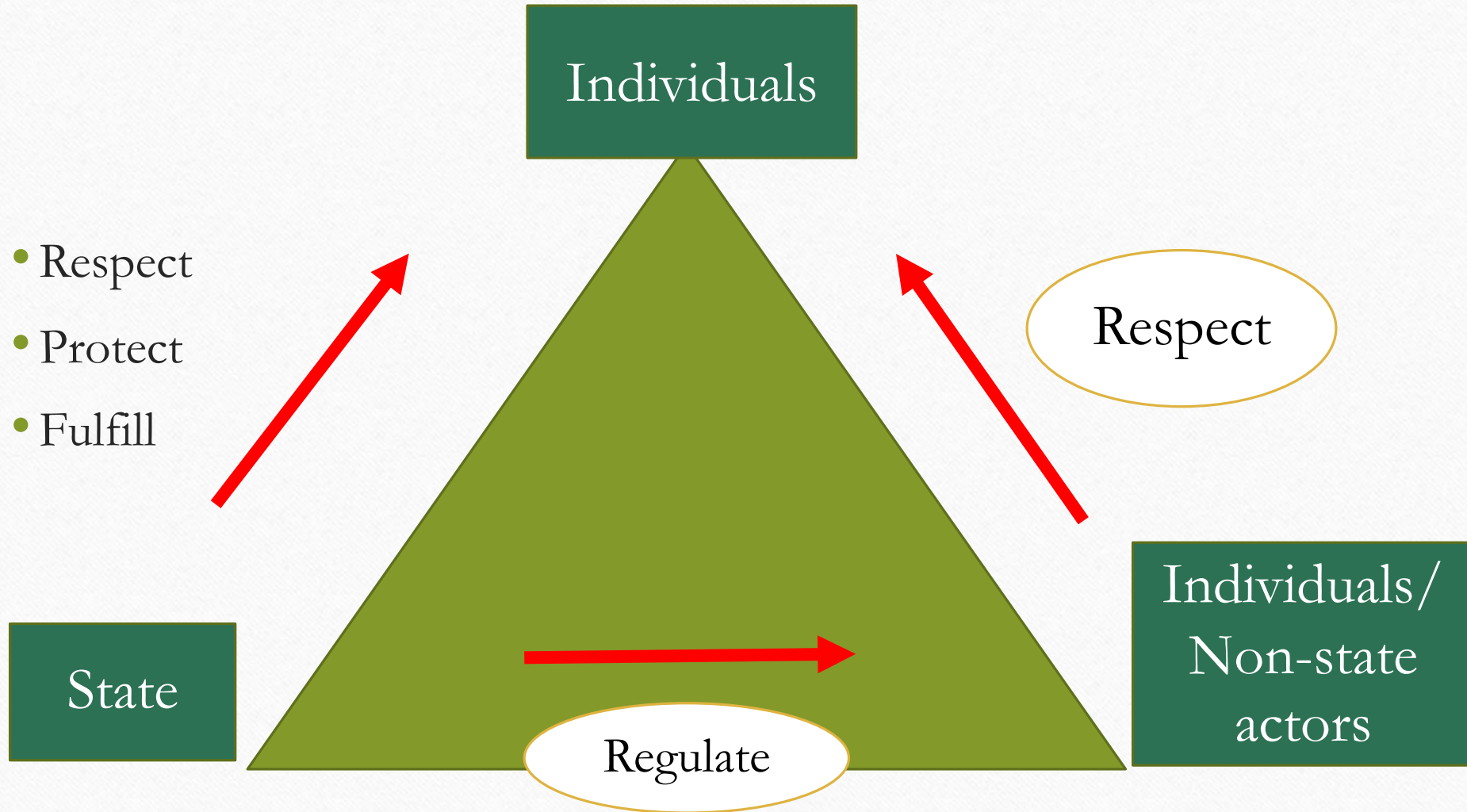
Customary law in Kenya does not allow women in some ethnic communities to own property.

In Saudi Arabia, authorities cite cultural norms and religious teachings in denying women and girls the right to participate in sporting activities—“steps of the devil” on the path to immorality, as one religious leader called them (*Steps of the Devil*, 2012).

LGBTs in different countries are discriminated against, harassed, or excluded. Culture and religious norms are invoked to deny human rights to LGBTs.

Some Asian leaders argue that Asian tradition and culture regard collectivism as more important than individualism; disciplined and an orderly society as more important than individual rights and freedom. They consider human rights and liberal democracy as not appropriate for Asian societies.

Who have the responsibilities for human rights?



To ensure human rights for everyone, we need to build a culture of human rights.

