

Exploring Asia: Human Rights

Join us for an exploration of contemporary human-rights issues in Asia.
This five-part series runs Thursdays through June 2.



Lady Justice.

excesses? Documents such as the French Declaration on the Rights of Man and the U.S. Bill of Rights have responded to this question by enumerating a list of fundamental rights that citizens of these polities can expect of their governments.

In the 20th century, representatives of most of the world's governments came together to take these concepts a step further. After the horrors of the Holocaust during World War II, it no longer seemed sufficient to leave it up to individual governments to determine how best to balance the rights of their citizens against the power of the state. Though the Allies defeated Hitler's regime, the victory over fascism had come at tremendous human

cost; many felt it would be better to establish a system of norms to hold states accountable for respecting the basic rights of their peoples without resorting to a third world war. The 1948 Universal Declaration of Human Rights arose from these meetings. This document lays out a series of rights to be guaranteed to all people simply by virtue of their humanity. On its heels came a series of more specialized human-rights agreements: the International Convention on Civil and Political Rights, the Convention against Genocide and the Refugee Convention, to name just a few.

Of course, it's one thing to sign documents affirming rights and another to actually put them into practice. The intent of enumerating universal human rights was to sidestep political and cultural divides by focusing on principles of fairness shared among all the world's peoples; however, implementation of these documents has often fallen short of this ideal. The Universal Declaration of Human Rights embraces a broad vision of rights, ranging from civil and political rights (such as the right to free speech or a fair trial) to social and economic rights (such as the right to education or health). Yet particularly in the context of the Cold War between the United States and the Soviet Union, discussions of rights became highly polarized. Western countries and human-rights organizations focused most heavily on civil and political rights, considering that these "first-generation" rights must be guaran-

teed before progress could be made on social or economic fairness. Once citizens were able to speak freely and to participate in government, the logic went, they could together craft policies to deal with social welfare.

On the other hand, many in the East insisted that it was more important to guarantee social and economic rights first and from there to progress to political freedoms. How useful would it be to offer political rights, they argued, when people's basic survival was threatened by hunger? Some Asian countries insisted that according to their cultures' value systems, it was more important to focus on collective well-being than on individual liberties. The Universal Declaration of Human Rights was crafted through diverse international participation, including that of non-Western countries, but the selective implementation of its principles often led to the perception that human rights were a Western concept. This perception then led to the argument that attempts to hold non-Western nations accountable to human-rights agreements were misguided or even imperialistic.

These challenges continue today. Fortunately, however, with the end of the Cold War a more holistic vision of human rights has emerged. Even the largest human-rights organizations, such as Amnesty International — an organization that will celebrate its 50th anniversary in 2011 — today promote a full spectrum of rights, including civil and political as well as social and economic rights. While these organizations are critical of China's denial of free-speech rights to dissidents including Liu Xiaobo, for example, they also speak out against the United States' failure to ensure access to health care or, for that matter, its use of torture. Countries around the world still resort to elaborate justifications for their denial of these human rights — that is nothing new — but international activists and advocacy organizations are working to develop innovative tools to harness the energies of this increasingly global movement for justice.

chapter 1

What are human rights?

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For hundreds of years, political leaders, philosophers and everyday citizens have wrestled with the question of how best to ensure the well-being of the world's people. While states or governments clearly have the capacity to act in ways that improve citizens' lives — they can enforce the rule of law, build schools or ensure a clean environment — often-times they fail to do so. Sometimes they even take actions that are actively harmful, like committing acts of violence against their populations. How should societies be organized to safeguard against such



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