

Human Rights

Human rights are fundamental entitlements that all persons enjoy as protection against state conduct, prohibited by international law or custom.

Forms of mistreatment: extrajudicial or summary execution; disappearance; kidnapping; torture; arbitrary detention or exile; slavery or involuntary servitude; discrimination on racial, ethnic, religious, or sexual grounds; and violation of the rights concerning: free expression, free association, free movement, and peaceable assembly.

Background

Human rights as has deep historical roots.

1. LEGAL RIGHTS are basic political arrangements in which certain interests, goods and choices are protected.
2. Ancient Greeks and Romans had immutable, NATURAL LAWS to which individuals might appeal in defiance of unjust state laws.
3. Later, the secular and humanist strains of thought during the Renaissance and 18th century Enlightenment gave rise to theories of morality grounded in the rights of the individual, MORAL LAWS. (e.g. The English Bill of Rights of 1688, the American DECLARATION OF INDEPENDENCE of 1776, the Bill of Rights to the American Constitution in 1789, and the French Declaration of the Rights of Man and of the Citizen of 1791)

Human Rights and International Law:

International law, recognizing the right of national sovereignty, focused on relations between states, yet provides protection for aliens within their borders.

Humanitarian law principles govern the rules of war: to protect civilians, the wounded, the shipwrecked, and prisoners of war. (e.g. Hugo GROTIUS in the 17th C, the HAGUE CONFERENCES of 1899 and 1907 to the GENEVA CONVENTIONS of 1949 and two Additional Protocols of 1977).

After the World War I, minority treaties were enforced by the League of Nations to protect the rights of linguistic and ethnic minorities in the new states of central and eastern Europe. The NUREMBERG TRIALS following World War II gave rise to the notion of "crimes against humanity".

After the war, the Universal Declaration of Human Rights, were adopted by the United Nations General Assembly in 1948, first worked out by 14 then adopted by 48 nations. (others: the International Covenant on Civil and Political Rights, in 1976; the International Covenant on Economic, Social and Cultural Rights, in 1976; the European Convention on Human Rights and Fundamental Freedoms in 1953; the HELSINKI ACCORDS in 1975; the American Convention on Human Rights in 1978; and the African Charter on Human and Peoples' Rights in 1986).

International and regional bodies

Forums were established for the examination and adjudication of alleged human rights violations (e.g. European Commission of Human Rights; The Commission on Human Rights of the United Nations)

The Human Rights Movement

Non-governmental organizations such as AMNESTY INTERNATIONAL, Human Rights Watch, and the International Commission of Jurists publicize gross violations of human rights. Within many countries, domestic human rights organizations have been established to monitor the actions of their governments. By the late 1980s human rights emerged as one of the principal themes of global politics.

Problems for Human Rights Today

Gross violations remain (e.g. forms of torture - including beating, burning, and electric shock; mistreatment - including sleep, water, and food deprivation; simulated asphyxiation; simulated drowning; freezing through excessive air-conditioning; and denial of medical care) In many countries military regimes have fallen, only to give way to elected civilian governments who lack the ability or the will to provide effective remedies for human rights violations. The continuing power of the military in many countries has manifested itself in continued violence.

Concerning the relationship between the wealthier countries of the North and the poorer nations of the South, questions regarding the relationship between poverty and repression arise.

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