

### CHAPTER III: CHALLENGES OF HUMAN RIGHTS EDUCATION

“Let us make our education brave and preventative.”  
-Ralph Waldo Emerson

Human rights education is inherently controversial, and as a consequence, its integration into educational curriculum is often largely avoided. Educators who do attempt to incorporate human rights discussions into the classroom face a challenging task, fraught with many potential difficulties. Human rights discussions *can*, for example, be used, perhaps unwittingly, as a vehicle of indoctrination, to further an educator’s personal ideological or political agenda. Moreover, critics rightfully charge that integrating human rights into the classroom *can* run the risk of being deleterious to a student’s well being, as students are generally not exposed to such violations in their daily lives. Most problematic, however, is the contention that human rights education is inappropriate for educational institutions due to the present lack of a unanimous international consensus on what constitutes a human right. Avowing that educational institutions should teach only those subjects about which general consensus exists, such critics assert that human rights discussions can only be introduced once a consensus is reached, and the “truth” about human rights is known.

Such arguments are well founded and must not only be acknowledged but also explored by educators and creators of curriculum who attempt to incorporate a human rights dialogue into the classroom. Once armed with a thorough understanding of such challenges, educators can, through careful planning, avoid such risks and further enrich and challenge a student’s learning experience through incorporating human rights discussions into the curriculum. Therefore, a discussion of each objection is required here, with a more in-depth analysis of the objection that is the most serious and difficult to overcome—the lack of international consensus on what constitutes a human right.

#### Human Rights Education is Indoctrination

Renowned Chinese philosopher Lin Yutang stated that “an educated man is one that has the right loves and hatreds.” Critics of human rights education fear this to be the inevitable approach of any human rights curriculum. Indeed, such critics hold that educators who introduce human rights into the classroom become little more than preachers, albeit of a secular religion, imposing their personal political or ideological views on impressionable students who may be unable to decipher truth from opinion. Thus, it is argued that the inclusion of human rights into the curriculum forces values into an ‘objective’ and ‘neutral’ educational system.

#### The impossibility of ‘value-free’ education

The view of education as a purveyor of ‘value-free’ knowledge is fallacious. Noted educator Rauven Feuerstein asserts that “value-free learning is an impossibility, as it is part of our progress to rationality that we work in a value-laden complex” (Cunningham 1991, 103). Educational Philosophy textbooks reinforce this notion, teaching future educators that education has been imbued with the values of its culture “from ancient Greece to the present” (*Educational Psychology* 1973, 20). Indeed, it is considered one of education’s main charges “to reproduce within the next generation values and social relations deemed appropriate for the continuation of civilization” (Levine 1995, 56-57).

The values of a society underlie all areas of education, through the framing of discussions and issues to the topics addressed or ignored to the educational materials used or rejected. Moreover, viewing education as a ‘value-free’ institution creates an *either/or* polarity—intellectual training *or* social-emotional-mental growth—which is unattainable, as neither pole can exist in isolation from the other.

### The importance of a variety of viewpoints

Because human rights education inevitably involves the domain of politics, discussions that do not clearly distinguish between analytical skills and political ideology will surely be guilty of indoctrination. Teachers and creators of educational materials therefore have a tremendous responsibility not to become propagandists or to involve students in their personal ideological struggles.

Ensuring an exploratory, objective, and open-ended approach can be a difficult task, but is crucial in order to satisfy perhaps the most important condition of education—freedom. According to Bloom, students must feel “freedom from excessive tension and from pressure to adopt a particular viewpoint.” Effective human rights discussions therefore must allow students to “feel that the product of his (sic!) efforts need not conform to the views of the instructor, or the community, or some other authority...” (Blooms 1956, 173).

This view is reinforced by UNESCO, which states that “because adherence to the principles of human rights should be based upon personal conviction, ...students should be led to investigate their own doubts and queries and to arrive at their own judgements” (UNESCO 1968, 61). Thus, by using materials from a variety of sources and ensuring that discussions involve a range of viewpoints, educators can counter the risks of indoctrination by demonstrating an attempt to deal objectively with the complex issues inherent in human rights discussions.

### Human Rights Education is Too Depressing

Critics also contend that human rights issues are too depressing for students, and that exposure to such complex, long-term and often intractable situations can engender feelings of impotence and despair. As with the risk of indoctrination, this concern is valid and must be actively addressed, as student surveys have confirmed that, under certain circumstances, human rights education *can* run the risk of being deleterious to a student’s well being. For example, respondents in one survey expressed feelings of guilt and powerlessness to affect change, and some even “had a sense that they were being taught about it ‘in order to feel responsible for it’” (Lister 1991, 251).

### Countering ‘the pathological view’

Teachers may so easily slip into the belief that they are teaching about human rights when in fact they are teaching about their violation. Presenting material to students about arbitrary arrest, persecution, torture—the grim tally of the denial of basic rights—is relatively easy: there is, sad to tell, so much readily accessible, concrete and dramatic evidence. The teaching of this ugly side of the human rights theme certainly has its place. But the counterbalance of examples of civilized standards and behavior is crucial if young people are to be saved from hopeless despondency concerning the human

condition. A catalogue of wrongs does not add up to a...comprehension of rights (Heater 1991, 236).

When human rights discussions focus exclusively on the *denial* of rights, the result is a decidedly ‘pathological view’ of the world—where “everything [is] shown as absolutely desperate, [and] people everywhere are dying of starvation, floods, hurricanes, [and] earthquakes” (Hicks 1988, 18). Discussions that engender such a view of the world can indeed be disturbing and dismaying to people of all ages. To counter this tendency, the Council of Europe, in its recommendation on the interweaving of human rights issues into the classroom, reinforced that

the emphasis on teaching and learning about human rights should be positive. Pupils may be led to feelings of powerlessness and discouragement when confronted with many examples of violation and negation of human rights. Instances of progress and success should be used (Osler and Starkey 1994, 352).

Human rights education can, in fact, be uplifting, as it encompasses countless examples of cooperative action to protect human dignity as well as numerous “episodes that brought out the heroic in the human condition” (Schwarz 1991, 106). Historical and contemporary victories in the struggle for greater human rights can be found throughout the world, including: the abolition of slavery and discriminatory political systems such as apartheid; the successful struggle for freedom of religion and freedom of expression; the vast improvements in workers’ rights and the ability to form worker’s unions; the fight for women’s suffrage and greater gender equity; and the battle for group rights such as self-determination and freedom from colonialism.

Moreover, human rights discussions are an effective way to introduce students to the positive role that each *individual* can play in enacting change in his or her own community. Discussions which highlight human rights advocacy efforts by international organizations as well as by local, ‘grassroots’ groups help ensure that students do not experience ‘victim fatigue’ when faced only with repeated violations. Instead, such discussions encourage a greater understanding of the need for cooperative action to solve current social and environmental problems.

#### Positive impacts: The *Facing History and Ourselves* curriculum

While it is certainly evident that human rights education is inherently vulnerable to engendering feelings of helplessness and despondency in students, a number of studies suggest that such “exposure to real life conflicts and informed discussion of human rights *promotes* moral growth” (Brabeck et al. 1994, 334, emphasis mine). A recent evaluation of the emotional impacts on students engaged in the ‘Facing History and Ourselves’ program supports this notion. The acclaimed curriculum presents students with “true, historical and contemporary human rights issues...[to] provide practice in making judgements based on critical reflection and drawing conclusions based on careful examination of conflicting claims.” An evaluative study found that the program “contribute[d] to the development of moral reasoning while not negatively impacting students’ psychological well-being.” The study concluded that “while the curriculum does not affect students’ levels of depression, hopelessness or self-esteem, it does increase moral reasoning” (Brabeck et al. 1994, 343). These findings illustrate that a careful, balanced presentation of human rights issues can be a positive addition to a student’s education *and* psychological well-being.

### Human Rights Education Lacks the Necessary Consensus

Perhaps the most serious obstacle to integrating human rights discussions into the classroom is the lack of international consensus on what constitutes a ‘human right.’ Indeed, “it is both easy, and difficult, to speak on human rights. It is easy because many people have some idea of what the term means. Yet it is also difficult because no one definition can adequately explain the term” (Ching 1998, 67-68). In attempting to promote a common concept of human rights, some scholars and political leaders have argued that there are certain human rights that are universal and are therefore applicable to all societies and peoples. Others, however, dispute this view, arguing that human rights are a culturally specific concept, and that each society expresses “its experience of reality...in concepts and symbols which are proper to that tradition and are as such not universal” (Pannikar 1982, 93). Thus, those who hold this view assert that human rights can only be determined within the context of a particular culture’s values and mores.

This lack of consensus has caused some critics to contend that human rights discussions are inappropriate for educational institutions. Arguing that educational curriculum should include only those subjects about which general consensus exists, critics maintain that until a consensus is reached, human rights discussions are too controversial for educational institutions, as they would expose students to topics about which there is still too much disagreement. The absence of an exacting, universally agreed upon concept of human rights undoubtedly makes its integration into the classroom not only much more difficult, but also quite controversial. And while careful, informed planning can prevent discussions that are insensitive to cultural differences, there remains significant inherent challenges in creating a human rights curriculum within a framework in which no consensus exists. Therefore, a more in-depth discussion of the problems posed by cultural relativity is required here, as successful human rights education cannot be accomplished without a clear understanding of both sides of the cultural relativity debate.

#### Is the *notion* of human rights universal?

One central point of debate within cross-cultural human rights discourse is the contention that the very *notion* of ‘human rights’ is of Western origin and therefore does not reflect the fundamental principles of reality and truth underlying non-Western cultures. According to this view, the requisite philosophical basis, one in which each individual possesses certain rights solely based on his or her membership in the human species, is largely absent from, or even antithetical to, non-Western cultures. A cursory survey of traditional literature from various parts of the world appears to support this notion. Many languages such as Japanese, Mandarin, and classical Sanskrit, for example, do not even have a corresponding indigenous word for ‘right’ (Ricoeur 1986; Ching 1998).

Moreover, Western nations did indeed predominate early efforts to advocate *international* protection of basic human rights. In Western societies, the notion of human rights first took shape during the Enlightenment, and was further strengthened in such documents as the United States Declaration of Independence and documents of the French Revolution.<sup>1</sup> By the creation of the United Nations in 1948, largely by Western powers, the notion of humans having inherent ‘inalienable rights’ was thus fully developed in Western societies. The Universal Declaration of Human Rights, drafted just one year after the creation of the United Nations, clearly embodies such western notions of human rights. However,

despite striking and profound international differences in ideology, levels and styles of economic development, and patterns of political evolution, virtually all states today have embraced - in speech if not in deed - the human rights standards enunciated in the Universal Declaration of Human Rights and the International Human Rights Covenants (Donnelly 1984, 414).

These documents are now considered the keystone documents for international human rights discourse and advocacy. Additionally, numerous other conventions, declarations, and international agreements on human rights have been forged and have received resounding support from nations across the globe. Therefore, does the *initial* prominence of Western nations in the creation of an international dialog on human rights necessarily mean that the very *notion* of human rights is of an entirely Western origin and wholly absent from traditional non-Western societies?

The concept of human rights in non-Western societies. In his book entitled *The Evolution of International Human Rights*, Paul Gordon Lauren concludes his inventory of the world's religions with the statement that "the moral worth of each person is a belief that no single civilization, or people, or nation, or geographic area, or even century can claim uniquely as its own" (Lauren 1998, 283). He argues that Western cultures created a working doctrine of rights out of what were already widely shared propositions about human dignity and equality. In fact,

many people from Third World countries, particularly Muslims, ... 'dispute the claim that the human rights tradition originated in modern Europe.' Some will go so far as to say that 'Islam was the very first culture on earth to which God imparted a complete set of human rights values' (An-Na'im and Deng 1990b, 2).

The *Universal Islamic Declaration of Human Rights* emphatically reinforces this stance, declaring that Islamic precepts have always included the protection of basic human rights, thus proving that the notion of human rights is not a new addition to Islamic societies (Tibi 1990).

Moreover, "most of the writing on this subject finds that human rights were recognized and protected in some significant way in traditional African society" (Silk 1990, 303). Such statements, however, are often tempered with the caveat that, in Africa, human rights are actually expressed in terms of human dignity, of what defines "the inner (moral) nature and worth of the human person and his or her proper (political) relations with society" (Howard 1990, 165). Nevertheless, the *notion* of human rights can be found in traditional African societies in the emphasis on protecting the inherent dignity of the individual.

Asian cultures with strong Buddhist traditions also contain values and beliefs that reflect the notion that each individual is of inherent worth and value. Buddhism's leading moral concept of compassion—literally 'passion for all'—extends to cover the realm of all sentient beings and views all human beings as "open entities with open feelings expressive of the highest form of humanity" (Inada 1990, 101). Indeed, the cherished bodisattva, who sympathetically delays entrance to nirvana as long as there is suffering in the world, illustrates to Mahayana Buddhists the importance of fostering deep concern for all sentient beings. Precepts such as this underscore Buddhism's promotion of a unified humanity based on compassion and respect for all. "This ideal form of existence, needless to say, is the aim and goal of all Buddhists" (Inada 1990, 102).

Many scholars believe that concern for human dignity is also well rooted in China's history and tradition, and that “support for certain human rights concepts can be found in the writings of leading Confucian thinkers, early and late” (Ching 1998, 79). They argue that the core values of human dignity reflected in international human rights documents

do not appear to be foreign to the values of Confucianism...Confucian teachings ...encouraged civility, and inspired humane concern and mutual respect. The enlightened emperor, and loyal, incorruptible officials committed to Confucian values, practiced virtue and behaved justly, and set examples of justice and virtue for the people. The laws which Confucian leaders promulgated and administered reflected fairness, reasonableness, and human concern (Henkin 1998, 310).

And while certain social inequalities were unquestionably accepted, Confucianism strongly avows the *moral* equality of all humans (Henkin 1998). Thus, many contemporary scholars assert that “if obstacles remain to the observance of human rights in China, they are due not to any incompatibility of these concepts or practices with Confucian tradition, but to the misuse of political power in defense of entrenched repressive regimes” (Ching 1998, 79-80).

In contrast to Islamic, African, Buddhist, and Chinese societies, finding a parallel philosophical basis in traditional Indian (Hindu) society can be problematic. Although the first ethical principle of Hinduism is non-injury, traditional Indian society largely denies the equal worth of each individual by drawing sharp distinctions based on differences in caste, age and gender (Donnelly 1990). Despite these discrepancies, India, like many former European colonies, was exposed to Western concepts of human rights during the colonial period, when concepts of freedom and equality were unwittingly exported to many parts of the world on the heels of the conquerors—a transference which, ironically, indirectly undermined European colonization of other peoples and was referred to by Hegel as ‘the cunning of reason’ (Tibi 1990). Upon independence, India, as well as many other former European colonies, incorporated the protection of human rights into their independence constitutions. Although this inclusion may have, in some instances, been instigated by European settlers, human rights concepts have nonetheless been further ingrained into the social fabric of many former colonies.<sup>2</sup>

Contemporary proclamations by non-Western governments further illustrate that the *notion* of human rights is truly universal. Consider the following excerpt:

It has been a long-cherished ideal of mankind to enjoy human rights in the full sense of the term. Since this great term—human rights—was coined centuries ago, people of all nations have achieved great results in their unremitting struggle for human rights. However, on a global scale, modern society has fallen far short of the lofty goal of securing the full range of human rights for people the world over. And this is why numerous people with lofty ideals are still working determinedly for this cause (Reference provided below).

On first glance, one might assume the above declaration to be a United Nations press release. However, it was actually issued by the government of the People’s Republic of China, a culture often cited by cultural relativists as largely lacking a historical or contemporary philosophical foundation for human rights. To the contrary, China proudly affirms its commitment to “human rights in the full sense of the term” (Ching 1998, 67).

Problems with the individualistic notion of rights. Clearly, a philosophical foundation for human rights and human dignity can be found in the vast majority of the world's cultures. In actuality, the contention that the very *notion* of human rights is antithetical to non-western cultures is often more correctly a statement about the Western emphasis on *individualistic* rights and the corresponding lack of an individualistic psychology in many traditional societies. Indeed, Western expressions of human rights often emphasize individualism while minimizing the role of the individual within the community or the importance of duties as correlatives of rights. This is largely because modern societies dominated by peoples of European descent tend to have an individualistic, “self-contained” indigenous psychology—a type of cultural psychology so unique historically and geographically that researchers consider the type to be ‘peculiar’ and ‘an eccentricity’ (Sampson 1998).

In contrast, the ‘enssembled’ type of indigenous psychology, in which human life has diminished meaning for individuals apart from the communities to which they belong, has a much greater worldwide presence. Buddhist, Confucian, Islamic, and Hindu societies are all examples of cultures dominated by an ensembled psychology (Sampson 1988; Brown 1999). Indeed, the concept of a human being that is “permitted to make individualistic claims against state, community and family—is unthinkable in many societies, however much he or she may be in dire need of rights in the modern world” (Howard 1992, 99-100). The prevalence of ensembled, communitarian societies in Africa, for example, makes many individualistic rights difficult for Africans to relate to—even difficult to express in many African languages (Paul 1990).

Most Asian societies also heavily stress the role of the individual *within* the community and the importance of duties as correlatives of rights. Responsibilities and mutual obligations are, in fact, often seen as key guarantors of rights, for “there will be no infringement on the rights of the individual if the bond of mutual obligation is faithfully maintained” (Lee 1991, 29). This view is reinforced in Indian society, where “the idea of claiming rights before accomplishing deeds of worth is profoundly foreign to the traditional philosophy of India” (Ricoeur 1986, 24). Likewise, Confucian teachings are entirely antithetical to an *individualistic* view of rights. Instead, Confucian sages stressed that “the individual found dignity not in self-expression... or individualism but in membership in family, clan, community” (Henkin 1998, 311).<sup>3</sup>

Clearly, when human rights are defined *solely* in a Western, individualistic manner, the majority of traditions do appear to lack any historical foundation for human rights. However, when human rights are defined in a broader sense, non-Western traditions evince numerous examples of historical and contemporary acknowledgement of and respect for human dignity and human rights.

A foundation for human rights and human dignity. Despite the absence of Western, *individualistic* rights in many cultures, “the underlying interests that ...rights are designed to protect are not alien to [such] cultures, and they are surely of paramount importance today” (Paul 1990, 233). Even prominent cultural relativists concede that “the *idea* if not the *content* of human rights—as claims to which every person is entitled by virtue of being human—is founded on fundamental values that...are shared by all cultural traditions” (An 'Naim and Deng 1990a, xii).

Abdullahi An-Na'im, former Executive Director of Human Rights Watch/Africa and widely published advocate of cultural relativity of human rights, defines the ubiquitous values of human rights and human dignity in the world's cultures as one of reciprocity. He explains that

all the major cultural traditions adhere to the common normative principle that one should treat other people as he or she wishes to be treated by them. This golden rule, which may be called the principle of reciprocity, is shared by all the major traditions of the world. Moreover, the moral and logical force of this simple proposition can easily be appreciated by all human beings of whatever cultural tradition or philosophical persuasion. If construed in an enlightened manner so that the "other" includes all other human beings, this principle is capable of sustaining universal standards human rights. In accordance with this fundamental principle of reciprocity, I would take universal human rights to be those rights which I claim for myself and must therefore concede to others (An-Na'im 1990, 37).

#### What is a 'human right?'—the problem with definitions.

Clearly, the fundamental philosophical foundations necessary to support the *notion* of 'human rights' can be found in traditions throughout the world. More difficult to resolve, however, is the second point of debate in the cultural relativity discourse—that of defining the *content* of rights. Understanding this 'tricky' issue is crucial to effective human rights education, as a deeper understanding on the controversy illuminates not only the difficulties in implementing human rights standards, but also the current near-impasse over which rights should get priority, and whether some 'rights' are, in reality, not rights but goals.

Reflecting the unimaginable diversity of ways of life and modes of thinking across culture groups, definitions of human rights, including ideas about what constitutes a violation of basic rights, display an astonishing variability. Geographers are perhaps uniquely aware of the awesome power of culture in not only influencing how individuals understand and form opinions about the world, but also its power in shaping how basic values and principles are contextually defined and understood.

Our culture is so much a part of our personality that we normally take for granted that our behavior patterns and relationships to other persons and to society become the norm. The subtlety of the impact of culture on personality and character may be explained by the analogy of the eye: we tend to take the world to be what our eyes convey to us without "seeing" the eye and appreciating its role. Culture influences, first, the way we see the world and, further, how we interpret and react to the information we receive (An-Na'im 1992, 23).

Cultural relativists argue that to deny the reality of cultural differences in defining human rights is to lack understanding of the fundamental power of culture in the lives of its members. For example, the impact of Islam on the lives of its followers is indeed "one of the deepest and longest in history, compared with other religions" (Zakaria 1986, 227). Islamic norms are a very powerful force in many predominately Muslim societies, often "more...at an informal, almost subconscious psychological level than...at the official legal or policy level" (An-Na'im 1990, 31). Such norms strongly impact a Muslim's views towards what constitutes a human right, as individuals will understand the world and form opinions through their own cultural artifacts. And, as Islamic law is believed to be divinely inspired, Islamic precepts often supersede any man-made laws in the minds of most Muslims, regardless of whether such actions may be deemed *by the outside world* to constitute a violation of human rights. One example of such a conflict is the religiously sanctioned punishment of amputation of the hand for theft.



From a secular or humanist point of view, inflicting such a severe permanent punishment for any offense, especially for theft, is obviously cruel and inhuman, and probably also degrading. This may well be the private intuitive reaction of many educated modernized Muslims. However, to the vast majority of Muslims, the matter is settled by the categorical will of God as expressed in the Qur'an and, as such, is not open to question by human beings...

...A religiously sanctioned punishment, however, will absolve an offender from punishment in the next life because God does not punish twice for the same offense. Accordingly, a thief who suffers the religiously sanctioned punishment of amputation of the right hand in this life will not be liable to the much harsher punishment in the next life. To people who hold this belief, however severe the Qur'anic punishment may appear to be, it is in fact extremely lenient and merciful in comparison to what the offender will suffer in the next life should the religious punishment not be enforced in this life (An-Na'im 1992, 35).

The importance of cultural legitimacy. Such a 'cultural tradition' violates established *international* standards of human rights; however, cultural legitimacy in defining such an act as a violation of a human's basic rights is argued to be absent from most Muslim societies. Indeed, cultural relativists argue that the possibility of human judgment regarding the appropriateness or cruelty of a punishment decreed by God is simply out of the question.

Both sides of the debate do acknowledge that a realistic approach to *implementing* human rights standards requires acknowledgement of the necessity of a people to "live in accordance with the precepts of their own culture and to promote human rights within the logic of that culture" (An-Na'im and Deng 1990a, xiii). There must be a foundation of cultural legitimacy for a particular human right in order for it to be respected, as "the people who are to implement these standards must perceive the concept of human rights and its content *as their own*" (An Naim 1992, 431). Therefore, it is argued by relativists that without the lack of cultural legitimacy for the notion that amputation of a hand for theft is a basic human rights violation, implementation of those rights in many Muslim societies not only inappropriate, but also unrealistic.

Attempts to enforce an internationally recognized, "universal" human rights standard in a society for which there is no cultural legitimacy for that right often prove counterproductive and do little to change the practice in question. Female genital mutilation in Africa, for example, persists despite modernization, public education, *and* attempts at legal prohibition. With two million girls undergoing genital operations annually, there is no question that this ubiquitous practice has a high degree of societal approval in many areas (Toubia 1993). When legislation has been enacted to ban female genital operations, the strong societal demand often simply drives the operations underground (Howard 1986). Hence, attempts to abolish the practice have been largely unsuccessful because the society—or perhaps, more correctly, the powerful local authorities—do not view such an operation as a violation of a woman's rights.

One of the strongest examples of the importance of cultural legitimacy can be found in the situation of India's Untouchables. According to the Constitution of India, 'Untouchability' is abolished and its practice in any form is forbidden. Aggressive 'affirmative action' programs, land reform, and rural labor legislation have all been enacted in an attempt to end the exploitation of this class (Donnelly 1990, 74). However, tradition persists, and the pattern of exploitation and oppression remains. Classical Hindu philosophies of reincarnation and karma, long used to justify suppression of the Untouchable castes, remain vital aspects of Indian culture. Thus, while there

are undoubtedly individual members of Indian society who feel that such a system violates the basic human rights of this group, sufficient cultural legitimacy of this notion has not been strong enough to enact such a change. Despite a full range of political, economic, and social rights guaranteed in Indian constitutional law, Untouchability remains because the cultural underpinnings of Indian society continue to support this system.

Defining ‘rights’ verses ‘goals’. It is instructive to note that certain *internationally recognized* social and economic rights do not have cultural legitimacy here in the United States. Indeed, despite growing significance worldwide, economic and social rights have received tremendous US resistance, not only by governmental officials, but also by the American public.

This antipathy towards economic and social rights stems from the dominant American psychology of self-contained individualism; Americans are most familiar with and supportive of individual human rights, which guarantee that the *government will not intervene* in certain matters, such as freedom of speech, freedom of conscience, and freedom of the press. Therefore,

[w]hen Americans say, "I've got my rights," they usually think of those ***civil and political rights*** defined in the US Bill of Rights, which includes freedom of assembly, freedom of worship, and the right to a fair trial. Few, however, realize that ***social, economic, and cultural rights*** such as health care, housing, or a living wage, are also human rights guaranteed in the [Universal Declaration of Human Rights] (Human Rights Resource Center, n.d.a).

These collective human rights *require the government to intervene* to protect people from a lack of health care, shelter, safety, employment, education and food (Ross and Gupta 1998, 378). This idea that an individual is “*entitled* to a basic standard of living, including decent housing, food and work, through the state’s management of resources... is [a] proposition that may be difficult for Americans, since it suggests a potential government role in these areas” (Tibbits 1996, 429, emphasis mine). Such rights are often seen by Americans as demands or claims, rather than entitlements. The U.S. position on such rights is that “these provisions are understood to be *goals* whose realization will be sought rather than obligations requiring immediate implementation” (United States Department of State 1978). One US representative to the UN has even gone so far as to call such rights “a letter to Santa Claus” (Wronka 1994, 267).

Traditional Western views of human rights extended to the social, economic, and cultural spheres only with great difficulty. However, many scholars and government officials from developing nations are increasingly pressing for a reevaluation of Western notions of rights verses goals, often reassuring critics that such a redefinition

[does not] suggests that people can demand that governments provide free food or doctors for all. But they can demand that governments take steps, appropriate to the circumstances, to provide essential services at a basic level; they can demand protections against practices that exacerbate risks of hunger, disease, and ignorance, including ignorance of the information people need to protect other basic interests; and they can demand protections against unjustifiable discrimination in the allocation of resources and services to provide for those needs. All these kinds of legitimate demands are highly relevant to the situation of the rural poor... (Paul 1990, 218).

Indeed, “as the gap between rich and poor widens, the have-nots are demanding more respect for economic and social rights, which are often given short shrift” (Abadie 1998, n.p.). With twice as many developing countries as industrialized ones, it is not surprising that such rights are increasingly being given greater recognition. Such social and economic rights are mentioned frequently in human rights literature emanating from developing nations. Leary states that

The suffering and destitution of multitudes of Asians is a prominent theme in the Asian approach to human rights. Upendra Baxi, an Indian legal scholar and social activist, has written of the necessity of ‘taking suffering seriously,’ modifying... Taking Rights Seriously, pointing out that ‘perhaps in a context like India's one may not take rights seriously if one does not take suffering seriously’ (Leary 1990a, 23).

The inclusion of social, economic and cultural rights greatly expands the scope of human rights. Proponents argue, for example, that human rights must include the protection against ‘structural violence.’ “It has been estimated that in a country such as India...the lack of development creates circumstances which cause deaths equivalent to the dropping of two Hiroshima-scale nuclear bombs every week” (Pietila 1984, 135). Those advocating for social, economic, and cultural rights human rights argue that a definition of human rights that is so narrowly construed as to exclude such a grave and large-scale violation of the most basic right of all—the right to life—fails to embody the protection of perhaps those most in need of protection.

An increasing number of Western governments and scholars are, in fact, reevaluating conceptions of human rights, and increasingly recognize such rights as the right to self-determination and the right to development as more than simply societal goals. In fact, the 1986 UN Declaration on the Human Right to Development, was resoundingly approved by the UN General Assembly by a vote of 146 to 1, with the United States casting the only negative vote (Paul 1990).<sup>4</sup>

Which rights should get priority? Attempts at resolving the debate over what constitutes a ‘right’ and what constitutes a ‘goal’ often lead to another thorny issue in defining human rights—the question of whether priority in implementation should be given to one type of right over another. Not surprisingly, the majority of developed nations urge immediate implementation of civil and political rights, contending that such rights are more easily enforceable as they require only that the state refrain from action (Leary 1990b).

Many developing nations, however, are pressing for first priority to be given to social and economic rights, as civil and political rights “cannot readily be exchanged for a square meal” (Heater 1991, 240). Former president of Tanzania Julius Nyerere reinforced this opinion of the need to prioritize social and economic rights, asking

[w]hat freedom has our subsistence farmer? He scratches a bare living from the soil provided the rains do not fail; his children work at his side without schooling, medical care, or even good feeding. Certainly he has freedom to vote and to speak as he wishes. But these freedoms are much less real to him than his freedom to be exploited. Only as his poverty is reduced will his existing political freedom become properly meaningful and his right to human dignity become a fact of human dignity (Nyerere 1969-1970, C30-C31).

A 'full-belly thesis' such as Nyerere's implies that a person's basic physical needs must be met before he or she can indulge in endeavoring to secure intellectual needs such as political or civil freedoms (Howard 1986). And, of course, a third group of scholars and government officials insist that the only way to ensure that any rights are truly protected is to adopt a comprehensive, integrated view of rights—a view in which no one type of rights is given precedence. Clearly, the debate over how to define rights and which rights should then be given precedence is not one that will be resolved soon.

### An education undeterred

It is perhaps in the nature of such a debate that these questions may *never* be satisfactorily answered, as “no culture, ideology, or religion can today speak for the whole of humankind... to solve its problem” (Pannikar 1982, 75). The ‘shrinking of the globe’ has yet to create a unity of outlook, and is indeed unlikely to do so. Should educators then wait for a consensus to be found before discussing human rights in the classroom?

Critics of human rights education often contend that educational curriculum should include only those subjects about which consensus exists. This conservative approach to education is pervasive throughout educational institutions, and is criticized by more progressive educators and scholars who bemoan the fact that students are generally presented with a consensus theory in education, and are rarely exposed to disagreements or controversy over methodology, objectives, or views. Yet it is through disagreements, contradictions, tensions, and divergent or dissonant viewpoints that human beings often bring about progress. Yet “few social science texts will expose the dilemmas, contradictions, tensions, divergent and dissonant viewpoints that exist in every process of social change” (Magendzo 1994, 254).

In denying students the opportunity of learning about ‘controversial issues’ such as human rights, educational institutions remove a pupil's access to an important part of the subject they are studying—the process in which new ways of thinking are formed and means by which new knowledge is gained and accepted. Indeed, by avoiding those topics for which there is no consensus, students are denied of the “opportunities for using the syntax of their subject to test the truth of ideas, and robs them of insights into ways in which human knowledge has developed” (Cox 1988, 186).

Moreover, students who *are* exposed to the inherent tensions that exists in complex issues such as human rights will gain a deeper understanding of the material when they are able to experience the interplay of knowledge and views as a dynamic process of give and take. In fact, it is essential that human rights education indeed highlight the fundamental controversies, for “to omit these distinctions from any teaching program is to hide from pupils the fact that the issue of human rights can be exceedingly controversial” (Heater 1991, 240).

A balanced approach through avoiding polarities. Thus, educators and creators of educational materials should not feel that the lack of consensus precludes them from integrating human rights discussions into the classroom. Once armed with a thorough understanding of the challenges posed by the cultural relativity debate, educators can, *through careful planning*, provide students with an enriching and challenging educational experience. This balance can be accomplished by avoiding the extreme polarities of the cultural relativity debate—that of radical universalism and radical relativism.

Our culture is so much a part of our personality that students often have difficulty seeing the world through the eyes of others, and may therefore be vulnerable to radical universalism. When educational curriculum adopts this approach, emotions of ethnocentrism, racism, even moral imperialism are engendered—exactly those emotions that geographers wish to counter. The underlying condemnation of other cultures inherent in such an approach “breeds intolerance and hostility to societies and persons that do not conform to our models and expectations” (An-Na`im 1992, 24). In fact, radical universalists’ aggressive insistence on the blanket application of ‘universal’ human rights, even as consensus on such a concept has not yet been reached, has led many scholars and government officials from developing nations to denounce international human rights standards *altogether*, asserting “that human rights ideology is part of an imperialist ideology” (Shivji 1989, 3). Indeed, many from the developing world fear that human rights will be used as an excuse for Western intervention in the affairs of sovereign states. Such critics warn that the current universalist approach appears to many in the developing world as “self-righteous Western parochialism, which might easily be interpreted as cultural imperialism” (Lee 1991, 30). An-Na`im stresses that

it is extremely important to be sensitive to the dangers of cultural imperialism, ...[which is often] a product of extreme ethnocentricity. Since we would not accept others imposing their moral standards on us, we should not impose our own moral standards on them...

...For example, a North American may think that a short term of imprisonment is the appropriate punishment for theft, and wish that to be the universal punishment for this offense. A Muslim, on the other hand, may feel that the amputation of the hand is appropriate under certain conditions and after satisfying strict safeguards. It would be instructive for the North American to consider how she or he would feel if the Muslim punishment were made the norm (An-Na`im 1992, 38).

Educational materials clearly should not adopt and perpetuate such a divisive view as *radical universalism*.<sup>5</sup>

Promoting radical relativism in educational curriculum can be equally harmful, as *radical* cultural relativity is often used to justify derogations from even the most basic human rights. Educational curriculum that espouses radical cultural relativity infers a validation of such derogations by positing a decidedly static and sacrosanct view of culture. In reality, cultures are in a continual process of evolution, continually outgrowing and rejecting notions deemed no longer appropriate by society. Indeed, Tharoor poses the question

am I, as an Indian, obliged to defend, in the name of my culture, the practice of suttee, which was banned 160 years ago, of obliging widows to immolate themselves on their husbands’ funeral pyres? The fact that slavery was acceptable across the world for at least 2,000 years does not make it acceptable to us now... The deep historical roots of anti-Semitism in European culture cannot justify discrimination against Jews today (Tharoor 1999, 4).

Indeed, if culture and tradition were so stringent as to make change impermissible, then would humans today not still be wearing ancient dresses? Cultural change is in fact one of the few constants of history, and eradicated practices such as female foot-binding in China, which lasted for over 1,000 years but ended in a single generation, evince the malleability of the world’s cultures (Mackie 1996).

Moreover, “arguments of cultural relativism are far too often made by economic and political elite that have long since left traditional culture behind” (Donnelly 1984, 411). Justifying deviations from basic human rights by appealing to traditional values and practices have too often been used as a mere cloak for arbitrary rule and self-interest. For example, President Mobutu, of the country formerly known as Zaire, was able to successfully revive the colonial practice of corvee labor—widely known to be a form of slavery—by calling the practice *salongo* and claiming that because communal labor had traditional roots in African culture, it was therefore above international reproach. This cynical manipulation of tradition to justify abuse has been recognized and condemned by the All Africa Council of Churches, which has stated that

Some leaders have even resorted to picking out certain elements of traditional African culture to anesthetize the masses. Despite what is said, this frequently has little to do with a return to the positive, authentic dimensions of African tradition (Donnelly 1984, 412).

Thus, arguments for greater relativity “have been used, explicitly or implicitly, to justify even the most blatant human rights violations that could not be defended on any moral grounds” (An-Na’im and Deng 1990a, xii). Of this tendency, Tharoor is quick to remind that even “the devil can quote scripture for his purpose” (Tharoor 1999), and asserts that a country

cannot impose the model of a ‘modern’ nation state cutting across tribal boundaries..., appoint a president and an ambassador to the United Nations, and then argue that tribal traditions should be applied to judge the human rights conduct of the resulting modern state (Tharoor 1999,4).

Adopting radical relativism in educational curriculum will also endorse the view that ‘unique’ considerations call for temporary deviations from the respect for human rights standards. It is claimed, for example, that “the stark realities of nation-building in Africa do not admit of the luxury of human rights,” and that “political stability and internal security in a new African state can only be assured at the expense of the fundamental liberties of the individual” (Asante 1969, 83-84). Thus,

under the slogan of ‘African solutions to African problems,’ supporters of this concept offered what was essentially a recycled version of the one-party state, except that they advocated capitalism instead of socialism as the economic base of the state. Like its Asian counterpart, the [concept] was used...to justify tight control on speech, assembly, association, and democratic institutions. This thin cover for repression found adherents among the new generation of leaders in Eritrea, Ethiopia, Rwanda, and the Democratic Republic of the Congo (DRC)... (Human Rights Watch 1997, xviii).

Like the ‘African solutions’ claim, proponents of the ‘Asian values’ approach argue that suppression of certain rights is required in Asian societies and is even *appreciated* by Asian citizens, as officials claim that “Asians value efficiency over democracy” (Human Rights Watch 1997, 147).<sup>6</sup>

Radical relativists demand that international human rights standards allow for the complexity and heterogeneity of the world’s cultures. However, inherent in many of the solutions advocated by radical relativists—such as “Islamic human rights” or “African solutions to African problems”—is a lack of allowance for heterogeneity *within* a culture. If each society were to be permitted to independently determine its own definition of human rights, there are bound to be

segments of that society for which some of those rights are antithetical. For example, while many Muslim women support government policies of Islamization, others have joined in protest against Islamization measures that, in their view, violate or threaten the human rights of women (An-Na'im 1990). The small populations of Christians, Jews, and Baha'is in predominantly Muslim societies likewise may feel that their rights and values are not reflected in, and at times are imperiled by, the definitions of human rights as dictated by the elite of their society. Indeed, Kofi Annan has stated, "It was never the people who complained of the universality of human rights, nor did the people consider human rights as a Western or Northern imposition; it was often their leaders who did so" (Brown 1999, 1).

Unless such individuals are given the opportunity to "opt out" of traditional practices that they do not support (e.g....female genital mutilation, child betrothal or widow inheritance), it is likely that a radically relative approach to human rights will, in effect, make greater human rights violations permissible (Howard 1990). Espousing a radical relativist approach in educational curriculum encourages students to assume that members of a given culture all view the world in exactly the same manner.

Lastly, radical relativism essentially negates international, cooperative attempts at guaranteeing the basic protection of human rights.

In its extreme form such an approach would thoroughly undermine the existing system for the international protection of human rights and create a 'free for all' situation in which each dictator and each military junta, as well as each democratically elected but embattled government, could design its own bill of rights to suit not only local traditions but also its own self-interest (Leary 1990, 23).

Such an approach can be quite perilous, as history has taught that without a measure of international consensus and protection of human rights, abuses often not only increase, but also receive governmental sanction. Nazi Germany, for example, successfully passed a series of national measures to legalize their atrocities against the Jews (Ross and Gupta 1998). As international laws on human rights had not been conceived until after World War II, the Nazi government enjoyed supreme power, and was free to trample on the rights of its citizens without fear of international reprisal.

A balanced approach. Thus, neither the radical relativist nor the radical universalist approach should be embraced in education curriculum. To resolve the challenge of cultural relativity, some advocates of human rights education promote the identification and education of a basic or irreducible *minimum* of rights, which can then serve as the basis for human rights discussions (Shivji 1989).

However, I believe that all such attempts to teach human rights issues without ever venturing into the 'fuzzy areas' of cultural relativity are in actuality simply perfunctory attempts to, in effect, divorce human rights education from the cultural relativity debate. In this thesis, I advocate a human rights curriculum that *highlights* the current disagreements, contradictions and tensions that now exist in current human rights thought. Even the most basic human rights can never be fully understood, and thus will never be fully protected, without the understanding that it is through an appropriate degree of interplay among divergent viewpoints—via internal cultural reinterpretation as well as cross-cultural analysis and formulation—that human rights ultimately receive validation and recognition. Thus, human rights curriculum must include the genuine

tension between the relativist and universalist perspectives, while still promoting the ideal of universal validity for rights, as reached through respectful discourse and contemplation.

A few tools can be used, however, as a foundation for discussing human rights. For example, discussions about what constitutes an abuse of human rights can be built on the precept that “people probably are best suited, and in any case are entitled, to choose the good life for themselves” (Donnelly 1999, 86). One application of this principle is the notion that each individual should be permitted to ‘opt out’ of a practice that the individual feels is a violation of his or her basic rights (Howard 1986). The basis for this precept is provided in the Universal Declaration of Human Rights, which mandates the right to choose, and specifically the right to leave when choice is denied.

A significant body of international, regional, and state human rights laws exists and can also be used as a foundation for discussing human rights issues in the classroom.<sup>7</sup> (See Appendix E). The Universal Declaration of Human Rights (UDHR), adopted by the United Nations *without a dissenting vote*, is unquestionably “the most widely accepted proclamation ever made of the rights of all people everywhere” (UNESCO 1968, 9). Although the document is a *declaration*, and is therefore only a statement of intent which is not legally binding on the signatories, it has received virtually unanimous support and has a moral force that commands worldwide respect. Numerous other widely-ratified international *conventions* (which *are* legally binding once ratified by a state, unless specific reservations are included) can also be used as a foundation for discussions. Such conventions reinforce that human rights standards are more than merely social goals; they are legally binding obligations. Lastly, referencing regional agreements and statements by individual states illustrates an attempt to deal objectively with an issue. For example, the Peoples’ Republic of China’s 1982 constitution acknowledges a citizens’ “freedom of speech, of the press, of assembly, of association, of procession, and of demonstration” and even describes such freedoms as ‘inviolable’ (Ching 1998, 78). Demonstrating an attempt to deal objectively with the complexity of political rights in China can be accomplished by drawing not only from international and regional documents, but also from China’s own statements on the protection of human rights.<sup>7</sup>

However, it is essential that educators offer documents merely as a *framework*, rather than as the focus of human rights discussion, as these documents are predominantly “long and detailed, [and] ...written in a language that many...will find difficult, or impossible, to understand” (Lister 1984, 7). A dry recitation of international documents will create an uninspiring, wearisome, at times repetitive curriculum that will serve to distance students from the *humans* about which introductory human rights education should be focused.

Moreover, even Eleanor Roosevelt, who was a central figure in the creation of the Universal Declaration of Human Rights, conceded that the Declaration “is a good document, not a perfect one” (Wronka 1994, 268). Thus, although international documents are agreed upon at the time of adoption and ratification, the reality is that “these texts can be interpreted in many ways and by themselves prove nothing” (Mayer 1990, 135). Considerable complexity and confusion surround the interpretation of many of the standards that are espoused. For example, Afghanistan and Saudi Arabia have both ratified the 1984 *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. However, the meaning of ‘cruel, inhuman, or degrading treatment or punishment,’ as defined by the government of these countries, varies significantly, if not radically, from perceptions of the meaning of this clause in other parts of the world. Moreover, on religious freedom



the Islamists take the orthodox view—freedom of religion means the freedom for each person to practice his own religion—not to interpret it, but to practice it...[T]he Islamic meaning of religious freedom: we, the Muslim rulers, allow the Jew or the Christian to freely practice his religion. You know, of course, that at the time of the Reconquista in Spain the Christian rulers prevented Muslims from practicing their religion (Dwyer 1991, 177).

Thus, human rights documents should be used as a reference for discussion, and not as the sole point of focus.

### Surmountable Obstacles

Challenges certainly exist. And while human rights education often simply drops off the educational agenda due to the mistaken belief that these objections are insurmountable, educators simply need to be armed with an understanding of the challenges and with the numerous methods in which such obstacles can be overcome. The human rights situation in the world today is not immutable, yet progress will come chiefly through education, cross-cultural dialogue, and “learning to speak one's own language in a new way” (Tibi 1990, 106).

Thus, in light of the many benefits gained by incorporating human rights issues into the educational curriculum, as well as the fact that the objections often held as insurmountable do not, in fact, pose significant obstacles to its integration, we now turn our attention to the current state of human rights education in Human and Regional Geography textbooks.

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### Notes

<sup>1</sup> The revolutionary ideas of Locke and Hobbes launched a new Western society based on the image of the autonomous man. In the seventeenth and eighteenth centuries, the drafting of documents such as the English Petition of Rights, the U.S. Declaration of Independence, the U.S. Constitution, the French Declaration of the Rights of Man and Citizen, and the U.S. Bill of Rights evince the formation of a new age of popular sovereignty and individual rights (Cobbah 1987).

<sup>2</sup> Some writers have asserted the inclusion of ‘fundamental rights’ in the independence constitutions of many former European colonies was solely motivated by the desire to protect the property of foreign companies and foreign settlers. “This argument is buttressed by the fact that the same powers were little concerned with fundamental rights, separation of powers, or independent judiciary etc. during their own rule in the colonies” (Shivji 1989, 19). The following excerpt from one group of lawyers expands on this view:

In the late fifties and early sixties when the colonies were nearing independence the issue of Bill of Rights came to the fore. It was raised by the very powers that had been suppressing it for years. But this time there was a good reason for it. The colonisers were leaving. The colonised were ascending into power. What of the property accrued during the whole period of colonialism by the nationals and companies of the colonial powers? This had to be protected. Therefore the issue of the individual rights, especially the rights to own private property and state protection of the same, became one of the main topics of discussion on independence. In the now notorious Lancaster House constitutional

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talks, the British made sure that a Bill of Rights was entrenched in the constitutions of its former colonies. Not that they cared a lot about individual rights and freedoms of the indigenous people. They were concerned about the property their nationals still in the colonies after independence (Legal Aid Committee 1985, 12-13).

<sup>3</sup> Pye provides an interesting summary on the diminished role of the individual in Chinese society, explaining that:

It could be that no people have ever outdone the Chinese in ascribing moral virtues to the state or in deprecating the worth of the individual. First Confucianism and then the Chinese version of Leninism went all out in extolling the importance of rulers and society and in minimizing the rights of individuals. ...The individual has consistently been seen as merely a disciplined member of some larger group and the group's interests are always assumed to take precedence over those of the individual...(Pye 1996, 16-18).

However, it is important not assume that individualistic ideas are entirely absent in Asian cultures. While the overriding philosophies of most Asian cultures stress communitarianism and the role of the individual in relation to the group, one must not overlook the influence of those ideas in Asian societies which do support of a degree of individualism. Lee explains that while “Confucianism offers a guideline for handling interpersonal relations when things go well...Taoism... provides an escape valve when things don't go well and when individuals would like to escape the bonds of collectivity and pursue his own individuality.” Moreover, he reminds that Taoism urges “egocentric individualism as its central tenet by valuing individuality and asserting that individual autonomy cannot be sacrificed to political utility, expedience, or social interest.” This is in sharp contrast to the social-mindedness that dominates Confucianism (Lee 1991, 32).

<sup>4</sup> The United States has since withdrawn from the Declaration's Working Group of Governmental Experts. In a statement explaining the withdrawal, representatives from the United States expressed the following view on the right to development:

[T]he right to development is little more than a rhetorical exercise designed to enable the Eastern European countries to score points on disarmament and collective rights and to permit the Third World to 'distort' the issue of human rights by affirming the equal importance of economic, social and cultural rights with civil and political rights and by linking human rights in general to its 'utopian' aspiration for a new international economic order (Alston 1988, 22).

<sup>5</sup> However, Keith Richburg, a prominent African-American journalist and author, warns of the dangers of avoiding 'criticism' of cultural practices altogether. He acknowledges that “there is a tendency not to want to criticize too openly, too harshly. The reason, of course, is that Africans are black. Too much criticism from white countries in the West comes dangerously close to sounding racist.” Yet he reminds readers that such a stance results in “African leaders [who are] willing enough to play that card, constantly raising the specter of 'neocolonialism.'” He asserts that not discussing these issues in Africa is actually a greater disservice, creating a situation where “African strongmen still aren't pushed very hard...aren't pushed hard to get off the aid-dollar dole,...aren't forced to follow accepted international behavior when it comes to treatment of their own citizens (Richburg 1998, 178).

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<sup>6</sup> The logic of the ‘Asian values’ trade-off was seriously undermined in 1997, when the economic and environmental crises that plagued the region were found to have been caused, in part, by the practice of closed-door official decision-making and the lack of free debate about vital public issues. These restrictions on popular participation in governance, as well as restrictions on freedom of expression and freedom of the press created unaccountable governmental officials whose policies often intensified these crises (Human Rights Watch 1997).

<sup>7</sup> It is also important to ensure that students do not assume that governmental participation and adoption of a given convention or declaration necessarily means that there is broad popular acceptance in the cultural traditions of a society. Moreover, official adoption does not mean that human rights are effectively protected by the government. Many countries appear to be in *formal* agreement with such documents, including the Universal Declaration of Human Rights, yet regularly deny these rights to their citizens. Indeed, “the gulf between profession and practice is wide and poignant” (Kirpal 1986, 280).

A perfect example of this principle occurred in 1996, when the governments of Latin America, Spain and Portugal gathered at the Iberoamerican Summit to issue the *Vina del Mar Declaration*—a proclamation of support for democracy, human rights and fundamental liberties. Fidel Castro was present at the summit, and signed the declaration personally. Within days upon returning to Cuba, however, the Cuban government promptly sentenced one dissident to eighteen months in prison for challenging his government to comply with the declaration (Human Rights Watch 1997).

Similar examples can be found throughout Latin America, as well as other regions of the world. For example, human rights in Latin America have been proclaimed and institutionalized from a legal perspective consistently and systematically. “As far as law is concerned, it is a well-known fact that Latin America has adopted the most advanced and most modern doctrines.” However, “history has been a complete contradiction of the law” (Quesada 1986, 305-306).

History has shown that...practically all the norms proclaiming and protecting human right have been violated. Latin American constitutions state that governments are to be democratic and rulers are to be elected by universal suffrage; yet absurd, bloody revolutions and cruel dictatorships continue to torment the countries with such great laws. The frequency of revolutions in Latin America is quite incredible. One of our countries has had more presidents than years of independence (Quesada 1986, 305).

<sup>7</sup> Likewise, discussions on the rights of indigenous groups in the Middle East should not only reference international documents such as the Convention concerning Indigenous and Tribal People in Independent Countries and the Draft Declaration on the Rights of Indigenous Peoples, but also the Istanbul Declaration and the Cairo Programme of Action, which states that “governments should ... enable [indigenous peoples] to have tenure and manage their lands, [and] protect ... the natural resources and ecosystems on which indigenous communities depend...” (Cairo Programme of Action, 6.27). While regional and international documents may contradict each other, and there may be occasions where no statements in regional or state documents exist on the right to be discussed, referencing regional documents whenever possible is useful in demonstrating an attempt to deal objectively with the complexity inherent in human rights issues.