Humanitarianism: Human Rights and Refugees

Human Rights & the Human Condition

Justice: the Universality of Human Rights vs. State Sovereignty

Toward Global Society & Values

Refugees
Human Rights & the Human Condition

- A belief in certain inalienable human rights is central to our understanding of the human condition, but abuses of these human rights are common.
- Racial and ethnic discrimination is a global issue.
- Minorities are repressed around the world based on their race, ethnicity, and religion.
- Refugees have become increasingly important as their numbers swell worldwide.
- Gender discrimination is also a serious problem.
Human Rights & the Human Condition

- Separate from the issue of how we feel about human rights is the issue of what we can do about it.
- International actors who wish to act in support of human rights often come into conflict with state sovereignty.
- Any intervention in another state possibly violates state sovereignty.
- To what extent, then, can we be concerned with the welfare of others in foreign states?
- Another issue arises due to the fact that there is no universal consensus on human rights around the world.
In the United States, there is a tendency to view human rights in very individualistic terms because of our history of liberal, or individualistic, thinking.

Liberalism is a political philosophy with origins in the seventeenth and eighteenth centuries that emphasizes individual liberties through a minimal state.

Views in the United States are based on the idea of equal protection under the law.

Even ideas such as eminent domain, which grant the states rights, do so with provisions protecting the individual.
Human Rights and the liberal tradition

- Not everyone in the world agrees with this individualistic view of human rights.
- Some cultures view rights less as individualistic and more tribal, group, or class oriented.
- There is thus some disagreement about what rights should be accepted.
- Due process is important in the United States, but not so in other states. The focus on legal and political rights in America means less of a focus on social, cultural, and economic rights.
Human Rights across cultures

- It is tempting to adopt a plan of cultural relativism, stating that rights and values change from one culture to another.
- Who can say which culture's values are superior to others?
- Different cultures definitely have different practices (how to eat, etc.), but we do not understand these as moral differences.
- Does this mean that all values are relative?
  - If we hold a strict view of cultural relativism, then we essentially say there are no morals or ethics.
Transcending Diverse Cultures

Philosophers

- Immanuel Kant identified what he called categorical imperatives or absolute obligations that he argued had applicability to all reasoning human beings, regardless of religious or other cultural differences.

- Other writers have proposed a utilitarian view of morality, saying that we should act in order to bring the greatest good to the greatest number.
  - Jean Jacques Rousseau placed greater emphasis on equality and on the obligations of one’s community.

- John Locke argued that people have certain natural rights, and that they bind themselves to certain governments in order to protect these rights.
  - Also Thomas Jefferson.
Transcending Diverse Cultures

Whether or not we are happy with these various intellectual ideas regarding rights, several points have come up since World War II. A good example: The Universal Declaration of Human Rights, passed by the U.N. General Assembly in 1948.

The declaration did not enter these rights as law, but some argue that the agreement did give formal recognition to these rights.
Human-Rights Institutions

- Universal Declaration of Human Rights
  - Does not have the force of international law
  - Does set forth international norms
  - Since its adoption, the UN has opened 7 treaties for state signature to further define protections of human rights.

- Two important treaties: International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights
Towards Global Society & Values

- A Permanent Court of International Justice (PCIJ) was established following World War I, and then reestablished as the International Court of Justice following World War II.
  - Its jurisdiction, however, was limited to cases involving states. Individuals were still subordinated to the concept of state sovereignty.

- The International Military Tribunal at Nuremberg following World War II shows how individuals are becoming accountable to international standards.
Human-Rights Institutions

- Convention Relating to the Status of Refugees (1951)
- International Covenant of Civil and Political Rights (1966)
- International Covenant on Social and Cultural Rights (1966)
- Convention on the Elimination of All Forms of Discrimination against Women (1979)
  - Optional Protocol (1999)
Human-Rights Institutions

- Convention Against Torture and other Cruel, Inhumane or Degrading Treatment or Punishment (CAT) (1984)
  - Every country except Somalia and the U.S. has approved it
Human-Rights Institutions

- Role of IOs in protecting human rights
  - UNESCO, International Labor Organization (ILO), the World Health Organization (WHO)

- Today, NGOs are also playing increasingly important roles in human rights and in winning basic political rights in authoritarian countries.
  - Groups such as Amnesty International and Human Rights Watch are key in informing people about human rights issues around the world.
War Crimes

- Large-scale abuses of human rights often occur during war.
- International law is especially difficult to enforce during war.
  - But extensive norms of legal conduct in war, as well as international treaties, are widely followed.
  - After war, losers can be punished for violations of the laws of war.
- Crimes against humanity
  - Genocide
  - International Criminal Court (ICC)
  - Universal jurisdiction
  - International Committee of the Red Cross (ICRC)
Refugees

- Migration and refugee issues are also becoming increasingly important.
- With the end of the cold war, many barriers to movement were lifted in some parts of Europe.
- Economic issues also encourage people to be economic migrants, going to where there are better-paying jobs.
- Droughts, famines, floods, and other natural forces also cause people to migrate from one area to another.
Refugees

- Refugees are one form of migrant.
- Most migrants are subject to both push and pull forces, but refugees are not.
- The response to refugee crises is in part a moral argument. Images of refugees are shown on the nightly news.
- But watching this endless stream of unspeakable conditions may eventually cause some viewers to give up and accept these conditions as unalterable.
Refugees

- While some refugees are victims of natural forces, most are victims of political turmoil and war.
- Eventually, the U.N. High Commissioner for Refugees was established, and some agreement has occurred internationally about refugee policy.
- There is a great deal of the confusion regarding human rights is how to determine what human rights are.
Migration and Refugees

- Millions of people from the global South have crossed international borders, often illegally, to reach the North.
- The home state – no obligation to let people leave and no state is obligated to receive migrants.
- Migration produces complex patterns of winners and losers.
Migration and Refugees

☐ Most industrialized states try to limit immigration from the global South.

- Illegal immigration
  - U.S.
  - Western Europe
  - Role of immigration in Swiss decision not to join the EU
  - Morocco/Canary Islands
Migration and Refugees

- Migrants are distinguished from refugees
  - Refugees are people fleeing to find refuge from war, natural disaster, or political persecution.
    - Refugee camps
    - Asylum
  - Number of refugees in 2006 was 8 million; 7 million more displaced in their own countries.
  - Kurds in Turkey – economic burden on the state; Turkey closed borders, leaving hungry Iraqi Kurds stranded in the mountains.
    - Security issues/political issues
- Economic impact
- Nationalism
### Refugee Populations, 2006

<table>
<thead>
<tr>
<th>Region</th>
<th>Millions</th>
<th>Main Concentrations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Middle East and Asia</td>
<td>15</td>
<td>Afghanistan, Iraq, Pakistan, Sri Lanka, Iran</td>
</tr>
<tr>
<td>Palestinians under UNRWA</td>
<td>4</td>
<td>Palestine, Jordan, Lebanon, Syria</td>
</tr>
<tr>
<td>Africa</td>
<td>10</td>
<td>Tanzania, Liberia, Chad, Sudan, D.R. Congo</td>
</tr>
<tr>
<td>Latin America</td>
<td>4</td>
<td>Colombia</td>
</tr>
<tr>
<td>Western and Eastern Europe</td>
<td>3</td>
<td>Former Yugoslavia, Russia, Germany&lt;sup&gt;a&lt;/sup&gt;</td>
</tr>
<tr>
<td>North America</td>
<td>1</td>
<td>United States&lt;sup&gt;a&lt;/sup&gt;</td>
</tr>
<tr>
<td><strong>World Total</strong></td>
<td><strong>37</strong></td>
<td></td>
</tr>
</tbody>
</table>

<sup>a</sup> Various regions of origin.

Note: Includes refugees, asylum seekers, returned refugees, and internally displaced people.

Source: UN High Commissioner for Refugees (UNHCR).
This chapter looks at
- the concept of human rights
- the issues regarding the universality of human rights versus state sovereignty
- cultural relativism and its role in international relations
- the various issues associated with refugees in world politics
1. The term "liberalism" as used in the book is most synonymous with

A. Democrat.
B. anarchy.
C. socialism.
D. individualism.
Review– How much do you understand?

2. Eminent domain refers to
   A. an individual's right to do as they please when on their own property.
   B. a state's control over a certain territory with borders (as in sovereignty).
   C. a state's right to take land from its citizens, usually accompanied by just compensation.
   D. the right to invade a neighboring territory if necessary.
Review– How much do you understand?

3. Cultural relativism refers to

A. the belief that ethical or moral values are tied to culture, and therefore not universal.

B. the fact that we often only see things from the point of view of our culture.

C. a gap in income from the Western, developed states, to those of the Third World.

D. the fact that, over time, refugee and humanitarian crises lose their ability to shock outside observers.
Review—How much do you understand?

4. The idea that we should act in order to ensure the greatest good for the greatest number is known as

A. minimalism.
B. universalism.
C. totalitarianism.
D. utilitarianism.
Review– How much do you understand?

5. Most refugees are victims of
   A. political turmoil.
   B. famine.
   C. drought.
   D. none of these answers
Review– How much do you understand?

6. Those rights which an individual enjoys simply by being a member of a society with a government are called

A. political rights.
B. economic rights.
C. human rights.
D. civil rights.
Review– How much do you understand?

7. In the United States, equal protection of the laws is most closely associated with

A. equal opportunity.
B. progressive income tax.
C. right to due process.
D. just compensation.
Review– How much do you understand?

8. Concerning land mines
   A. that there are some 250 million land mines is worrisome, given the number of people who are killed or otherwise are harmed by them.
   B. international law accepted by all UN members now prohibits them.
   C. the United States has led the effort to ban them.
   D. they can be easily and quickly eliminated.
9. Which of the following is a principal organ of the United Nations?

A. The United Nations High Commissioner for Human Rights
B. The International Court of Justice at The Hague in the Netherlands
C. The United Nations High Commissioner for Refugees
D. The United Nations Civil Rights Commission
Review– How much do you understand?

10. International migration has critical and direct implications for all of the following EXCEPT

A. both domestic and international security.
B. income or other tax rates.
C. governmental authority.
D. societal stability.