

Discuss the view that human rights is a Western concept.

Since the end of the Second World War and the signing of the Universal Declaration of Human Rights in 1948, international law and policy has been dominated by the concept of human rights. Drawn up by a committee chaired by Eleanor Roosevelt and ratified by 88% of UN members, the 30 articles of the UDHR aim to provide the people of the world, regardless of their ethnicity, religion, or national identity, with an equal entitlement to dignity and simple rights such as life, property, and liberty. However, the document is not without its limitations and though these rights are playing an important role in making the world a better place, to say that they are universal is somewhat misleading. To many, the one size fits all approach of universal human rights is inadequate in our complex global context. Human rights have been labelled as 'western', a product of a fixation with liberal democracy and one which simply cannot be applied to the billions of people around the world living under consultative authoritarianisms such as China, the Sharia law of Islam, or in the developing countries of the world.

If you believe Samuel Huntington's simplified summary of the current world order, there are two great 'civilisations' facing off in the world today, that of the 'east' and that of the 'west'. The 'west' can be typified by American "life, liberty and the pursuit of happiness" while the 'east' is increasingly being categorised by the supposedly opposite world of Islam. With 1.8 billion worldwide adherents, according to PEW research, Islam is followed by about 24% of the world's population. About a billion of which, live in countries which interpret Sharia in an oppressive and patriarchal manner, preventing many of the indivisible freedoms of the UDHR from being realised. However, the fact that two thirds of the countries which have ratified the UDHR are 'non-western' and that many are majority Muslim, suggests that, to a certain extent, principles of Sharia and those of human rights can coexist despite their perceived doctrinal incompatibilities.

This argument was explored by Muslim political scientists Emran Qureshi and Heba Raouf Ezzat in a series of letters in 2004. Qureshi's argument is reminiscent of Said's orientalism while Ezzat

provides a mirror image of Huntington's views. Qureshi supports the universality of human rights as he points out that, in reality, Sharia, a simple and flexible guideline for a Muslim's relationship with their faith, is very much in line with human rights principles of equality. He points out how the actions of a few nation states (such as Saudi Arabia) and militant groups (for example, Boko Haram) have tarnished Islam's reputation as a progressive egalitarian religion and led to a western branding of the faith as incompatible with its rights-based system. This echoes Said's observation that the 'west' tends to view the 'east' as a less morally developed and to some extent barbaric grouping. On the other hand, Ezzat's arguments are more reminiscent of Huntington's clash of civilisations. She brands the west and its values as neo-colonial and incompatible with Islam in all of its interpretations. This debate is one which is gripping the Muslim world and its outcome will have huge implications.

Outside of cultural divides between the 'East' and 'West' human rights has been criticised for its emphasis on the individual rather than the majority, a distinctly 'Western' way of viewing the world. The concept seems to be an outdated relic of the world view that the ultimate goal of any society is to become a democracy which values the individual above all else. China is an excellent example of why this world view is no longer relevant. China, which is known to be in breach of articles of the UDHR and ICCPR (International Covenant on Civil and Political Rights), specifically those regarding privacy and freedom of thought, still has an astonishingly high citizen satisfaction rating. According to PEW research, 85% of Chinese people are satisfied with the direction of their country, for comparison, America, the world's champion of individual liberties, has a 24% satisfaction rating. The Chinese system of government is a 'consultative autocracy' which allows the ruling communist party to make their decisions based on the good of the country as a whole without considering the cost to the individual. While this system is ruthless, it has contributed to creating the world's second largest economy. Political scientist Eric X Li of Shanghai says that this system "does not pretend to be universal" and "could not be exported" making it a sharp contrast to the supposed 'universality' of a rights system which best suits Western contexts and cultures.

China's negligence towards human rights is often cited as a reason for the country's incredible economic development. Its disregard of Article 17 of the UDHR (the right to own property) has allowed its government to create the massive amounts of infrastructure which do not exist in developing economies built on a rights-based approach and backed by western governments. This

seems to imply that human rights are only compatible with developed western democracies, as their existence impedes economic growth in developing countries. However, this view ignores several important factors. China's economy has grown in line with the slow liberalisation of its society, showing in economist Yasheng Huang's words, that it is change and reform which creates growth. Human rights are in many ways a set of guidelines for reform and by adhering to them societies become more dynamic and thus more likely to experience economic growth. This can be seen through the failed authoritarian regimes which have occurred elsewhere in Asia, Cambodia, Myanmar and Laos all experienced autocratic regimes which, because they did not reform, collapsed. It can also be said that while economies based on principles of human rights may not grow as quickly, the 'capabilities' of their citizens are much higher. Martha Nussbaum's approach will tell us that India (for example) is in fact more developed than China as its citizens are capable of much more than the average Chinese citizen. An Indian citizen enjoys the rights of privacy, freedom of movement, and freedom of thought much more easily than a Chinese one and these developments, Nussbaum would argue, matter far more than rapid economic growth.

It seems clear to me that human rights remain one of the world's most effective agents of change. I believe that their application across the globe, be it in developed or developing economies, secular or religious states, will make the world a fairer and more equitable place. However, to say that incompatibilities between the reality of the world and the idealism of the rights-based approach do not exist, is incorrect. Human rights undoubtedly favour a capitalist, individualist, secular society, but that does not mean that the promise that all people be free and equal is not a necessary one. The only thing that is western about human rights is their arrogant claim to be universal.