



Philosophy of Human Rights

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Questions for Y'all:

- How would you define human rights?
- Why do you believe that we should advocate for human rights across the globe?



Defining Human Rights

Human rights are norms that help to protect all people everywhere from severe political, legal, and social abuses.

Stanford Encyclopedia of Philosophy

Human rights are rights **inherent to all human beings**, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. **We are all equally entitled to our human rights without discrimination.** These rights are all **interrelated, interdependent and indivisible.**

Universal human rights are often expressed and guaranteed by law, in the forms of treaties, customary international law, general principles and other sources of international law. International human rights law lays down obligations of Governments to act in certain ways or to refrain from certain acts, in order to promote and protect human rights and fundamental freedoms of individuals or groups.

Office of the United Nations High Commissioner for Human Rights



Justifications for the Idea of Human Rights

- Natural law/natural rights
 - Humans are guaranteed certain rights based on the idea of human nature, provided by God or a transcendental natural source, and those rights can be understood through human reason.
- Social contract theory
 - Humans, in exchange for giving up some of their freedom to a state/government, must be given certain rights by the state/government.
- Fundamental human morality
 - “Human rights can be seen as basic moral norms shared by all or almost all accepted human moralities.” (*Stanford Encyclopedia of Philosophy*)
- Human agency and ethic of reciprocity
 - Humans must be given certain rights to exercise their agency/autonomy and preserve their well-being by others; humans also must guarantee these rights to other humans.
- Practical reasons
 - Ex.:
 - Torture traumatizes its victims and does not lead to obtainment of useful information.
 - Death penalty is irreversible and can lead to death of innocent people, not to mention that death penalty can be costly.



What Rights are Human Rights?

- Surprisingly difficult subject!
- Lack of any system to determine what can be considered human rights can lead to *human rights inflation*.
 - Potentially human rights can be defined through restrictive tests or definitions...but there will likely always be some vagueness and subjectivity in such tests or definitions.
- Criteria for what counts as a human right often influenced by historical events and conditions to address specific issues
 - Ex.: Magna Carta, the Declaration of the Rights of Man and the Citizen
- The Universal Declaration of Human Rights currently held up as the most popular standard for defining what count as human rights
 - European Convention on Human Rights also held up as such a standard
 - However, is it right for us to *fully* trust the international diplomats who made these standards? (There could always have been imperfections in the drafting process)



Criticism Against the Concept of Human Rights

- Cultural relativism
 - Some see violations of human rights as part of their culture
 - Ex.: China
 - Counterarguments
 - Increasing support for human rights globally
 - Different cultures can embrace human rights in different ways.
- “Rights inflation”
- Potentially very differing interpretations of justifications for human rights
 - Ex.: Thomas Hobbes vs John Locke on natural law and social contract
- Philosophical justifications against the idea of human rights
 - Edmund Burke
 - Jeremy Bentham
 - Karl Marx



Criticism Against Human Rights Advocacy

- Human Rights Watch and Amnesty International often accused of bias in their human rights advocacy. For instance...
 - Amnesty International accused of anti-Israel bias in its reports on Israel-Hamas conflict
 - Amnesty International faced governmental backlash for noting that the United States was a human rights offender in 2005.
 - Amnesty International faced backlash from the Catholic church for advocacy of reproductive rights in 2007.
 - Human Rights Watch criticized for its friendliness with the United States government, even by Nobel Peace Prize winners and officials of the United Nations!
 - Human Rights Watch criticized multiple times for showing pro-Israel bias in Israel-Hamas conflict (though the organization was also once showing anti-Israel bias)
- Human rights often used by the West to impose Western values on other cultures *without understanding those other cultures*. For instance...
 - *Do Muslim Women Need Saving?* (by Lila Abu-Lughod) discusses how Westerners often discuss the oppression of Muslim women without deep understanding of the Islamic culture.
 - Oppression of Muslim women's rights *by the Islamic culture* wrongly used to start grievous military conflicts in the past; Muslim women often portrayed as oppressed people who are totally lacking in human rights
 - Advocates for nuanced and normalized understanding of the perspectives of Muslim women when advocating for their rights



Final Note

- Always reflect on and question your belief in human rights!
 - Through philosophical and pragmatic reflection of your beliefs, your supportive stance on human rights can become much stronger!



Sources

https://en.m.wikipedia.org/wiki/Philosophy_of_human_rights

<https://plato.stanford.edu/entries/rights-human/>

https://en.wikipedia.org/wiki/Criticism_of_Human_Rights_Watch

https://en.wikipedia.org/wiki/Criticism_of_Amnesty_International

<http://www.ohchr.org/EN/Issues/Pages/WhatareHumanRights.aspx>

Do Muslim Women Need Saving? by Lila Abu-Lughod

Thank you!

