

HUMAN RIGHTS AND PEACE: AN ESSAY

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It is a common notion that the foundation of life is virtue, the foundation of life is breath and the foundation of breath is “right.” I, in consonance with the universal and accepted principles of human rights proudly announce that from birth I have exercised my freedom of such “rights.”

However, the term “human rights” is sometimes confusing because it has a lots of meaning depending on the situation one is in. For a common definition, Human rights are "rights and freedoms to which all humans are entitled." This means that it is inherent to individuals----- it's inborn. Consequently, it is true that the proponents of the human right concept usually assert that everyone is endowed with certain entitlements merely by reason of being human. Thus, we are all human beings, and therefore we possess and manifest the same rights in our own little way.

I remember in my college years, my teacher has emphasized that human rights are thus conceived in a Universalist and egalitarian fashion. Such entitlements can exist as shared norms of actual human moralities, as justified moral norms or natural rights supported by strong reasons, or as legal rights either at a national level or within international law. However, there is no consensus as to precise nature of what in particular should or should not be regarded as a human right in any of the preceding senses, and the abstract concept of human rights has been a subject of intense philosophical debate and criticism especially when peace is related to it.

Still, the contention of what Human rights really means is very controversial and interesting to me. In fact, I believe in its sacredness. However, to some, human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, color, 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, meaning that my rights should be in accordance with the rights of others. Therefore I must also behave in accordance with others behavior whereby our very own existence is recognized and respected.

In a macro definition, 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. This means that states have been engage in a warless motion by recognizing the means of their individual existence. 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 as foundations of their co-existence..

Certainly, the issue of “human rights” is well manifested in the Universal Declaration of Human Rights whereby, if I am to analyze really articles 1 to 30, suggest that Human rights entail both rights and obligations of the state and its people. This suggests that states assume the obligations and duties under international law to respect, to protect and to fulfill human rights as legal and safest means to peace. The obligation to respect means that States must refrain from interfering with or curtailing the enjoyment of human rights. The obligation to protect requires States to protect individuals and groups against human rights abuses which are committed many times by those who use “power” as authority to abuse other people. The obligation to fulfill means that States must take positive action to facilitate the enjoyment of basic human rights. Thus, it is a common mistake that basic human rights are mostly abused and neglected. At the individual level, while we are entitled to exercise our human rights, we should also respect the human rights of others as to conform and confirm their existence. This is just the same with the respect to right to liberty.

You will note, of course, that the so called Right to Liberty as defined above leaves a major question unanswered: Just what are the "rights of others" that we do not have the right to violate? That's a subject that could fill many books, and about which there can be honest disagreements. For the purposes of this blog post, I will simply note that there is broad agreement or a "consensus" that individuals have the right to life and property which is definitely expressed in the constitution.. But there is also much disagreement regarding the details. One example: “ Is it rightful to kill in self defense? “ which is a very common scenario in the Philippines.

In addition, the general sense of word “right “ is that they are possessed by individuals in the sense that they are permissions and entitlements to do things which other persons, or which governments or authorities, can not infringe. This is the understanding of thinkers such as Ayn Rand who argued that only individuals have rights, according to her philosophy called Objectivism. However, others have argued that there are situations in which a group of persons is thought to have rights, or *group rights*.

Accordingly, individual rights are rights held by individual people regardless of their group membership or lack thereof. But however, another question is posted : Do groups really have *rights* ? Some argue that when soldiers bond in combat, the group becomes like an organism in itself and has *rights* which trump the rights of any individual soldier. On the other hand, group rights have been argued to exist when a group is seen as more than a mere composite or assembly of separate individuals but an entity in its own right. In other words, it's possible to see a group as a distinct being in and of itself; it's akin to an enlarged individual which has a distinct will and power of action and can be thought of as having *rights*.

A good example is when a platoon of soldiers in combat can be thought of as a distinct group, since individual members are willing to risk their lives for the survival of the group, and therefore the group can be conceived as having a "right" which is superior to that of any individual member; for example, a soldier who disobeys an officer can be punished, perhaps even killed, for a breach of obedience. But there is another sense of

group rights in which people who are members of a group can be thought of as having specific individual rights because of their membership in a group. In this sense, the set of rights which individuals-as-group-members have is expanded because of their membership in a group. For example, workers who are members of a group such as a labor union can be thought of as having expanded individual rights because of their membership in the labor union, such as the rights to specific working conditions or wages. As expected, there is sometimes considerable disagreement about what exactly is meant by the term "group" as well as by the term "group rights."

There can be tension between individual and group rights. A classic instance in which group and individual rights clash is conflicts between unions and their members. For example, individual members of a union may wish a wage higher than the union-negotiated wage, but are prevented from making further requests; in a so-called closed shop which has a union security agreement, only the union has a *right* to decide matters for the individual union members such as wage rates. So, do the supposed "individual rights" of the workers prevail about the proper wage? Or do the "group rights" of the union regarding the proper wage prevail? Clearly, this is a source of tension when coined with the issue on peace.

I also believe that peace has always been among humanity's highest values-- for some, We sat through the chilling stories of political repression narrated by kith and kin of women and men whose sole purpose in life was to ensure that justice and freedom are lived realities for every Filipino. We were anguished at the reality that the state which is supposed to protect the life of its citizens is, according to these victims, responsible for these violations. We listened intently to an elucidation of Oplan Bantay Laya, the government's organizing principle for the "reign of terror" it is presently sowing in the midst of a struggling people. We were painfully reminded that the pattern of human rights violations is the way in which the US War on Terror is being played out in the Philippines--- which is really a dehumanizing scenario. We unearthed possibilities and prospects for peace, drawing wisdom and inspiration from our learning to live out our days courageously.

Finally, we may say that we are confounded by the fact that this attack on life is carried out in a culture of impunity and that our leaders refuse to lift a finger in order to bring to a halt these human rights violations, nowadays. We are appalled at the political intolerance of the Philippine authorities whose response to abject poverty, unemployment and landlessness and implies that military might and a vicious campaign to obliterate a burgeoning revolutionary movement. Someday. We don't want to imagine it's happening. We need to reconcile, sit and meditate to give mutual understanding of what really "human right" is all about.