INTERNATIONAL POLITICAL ECONOMY SERIES

HUMAN RIGHTS AND DEVELOPMENT

INTERNATIONAL VIEWS

EDITED BY
DAVID P. FORSYTHE

GENERAL EDITOR: TIMOTHY M. SHAW

Human Rights and Development

International Views

Edited by

David P. Forsythe
Professor of Political Science
University of Nebraska

St. Martin's Press New York

First published in the United States of America in 1989

Printed in the People's Republic of China

ISBN 0–312–02827–X

Library of Congress Cataloging-in-Publication Data
Human rights and development: international views/ edited by David P. Forsythe.
p. cm.
Based on papers delivered at a conference sponsored by the Human Rights Research Committee of the International Political Science Association, June 1987.
ISBN 0–312–02827–X: $45.00 (est.)
1. Human rights–Congresses. 2. Economic development–Congresses. 3. Human rights–Developing countries–Congresses. 4. Developing countries–Economic conditions–Congresses. I. Forsythe, David P., 1941– . II. International Political Science Association. Human Rights Research Committee.
K3239.6 1987a
342'.085–dc19
[342.285]

88–31412
CIP

Foreword

HUMAN RIGHTS AND DEVELOPMENT: AN ASIAN PERSPECTIVE

Problems of human rights have often been viewed in different ways, especially the question of how much emphasis should be placed on each category of rights— civil and political, or economic, social and cultural. Arguments have been advanced in favour of economic and social rights as prerequisites for the enjoyment of civil and political rights. On the other hand, it has been argued that civil and political rights are preconditions for the realisation of economic and social rights. Lately, in the context of the Third World, there has been talk of a 'trade-off' between civil and political rights and a right to development. It is argued that the right to development should have priority over all other rights. All such approaches amount to callous disregard of the truth that the various components of internationally recognised human rights constitute one indivisible whole.

What is ignored is that the problem of human rights is intrinsically bound up with the social environments and the relationship that exists, at a given time, between a person and the institutions on which his or her social existence depends. Since conditions continue to change, so does, like any other social norm, the nature of human rights. Nonetheless, there remains one core aspect: the right to life, or, one should say, the right to live as a human being. This in turn demands the presence of the basic conditions essential for the protection of the human dignity which nature has bestowed on each human being. From this primordial right spring all other rights—such as the right to liberty and security of person, freedom of movement, freedom of expression and also the right to a minimum standard of living.

There is an incredibly widespread assumption that 'human rights' is a Western concept, meant for a certain group of people and not for all human beings, universally. This is sheer political propaganda perpetuated by Third World leaders with vested interests. In fact, the genesis of the concept of human rights could be traced back to the dawn of civilisation, when man first started living in groups. With the passage of time these 'rights', or established customs and understandings, including the relationship between the ruler and the ruled, were

brought together in different forms, in various parts of the world. They found expression, for instance, in the Confucian system in China and the 'Panchayat' system in India.

Human rights, as we understand them today, were first crystallised in the Western world because of various historical factors. What is of more significance here is the fact that Western countries have reached such a high level of socioeconomic, legal development that they can concentrate their efforts on the observance and respect for civil and political rights alone. In the countries of the Third World, however, very different socio- and economic environments prevail. In Asia, for instance, some 40 per cent of the population, that is, 800 million people, live below the poverty line. In rural Asia some 80 per cent have no access to 'safe water'; 47 per cent in urban areas and 87 per cent in rural areas have no access to sanitary facilities. Hence millions of people are trapped in a vicious circle, in both cause and consequence, of poverty, malnutrition and disease. Indeed, no amount of writing can capture the magnitude and complexity of human rights problems, especially in Asia.

The right to food, derived fundamentally from the core right to life, has been repeatedly endorsed by the United Nations and international conferences, yet it remains an insult to humanity that the developed states spend vast sums of money on agricultural subsidies, and further vast sums for storage of food to maintain market prices, while in the developing world millions starve from 'food shortages'. For every ton of surplus grain—there were 300 million tons in 1986—there is a starving person. Particularly horrifying is the 'invisible malnutrition' affecting children in the Third World, with three-fourths of them in Asia. Some 40 000 children die of malnutrition in the developing world each day while in the developed world pet dogs and cats are provided with balanced diets. Malnutrition, it is estimated, can be overcome specifically in terms of 'caloric intake' if only one per cent of the grain production of the world, or 15 per cent of what is kept in storage, is directed to meet the needs of the hungry children.

One often comes across the argument that, in the countries of the Third World, what the common people need are minimum facilities of shelter, food and clothing, requiring drastic changes of government priorities. Therefore, the argument runs, authoritarianism can bring about desired results; so-called human rights are to be restricted for the broader goal of national development. Such arguments are fallacious. They are advanced by those who represent

vested interests or those who do not know the meaning of human rights. While pursuing the goal of national development, there is no reason why fundamental human rights should be denied to an individual: freedom from arbitrary arrest and torture, freedom of expression, and so on. Liberty and security of persons are no less fundamental for human dignity than food and shelter.

Few countries in Asia, however, have the semblance of a rule of law. According to the reports of Amnesty International, political disappearances, summary trials and arbitrary killings are all too frequent. The UN Code of Conduct for Law Enforcement officials has been largely ignored; illiterate slum-dwellers have been particularly victimised.

Then there is another dimension of the situation in Asia. This region continues to be a major centre of gravity of international politics; cross-currents of political forces rival those in other parts of the world. In terms of ideology, nearly half of the population resides under a Communist regime. Growing conflict among the Communist countries themselves manifests itself more glaringly and menacingly here than in any other part of the world. Quite a number of states exist with little or no military capacity to defend themselves. Some have resources but need technology to exploit these resources for development. It is but inevitable that these states are subjected to manipulation by extra-regional powers, particularly the superpowers. It is unfortunate that a massive amount of resources is diverted to the purchase of arms; these come from industrially advanced countries—of both East and West, and the sale of which in the Third World indirectly helps the economy of the supplier country. What is still worse is that extra-regional powers aid and abet a particular regime which is willing to be its 'satellite'. This partly explains why authoritarian regimes—ranging from absolute monarchical system to one man/party rule to military rule—abound in Asia.

As a consequence, most Asian governments lack what is the foundation of the human rights system—the principle that the authority of the state shall be exercised by the will of the people themselves, and that their participation in government shall be truly representative and genuine. It is not surprising, therefore, that almost all Asian countries are experiencing turbulence and turmoil of one kind or the other, as well as threats to national security, apparent or real. Time and again, these governments resort to stringent security measures, thereby leading to violations of human rights and the fundamental freedoms of their people. Very often the ruling elite

identifies its own security (and the perpetuation of its rule) with national security, and thus attempts to suppress all dissidents and factors impelling genuine change. The tragic part is that such regimes are financed and sustained by outside powers.

All this brings us to the point that the inter-dependence of the world is an inexorable fact, though it manifests itself more by its tragic consequences than by its positive affirmation. The fundamental problems of human conditions, and therefore of human rights, know no national, regional, political or ideological frontiers. While local national efforts are essential, there is need for tackling the problem at the global level, too.

In the context of Asia, the right to development has a significance of its own. It is gratifying to know that in recent years the international community, as represented at the United Nations, as well as scholars have turned their attention to the special problem which the developing countries are experiencing in their efforts towards the realisation of human rights—which includes the improvement of economic and social conditions. In this context, mention in particular should be made of the adoption of the declaration of the right to development in December 1986. The right to development in the Asian context—given the contemporary socioeconomic conditions—is a corollary derived from the primordial right: the right to life, or the right to live in a manner that befits human dignity. For what are human rights and fundamental freedoms if there is no food, or what is meant by equality of law when there are no jobs? An unemployed, starving man does not have much of a choice to make between human rights/human dignity and a status of bonded labour; on the other hand, food without freedom, jobs without justice, would be the negation of human dignity.

The Human Rights Research Committee of the International Political Science Association is to be commended for organising a conference on human rights and development and publishing its resulting analyses. The problems of improving the implementation of internationally recognised human rights in the developing world are enormous. Certainly a useful way to attempt progress is to assemble capable minds from both sides of the economic and cultural divide in an effort to agree on problems and solutions. It is hoped that the pages which follow make precisely that contribution.

K. P. SAKSENA, Honorary Director,
Human Rights Teaching and Research
Programme (HUITER),
Jawaharlal Nehru University, New Delhi.

Preface

The Human Rights Research Committee of the International Political Science Association decided to hold a conference on human rights and development, in order to bring together leading thinkers from both the developed and developing world. We wanted to look anew at the problems of and prospects for human rights in the Third World, in a fertile exchange of ideas. The meeting was held at The Hague, the Netherlands, in June 1987. This book resulted from that international meeting.

As is usual in these situations, a wide variety of views were obtained, which could be reduced to four orientations: a focus on the private sector, a focus on the public sector, country studies, and an integrated or general analysis. A central theme also emerged from the meeting. In the view of a large number of participants, the key to better implementation of internationally recognised human rights in the Third World rests with political choice. This theme challenges much argument heretofore which concludes that the fate of human rights is determined by such economic factors as being in the periphery of the world economy, or being far behind other nations economically, or being caught in a period of rapid economic growth. It also challenges the notion that the fate of human rights in the developing countries is determined by history and culture. In the view of most participants, while all these other factors affect human rights, they do not negate a decisive role for political choice in whether there will be an emphasis on human rights in general, and which rights are to be protected in particular.

The local arrangements chair for the conference was Peter R. Baehr, who did an excellent job in comfortably installing us in the Institute of Social Sciences. D. J. Wolfson, Rector of the Institute, was a gracious host. We were well received both by the International Peace Palace, and by the Dutch Foreign Ministry. The Dutch Government was kind enough to provide us with a financial subsidy which underwrote the participation of most of the conferees from the Third World and which helped with the preparation of this book. Theo van Boven, former Director of Human Rights for the United Nations, took time from his busy schedule to deliver the keynote address, in return for perhaps the smallest honorarium of his entire career.

Dr Timothy Shaw of Dalhousie University and Mr T. M. Farmiloe of Macmillan were both supportive and helpful.

David P. Forsythe, President,
Human Rights Research Committee,
International Political Science Association.

Notes on the Contributors

K. P. Saksena is Honorary Director, Human Rights Centre, School of International Studies, Nehru University, New Delhi, India.

Mariclaire Acosta is Director of the Mexican Academy of Human Rights, Mexico City, Mexico.

Richard P. Claude is Professor of Government, University of Maryland, College Park, Maryland, USA.

Ines Vargas, a former Chilean governmental official, is on the staff of the Norwegian Institute of Human Rights, Oslo, Norway.

Adebayo Okunade is a member of the Political Science faculty at the University of Ibadan in Nigeria.

Kenneth W. Thompson is Director of the White Burkett Miller Center of Public Affairs at the University of Virginia, Charlottesville, Virginia, USA.

Smitu Kothari is co-editor of the journal *Lokayan* in Delhi, India.

Barnett R. Rubin is Assistant Professor of Political Science, Yale University, New Haven, Connecticut, USA.

Theo van Boven, a former Director of Human Rights for the United Nations, is Professor of Law, Federal University of Limburg, Maastricht, the Netherlands.

Wolfgang S. Heinz, an author and human rights activist, resides in West Berlin.

Peter R. Baehr occupies several positions, one of them being President of the Dutch Advisory Committee on Human Rights to the Foreign Ministry, the Hague, the Netherlands.

David P. Forsythe is Professor of Political Science at the University of Nebraska, Lincoln, Nebraska, USA, and President of the IPSA Human Rights Research Committee.

Michael Stohl is Professor of Political Science at Purdue University, West Lafayette, Indiana, USA.

Mark Gibney is Assistant Professor of Political Science at Purdue University.

David Carlton is associated with the International Peace Research Association.

Geoffrey Martin is in the Department of Political Science at York University.

Rhoda E. Howard is Associate Professor of Sociology, McMaster University, Ontario, Canada.

Adamantia Pollis is Professor of Government, the New School of Social Research, New York City, USA.

K. K. Prah is Head of the Research Division, Institute of Southern African Studies, National University of Lesotho, Roma, Lesotho.

Kunja Medhi is Reader in Political Science, Guhati University, Assam, India.

Akram H. Chowdhury is Executive Director of the Bangladesh Society for the Enforcement of Human Rights, Dhaka, Bangladesh.

Jack Donnelly is Associate Professor of Political Science, the University of North Carolina, Chapel Hill, North Carolina, USA.

Kathleen Pritchard is an Assistant Professor of Political Science, the University of Wisconsin at Milwaukee, USA.

Contents

List of Figures

List of Tables

Part I
The Private Sector

1 Women's Human Rights Groups in Latin America

MARICLAIRE ACOSTA

INTRODUCTION

This chapter analyses how a group of women have become involved in the political process of El Salvador, in a situation of revolutionary conflict and massive repression.

Interviews were conducted with a leading member of a Comité de Madres y Familiares de Presos, Desaparecidos y Asesinados Políticos de El Salvador-Oscar Arnulfo Romero (Committee of Mothers and Relatives of Political Prisoners, Disappeared and Assassinated Persons of El Salvador-Oscar Arnulfo Romero), a human rights organisation formed by the relatives of the victims of repression (mostly female) commonly known as the Comadres. The interviewee tells her own story, and in so doing, learns to identify as a political actor.

The testimony presented is structured in three distinct sections. The first deals with the impact of State terror on the personal life of the interviewee, explaining how the disruption of normal routine and stigmatisation of family forced an appeal to an organised group such as the Comadres, in order to seek the psychological and political support necessary for survival. It then explains her gradual involvement in the tasks of the group, beginning with the need to resolve a personal situation and evolving towards a commitment to the plight of other women, and eventually to the full recognition of her political role as a member of the Comadres, a group which is sustained by an ideology of motherhood which aims to open a political space by denouncing the repressive nature of the present Salvadoran government.

The second section of the testimony is less personal, analysing the history and development of the group. The Comadres began as an association of the victims of political repression and eventually became a fully-fledged organisation with ample international recognition. It is devoted to the defence of fundamental human rights, with an impressive array of strategies and experiences designed to counteract