

Human rights:  
universal or a  
western construct?



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Since the beginning of Human Rights until recent Human Rights issues, the interpretation and concept of Human Rights have been diversified significantly. Western construct have played a big role in the creation of Human Rights and in questioning the meaning of 'universal' rights. "The rights one has because one is human" is a clear and concise meaning of human rights, which is an appurtenance to an individual, where certain parts are not included, such as benefits. The western ideology of Human Rights have greatly inputted in Human Rights through various concepts that have been introduced to non western societies. These various concepts of western construct have influenced Universal Human Rights, where western politics have greatly altered the concept of Human Rights, also through colonisation which is particularly affected Indigenous communities, and by western cultures and societies. The western construct of Human Rights is eminently viewed in Human Rights, which are present in both western and non western societies.

Human Rights have gradually been altered and changed to insert western values and political thoughts into non-western states and societies. The western political emphasis for "the right to development and to freedom from hunger" is predominate in Africa as a right. Yet, some of these rights do not correlate within societies in Africa. In result of this, many African leaders repudiated western political emphasis of Human Rights into their societies and designed their own Human Rights Charter, or also known as the "African (Banjul) Charter on Human Rights", to suit their society. <sup>3</sup> Even though the African Charter was created to suit the African society, western political influence is still clearly evident in the charter. "Individual freedoms and

rights as values” has lost its significance in non western political thought, which is much of a variance, though non western societies have trouble determining this significance that would be easier in western societies. Political influence is widely viewed in Human Rights and it influences the rights that are also used in non western societies.

The western concept was also brought through colonisation and it too affected the Human Rights significantly. It is how the western ideology was introduced in non western societies. Colonialism creates the basis and idea of Human Rights throughout history. The colonisation of certain states that have Indigenous People has influenced the Human Rights that are present in their societies. The fleet that arrived in countries with Indigenous People, particularly Australia, were asserted in the Indigenous Community without their permission, thus resulting in ascendancy in the communities. Bringing “civilisation” and “the religion of Christianity” was a priority for the fleet, to introduce them with their style of Human Rights. Though, this occurrence ended in a bloody way by killing and damaging many of the Indigenous People in order to universalise “universal moral values.” Indigenous People were greatly affected through colonisation all due to insertion of western construct of Human Rights, which resulted in many casualties questioning whether basic Human Rights have been breached just for introducing the western construct of Human Rights.

The post colonisation period, many Indigenous people have been ridiculed and degraded in society. Many rights, which are of western construct, are evident in the Indigenous society, where it lacked some rights or in some cases the rights did not fit in. Group rights, which are rights intended for a

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group of people, created problems in the Indigenous community. Group rights were mainly to do with economy and social class, rather than individual problems such as racism and ethnicity. Some speculate that if the existence of Group Rights was not evident, "ethnic integration" would not have been as difficult, and an end to "ethnic hostility" would have been seen. 6 Indigenous People are seen to be excluded from the "social life" and "economic opportunity", through practical questions such as "why are their health conditions worse?" et cetera. Only a handful of governments apologised to the Indigenous People, which brought them closer to the western society and the reconciliation process was starting to take effect. 6 Colonisation was seen to affect Indigenous Communities and result in western rights implemented into their societies.

Through colonisation, western culture has been introduced and changed, through Human Rights, in non western societies and cultures. It differs greatly from the cultures evident in non western societies. Indigenous Rights, in Latin America, was seen to be the main priority. It focused on the state abusing the Indigenous people and pushing for Indigenous people to have rights to their land and culture. The Spanish community and people in Latin America have been introducing western culture into the Indigenous community of Latin America, thus implementing the Human Rights as a western construct. It is evident that in Universal Human Rights, the "cultural imperialism" is dominant by the west. The argument brought by Fernando Teson is that domination of certain attitudes seen in cultures, are accordingly "appropriate" and "moral. Another point Teson argues is that "ethnocentrism" that relativists view are not supplying the same basic rights

to “ non western cultures” as opposed to the “ western cultures” receiving those rights. Western culture has been a big influence in the non-western cultures and societies, it change the rights significantly in the non western society and adapted the western idea and thought but in the same time the western construct of rights was viewed differently in the non western cultures.

The western society has also greatly impacted on the non western society, with the influence of western life and living which altered the Human Rights, and thus impacting it on the non western society. Human Rights, to a certain extent, accepts the idea that they are “ rights of the human in society”. In 1789 the French recognised and stated the fundamentals of Human Rights which are evident in society, suggests that society too is in power to deliberate those rights, stating that western society can change and dismantle any specific right in any society. Edmund Bourke creates one of the most protruding “ historical criticism” of the notion that Universal Human Rights derives from western construct and western societies that are implemented into non western societies. He argues that the French revolution changed the rights of many individuals and groups in society into a western for of rights. Bourke’s “ Reflections on the Revolution in France”, states a large argument of “ traditional communities” and problems in “ traditional values”, such as “ religion and loyalty”, creates problems, disorder and integrity of western societies, thus the western societies alter many of the rights in order to suit their desires and to comply with the way they live Western society has changed many of the traditional concepts in

non western society, thus the western society impacting greatly on non western societies with Human Rights.

It is evident that the western construct has greatly impacted and significantly changed and altered the idea of Human Rights. These Human Rights are being implemented into non western societies, and the eastern oriental community are having to follow these concepts and ideas. The ironic title of The Universal Declaration of Human Rights is much seen as a western creation of Human Rights. The examples shown in this essay argues the idea of western construct in the universal human rights through various factors such as politics, culture, colonisation and society.