



# Analysis of Various Approaches Towards Realizing Human Rights in the Globalized World

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## Abstract

With the advent of globalization and world shrinking into a global village, countries are gearing up for the growth of economies. However, many countries are still struggling to make conditions favorable to realize the basic human rights of the citizens. In view of the troubling situation for human rights, this paper tries to look into different perspectives for better policy

framework in global world especially through capabilities and human rights approach and analyze and criticize the limitations of both approaches.

## Introduction

According to P. Vizard et al<sup>1</sup> capabilities approach and human rights approach both share same motivation i.e. dignity and freedom of individual. The authors have tried to establish a relationship between these approaches to arrive at a policy framework. Capabilities and rights are very broad concepts, which encompasses broader range of freedoms and entitlements and values. In a public policy perspective, capability approach gives importance to freedoms and opportunities whereas rights are based on the concept of values, accountability and obligations. There is increasing consciousness towards integrating human rights into the international law and public policies of the countries. The arguments given in support of human rights are ethical obligations but this reasoning lacks the specificity or weightage towards establishing human rights framework in policy documents or international law.

## Discussion

We agree with the authors that the role of capabilities is to assist individuals and countries to fulfill their potential to the fullest. But in the absence of any specific capabilities or preference for capabilities to achieve, the approach lacks completeness. The capabilities are a broader and noble concept and this itself increases its ambiguity and gives space for differential inferences for different contexts. Whereas human rights approach seeks to achieve values and promotes voice of the people thus giving power to the people. In the absence of any agreed upon policy framework for achieving human rights for the greater good, we need to investigate and come out with the most suitable and context specific factors.

Now thinking of achieving capabilities, we think of achieving human development that is be determined by needs than values. According to Schwartz<sup>2</sup>, values have different and variable importance and values serve interests of some sections of society. We can draw corollary from this that when goals of development are designed on basis of values, interests of some dominant sections of society will be served and excluding some sections that may result in conflict. For example the case of forests; the indigenous population values forest as a habitat and livelihood whereas forests can be a source of consumption for city dwellers.

Whereas when human developmental goals are determined by needs, the voices of the people are heard and served. There is more representation of masses in this approach. The needs are endless and meeting the needs is not a sustainable activity. The sustainable way of meeting needs is possible through designing of policy framework and incorporating human rights approach into the policies thus creating structures to cater the needs. There is always conflict of needs. The prioritizing of needs is a normative and involves value judgments based on dominant view. It is a question that who decides and prioritizes the needs.

As mentioned before, human rights approach have instrumental role in achieving social and economic rights of the people and in the process giving voice to the marginalized sections of the society. In view of this approach, I think rights-based approach to development is more effective. This approach is comprehensive and tries to understand inequalities, which are the root causes of development and address distribution patterns of power and discriminatory practices for speeding up the development process. According to OHCHR<sup>3</sup>, It seeks to develop capacities of both duty bearers and rights-bearers. Thus, this approach ensures that the duty-bearers understand and incorporate necessary rights in policy framework and programs and informing rights-holders about what rights they have and how to claim them in a constitutional and just way.

First, it prioritizes engagement of all the constituents in the development. There is accountability to constituents at all stages of development i.e. from planning, implementation and evaluation levels. Second, this approach is transparent in its intent and practice and conducts evaluation of the development from the human-rights perspective. Finally, the approach seeks to understand and analyzes power relations at every stage. Examining power relations is important, as there is danger of oppressed becoming oppressor. For example while working with women groups on right to credit, I realized that it is important to work with both borrowers and financial institutions. The borrowers need to know where and how to claim the credit and comply with the repayments. The financial institutions have to prioritize financial inclusion and serve small borrowers as well. I also realized that the leadership positions in the group be rotated frequently to balance power within the group.

It is difficult to demarcate between the two approaches in practice. The intervention addressing any issues should be a mix of approaches, which is appropriate for context and culture of the society.

According Sanjay Reddy<sup>4</sup>, there is less or no conversation between economists and proponents and basic difference in their viewpoint is about the process and outcomes. The

larger view is that economists are only concerned about the consequences or outcomes whereas proponents of human rights approach are not only concerned about outcomes but much more. Both the views can be argued for. Another imperative from the field of economics is in assessing the trade offs in achieving human rights. As it is said in legal language, the human rights are indivisible. The indivisibility of human rights is difficult to pursue in real world in view of the various constraints. According to OHCHR<sup>5</sup>, there is conflict prioritizing human rights even though there is no hierarchy. Certain rights have spill-over effects like right to education will help to realize right to health, food and decent work. With the constraint of time, resources, and bureaucratic structures and according to the need of the place, certain human rights need be focused first.

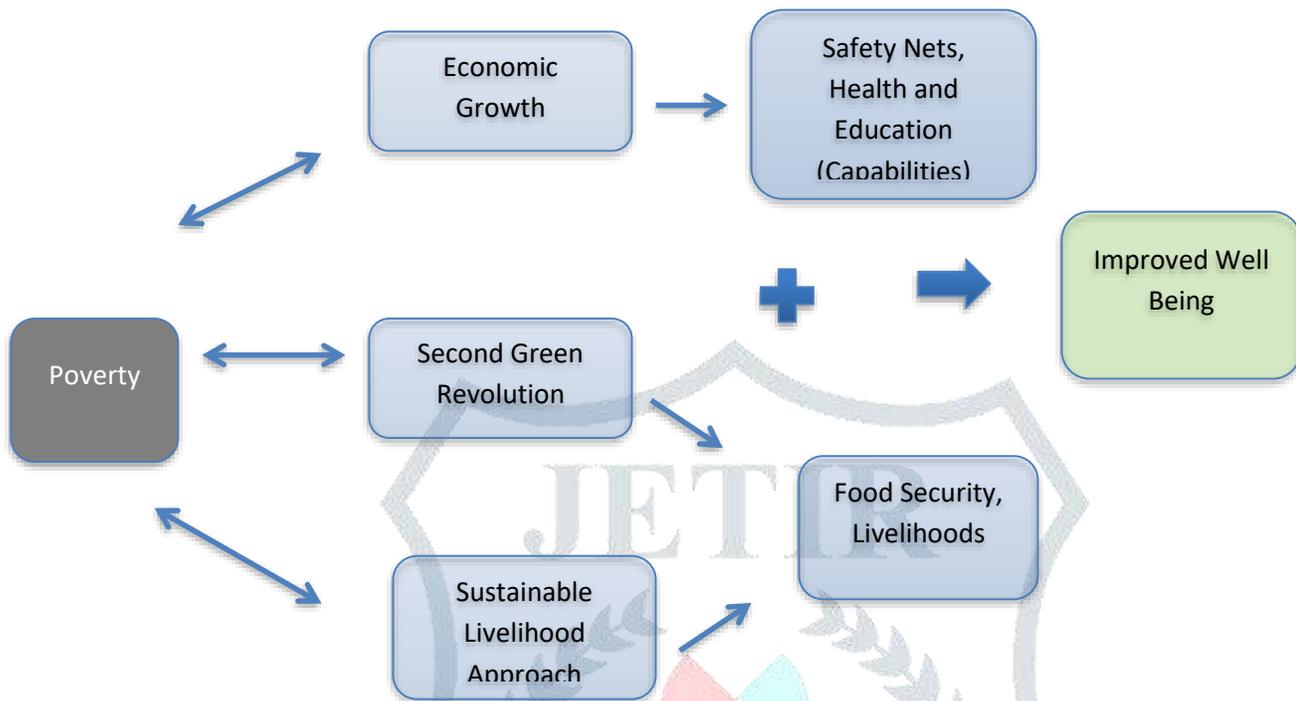
The consequentialist view of the economists has limitations. The economic growth is about bringing change. When we explain change, it is important to look into other factors that are resulting from economic growth. We believe that growth is a means but not an end in itself. Hence, there is a role of economic growth in realizing human rights and capabilities of the citizens. For example; growth is manifested in many ways. There is growth of income levels of people in urban area, there is growth in middle class and growth of incomes of some big farmers, booming share markets and increasing number of millionaires in the country. Other faces are growing number of women in workforce; reforms in land distribution resulting in equitable land distribution, extension of infrastructure to remote areas and flow of information about markets and political debates. NGO and advocacy movements emphasize more on the later part of growth manifestations which they think as capabilities.

Amartya Sen and Jean Dreze<sup>6</sup> in their article “Putting the Growth in Place” argues that “there is also an urgent need for states to intervene in destructive aspects of growth, including environmental plunder and involuntary displacement of communities that have strong roots in a particular ecosystem.” The growth-mediated development can reduce perpetuating inequalities and achieving capabilities.

## Recommendations

In view of the above debate between proponents of human rights and economist, our approach to capabilities is pursued through dimensions of education, health, provision of decent work and increasing productivity and creativity of the people. These dimensions can be achieved by mix of strategies as shown in following theory of change diagram.

### Theory of Change



Critical issues in the achieving this balance are; first, the political will, political stability, and convergence of all the subsectors of economy hold the key coupled with good governance is important pre-requisite for expediting implementation, transparency in public spending and building trust of people in government. A strong, stable and efficient sovereign state with good international relations acts as a driver for growth of nation. State should constantly prioritize its policies through public debates, and learning from the failures.

#### References:

<sup>1</sup> P. Vizard et al, Introduction: Capabilities Approach and Human Rights (2011), pg. 1

<sup>2</sup> Shalom H. Schwartz, Basic Human Values: Theories, Methods, and Applications (2006)

<sup>3</sup>Office of the High Commissioner of Human Rights. Retrieved from

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

<sup>4</sup> Sanjay Reddy, Economics and Human Rights: A non-conversation (2011), pg 63-64

<sup>6</sup> Amartya Sen and Jean Dreze, Putting Growth in its Place (2011)

