

Turning a Blind Eye: the Tragedy of Convenient Human Rights
by David Cogle, 2L
www.coglelaw.com
Southern University Law Center of Baton Rouge, Louisiana

“One death is a tragedy; one million, a statistic.”

These were the words of Joseph Stalin, who, as the leader of the Soviet Union's Communist Party, was responsible for the killing of millions upon millions of Russian people through starvation, exhaustion from forced labor and the infamous Gulag. This observation, which is dangerously relevant today, exemplifies the idea that people become detached from the reality of human rights violations, dismissing them by an intellectual shrug of the shoulders through various techniques enumerated herein.

Hyperbole and Moral Indignation

Even the casual observer of television, radio or print media over the last several years would likely have been exposed to hyperbole, or gross exaggerations, such as the comparisons between the current U.S. President and Adolf Hitler by war protesters, the comparison of Guantanamo Bay detention facility to the Soviet Gulags by a U.S. Senator and proclamations that the U.S. Patriot Act has rendered the United States a “police state.”ⁱ When confronted about such exaggerations, the proponents claim they are simply fulfilling their patriotic and moral duty by calling attention to injustice, and the alternative is to remain silent, which is no different than *being* silenced, much like the prevailing policy in the particular countries and cultures on the more extreme end of the comparisons they make.

The danger in such exaggerations and the accompanying moral indignation is twofold. First, it belittles and diminishes the suffering of those who have lived through or currently live in such oppressive regimes, thereby discouraging the desire to bring about change. With the promotion of the idea that capitalism and corporations are more of a human rights concern than decapitations, rapes and genocides, the gravity of sincere human rights violations are trivialized. Second, it sets no standard for achievement. If a democratic culture which, although imperfect, ensures basic human rights that are foreign to many places in the world is so often *compared* to such places, would those who suffer truly be any better if they lived in similar societies that we, albeit by our actions and not words, “enjoy?” In other words, if there is a consistent verbal, political and moral equation between the government whose citizens have legal and public recourse when their most basic rights are violated through that government's policies or actions of their agents, to a government whose actual policy *is* to mutilate, rape and slaughter their citizens who don't even have guaranteed rights, is there any incentive to change?

Euphemism

The Newspeak that was popularized by George Orwell's famous book, *1984*, is prevalent today through the literary devices of euphemism and blatant denial of what is as obvious as the Emperor's nakedness in the childhood story, *The Emperor's New Clothes*. In the story, the Emperor paraded through his city's streets to show off his new clothes, which incidentally did not exist. However, as the Emperor himself was too proud to admit that he could not see the clothes that his servants had convinced him he was wearing, the people who saw him also refused to admit the absence of the clothing for fear of retribution. The situation was awkwardly concluded when a small child, unrestrained by the needs of intellectual and social approval, stated the obvious fact that the Emperor was stark naked.

Much like how the Nazis “answered” the “Jewish Question,” and in the same fashion the Soviets “liquidated” the Kulaks, modern societies bury obviously egregious human rights violations in words and phrases that trivialize a seemingly blatant violation of human rights and moral decency. Terms that have been popularized over recent years are those such as “ethnic cleansing,” which many people were first exposed to during the conflicts in Kosovo and now may hear on a regular basis regarding the crisis in Darfur. Even the simple reference to what is transpiring in Darfur as a “situation” does not adequately describe the slaughter that is taking place there, and serves to detach or belittle the gravity of a particular crisis.

Similar to the fashion that the “comfort women” euphemism was utilized to downplay the forced prostitution of women by Japan during World War II, some societies, particularly those in the Muslim world, justify blatant violations of women's rights and their virtual slavery through similar verbal downplay, defending the practice of treating women as property by saying they simply “hold them in high esteem” and “respect” them more. Many exterior observers condone their dismissal of such violations by claiming they are justified under the guise of being “religious” or more amorally, as “cultural.” By doing so, it is easier for those countries that have far more equity between genders to overlook what the objective observer would see as genuine violations of human rights. With a dismissive, “that's just how *they* are,” those who enjoy such rights convince themselves that the abuses “work” for those in such societies, and perhaps those in such societies subtly desire the specific abuses. In the West and other countries, particularly those that are democratic and have a high degree of human rights guaranteed to their citizens, euphemisms also abound with such issues as abortion and infanticide. Seemingly vicious and inhumane practices occur, such as saline injections to burn an unborn child to death, removing a nearly-born child from the mother then suctioning its brain and abandoning a newborn without care or supervision, allowing them to die. Such procedures are often advocated under more digestible terms by referring to the child as a “fetus”(which, coincidentally means “little child” in Latin), exercising the “right to choose” and “population control.”

Indeed, although it is often males that are preferred and females that are aborted, such practices are actually justified as the exercise of a “woman's right” and a testimony to her independence and liberation. The worth of the child is negated by usage of such euphemisms as “every child, a wanted child,” allowing the value of the child to be determined through the eyes of another, much like the arbitrary determination by leaders such as Hitler that a society would fare better “without” a certain class, race or type of people. The usage of such terms enable proponents to violate human rights while convincing the rest of that society to deny what would seem obvious by the usage of the more acceptable verbiage, blindness resulting from the ignorance of what takes place in the processes or their results and fear of social retribution for daring to question the party line – all of this shockingly similar to the same countries, societies or movements from which the West see themselves as having advanced and matured.

Although in the U.S., abortion and infanticide are far more controversial than in many other Western countries, which, coincidentally, are generally far more secular societies, in many ways they seem to have become less so. This is evidenced not so much by the percentage of people who are supportive or opposed to legalized abortion, but in the priority such an issue has in the moral totem pole of the average U.S. person. Although some would openly say they consider abortion tantamount to murder, they would not hesitate to support a political candidate who, for instance, seemingly supports the disposal of a *born* child like any other medical waste; they justify their support for the candidate by trumpeting a familiar theme: that they are open-minded enough to not be dismissive of a candidate on a “single” issue alone.ⁱⁱ However, if that particular candidate supported slavery, forced prostitution or some other blatantly controversial issue, that single issue alone would be sufficient for that individual

to not support such a candidate. The end result, unfortunately, is the continuation of such practices.

Narcissism

Although a dedication to human rights is often advocated as both necessary and moral, it is sometimes only done so for the sheer purpose of fulfilling a perceived obligation or perfecting an external view of one's self. Some individuals feel better about themselves and more morally upright if they are *seen* as caring or they personally *feel* as though they care, regardless of whether their subsequent actions belie their concern. While some look to religion or a higher power to bring about an inner goodness or holiness, many measure their own self-worth by what they do, or at least *want* to do, for others. Whether it be something as simple and local as helping an old lady cross the street or volunteering at a homeless shelter, or something more global such as sponsoring a child in an impoverished country or volunteering for international social work, individuals pursue various paths to fulfill this duty.

While it may seem cynical to believe that the commission of such works is for self-fulfillment, it is certainly the case that many may engage in some acts at the expense of their own needs and wants, and are far more selfless in both their overt and covert intentions. Certainly, there are many altruistic aspects to the promotion of human rights by word and deed. However, as this particular subject deals with the problems of narcissism in relation to human rights, the reason for discussion is pertinent. If an individual is actually concerned and directly or indirectly helping others for the purpose of benefiting themselves, there is a fine line that they may draw as to how far they are willing to go in their concern and actions. For example, if a concern requires a sacrifice of their own desires, it is far easier to convince themselves and others that such a right is not worth fighting for, or more subtly, that such a right is not really a "right." In other words, through the use of the aforementioned euphemisms, the violation is not really a violation, but something which is acceptable due to a religion or culture, or the actual violation itself is buried underneath its preferred result.

The Root Cause

After the attacks on the United States of September 11th, 2001, there was much introspection by its citizens and curiosity by the rest of the world as to what exactly caused the perpetrators of the massacre to do what they did. Some were comfortable with a simplistic approach of good verses evil and that America had done nothing deserving the atrocities, and that the terrorists were simply evil men who desired to force the rest of the world to conform to their own evil ideas. Others believed that the negligence of the United States in complying to more United Nations demands had led to the result, and still others, such as a Saudi Prince said that it was important to look at the "root causes" of such an attack, implying that the United States brought the tragedy upon itself by its policies in the Middle East.ⁱⁱⁱ

The problem with the initial theory is that it is somewhat ethnocentric. In other words, it suggests that the United States, and perhaps the West in general, is morally and intellectually superior to the rest of the world and therefore not only acts in the rest of the world's best interests, but that they can do no wrong. Although the United States has historically been a force for good in terms of such catastrophes as World Wars I & II, the Korean War and most recently the response to the Asian tsunami, each country's citizens demand they be *most* concerned with their own interests.

The problem with the second and third explanations is that they ultimately justify such behavior as acceptable in certain situations, particularly if there's a good reason for doing so. Truly, every terrorist has a *reason* for what they do. Perhaps they desire money, perhaps they desire release of some of their detained comrades or maybe they desire domination of government in terms of achieving a political goal. All of these are "root causes." However, do the motives justify the resulting actions?

Does the man who rapes a young girl not have a root cause for that action, such as the fact that he is attracted and wishes to have sexual intercourse with her, or more generally, the fact that he, as a man, is sexually attracted to women? Or what of the man who, not being content with his mediocre paycheck and small home, takes advantage of an opportunity to enrich himself by theft? Does the root cause, being more poor or less rich than he would prefer, justify the action itself? Does not every criminal in every jail on the planet not have a root cause for their actions? Surely, if the root cause were a justification for such actions, would all societies not be hypocritical in *any* punishment of crimes?

The relation to human rights is most apparent in the third explanation. The most obvious human rights violations in modern times have taken place and *are* taking place in the Muslim world. The current jihad in Darfur, where Muslims are slaughtering non-Muslims, has been in the news recently, but more relevant to the point is the longstanding Israeli-Palestinian conflict and its related issues, those of racism and terrorism.

Racism has been globally condemned for decades, and domestically in the United States, particularly given its past with slavery, the same has occurred. The issue of racism is always one of human rights, because the idea that one race, or group, is superior to another gives rise to the justification of the mistreatment of the perceived subordinate. The average person on the street of any Western, Asian or African country would agree with the phrase, "racism is wrong." The exception, however, is the Muslim world.

Whether it be in the media, from the imams at the mosques or even the indoctrination of children in the schools, the Muslim world is rife with racism against the Jews, often describing them as subhuman and referring to them as "apes" and "pigs." There are even calls by heads of state in the Muslim world for Israel to be "wiped out."^{iv} On its face, all of this seems horribly wrong, and if these ideas were promoted by most other societies in any other part of the world, they would be condemned. It would seem such mentalities would be scrutinized just as much as the Klu Klux Klan in America or Neo-Nazi and xenophobic groups throughout many Western countries. However, this is not so, and it is not so because it is justified by the idea of a *root cause*.

Moral Relativism

In modern societies, particularly in the Western world, there is an insatiable desire to be seen as tolerant and open-minded. There are certainly benefits to such characteristics, but there are also heavy costs, specifically in terms of human rights. As one culture or society does not wish to "step on the toes" of another culture or society, they oftentimes take an altruistic approach to the distinction between the two societies, even overlooking blatantly violative actions, behaviors and norms because of a view that, "perhaps that is just how *they* do things."

Moral relativism introduces the problem of the inability, or refusal, to determine what is good or evil. Now, a superficial look at that question may seem to be more specifically geared toward one's religious beliefs, but it is quite pertinent from a secular view in terms of human rights. One person may say cutting off the hand of a thief is wrong, but a society that has practiced it for centuries believes it is right. Who is correct? Vicious leaders of countries, throughout history, have orchestrated massacres of millions and millions of their own people, but were they wrong? If so, according to whom?

Obviously not every questionable practice is as black and white as a genocide, but what of the death sentence being imposed on those who leave Islam, which is the law in many Muslim countries? The practice is derived from both religion and custom, so who is an outsider of that culture or society to say such a practice is wrong? What of the forced abortions practiced in such countries as China? Where is the line drawn upon doing what is right and involving ourselves in the business of others?

Certainly such a line has been drawn in the Western world in such practices as abortion, as many individuals will say, “yes, I think the practice is wrong and I wouldn't do it myself, but I wouldn't tell someone else not to do it.” What is truly being said with such a statement? Do we think a practice is immoral, and likely a violation of human rights, but not sincerely enough to prevent another from committing it? Would any of us not intervene with something so blatant as a man beating another to death? Surely we would. However, if such practices were more common and the involvement of ourselves in them would cause us to be seen as *intolerant* and *close-minded*, would we be as likely to intervene?

Such issues are legally pertinent because a society will not support the legislation or enforcement of laws that they oppose. While such infractions as speeding on a street may be unpopular, particularly among those who enjoy speeding, society as a whole recognizes the need to regulate traffic for the safety of that society. The average citizen in any country would prefer not to be punished for a particular violation of the law, especially one they see as no great harm, but overwhelmingly they understand the need for laws to exist and to be enforced. Without laws and the enforcement of laws, there is not only no guarantee of human rights – there is no guarantee of a civil society.

The Answer: a Universal Concern for Human Rights

Many would argue there are existing remedies to these problems. Certainly the Universal Declaration on Human Rights provides many rights, protecting the most economically pertinent rights in the workplace and extending to equity between the genders as well as and the right to practice one's religion.^v However, as so many of the previous examples indicate, the rights enumerated in the declaration often carry little, if any, weight. If rights cannot be exercised, protected or enforced, do they have value or are they simply idealistic theories? What worth does a right to practice one's religion have in a country where they can be executed for doing so?

Ideally, the answer would be the universal institution and enforcement of laws that protect and promote human rights. But as the aforementioned techniques are so often employed, there is little motivation for, both morally and politically, the pursuit of any such remedies. After all, why draft or implement a law to deal with genocides and mass murders when they are morally equated to the “economic genocides” regularly carried out through the “evils” of capitalism and globalism?

The solution to these problems is not a simple one, and certainly not one that is without a requirement of sacrifice. However, the solution is worth the cost. We must think beyond ourselves and our own desires, beyond our borders and not simply to the planet we share, but our commonalities with those who we share it with. Not limiting ourselves to what is convenient for us, we must pursue what is *right*, no matter the sacrifice that is required. It is not enough to enumerate various ideal human rights in some grandiose charter or publication; those rights must be enforced without regard to difficulty. It is so easy to lose hope in the enforcement and concern for human rights when we do not see the results in some large and obvious fashion, but we must remember that if this pursuit results in a *single* individual, just one human being, living in peace and without fear of being raped, tortured or killed, it makes it all worthwhile. *They* are the motivation for this selfless pursuit and sacrifice.

- i Comments by U.S. Senator Dick Durban (D-IL), June 14, 2005 on the floor of U.S. Senate; <http://www.washingtonpost.com/wp-dyn/content/article/2005/06/21/AR2005062101654.html>
- ii U.S. Senator Barack Obama (D-IL) in opposition to the Born Alive Infant's Protection Act in Illinois, as a state senator; <http://thehill.com/campaign-2008/abortion-foes-target-obama-because-of-his-vote-record-on-illinois-legislation-2007-02-15.html>
- iii Comments by Saudi Prince Alwaleed bin Talal on October 11, 2001; <http://archives.cnn.com/2001/US/10/11/rec.giuliani.prince/>
- iv Comments by Mahmoud Ahmadinejad, President of Iran in October, 2005; first reported in Islamic Republic News Agency; also reported at <http://www.cnn.com/2005/WORLD/meast/10/26/ahmadinejad/>
- v U.N. Universal Declaration of Human Rights, Articles 2, 18 & 23, Dec 10, 1948.