

# Human Rights and Multiculturalism

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It is a special privilege to discuss human rights and multiculturalism at the first international conference on human rights in Brazil, at a time when the wide variety of considerations about principles that shape the law, morality and politics of human rights are being explored. As a member of the Bahá'í Faith, a worldwide multicultural community which believes that the direction of human rights must also be enriched by spiritual principles, my enthusiasm is heightened on this occasion. For I share your confidence that a global human rights culture is evolving, where, as suggested by Bahá'u'lláh, the Founder of the Faith, "an equal standard of human rights must be recognized and adopted."<sup>1</sup>

The theme of "multiculturalism" includes the question whether international human rights, for example those contained in the Universal Declaration of Human Rights and the International Convention on Economic, Social and Cultural Rights, are applicable to *all* societies; or can those rights be differently interpreted and applied by States on the grounds of political, economical, cultural, or other differences. Notwithstanding that the recognition of human rights represents an attempt to legitimise a set of worldwide, overarching values, the universal characteristics of human rights is a large part of the difficulties of justifying them in a multicultural world. Although many right measures have become a part of international customary law and national positive law, human rights claims in general appeal to moral principles. Thus, the concept of human rights remains close to the idea of justice.

The issue has created a great deal of tension between the basic moral force of human rights, their increasingly legal nature, and the fundamental principles of justice which human rights imply. The discussions have led to a good deal of agreement that human rights rest on universal principles of morality, or justice, which are open to a process of change. Fortunately, the debate has, as well,

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further entrenched the doctrine of human rights as a prime philosophical source of political and social reform. Moreover, the difficulty has highlighted the rich diversity of the human family, which is both its glory and its strength and conclusive evidence of the success with which man has adapted to the diverse conditions of his planet.

Such observations suggest that in a first conference called to discover practical measures for strengthening the human rights movement, in the face of the monstrosity of “ethnic cleansing”; the horrors of racism; the perverted passions of religious animosity; the extermination and marginalization of indigenous peoples; the victimization of women; and other symptoms of the disease of disunity afflicting mankind, a consideration of guiding principles, found in law, and other fields, including religion, that could broaden insight about some basic values accepted by a great many cultures and promote the universality of human rights principles, would be appropriate.

Here we approach the heart of the matter. Are there directive principles, in addition to those already established in the Universal Declaration of Human Rights, other rights instruments, and elsewhere—such as the “dignity of the human person,” which might influence perceptions and attitudes about the conceptual framework and scope of human rights? It appears that reference to the principles of the oneness of mankind and unity in diversity—fundamental principles of the Faith—could invigorate the process.

Thus, an essential reference for my remarks on the challenges connected with human rights in a multicultural world, is that:

The bedrock of a strategy that can engage the world's population in assuming responsibility for its collective destiny must be the consciousness of the oneness of humankind. The human species is an organic whole, the leading edge of the evolutionary process ... What the peoples of the world are experiencing, Bahá'u'lláh, the Founder of the Bahá'í Faith, said is their collective coming of age, and it is through this emerging maturity of the race that the principle of unity in diversity will find full expression.<sup>2</sup>

In this discussion, some issues involved in the challenge of promoting the universality of international human rights are addressed. A review of some basic values in international instruments which are accepted in a broad sense by all peoples is presented, along with a tentative exploration of the relation of the Bahá'í principle of the oneness of mankind to human rights. Some practical implications connected with the learning principles in relation to the rights of indigenous peoples and minority groups are outlined. Comments on the merits of an multi-disciplinary approach for fostering human rights, including

the role of religion and the importance of human rights education, are also presented.

### The Challenge of Universality

In 1945, the United Nations took a revolutionary step by including human rights in Article I of its Charter as one of its basic aims. For the first time human rights were elevated to a position of global concern, described by Winston Churchill as “the enthronement of human rights.”<sup>3</sup> The concept of human rights, traditionally known as natural rights or the rights of man, that had been purportedly internationalised, was that a person had human rights simply because he or she is a human being. The view of cultural relativism, under the doctrine of “multiculturalism,” was inserted into the human rights discourse in 1948, when the American Anthropological Association rejected the applicability of any Declaration of Human Rights to mankind as a whole. Its statement explicitly stressed that “the rights of Man ... cannot be circumscribed by the standards of any single culture, or be dictated by the aspirations of any single people.”<sup>4</sup>

From the perspective of relativism, cross-cultural judgments are opposed on the grounds that there are no overarching, universal moral truths, or principles, or universal cultural ideals. It has been argued that many human rights norms possess a distinctively Western or Judeo-Christian bias, reflecting assumptions that the values of other cultures, peoples and races are inferior. Hence, it is asserted they are ethnocentric. For instance, the notion of universal human rights has been opposed in Asia and Africa on the grounds that Western notions of human rights are founded on the idea of the personal autonomy of individuals, which those cultures do not hold as a fundamental virtue, in contrast to communitarian values. Relativists further contend that other cultures have virtues of their own, to which their members are held accountable.

Another argument in favour of cross-cultural relativism, is the view that developing states cannot be expected to implement political and civil rights fully, as long as they have not reached a level of economic development; these states must give priority to economic development, in order to facilitate the realization of civil and political rights. The international instruments themselves attach equal weight to both sets of rights. Furthermore, the United Nations General Assembly and the United Nations Commission on Human Rights have confirmed that human rights are indivisible, interdependent, and deserve the same amount of attention.

The theory that human rights are relative has gradually lost ground. Cultural relativists have found it increasingly difficult to sustain their position.<sup>5</sup> Some

have conceded that there are some global values to which all peoples and cultures may be held accountable. For example, no culture tolerates indiscriminate lying, stealing or violence within the group. The universality of incest taboo. A limitation on the number of deaths that might be inflicted in legitimate acts of revenge. The universal acceptance of the Golden Rule, a universal principle for human relations, as a fundamental ethical truth.

Under what has been termed a “Minimal Globalism,” it is thought that the concept of human rights is universal but that rights vary among different societies.<sup>6</sup> The acceptance of particular moral principles and legal entitlements often evolve to stages of acceptance and implementation over time. Historical developments certainly support the view. For example, religious, racial, sexual and ethnic discrimination have been widely practiced but are indefensible today. It is generally agreed that “core rights,” such as the right to life, security of person, prohibition of discrimination, and freedom of thought, conscience and religion are not subject to cultural definitions and applications.

The view remains compelling that since 1946 when the signatories of the United Nations Charter affirmed their faith in fundamental human rights, basically on the principle of the dignity and worth of the human person, no state can claim that the denial of such rights to its own citizens is solely its own business. To this end, in 1993, at the World Congress on Human Rights, the representatives adopted by consensus the Vienna Declaration, which states of “all human rights and fundamental freedoms for all” articulated in the Universal Declaration of Human Rights and elsewhere: “The universal nature of these rights and freedoms is beyond question... Human rights and fundamental freedoms are the birthright of all human beings; their protection and promotion is the first responsibility of Government.”

Obviously the guiding principle of the universality of human rights has been subject to the exigencies of special political interests; for the human rights movement is not inseparable from the political process. Yet, it is plain that a broader acceptance of the universality of rights, limiting what a state may do to its citizens, seems to be precisely what the political problems of our age urgently require. The world has undoubtedly gained a great deal from the fact that since the acceptance of the Universal Declaration efforts for the implementation of basic human rights have become increasingly a feature of international relations, conventions and diplomacy. The massive violations prove, however, a cynical disregard of its principles on the part of some governments. There are still innumerable persons oppressed who have not yet felt the benefits of the principle of universality.

For my part, I am delighted to say that as early as 1947, the Bahá'í Faith, in a written presentation to the United Nations Commission on Human Rights, offered its support for an international system of human rights.<sup>7</sup> The perspective of the Faith regarding the principles of the oneness of humankind and unity in diversity was presented. Subsequently, the Bahá'í International Community has consistently shared the merits of this fundamental ideal. The following is a representative statement:

The goal of the international community is to build a world family of nations, whose members have equal rights, privileges, duties and responsibilities, and share a dedication to peace and to the upholding of a common set of human values; to create a global society which protects the human rights of every member, respect his dignity and individuality, and provides for the full development of his potential, so that he may be of service to his fellow human beings and make his contribution toward the building of an ever-advancing civilization.<sup>8</sup>

More recently, the Statement of the Bahá'í International Community, *Turning Point For All Nations*, presented on the Occasion of the Fiftieth Anniversary of the United Nations, offers new ways of thinking about human rights, within the broad context of the evolution of an integrated global society. "The way has been cleared for new definitions of human rights and affirmation of personal dignity," it states, and that "new levels of consciousness have been reached on global programs to promote... human rights..."<sup>9</sup>

Accordingly, it is highly encouraging, that from the universality relativity discussions powerful insight has emerged about our rich diversity of cultures, and some specific features of African, Asian, and indigenous cultures, to mention only a few. A deeper appreciation has thus been established for the global moral imperatives in the holy scriptures of the world religions, which are the root-genesis of the spiritual values found in human rights instruments. A broader awareness has developed, given the evolutionary nature of human rights, that different cultural traditions may contribute positively by raising new areas of concern, adding more rights, and generally informing the movement with additional values.

### **The Oneness of Mankind as a Normative Concept**

I turn now to a consideration of the possible advantages the principles of the oneness of mankind may hold for the ideal of human rights. The legal instruments and the literature on human rights demonstrate the critical role that

principles have played, and are playing, in the search for a world view that would support a viable foundation for human rights. References to such moral principles, or basic values, as human dignity and non-discrimination are in a great number of legal instruments. The description of the moral values are expressed variously as human rights “principles,” “universal principles,” “ideals,” “values,” “concepts,” “goals,” “fundamentals,” “norms,” “axioms,” “standards,” and “utilities.” Of course, the merit of these normative concepts is that they do not offer a detailed statement of vision, or scope, or practical measures for implementation. They provide a dynamic, a perspective, and a will for achieving the undertaking. They influence perceptions and attitudes, which invigorates the process of the evolution and implementation of human rights.

Suffice it to recall, as well, that many international human rights instruments declare that their contents are based on “the principles proclaimed in the Charter of the United Nations.”<sup>10</sup> Many affirm, “the principles of the Universal Declaration of Human Rights”<sup>11</sup>, which was put forward principally as a statement of ideals, elaborating “classical principles.” Other Covenants are based on “respect for the principle of equal rights... universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion”<sup>12</sup>; “the principle of the dignity and equality of all human beings”<sup>13</sup>; “the principle of non-discrimination”<sup>14</sup>; “the principle of equal remuneration for men and women workers for work of equal value”<sup>15</sup>; the “Declaration of Basic Principles on the Independence of the Judiciary”<sup>16</sup>; and the “Declaration on Social and Legal Principles relating to the Protection and Welfare of Children...”<sup>17</sup>

The universal principle of the “dignity of the human person” occupies a prominent position. It appears in the Preamble of the United Nations Charter as an ideal that “we the peoples of the United Nations” are “determined” to achieve. It is included in the first Article of the Universal Declaration of Human Rights, as well as, in the other documents constituting the International Bill of Human Rights, in various resolutions and declarations of international bodies, and in national constitutions. It has acquired such approbation that it is invoked widely as a legal and moral ground for championing human rights. Indeed, it has been described as the “supreme ethical principle,” the “emancipatory principle underlying human rights.”

All I have expressed, thus far, demonstrates that principles have far-reaching implications. Before proceeding further in this direction, however, I am sensible that lawyers often prefer discussions that give specificity to the concept of legal rights and duties, and the implementation and realization of recognized rights. More often than not, the discussions are technical rather than ethical in character. The view is still heard that positive law, in contrast to

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moral values or moral law, is the only law which it is worth thinking about. However, it is thought that lawyers and legal positivism might serve to make the public more conscious of what morality is. In this regard, I remind you that Law Faculties around the world were the first to study the doctrine of human rights in an objective manner.

Inquiries concerning principles of human rights are intimately connected with the jurisprudential search for the ultimate values of legal ordering. It is generally accepted that the source of justice is in the law, and that one cannot talk for long about law without entering into the realm of value. It is intimately linked with justice, and in its entirety is seen as a system of justice. The human rights field, in particular, offers golden opportunities for connecting the rise of a value-oriented jurisprudence, not only on the premise of a revival of natural law philosophy, if you wish, but by reference to certain spiritual and evolutionary forces which are pushing law forward towards a field, which might be termed, "Law and the Oneness of Humankind." It is in this direction that law and lawyers, as servants of justice, would develop more capacity to serve a unified world.

I am also aware that the term 'principle' in the Declarations and Conventions, and elsewhere, seems to have lost much of its sense of an ontological source for practical, effective programs of action. In many instances the call for a radical approach based on principle, or a decision, or a course of action based on principle, is taken to suggest the notion of a static proposition or the pursuit of expediencies of national, ethnic, or local interests. Moreover, following the recent unleashing of deep-seated hatred, which has given way to the recurrence of that monstrous spirit of "ethnic cleansing" in the former Yugoslavia and Rwanda, it might be thought that a return to what may seem so slight a thing as principles to animate the human rights movement misconceives the depth of the suspicions and fears and cynicism, neopragmatism, and disunity afflicting mankind. However, the place and role of principles is undoubtedly part of the process of the evolving consciousness for new ways of thinking and expressing commitment that must be had in the human rights movement.

Thus, it is extremely heartening that in the face of chronic disillusionment over religious extremism, racism, poverty, hunger, and violent atrocities, Mary Robinson, President of Ireland, who will soon take up the appointment as the United Nations High Commissioner for Human Rights, in the position of General Reporter at the Council of Europe's Preparatory Meeting for the 1993 World Conference on Human Rights, raised an urgent call for a return to principles in this striking manner: "...I share with you a firm and tested belief in the power of ideas..."<sup>19</sup> In the same manner, Ervin Laszlo, one of the foremost exponents of systems philosophy, a member of the prestigious Club of Rome

and Rector of the Vienna Academy for the Study of the Future, declared: “We have all forgotten the importance and power of positive ideas and images of the future. We look upon the few remaining visionaries of a better world as naive optimists or harmless fools. Our societies suffer from an overdose of pragmatism combined with generalized but vague pessimism.”<sup>20</sup>

Approaches based on principles are in sharp contrast to the views heard in influential quarters that belief in the power of ideas, or principles, or a restatement of human values in relation to human rights, is utopian and a dangerous impediment to effective political action for human rights formulation and implementation.<sup>21</sup> And how far has the human rights movement advanced from those dark days when Jeremy Bentham objected to any declarations of the rights of man as empty “rhetorical utterances”<sup>22</sup> and Edmund Burke asserted that the sponsors of the French Declaration of the Rights of Man had done great social harm by proclaiming, what he called, the “monstrous fiction” of human equality.<sup>23</sup> The great international jurist, Judge Lauterpacht, once wrote of human rights: “Inasmuch as... they are an expression of moral claims, they are a powerful lever of legal reform. The moral claims of today are often the legal rights of tomorrow.”<sup>24</sup> And if the position of Justice Chukwudifu Oputa is true that men of action are mobilized to action by the power of principles,<sup>25</sup> then thinking about the nexus of universal standards to human rights is a serious undertaking. Particularly, when it is generally agreed that the inherent dignity of the human person is a primary normative standard of human rights. Although what is meant by “inherent worth,” or “inherent dignity” or “sacred nature” of the human person has not been universally agreed upon.

I am not suggesting here that the noble value—the inherent dignity of the human person—requires a universally agreed upon definition in general terms. However, analysis and detailed clarifications about its meaning might reduce specious use of the concept and broaden the impressive number of specific implications for relevant conduct that could be drawn from the principle. I agree with Alan Cranston that:

There is a connection between human rights being universal and their formulation being generalised and wide. The basic general principle of morality are minimal precisely because they are universal. Human rights rests on universal principles, but the precise moral rights of men in some communities differ from the precise moral rights of men in other communities, and this is one reason why the formulation of human rights cannot be at the same time closely detailed and of universal application.<sup>26</sup>



A considerable number of the features, implications, and practical requirements associated with the principles concerning the unification of mankind are outlined in the Bahá'í Writings. In support of the view that the principle of unity in diversity would complement those notable principles which have thus far animated the human rights movement, I would point out that in the scriptures of the Bahá'í Faith, the dignity of the human person has also been extolled:

Man,[is] the noblest and most perfect of all created things;<sup>27</sup>; “Lofty is the station of man!... His is the loftiest station, and his influence educateth the world of being.”<sup>28</sup>; “Regard man as a mine rich in gems of inestimable value.”<sup>29</sup> “It ill beseemeth the station of man to commit tyranny; rather it behoveth him to observe equity and be attired with the raiment of justice under all conditions.”<sup>30</sup> “Were man to appreciate the greatness of his station and the loftiness of his destiny he would manifest naught save goodly character, pure deeds and a seemly and praiseworthy conduct.”<sup>31</sup>

As you know, the term ‘principle’ is derived from the Latin word ‘*principium*’. It is compounded of the words *primus*, meaning first or chief, and *cipium*, meaning ‘to take’. Thus, a ‘principle’ is that controlling factor in human undertakings which must be considered first. It is first or chief among other factors, the primary source, or underlying faculty of an endeavour, upon which practical decisions and actions may follow. One of the functions is that principles indicate new approaches which ought to be taken.

Consistently, then, with a belief in the power of directive principles, the Bahá'í Faith, since its birth in 1844, has called upon the peoples of the world to explore the principle of the oneness of mankind. In a major statement on the function of principles in facilitating major world undertakings, the Universal House of Justice, the highest International Administrative Body of the Bahá'í Faith at Haifa, Israel, wrote:

There are spiritual principles, or what some call human values, by which solutions can be found for every social problem. Any well-intentioned group can in a general sense devise practical solutions to its problems, but good intentions and practical knowledge are usually not enough. The essential merit of spiritual principle is that it not only presents a perspective which harmonizes with that which is immanent in human nature, it also induces an attitude, a dynamic, a will, an aspiration, which facilitate the discovery and implementation of practical measures. Leaders of governments and all in authority would be well served in their efforts to solve problems if they would first seek to identify the principles involved and then be guided by them.<sup>32</sup>

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Here, then is an empowering principle—the oneness of mankind—representing, from the perspective of the Bahá'í Faith “the consummation of human evolution,” which, may be promoted in concert with the basic value, the inherent dignity of the human person, and other noble principles, that have quickened the human rights movement. As a further step in this direction, I shall next suggest some practical implications of the principle that are not only compatible with the ideas of the inherent dignity and worth of human persons, but would serve to enrich these concepts, and others, which are basically linked with the idea of justice and equity, which the human rights movement implies. The following, most of which has been compiled from the Bahá'í Scriptures or statements presented by the United Nations Office of the Bahá'í International Community, also includes a few specific practical points concerning indigenous people, minorities and human rights education.

- First of all, the Bahá'í Writings emphasise that this noble principle is “no... mere outburst of... emotionalism or an expression of vague and pious hope... [nor] to be merely identified with a reawakening of the spirit of brotherhood and good-will among men... It implies an organic change in the structure of present-day society... It constitutes a challenge, at once bold and universal, to outworm shibboleths of national creeds... It calls for no less than the reconstruction... of the civilized world—a world organically unified in all the essential aspects of its life, its political machinery, its spiritual aspiration, its trade and finance, its script and language, and yet infinite in the diversity of the national characteristics of its federated units.”<sup>33</sup>
- The conception is “primarily directed against all forms of provincialism, all insularities and prejudices... social assumptions and religious formulae [that] have ceased to promote the welfare of the generality of mankind... [and] no longer minister to the needs of a continually evolving humanity.”<sup>34</sup>
- “...recognition of the oneness of humanity, appreciation of unity in diversity, and a sense of citizenship in a world community will be the best guarantee of improved human rights in the years to come...”<sup>35</sup>
- “...responsibility for ensuring equal rights for minorities falls on both majorities and minorities. Majorities have a special responsibility, for the sake of justice, to bring about the social and political adjustments which will enable minorities to exercise... their common and fundamental rights... Both must view minority issues in the context of an increasingly interdependent world... Attitudes must change. There must be a shift in the view of majorities towards oppressed minorities, and

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minorities must be freed from the sense of helplessness induced by prolonged discrimination... The challenge of changing attitudes... is not entirely within the ability of government to meet, as it calls for the influence of spiritual and moral principle... the principle which must govern any consideration of minority rights is the oneness of humanity... the diversity of the human family must be recognized as a source of enrichment rather than as a threat."<sup>36</sup>

- "Unity in diversity is at once a vision for the future and a principle to guide the world community. Not only must this principle come to animate relations among the nations... but it must also be applied within both local and national communities, if they are to prosper and endure. The unifying, salutary effects of applying this principle... would be incalculable."<sup>37</sup>
- "...education is indispensable to the realization of human rights. Education which instills in hearts and minds an awareness of and sensitivity to human rights of all persons constitutes... an essential tool for the promotion and implementation of international human rights standards... [It] should constitute a comprehensive life-long process by which people at all levels of development and in all strata of society learn respect for the dignity of others and the means and methods of ensuring that respect in all societies... Human rights education, if it is to succeed, must seek to transform individual attitudes and behavior and thereby establish... a new "culture" of respect for human rights. Only such a change in the fundamental social outlook of every individual... can bring about the universal observance of human rights principles... Accordingly, it is essential to touch the heart... Such education, moreover, must help to instill in every individual a keen, emotionally grounded awareness of the fundamental unity of humankind. As people begin to see each other as members of one human family, they will become willing to discard negative learned stereotypes and begin to see people of other ethnic groups, nationalities, classes and religious beliefs as potential friends rather than as threats or enemies... Bahá'í communities... are already both promoting and providing education, based on the the principle of the oneness of humanity, which seeks to cultivate respect for the rights of others, a sense of responsibility for the well-being of the human family, and the moral attributes that contribute to a just, harmonious and peaceful world civilization."<sup>38</sup>
- "Moral qualities, sometimes referred to as spiritual qualities or human values, are the building blocks of human personality... The full power of these fundamental qualities can be released... only when they are

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acquired in the context of an understanding of the oneness of humanity and with attention to their application in action for the betterment of society as a whole. Indeed, unless applied universally and in action, these qualities can easily become little more than slogans, at times degenerating even to become excuses for prejudice and injustice... Moral education centered on an understanding of the essential oneness of humankind and applied on a universal basis constitutes an indispensable foundation for the universal respect for human rights."<sup>39</sup>

- The gradual recognition of indigenous peoples and minority groups is a pronounced example of how the dynamic concept of the principle of human rights is moving with the forces of history and oneness. Efforts for recognizing and protecting indigenous rights must be seen in a global context. No people should be set apart from the whole of mankind. The theme of oneness of mankind certainly includes the growing sense of the moral responsibility of humanity as a whole for indigenous peoples. The perpetuation of the cultural characteristics of peoples should be viewed as an expression of unity in diversity, which enriches the tapestry of human life. Often difficulties arise not because groups do not desire the development of their members and their natural resources, but because they are not consulted and do not reap the benefits of development projects. Human rights programs, and other programs, should instill in all people a sense of their worth as actual and potential co-builders of a world civilization, as channelled through cultural perspectives, which could enrich the entire fabric of civilized society.
- If affirmative action programs are advisable, the concept would give a larger vision of unity and oneness and that the initiative involves more than remedying past injustice. It would assist in approaching the more important question of how social unity among diverse groups can be best advanced. Such programs might assist in establishing a perspective, as practiced in the Bahá'í Faith, if there is any discrimination it should be in favor of the minority.

It may be seen in these statements that the principles of the oneness of mankind and unity in diversity could foster the adherence to values, such as unity, justice and consciousness of world citizenship. They would provide a framework upon which a new vision, new commitment and a new paradigm of unity can be constructed.

Of course, from the declaration of principles to their implementation, there is certainly a long and difficult road. Yet, the formal international recognition of global human rights has not only strengthened the struggle for international

justice, but increased awareness that change is a gradual process, requiring positive interactions of consultations and a broadening of vision. Still, it is readily acknowledged that the principles in international and regional human rights documents have influenced the content and practice of governments. The world has learned that the adoption of general standards formulated in terms of legally and morally binding treaties do not automatically transform into state practice. The era of universally accepted human rights points the way forward for consensus on binding values and irrevocable standards. The advantages of the principle of the oneness of mankind and unity in diversity might be explored, not as a detailed declaration of action, but as a help and support for those looking for direction, orientation and meaning of the larger purpose of human rights.

Finally, the universality of human rights needs to be viewed in context of an emergent unity paradigm, supported by the complementarity of religious, legal and other social perspectives. From a human rights perspective, conscious unification on a planetary scale is the process appropriate to humanity's maturity and growing capacity. And from this perspective, it is also clear that the international code of human rights has a clear bias in favour of the kind of society that displays a specific coherent set of spiritual values; tolerance of diversity; plurality of belief, ideas and cultures, reasonableness and rationality; the peaceful resolution of conflict under the rule of law; and, above all, respect for the dignity and integrity of every single one of its individual members.

Directly related to the topic of universality of rights is the emotional and difficult concern that support for the human rights for *all*, within a rigid "us" and "them" dichotomy, would compromise or destroy that loyalty all of us cherish for family, peoples and nation. In support of a radical new and far more dynamic approach to culture in the area of human rights, the Bahá'í Writings state:

Far from aiming at the subversion of the existing foundations of society, it [the oneness of mankind] seeks to broaden its basis, to remould its institutions in a manner consonant with the needs of an ever-changing world. It can conflict with no legitimate allegiances, nor can it undermine essential loyalties... It does not ignore, nor does it attempt to suppress, the diversity of ethical origins, of climate, of history, of language and tradition, of thought and habit, that differentiate the peoples and nations of the world. It calls for a wider loyalty, for larger aspiration than any that has animated the human race. It insists upon the subordination of national impulse and interests to the imperative claims of a unified world... Its watchword is unity in diversity.<sup>40</sup>

### A Multi-disciplinary Approach

The broad and inherent multi-disciplinary nature of human rights concerns and the requirement for the interaction of numerous programs of action are sometimes difficult for lawyers and legislators to accept. The language which human rights are formulated is primarily the language of law, but the combined forces of political, legal, religious and moral influences must be employed. Laws are insufficient alone to create a just global society. Promotion of a multi-disciplinary approach would greatly assist in raising the discussions to the level of principles.

It is becoming clearer that the root source of the problems of abuses of power, prejudices, and disunity have their origin in the malfunctioning of the human spirit. Thus, the legal rationality of human rights, though essential, is not a sufficient basis for the resolution of deep-seated prejudices and disunity. The challenge of changing attitudes is not entirely within the ability of the legal system and governments to meet. This does not suggest that the law has no deterrent or educative effects. It is only to suggest that changing the bad laws or introducing laws prohibiting certain activities is only a partial solution of the problem.

This may involve ensuring that a greater number from minority groups become members of the legal profession. It may also involve increasing understanding that governments have a peculiar interest in ensuring that human rights measures are enforced. The use of public agencies to promote and enforce human rights legislation should be encouraged. Victims of discrimination usually do not seek legal redress individually, either because they are not aware of the steps to take, or because such redress is disproportionately expensive. Thus, reliance on law enforcement by public agencies and private organisations is therefore likely to be very great. The operation of public human rights agencies should be seen as the enforcement of constitutional or particular provisions in the public interest on behalf of the community as a whole.

It is now well understood that a considerable amount of bias is either so covert, entrenched, institutionalised and systemic that the anti-cultural, or racist, or sexist practices, policies or rules appear neutral on their face, i.e., non-discriminatory and reasonable. In such circumstances experience and expertise are essential to detect the discriminatory operation, impact and effect of the prejudice and ferret it out. Well-trained human rights workers with a public agency can accumulate sufficient experience to uncover the discriminatory practice. The staff soon acquires the necessary expertise to recognize the subtle and insidious forms that discrimination and disunity take and the agency itself

becomes a clearing house for authoritative information on the problems of protected groups. The enforcement of the law by a state agency also educates the community both as to the law itself and on the importance accorded the state to the elimination of prejudice.

## Conclusion

It is to the credit of the organizers of this conferences that the participation from religious organizations has been so prominent. It is undoubtedly a major part of a multi-disciplinary approach that human rights promotion must be a meeting point for different religions. Historically, the religions of the world have been a fertile source of moral and ethical principles and practices. It appears that more and more critical thinkers are realizing that the contents and direction of human rights, in a contracting world community, must be enriched by spiritual principles and priorities.

The Scriptures of the Bahá'í Faith not only envisage a society in which the basic human rights and needs of each of its members can be met, but affirm that religion is the chief instrument, "for the establishment of order in the world and of the tranquility amongst all its people." The holy scriptures have offered a progressive vision of a fundamental global transformation that embodies a new set of principles for understanding and guiding humanity's relationships. Accordingly, there can be no question of the importance of religion as a source of moral values and principles and perspectives for the universalization of human rights values.

I have focussed on human rights principles because it seems important in a first conference on human rights to illustrate that principles are the means by which the law lives, grows, and demonstrates that it is not a mere collection of rules. Through the medium of principles, law, and in particular human rights concerns, we can draw nourishment from religion and from other fields. As I indicated earlier, only after World War II, a brief span of time in mankind's evolution, has there been a sustained effort to formulate the substance of what is now called human rights into principles of a global scope. Thus, given the dynamic and evolutionary nature of human rights, this subject lends itself directly to the view that the human rights movement needs to be viewed from a perspective that conscious unification on a planetary scale is the process appropriate to humanity's maturity and growing capacity for integration.

As a fundamental tenet of their religion, Bahá'ís are committed to the eradication of all forms of prejudice, including those based on race, ethnic origin, religion, sex or nationality. Believers are striving to build in Brazil, and com-

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munities around the globe, those new conditions of unity conducive to the universal enjoyment of rights and responsibilities, which the golden future of human rights in a multicultural world holds.

## Footnotes

- 1 'Abdu'l-Bahá (1982). The Promulgation of Universal Peace. Wilmette, IL: Bahá'í Publishing Trust. p. 182.
- 2 Bahá'í International Community (1997). The Bahá'í World 1995-96. Haifa, Israel: World Centre Publications. pp. 289, 290; From a statement presented by the Bahá'í International Community, at the 47th Session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Geneva, 31 July to 25 August 1995.
- 3 Cranston, Maurice (1973). What are Human Rights. New York: Taplinger Publishing Co. Inc. p. 3.
- 4 Ann-Belinda S. Preis (1996). *Human Rights as Cultural Practice: An Anthropological Critique*. Human Rights Quarterly, vol. 18. p. 287.
- 5 Etzioni, Amitai (1997). *The End of Cross-Cultural Relativism*. Alternatives, vol. 22. p. 177.
- 6 *ibid.* p.180.
- 7 Entitled, "A Bahá'í Declaration of Human Obligations and Rights."
- 8 From a statement presented by the Bahá'í International Community submitted to the Workgroup on Social and Cultural Dimensions of Development at the 33rd Session of the Sub-Commission on the Prevention of Discrimination and Protection of Minorities, Geneva, 26 August 1980.
- 9 Bahá'í International Community (1995). Turning Point For All Nations. New York: Bahá'í International Community United Nations Office. pp. 1, 3. A significant portion of the document deals with the subject. See the sections: *Protecting Fundamental Human Rights*, p. 16; *Strengthening the Machinery of the UN for Monitoring, Implementation and Follow-Up*, p. 17; *Encouraging Universal Ratification of International Conventions On Human Rights*, p. 17; *Assuring Respect for the Monitoring Organs Of The UN Involved In Human Rights*, p. 18; *Advancing the Status of Women*, p. 18.
- 10 See for instance, Preamble, International Covenant on Civil and Political Rights.
- 11 The Proclamation of Teheran, proclaimed by the International Conference on Human Rights at Teheran on 13 May 1968.
- 12 Declaration on the Granting of Independence to Colonial Countries and Peoples, General Assembly resolution 1514 (XV) of 14 December 1960.
- 13 Preamble, Declaration on the Elimination of All Forms of Racial Discrimination.
- 14 Preamble, Convention against Discrimination in Education.
- 15 Preamble, Equal Remuneration Convention.
- 16 Adopted in 1985 and endorsed by General Assembly resolution 40/32, December 1985.
- 17 Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally, adopted by General Assembly resolution 41/85, 3 December 1986.
- 18 Bielefeldt, Heiner (Spring 1994). *Human Rights in a Multicultural World*. Paper delivered to the Law Faculty, University of Toronto.
- 19 Robinson, Mary (1993). *Human Rights as the Dawn of the 21st Century*. Human Rights Quarterly 62Q. p. 630.



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- 20 Laszlo, Ervin (1989). The Inner Limits of Mankind. London: One World Publications Ltd. p. 59.
- 21 Donnelly, John (1989). Universal Human Rights in Theory & Practice. Ithica, NY: Cornell University Press. p. 6.
- 22 Cranston, p. 14.
- 23 *ibid.* p. 15.
- 24 *ibid.* p. 82.
- 25 Oputa, Chukwudifu Akunne (1989). Human Rights in the Political and Legal Culture of Nigeria. Lagos, Nigeria: Nigerian Law Publications Ltd. p. 38.
- 26 Cranston, *op. cit.* p. 81.
- 27 Bahá'u'lláh (1976). Gleanings from the Writings of Bahá'u'lláh. Wilmette, IL: Bahá'i Publishing Trust. p. 179.
- 28 Bahá'u'lláh (1979). Tablets of Bahá'u'lláh. Haifa, Israel: Bahá'i World Centre. p. 220.
- 29 Bahá'u'lláh. Gleanings. p. 260.
- 30 Bahá'u'lláh. Tablets of Bahá'u'lláh. p. 170.
- 31 *ibid.* p. 172.
- 32 Universal House of Justice (1985). The Promise of World Peace. Haifa, Israel: World Centre Publications. p. 13.
- 33 Shoghi Effendi (1980). World Order of Bahá'u'lláh. Wilmette, IL: Bahá'i Publishing Trust. p. 43.
- 34 *ibid.* 42.
- 35 Bahá'i International Community (March 1997). *Statement to the 53rd Session of the UN Commission on Human Rights*, Geneva, Switzerland. p. 3.
- 36 Bahá'i International Community (August 1994). *Statement to the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities*, Geneva, Switzerland.
- 37 Bahá'i International Community. *Sustainable Communities in an Integrating World*. p. 3. Based on a concept paper shared at the Second United Nations Conference on Human Settlements (Habitat II), Istanbul, Turkey, 3-4 June 1996.
- 38 Bahá'i International Community (March 1996). *Statement on the United Nations Decade for Human Rights Education*, submitted to the UN Commission on Human Rights, Geneva, Switzerland.
- 39 (23 April 1996). *Joint Non-Governmental Organization Statement to the 52nd Session of the United Nations Commission on Human Rights*, offered by the Bahá'i International Community, on behalf of thirty-four non-governmental organizations, Geneva, Switzerland. p. 4.
- 40 Shoghi Effendi, p. 41 .