

# Democracy, Human Rights and Development: *Emerging Issues*

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A new thrust for democracy and human rights is taking place now, at the end of a period characterised by Cold War politics. During the period of Cold War politics, democracy and human rights were concepts that were used as instruments by developed western countries against the Soviet block. The debate on human rights was enmeshed in East- West power politics, creating many complications.

The current world-wide interest in democracy and human rights presents a favourable climate for the human rights movement in developing countries. Organisations involved in human rights in these countries suddenly find that the language which they alone spoke a few years back is being spoken now by powerful Western governments, even by international financial organisations; they also find their struggles with their governments, so long an uneven battle, now supported with publicity and resources.

However, this is only one side of the picture. On the other, the present world context comprises many contradictory tendencies, presenting new problems for the human rights movement. These need to be identified and appropriate responses found so that the human rights movement can make the most productive use of the existing climate. The objective of this note is to identify some of these emerging issues.

## Universality of Human Rights

Although human rights are today considered 'universal', their origins are found in the history of Western Liberal thought and political experience. Because of these origins, some would question the universal validity of values of human rights as embodied in the International Covenants; an argument based on a notion of cultural relativism, that human rights as defined in those instruments have to be necessarily modified to suit specific cultural contexts, has already been used by some third world governments to oppose the present emphasis on human rights by developed countries. The criticism of the UNDP sponsored Human Freedom Index by the

Prime Minister of Malaysia is a case in point; similar arguments will probably be used more and more in the near future. The danger is that this argument could enmesh with the 'anti-imperialist third world line' very prevalent among many populist organisations, including some parts of the human rights movement as well. Proponents of the cultural relativist argument could very well find themselves in the same camp as the oppressive leaders of the third world.

Simply stated, the cultural relativist position on human rights tells us that individual rights and values are essentially a legacy of Western liberal experiences and that they are not integral to value systems in non-western cultures. It holds also that the Western emphasis on democracy and human rights in the third world is a part of the attempt to universalise Western political and cultural norms. However, this argument fails to take into account the social changes that have taken place in third world societies as a result of centuries of capitalist development. The politics of these countries have undergone profound changes in a process of transformation initiated during the colonial period. For example in a country like Sri Lanka, multiparty democracy, regular elections, values of individual freedom, etc are no longer alien ideas or practices. The growth of a popular base for democracy and human rights is evident even in a country like Nepal, which did not pass through a colonial period. In these circumstances, one cannot easily dismiss 'liberal' values as mere Western inventions; they are no longer alien to countries of the developing world.

The struggle for liberal democracy has developed, in the present phase of international capitalism, a broad social base in the third world. Some third world democratic movements have a history going back to several decades and in some countries to several centuries. There are tens of thousands of people engaged in this democratic struggle, making it a part of modern third world political culture. If these norms were not part of our culture during the feudal period, they are certainly a part of our modern culture.

## Human Rights, Democracy and Development : The Debate

The two international covenants on human rights cover civil and political rights as well as social and economic rights. There is a long →

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standing debate about the relationship between these two sets of rights. This question becomes even more important in the present context of the development debate where there is a strong push for a set of development policies that emphasises market-oriented development strategies.

Those who uphold the liberal theory of human rights would argue that civil and political rights have a priority over others and can be implemented immediately. It is also said that establishment of civil and political rights is a pre-condition for the achievement of social and economic rights. It is further argued that the capacity of a society to satisfy all social and economic rights would depend on its level of development; therefore, states cannot be expected to fulfill immediately their obligations in this area.

This point of view ties in neatly with the present interests of bodies like the World Bank and the IMF whose main objective is the integration of the third world economies into the world capitalist system. They expect that the establishment of 'good governance' -based on democratic politics, the due observance of human rights and the rule of law will make third world governments more open and accountable, thereby reducing the scope for undue political interferences in the development process and making it easier for market forces to work.

Social and economic rights are not an important concern in the formulation of structural adjustment policies advocated by these international agencies. On the contrary, some of their economic prescriptions will violate the social and economic rights of some groups of the population.

The counter argument reverses the relationship between civil/political rights and social/economic rights. According to this point of view, the observance of civil and political rights in a society can become a reality only if its people enjoy a certain level of social and economic rights. Otherwise, civil and political rights may be limited to mere formal institutions without people actually benefiting from them. These institutions become alive and operational in societies only if there is a conscious population able to make these institutions function; this can happen only if social and economic rights are satisfied at least to a certain degree.

Proponents of the primacy of social and economic rights argue that the denial of these rights has led to social instability and unrest, which is then met by repressive measures leading to violations of all human rights. They accuse structural adjustment policies of doing exactly that.

The relationship between development issues and human rights thus gives rise to many complex questions which cannot be understood through a discussion of the formal institutions of civil and political rights alone. The discussion has to be expanded to include the social impact of development policies.

### Human Rights, Military Expenditure and Strategic Interests

**A**lthough the world has seen the end of Cold War politics and a certain acceptance of norms on human rights internationally,

the world is still composed of nation/states with their own national and strategic interests. Instead of a bipolar framework which characterised the cold war era, it is likely future power politics in the international arena will be played out within a multi-polar framework. In such a situation, the political conditionalities promoted by the developed west can again become an instrument in this new power game.

More concretely, this could again mean the selective application of human rights norms depending on the economic and political interests of the developed west. For example, the Gulf War was a well publicised instance when the defence of democracy and the prevention of human rights abuses were used as a part of the legitimising ideology for the attack on Iraq. This argument was also used to send UN peace keeping troops to protect the Kurdish minority within Iraq. However, we do not hear the same rhetoric in support of the demand for democracy within Kuwait and Saudi Arabia, or when the government in Istanbul sends in troops to destroy Kurds fighting for their self determination. Examples of such selective application are found in Asia as well, for example, the attitude towards the violation of human rights by the Chinese government and the lack of consistent pressure on the Burmese regimes.

The use of political conditionalities to serve the strategic interests of powerful countries becomes even more apparent when the debate on human rights and democracy is linked with reductions in military expenditure. The argument here is that developing countries would not need to spend so much on military expenditure if they had stable democracies and upheld human rights; such resources could then be used for development purposes. This argument is being strongly pursued within aid agencies and the proportion of the budget devoted to military expenditure then enters the discussion on political conditionalities.

Here too, the newly awakened backers of democracy and human rights are using the same arguments and demands that have been used earlier by anti-war movements, peace movements, etc. The danger of selective application depending on the strategic interests of countries and power blocks exists here too. If the argument for human rights is used selectively against potential adversaries of developed western countries in order to limit their military expenditures, then we are once again in the arena of international power politics.

### Limitations of the liberal Theory of Human Rights

**T**he difficulties faced by the Human Rights movement in dealing with the above mentioned questions rise from the limitations of the liberal theory of Human Rights. Its theoretical framework is based on two categories - the nation state and the individual whose rights the state should protect. This creates a normative framework within which the behaviour of states can be judged on their adherence to this norm. The strategy of the human rights movement then is to develop consciousness in the civil society with regard to these norms and to pressurise the state to

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This framework however has no space for many issues posed by the real world today, some of which have been referred to earlier.

The assertion of the right of self determination by sub-national groups which is challenging the existing framework of nation states is another major issue; such movements, often violent, result in situations where there are massive violations of human rights. The existing human rights framework based on notions of nation states and individual rights are often inadequate to deal with these situations. What can then be the alternative?

The dominance of the liberal framework on human rights also contributes to a purely normative discourse on aid policies among the international aid agencies. Its objective then becomes the identification of policies and programmes to promote democratic development and uphold human rights in the developing world.

Policy analysis or policy discussion cannot avoid normative issues because of the nature of the subject itself. Policy making is always a question of making choices, often in a terrain of limited choices. Policy makers therefore tend to look at problems in terms of normative options. However, there is a great danger that the normative framework necessary for policy making could also become the theoretical framework for policy analysis and policy critique; then the theory itself becomes ineffective.

Donors caught up in this normative framework may well limit themselves to the identification and promotion of institutions of formal democracy. This may, on the one hand, generate objections to such imposition from developing countries and lead to the danger of the debate on human rights becoming another arena for North-South confrontation. On the other hand, normative policy discussions tend to simplify the process of democratic development and the growth of conditions necessary for defending human rights in developing countries. Democracy can then merely become a set of procedures nominally observed to be present - periodic and regular elections, a multiparty system, an independent judiciary, adherence to the rule of law, etc; their mere presence can then categorise a country as being democratic.

Of course, what is more important is an analysis of the actual functioning of these institutions at ground level. Take, for example, the establishment of a multi-party system as an element of democratic development. Can political parties in Sri Lanka be analysed only as instruments of the democratic process for changing governments? They have many other elements; they may be a means of accumulation for a certain section of the population through access to the resources of the state or an arena where pre-capitalist relations are played out in a modern form. The dominant liberal framework does not have room for these questions. What we need is a framework that will help us to understand all these dimensions. The analysis of liberal institutions has to go beyond the institutional arrangements, for such arrangements do not have in themselves a rationality for delivering democracy. They operate in a particular historical context and how they actually function in society and the role they play can therefore vary.

Another set of issues arises from the demand for 'participatory decision making', a dominant theme in the current development

debate. This demand expands the number of institutions that has to be included in the consultative process and also introduces the question of control of resources and power relations in society.

An essential condition for democracy to flourish is the strength of institutions in civil society that can be a countervailing force to the state. Democratic space for these institutions to exist and the democratic culture within them are important issues of democratic development. The discussion on 'popular democracy' expands the debate to these realms.

The historical conditions for the emergence of this debate is linked to the failure of democracy, as represented by liberal institutions to become meaningful to the large mass of the population in developing countries. This has created a thrust to expand the debate on democracy from organisations and groups that have played a countervailing role. It has been carried out with a critical consciousness and always with the assumption that there were serious limits to the existing institutions. As a result most of this advocacy work originated outside the state structures and depended on an empirical sociological tradition of determining what democracy meant in actual life rather than to an analysis of given institutions and structures. It is important to bring this debate into policy oriented discussions; otherwise, there is a danger that the discussion will be confined to an ideologically inspired attempt to introduce certain democratic norms to the third world, attempts which assume that there are 'quick recipes' for establishing democracy. In the first place, such attempts might not succeed because there is no understanding how these institutions have worked in third world contexts; secondly, there is also the danger that it will bring a political backlash which will endanger even the existing democratic space.

Finally this new interest in promoting democracy and human rights is taking place in a terribly unequal world; this means that the promotion of democratic norms is taking place in a world context which is thoroughly undemocratic. Changing this unequal power relation on an international scale poses many problems. However at least the question of democratising the decision making process in international institutions which are fast becoming instruments of a world government should be posed. This is a logical extension of the interest for democracy within nation states.

Despite these problems and contradictions, the human rights movement in developing countries cannot afford to respond negatively. The existing climate should be made use of in order to promote human rights and democracy in developing countries. On the other hand, human rights organisations, specially those based in the west, should be aware of these contradictions. Otherwise the possible North-South confrontation between governments over human rights can creep into the non-governmental movement as well, as seems to be already happening within the environmental debate. Thus there is a dire need for a dialogue between human rights organisations of the North and the South so as to evolve a creative response to the present situation. This will help in evolving a strategy which can make the maximum use of the present climate for the purpose of promoting human rights and democratic development. ■