

## Principal Review on Human Rights Violation in the Society: Causes, Consequences, and Responses.

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### ABSTRACT

Human rights violations are often particularly severe in societies that are undergoing significant political, social, and economic transformations. Improving human rights practices in societies should therefore be a central goal for domestic reformers and the international community. This makes sense not only because of the intrinsic value of improved human rights protection, but also because of the indirect effects that such improvements have on democratization, economic development, and conflict resolution. The review will enlighten more on the factors predominantly responsible for human rights violations in transition societies, long-term consequences of such violations, and political remedies.

Keywords: Human Right, violation, Government and Society.

### INTRODUCTION

Human rights are moral principles or norms that describe certain standards of human behaviour and are regularly protected as natural and legal rights in municipal and international law [1]. They are commonly understood as inalienable, fundamental rights "to which a person is inherently entitled simply because she or he is a human being" and which are "inherent in all human beings", regardless of their age, ethnic origin, location, language, religion, ethnicity, or any other status [2]. They are applicable everywhere and at every time in the sense of being universal, and they are egalitarian in the sense of being the same for everyone. They are regarded as requiring empathy and the rule of law and imposing an obligation on persons to respect the human rights of others, and it is generally considered that they should not be taken away except as a result of due process based on specific circumstances for example; human rights may include freedom from unlawful imprisonment, torture, and execution.

Human rights violations are often particularly severe in transition societies that are undergoing significant political, social, and economic transformation [3]. Improving human rights practices in

transition societies should therefore be a central goal for domestic reformers and the international community alike. This makes sense, not only because of the intrinsic value of improved human rights protection but also because of the indirect effects that such improvements have on democratization, economic development, and conflict resolution. To address transitional human rights problems constructively it is necessary to understand both the international regime pushing for human rights improvements and the main sources of continuing violations. The international human rights regime consists of international and domestic norms and standards, on the one hand, and of practical promotion efforts by intergovernmental organizations (IGOs), non-governmental organizations (NGOs), and sovereign state policies, on the other [4]. The main sources of continuing violations are hypothesized to be political regime type and political leadership, political cultures and national identities, economic structures and interests, and civil and international military conflict. Transitional human rights violations are common because the international and domestic factors favoring improved

human rights are so often overwhelmed by international and domestic factors favoring continued violations [5].

### **Causes of Human Rights Violations**

They are various causes of human right violation in the society today, below will enlist just few for consideration [6].

#### **1. Corruption**

Corruption which is the misuse of public office for private gain is immoral and bad in numerous ways, but it's not a human rights violation. At least not as such, because human rights law doesn't contain an explicit right not to suffer the consequences of corruption. However, it is the case that corruption causes various rights violations. For example, it can often be viewed as a form of theft and hence a violation of the right to private property. And in the case of corruption in the justice system, the right to a fair trial is violated. Moreover, corruption has a negative impact on GDP mainly because it's a tax on investment and hence also on poverty reduction (given the correlation between GDP and poverty reduction). And there is a right not to suffer poverty. Corruption also has an impact on poverty on the level of individuals rather than countries. It's obvious that individuals especially those who are poor or near the poverty line can make better use of the funds that they have to spend on bribes. Furthermore, corruption eats away at the rule of law [7]. Even in the most corrupt countries, corruption is usually illegal. If illegal activity becomes normal practice, the rule of law is obviously undermined, with possible consequences for judicial protection in general, including protection of human rights. The rule of law is also harmed directly by corruption, namely by corruption inside the judiciary and the police force, and this has an immediate impact on human rights. Even more seriously, corruption is associated with political instability since it tends to reduce citizens' trust and faith in institutions. It can therefore destroy democracy, and democracy is both a human right and a means to protect human rights in general.

#### **2. The Just World Fallacy**

It seems that we want to believe that the world is fundamentally just. This strong desire causes us to rationalize injustices that we can't otherwise explain: for example, we look for things that the victim might have done to deserve the injustice. The culture of poverty is a prime example, as is the "she asked for it" explanation of rape. This fallacy or bias is obviously detrimental to the struggle against human rights violations, since it obscures the real causes of those violations. The belief in a just world makes it difficult to make the world more just. And even if its effect on human rights was neutral or positive, the fallacy would be detrimental in other ways: it doesn't help our understanding of the world to deny that many of those who are lucky and who are treated justly haven't done anything to deserve it, or that many of those who inflict injustices get away with it. The prevalence of the fallacy can be observed in popular culture, in which the villain always gets what he or she deserves; the implication is that those who "get" something also deserve it [8]. Psychologists have come up with different possible explanations of the just world fallacy. It may be a way of protecting ourselves: if injustices are generally the responsibility of the victims themselves, then we may be safe as long as we avoid making the mistakes they made. The bias lessens our vulnerability, or better our feeling of vulnerability, and therefore makes us feel better. Another explanation focuses on the anxiety and alienation that comes with the realization that we live in a world rife with unexplained, unexplainable and unsolvable injustices [9]. The fallacy is then akin to religious teachings about the afterlife, which are sometimes viewed as mechanisms for coping with the anxiety and alienation caused by mortality. Melvin Lerner explains the just world fallacy as a form of cognitive dissonance: "the sight of an innocent person suffering without possibility of reward or compensation motivated people to devalue the attractiveness of the victim in

order to bring about a more appropriate fit between her fate and her character”.

### **3. Adaptive Preferences and False Consciousness**

Human rights violations persist not only because governments continue to oppress. When people are faced with oppression or a reasonable assessment of the risk of oppression they adapt their preferences so as not to run foul of the government [9]. For example, they convince themselves that speaking freely in public or publicly practicing their religion is not really what is most important to them. They settle for second best, and often in such a way that they forget about the first best and kid themselves that second really is first. It's a form of false consciousness induced by an oppressive government. This pliability of human preferences is well-known, advertising depends on it but it's also disturbing because it means that human rights violators just have to push harder and be a more credible threat in order to get people where they want them. In fact, it allows oppressors to make allies of the oppressed: the oppressed assist the oppressors in the act of oppression [10]. Now, it's obviously true that preference adaptation can also be a good thing, and even a force for liberty. The Buddhist claim that we should rid ourselves from desires an extreme form of preference adaptation which is motivated in part by the fact that unfulfilled desires are a cause of unhappiness. And that claim is particularly salient in our age of consumerism and extravagant attention to a vast array of often fabricated and imposed desires.

Preference adaptation can be liberating. Character building is important for freedom: when people manage to restrain some of their preferences and tell themselves that heroine use for example isn't really what they want, then they open up other options for themselves, options that would have been closed had they indulged in their drug addiction. However, in these two examples (the Buddhist and the junkie), preference adaptation is not a response to outside oppression determining the feasible, but

rather a response to inner values and second order preferences such as happiness, freedom, self-government and choice [10]. Still, notwithstanding the differences, preference adaptation resulting from inner motives is just as much self-delusion as preference adaptation resulting from oppression. It's just a liberating rather than debilitating form of self-delusion. When self-delusion is a reaction to oppression, then it reinforces oppression; when, on the other hand, it's a reaction to inner motives or second-order preferences, then it makes us more free. See here for an argument that false consciousness can be beneficial to human rights. It's obvious that oppressive governments do not only depend on adaptive preference formation as a means to change preferences. Indoctrination is another method. And neither do they depend on changes of preferences, whatever the method. Violence, pay-offs etc [11]. are other weapons in their arsenal. Conversely, adaptive preference formation is not only a reaction to oppressive rights violations: poverty is a rights violation that's not necessarily a correlate of oppression, and poor people also adapt their preferences in order to escape some of the effects of poverty, much like a religious minority in a theocratic dictatorship adapts its preference for public worship.

### **4. Unconscious Bias**

No matter how egalitarian, unbiased and unprejudiced we claim to be and believe to be, underneath it all many of us are quite different. If you ask people whether men and women should be paid the same for doing the same work, everyone says yes. But if you ask volunteers how much a storekeeper who runs a hardware store ought to earn and how much a storekeeper who sells antique china ought to earn, you will see that the work of the storekeeper whom volunteers unconsciously believe to be a man is valued more highly than the work of the storekeeper whom volunteers unconsciously assume is a woman. If you ask physicians whether all patients should be treated equally regardless of race, everyone says yes. But if you ask

doctors how they will treat patients with chest pains that are named Michael Smith and Tyrone Smith, the doctors tend to be less aggressive in treating the patient with the black-sounding name. Such disparities in treatment are not predicted by the conscious attitudes that doctors profess, but by their unconscious attitudes in their hidden brains [12]. And even if most of our actions are guided by our conscious beliefs, some will be caused by unconscious prejudice, in which case we'll have identified a cause of discrimination, a cause that will be very hard to correct.

### **5. Hate**

It's shouldn't be surprising that there are so many human rights violations. Psychologists have shown how easy it is to induce cruelty, prejudice and hate. There's for example the famous Milgram experiment [3]. People seem to be very obedient to authority figures, even if they are told to be cruel to other people (giving them electric shocks in this case; the shocks were fake but the subjects didn't know that). Milgram's test suggested that the millions of accomplices in the Holocaust were violent and cruel because they were following orders. Authority made them do things that violated their deepest moral beliefs. If you see how much pain people are willing to inflict on another person they don't even know, simply because they are ordered to by an experimental scientist, you can imagine how easy it is for real authority figures to "convince" them [14]. Which doesn't mean that ordinary perpetrators of genocide or other acts of cruelty are guiltless tools of central command.

### **Consequences of Human Right Violation**

One of such is post-traumatic stress disorder which is not, however, the only consequence of torture and human rights violations. Other problems include depression, anxiety disorders and psychotic conditions. The effects are multidimensional and interconnected, leaving no part of the victim's life untouched. This was seen in the South Africa apartheid, this system was maintained through repressive means, depriving the majority of South Africans

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of the most basic human rights, including civil, political, social and economic rights. Its legacy is a society in which vast numbers of people suffer from pervasive poverty and lack of opportunities. Moreover, those who were directly engaged in the armed conflict (whether on the side of the state or of the liberation movements) suffered particular kinds of consequences.

South Africa's history of repression and exploitation severely affected the mental well-being of the majority of its citizens [7]. South Africans have had to deal with a psychological stress which has arisen as a result of deprivation and dire socio-economic conditions, coupled with the cumulative trauma arising from violent state repression and intra-community conflicts.

### **The Intelligence Reform and Terrorism Act of 2004**

With such a potential for human rights violations found in important recent legislation, it might seem as though the American government wields its intelligence weapons with reckless abandon [8]. However, the very features of democratic government that make it susceptible to abuse also provide the means for its redemption. Legislation like the Freedom of Information Act ensures that the public can request notification of information that has been compiled about them by American intelligence. Although it is subject to several exemptions and exclusions, the passage of the Freedom of Information Act gave the American public unprecedented access to government records. Where legislation falters, congressional oversight like the Church Committee and the 9/11 Commission picks up the reins. When legislation and senate subcommittee hearings are not enough, a long judiciary hierarchy, culminating with the United States Supreme Court, helps ensure that every precedent, every argument for and against a given issue, is mulled again and again if necessary until the controversy is resolved. And if all else fails, First Amendment freedoms allow the public itself to keep a wary eye on any questionable governmental activities. By

supplying information to the public and advocating publicly and legally on behalf of civil rights, constitutional watchdog groups such as the American Civil Liberties Union and the Center for Constitutional Rights supplement the checks and balances on executive power provided by the legislative and judicial branches. However, the major problem with such reform efforts is that they often fail to address some of the more substantive practical and moral questions that come along with operating a system of intelligence. For example, Posner argues that legislative remedy and congressional oversight suffer “from a propensity to confuse the inherent, and largely incurable, limitations of intelligence with blunders that might be avoidable, perhaps with just better organization.” True, legislation such as the Intelligence Reform and Terrorism Prevention Act of 2004 does recognize the importance of distinguishing “inherent, and largely incurable, limitations” from organizational inefficiency [2]. It does so specifically by establishing a new office, the Director of National Intelligence (DNI), to coordinate and direct the myriad responsibilities and agencies responsible

Mitchell and McCormick for collecting domestic and foreign intelligence. However, a major criticism of this reform is incongruence between the responsibilities of this position and the official authority and decision-making ability to fulfill them. Although the Director’s duties require him or her to “prepare a consolidated budget, overhaul personnel, security, and technology policies, coordinate the different agencies that comprise the intelligence community, ensure that information is fully shared among them, monitor their performance, [and] eliminate waste and duplication,” the Director is not provided the budgetary authority to properly fulfill these obligations. Posner argues that such gaps are typical of most efforts at intelligence reform. As shown by the limitations of the Intelligence Reform and Terrorism Act, the complicated constitutional sleight of hand required to justify the use of intelligence agencies often undermines the promise of organizational restructuring. So despite valiant efforts to better define the role of intelligence agencies in promoting national security and global stability, much work remains to be done.

#### CONCLUSION

There is now near-universal consensus that all individuals are entitled to certain basic rights under any circumstances. These include certain civil liberties and political rights, the most fundamental of which is the right to life and physical safety. Human rights are the articulation of the need for justice, tolerance, mutual respect, and human dignity in all of our activity. Speaking of rights allows us to express the idea that all individuals are part of the scope of morality and justice. To protect human rights is to ensure that people receive some degree of decent, humane treatment. To violate the most basic human rights, on the other hand, is to deny individuals their fundamental

moral entitlements. It is, in a sense, to treat them as if they are less than human and undeserving of respect and dignity. Examples are acts typically deemed crimes against humanity, including genocide, torture, slavery, rape, enforced sterilization or medical experimentation, and deliberate starvation. Because these policies are sometimes implemented by governments, limiting the unrestrained power of the state is an important part of international law. Underlying laws that prohibit the various crimes against humanity is the principle of nondiscrimination and the notion that certain basic rights apply universally.

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