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ADDIS ABABA UNIVERSITY
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Human rights, human dignity and power; A philosophical reflection

**A Thesis Submitted to the School of Postgraduate Studies in
Partial Fulfillment of the Requirements for Master's
Degree in Philosophy.**

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DECLARATION

I, Wondwosen Gizaw, the undersigned, declare that this thesis entitled: “Human rights, human dignity, and power; A philosophical reflection” is my original work. I have undertaken the research work independently with the guidance and support of the research supervisor. This study has not been submitted for any degree or diploma program in this or any other institution and that all sources of materials used for the thesis have been duly acknowledged.

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CERTEFICATION

This is to certify that the thesis entitled: Human rights, human dignity and power; A philosophical reflection is submitted in partial fulfilment of the requirements for the postgraduate research Masters of philosophy in Addis Ababa Uuniversity and is a record of original research carried out by Wondwosen Gizaw is under my supervision, and no part of the thesis has been submitted for any other degree or diploma. The assistance and help received during the course of this investigation have been duly acknowledged. Therefore, I recommend it to be accepted as fulfilling the thesis requirements.

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STATEMENT OF CERTIFICATION

This is to certify that the thesis presented by Wondwosen Gizaw entitled Human rights, human dignity and power; A philosophical reflection is submitted in partial fulfilment of the requirements for the Degree of Master of Arts in philosophy fulfils with the regulation of the University and meets the accepted standards with respect to originality and quality.

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Acronyms

CCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
AIDS	Acquired immunodeficiency syndrome
FAO	Food and Agriculture Organization of the United Nations
HIV	Human immunodeficiency virus
IPU	Inter-Parliamentary Union
ILO	International Labour Organization
NGO	Non-governmental organization
NHRI	National human rights institution
OHCHR	Office of the United Nations High Commissioner for Human Rights
UNICEF	United Nations Children's Fund
UPR	Universal periodic review
UNICEF	United Nations Children's Fund UPR universal periodic review
UNDAP	United Nations Development Assistance Plan
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
WFP	United Nations World Food Programme
WHO	World Health Organization
COVID	Corona-virus disease
NCERT	National Council of Educational Research and Training
EU	European Union

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INTRODUCTION

In what follows, I am going to discuss about human rights, human dignity and power. The paper has six chapters the first chapter deals with human rights and human dignity and we clearly see what human rights and human dignity means. Human right is the name given for what has been called natural rights before the twentieth century. What is human dignity? The word stems from the Latin 'dignitas', meaning “merit” and “to be worthy” as we find it in the Oxford English dictionary and discuss bellow.

What is the standard of life? How can the society be able to live a standard of life and how the governments are reacting for the questions raised from the society on this issue? There is an abstract responsibility to act when a local government fails to achieve the outcomes defined by the rights. In today's world, most systems are interconnected in different ways like markets and others, so that non-local governments could have an impact on other country's standards of living. We are going to answer the questions and also point out the solutions in the following chapters.

The concept of equality invokes the idea that all human beings have an equal worth regardless of their colour, gender, race, or nationality. We are all born into a world that is equal and free for everyone of human kind according to the idea of being free and equal. We could also put as a limit these rights the rights set by law and regulations and are conditions to be considered by rule makers.

What is slavery? The Anti-Slavery Provision has put slavery as when “one person taking away another person's freedom—their freedom to leave their workplace or employer slave master at their own choosing, to control their body, to choose their work—so that they can be exploited.” (2:2016). The act of slavery is against the law of every state of the world. Human trafficking is one of the mainly mentioned types of modern slavery in today's world.

How can the governments violate the human rights and the human dignity in respect to the right to own property? It has to be ensured to the society to have the power to utilize and manage as they see it appropriate.

And finally the central purpose of this thesis is to demonstrate the connection between human rights, human dignity, and power. In dealing with the question at hand, I developed the following intellectual claims; first, unless the hegemonic power in a given country is willing to embrace the call for human rights, desire, nothing tangible would be realized on the ground. That is the willingness to embrace human rights value by the ruling state is a significant requirement to the realization of human rights. Second, in dealing with the concerned point of the thesis that is human rights, human dignity and power I have tried to come up with the appropriate definition of the subject matter. Third, in the Concluding part of my thesis I tried to show what impedes or threatens the realization of human rights is the problem of Leaderships irresponsibility on human rights and dignity.

CHAPTER ONE

1. HUMAN RIGHTS AND HUMAN DIGNITY

1.1 What is a human right?

The handbook by OHCHR and IPU defined human rights as “Human rights are rights inherent to all human beings”. (19:2005). This tells us that it is not time-based and has no limitations on area, age, and all other qualifications. Universal declarations have been put on the handbook for parliamentarians “human rights are rights inherent to all human beings”. (19:2016). This clearly tells us it is natural and it does not base on any qualifications. It also says these rights define “the relationships between individuals and power structures, especially the states”. (19:2016). Human rights are universal and are given to all nations equally. It is a thing that is given freely and possible for everyone to enjoy it with autonomy without any restrictions. Human rights do not depend on any human physical, political or social qualifications. But rather they are given equally to all mankind in the world. This includes irrespective of any race, sex, religion, language or age, etc.

The handbook for parliamentarians also put “Human rights are universal because they are based on every human being’s dignity, irrespective of race, colour, sex, ethnic or social origin, religion, language, nationality, age, sexual orientation, disability or any other distinguishing characteristic.” (21:2016). It clearly tells us the base for human rights is human beings' dignity which all human kind has to share. The first and most qualifications for human rights are just being human. This shows us they are accepted by every state and society in the world. From the challenges raised on the universal human rights is the idea that it is the western neocolonialism strategy. But it could be effective the way users handled it.

- . Human rights are manifested
- . Human rights are universal
- . Human rights are inalienable

In this handbook the human right is put under three areas as we see below;

In the area of civil and political rights

- Right to life
 - Freedom from torture and cruel, inhuman or degrading treatment or punishment
 - Freedom from slavery, servitude and forced labour
- Right to liberty and security of person
 - Right of detained persons to be treated with humanity
 - Freedom of movement
 - Right to a fair trial
 - Prohibition of retroactive criminal laws
 - Right to recognition as a person before the law
- Right to privacy
- Freedom of thought, conscience and religion
- Freedom of opinion and expression
- Prohibition of propaganda for war and of incitement to national, racial or religious hatred
- Freedom of assembly
- Freedom of association
- Right to marry and found a family
- Right to an adequate standard of living, including adequate food, clothing and housing

In the area of economic, social and cultural rights

- Right to work
- Right to just and favourable conditions of work
- Right to form and join trade unions
- Right to social security
- Protection of the family

- Right to an adequate standard of living, including adequate food, clothing and housing
- Right to health
- Right to education

In the area of collective rights

- Right of peoples to:
 - Self-determination
 - Development
 - Free use of their wealth and natural resources
 - Peace
 - A healthy environment
- Other collective rights:
 - Rights of national, ethnic, religious and linguistic minorities
 - Rights of indigenous peoples

1.2 Historical background of human rights and human dignity

To ask when the human rights were first came as a convention? The answer is, it comes as a convention in the twentieth century. Do human rights come after the civilization of human beings or does it exist throughout the history of humankind? What was its name before it is called human rights? It is easy to understand the existence of human rights in equal history with humankind because it is the foundation for the existence of human beings. The idea of human rights has changed over time and also influenced by a variety of cultural, social and political reasons. Maurice Cranston put in his book “Human right is a twentieth-century name for what has been traditionally known as Natural Rights or, in a more exhilarating phrase, the Rights of Man.” (1:1962).

What is more important could be the existing human rights that are practiced which helps to live peacefully and to protect humankind from violence in any conditions, because human beings always live with different world views, status, and lifestyles.

So the existence of human rights is as old as the history of human kind even if, it is called by different names in different times. Leo Strauss also mentioned in his book to understand natural rights one must understand from “natural”, not “scientific”. He puts the idea of nature as more important than the idea of natural rights to understand and know what it means for natural rights “The idea of natural right must be unknown as long as the idea of nature is unknown”. (81:1953).

1.3 Human rights

What are human rights? Human right is the name given for what has been called natural rights before the twentieth century. From this, we see clearly that the name is given before the twentieth century but the right is not time-limited. Wishing that the human right has an equal or same history with the existence of humankind. Leo Strauss also sees to understand the natural rights one must understand from “natural”, not “scientific” “he argues that the idea of natural rights does really exist even if it has not been considered “the conclusion from the variety of natural rights is as old as political philosophy itself”. (10:1953).

Leo Strauss in his idea of conventionalism clearly identified how nature by itself exists with its norms, values, and dignity even if not yet considered by anyone. There was natural right before the idea of the convention had come to the front. On the other hand, Jack Donnelly put human or defines human rights as they are not benefits that will be given by anyone either from civil or political organizations. He also puts clearly that it is not a privilege that is given by one specific organ. “human rights are rights, not benefits, duties privileges or some other perhaps related practice”. (304:1982). He also puts them as special entitlements of humankind. “Rights, in turn, are special entitlements of persons”. (304:1982).

We clearly understand from this if the human rights are benefits or privilege it means they would be man-made and it could have been given by the political authority or any other organizations. That is the reason why the UN declarations clearly stated that “all human beings are born free and equal in dignity and rights.” (1:2015). It emphasizes that all people have the same rights and are born free, regardless of their religion and any other elements of their identity. No one have the power to give or take their rights from anyone. We can’t reach to own and accumulate those rights and to give for others. Everyone has his or her own rights or if we take it as an example of property everyone

shall own his or her possession only. What we have expected could be just only to respect others' rights.

The history of human rights is the same as the history of humankind. The history of human rights may be documented or was not set as a document but it is the rights that comes a long path with humankind. Without human rights, mankind could not be able to accomplish its ability and could not fulfill its goal in life. Because we know that only as long as freedom exists can mankind reveal its true identity and as long as only where freedom of religion exists can mankind reveal its spirituality.

Micheline R. Ishay discussed human rights by relating to human history. Micheline R. Ishay puts "human rights are thus seen here as the result of a cumulative historical process that takes on a life of its own, on the speeches and writings of progressive thinkers, beyond the documents and main events that compose a particular epoch." (2:2008). The co-ether of human rights declarations put four main pillars "dignity, liberty, equality, and brotherhood". The human rights declarations have twenty-seven articles and these articles are divided into four pillars. These four pillars are the main and basic rights for the peaceful life of humankind and for the flourishing of individuals and society.

The universal declaration of human right's first two articles sees the human dignity which allows "all individuals regardless of race, religion, creed, nationality, social origin, or sex". (3:2008). and the second pillar consists of articles 3 to 19 including "first generation of civil liberties and other liberal rights that were fought during the enlightenment. The third one consists of 20 to 26 articles "addresses the second generation of rights, those related to political, social and economic equality." and the fourth one is article 27 to 28. which tells us "the third generation of rights, those associated with communal and national solidarity as advocated during the late nineteenth century and early twentieth century and throughout the post-colonial era." as Michele R. Isay puts in her book. (4:2008).

1.4 Human rights are universal

The human rights are understood as universal which means that they apply to all human kind without any race, gender and any other differences. The universal declaration of human rights adopted in 1948 itself shows us that it is amended for universal human kinds, even if it is criticized by different countries like some Arab

countries, African countries and some Asian countries for its new colonialism attitudes mentioned like western-centric, lack of enforcement, colonial legacy and as a double standard.

The universality of human rights has also been seen in the equivalence in different parts of the world. By nature, all human kinds are the same but it is a must to have differences in cultures and lifestyles. For example, the way Africans live does not match that of European life and culture and the way Asians live does not match that of Australian life and culture.

In this case, the ways in which cultures and values are interpreted could bring big differences. If we take the concept of equality as an example it may have its own definition in one European country that may not be same to one other African country, it has another understanding which relates to their norms and culture. So, in this case, we are going to change it with the norm of the European culture and norms. In most cases, this would not be considered and leads to minimizing the acceptance of the rights. Every society has a culture and norm to respect and agree with. There are different believes on the universality of human rights in regards of culture from these universalism is one. Universalism believes that there is same human rights that works to all human kind in-respective of their background and cultural differences, whereas, the cultural relativism argues that all moral and ethical systems that vary from culture to culture are all equal and no system is better than the other.

This universality of the human rights may be influenced by the cultural norms and values of different nations. The important thing in the universality of human rights could be the exclusion of the other nations in the process of making the rules and rights. It could be good to know deeply what are the cultures of the societies of the different nations and listen to their ideas in the process of making the regulations because, the whole nations around the world may not be in the same level of intellectual understandings. Leo Strauss put the arguments of some greatest natural rights teachers in his book natural right and history “if natural right is rational, its discovery presupposes the cultivation of reason: and therefore natural right will not be known universally.” (9:1953).

1.5 HUMAN DIGNITY

What is human dignity? Human dignity is difficult concept to define. Human dignity is the idea that all human kind has innate value that gives them consideration and to be treated and seen equally. Human right confirms the idea that all human kind deserves to be seen equally and with dignity. Human rights are the fundamental rights that all human kind are entitled without any regard to their race, religions and any other criteria. Does human dignity the foundations of human rights? Human dignity is “The quality of being worthy or honourable; worthiness, worth, nobleness, excellence.” Etymologically, the word stems from the Latin 'dignitas', meaning “merit” and “to be worthy” as the Oxford English dictionary defined. In the article of Rhoda E. Howard and Jack Donnelly put human dignity as “Conceptions of human dignity, in their social and political aspects, express particular understandings of the inner (moral) nature and worth of the human person and his or her proper (political) relations with society.” (100:2013).

Qianfan Zhang has also put the definition of dignity by showing how it correlates with chinese “Its literal translation today is Zunyan (尊严), a word often used in conjunction with a familiar Confucian term, Range (人格), which is sometimes translated as “moral personality.” The latter word had a rather tortuous history”. (18:2018). As Qianfan Zhang mentioned in Confucian the human dignity has three related dimensions “In Confucianism, human dignity is a composite normative concept and, as such, implies conceptual elements on three related but distinct dimensions: descriptive, prescriptive, and emotive.” (18:2018).

We do not see clear definition of what human dignity means but as we saw above different scholars tried to see what the human dignity really mean in the same way the universal declarations on rights put in article (23(3):2015) “Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.” (23, no 3:2015). Here it puts the human dignity as the value that is given for human mankind right to form, join and leave in the circumstances that are acceptable. It also ensures the society have right to work and to be protected from unemployment. The UNESCO universal declaration on bioethics and human rights

also mentioned “Certainly it is not easy to define the expression ‘human dignity’ in clear and unambiguous terms. But at the same happens with all basic moral concepts (justice, freedom, love, etc.) and nobody argues that we should abandon all these fundamental notions”. (89:352). human dignity is not for specific group of people or individuals but rather it inclusive without any distinctions. As it says in the UNESCO universal declaration on bioethics and human rights “all human beings deserve utmost respect, regardless of their age, sex, health status, social or ethnic origin, political ideas or religion.” (94:352). this will tell us it is set for the man kind as a whole and no one should have the right to stop anyone from enjoying these rights that is given naturally.

It could be also important to consider that still the human dignity should get a focus even if the concept of human dignity has been around for long time. Everyone must be treated equally and everyone must get respected regardless of their race, religion or any other characteristics. The concept of human dignity is very crucial for all human kind either in the past or at recent times. The UNESCO universal declaration on bioethics and human rights also tells us the new category of dignity and it says “there is another, more recent category of dignity that can be called ‘collective’ in the sense that it goes far beyond the mere individual sphere. It refers to the value of humanity as a whole, including future generations.” (94:352).

CHAPTER TWO

THE RIGHT TO A STANDARD OF LIVING

2.1 The concept of Poverty and its causes

The importance of human rights itself has its own problems even if its original purpose was not bad. This does not mean that the human rights agreement by itself has originated from a political power system. But rather it could be used as a standard for the governments themselves but this standard will become true if and only if the states are responsible for the peace and safety of society. Charles R. Beitz mentioned in his book that “Human rights, considered as a set of standards for governments together with an international means of implementation, were a remedy for both deficiencies, a way to repair a structural fault of the pre-war system of states.” (29:2009).

Living healthy life could be a core thing for one society. Humankind gets into trouble for different reasons either knowingly or unknowingly and may suffer a lot of problems. From these problems, poverty is one of the major problems. Poverty has a long history in the life of human kind on this earth, in the bible Genesis chapter three muse put “Then the eyes of both of them were opened, and they realized they were naked; so they sewed fig leaves together and made coverings for themselves.” (3:7, 1973) in the New International Version. And it says “Cursed is the ground because of you; through painful toil, you will eat food from it all the days of your life.” (3:1973) in the New International Version. It tells us mankind started living in a new way that is cursed and uncomfortable in the same way we also saw that before this happened mankind was living a blessed and comfortable. No one deserves to live under poverty and everyone have the right to get out of poverty and by getting the basic necessities that helps to living the standard life.

What is poverty and how is poverty threaten the human rights and dignity? Poverty is lack of necessary resources that helps to fulfill the basic needs of peoples for adequate life. Poverty threatened human rights and dignity by depriving accesses to basic needs, by limiting access to health care services, homelessness and lack of access to social securities. Poverty can block the access to justice and can also force people to migrate because of economic challenges. The World Bank defined poverty as the one who often “lack adequate food and shelter, education and health, deprivations that

keep them from leading the kind of life that everyone values. They also face extreme vulnerability to ill health, economic dislocation, and natural disasters.” (1:2000). Poverty can be seen from different perspectives and it has also different causes. Poverty could happen because of natural or man-made causes. The natural causes can include climate change, drought, and earth quake and in other ways the man-made causes like war between different groups, limited capacity of government, poor education system and lack of insatiability. To know what really poverty is we need to know the concept of poverty itself. Poverty is lack of having enough access to get human basic needs.

The governments should be responsible to distribute the resources equally and also to maintain the distribution of wealth between society to help keep the rights and dignity of the peoples. A Greek philosopher Aristotle mentioned his thought to prevent poverty, the states has to redistribute resources to provide at least a minimum standard of living for one society. Aristotle thought poverty is natural and it happens because of the unequal distribution of resources.

2.1.1 Poverty and the human rights

In groups or separately humankind has struggled a lot by having different agreements on different things. This individual and group struggle has helped humankind a lot for their survival. The book of Samuel tells us in the bible “but the thing displeased Samuel, when they said, give us a king to judge us. And Samuel prayed unto the Lord. And the Lord said unto Samuel, hearken unto the voice of the people in all that they say unto thee: for they have not rejected thee, but they have rejected me, that I should not reign over them” (8:1973) in the new international version.

Society needs a governor who helps them as a whole with their needs, who think about their health, and who shows them a way as a society for their needs and questions in general. On the other hand, God tells Samuel how they rejected him “for they have not rejected thee, but they have rejected me” for me they have repeated the same mistake as Adam and Eve have done which is mentioned in the book of Genesis as we have seen above. Samuel told them the king who is going to reign over them shall have these characteristics “He will take your sons, and appoint them for himself, for his chariots, and to be his horsemen; and some shall run before his chariots. And he will appoint him captains over thousands, and captains over fifties; and will set them to ear his ground, and to reap his harvest, and to make his instruments of war

and instruments of his chariots”. (8:1973). the society always expects the best depending on their agreement with the one who has taken as a leader.

As we have understood from the above interests and questions raised, the society as whole have one question have one in common at times in their lives in respect to the government existing, the question is to have a safe and standard life that will be suitable for everyone. In the same way the existed in different times also tries to answer the questions of the society by creating different political systems that could help to answer the questions.

The political system could provide a good safeguard for the society to respect the society’s rights from any dangers that come either from the ruling government or any other. Charles R. Beitz put in his book “the system’s norms provided a safe haven for governments that mistreated or failed to protect their populations in ways that had devastating consequences for those affected”. (29:2009). The main target of any domestic state should be to keep the societies rights but the rights and dignity of human kind threatened in both domestically and internationally.

Here it is good to know that this system itself comes from the states, which tells us that the system would exist domestically. Charles R. Beitz put “Human rights are standards for domestic institutions whose satisfaction is a matter of international concern”. (29:2009). It could be more acceptable if we call it to satisfy the political needs and thirst rather than taking it as a standard for society. The domestic institutions may take as a standard but it still focuses on satisfying the interest of the government authority. It is known that the world political structure is bounded territorially by having their own political authority within the territories as Charles R. Beitz also sees “The political structure of the world consists of a system of territorially defined political units, each claiming to exercise legitimate political authority within its borders”. (29:2009).

The system build by the government could gradually put the society under pressure and poverty. Samuel tells to the Israelites “And he will take your daughters to be confectioneries, and to be cooks, and to be bakers. And he will take your fields, and your vineyards, and your olive-yards, even the best of them, and give them to his servants. And he will take the tenth of your seed, and of your vineyards, and give to his officers, and to his servants.” (8:1973). It is not ended by only putting the society under pressure but also they are told that the king will take their all properties,

including their land and their harvest. Is such a governing system new in the history of mankind? No. Because as we see society is always ready to accept whatever type of king it will be.

Humankind as we learn from history they could trust their mind more than anything even including what they have been heard from Samuel and from others in history. The problem is that it could be the fear of the human mind itself that puts them into problems as we saw. What they answered was this “Nevertheless the people refused to obey the voice of Samuel; and they said, nay; but we will have a king over us” (8:19). This does not mean all governors have the same political leadership but even though we see differences it could be obvious to see political leaders threatening the society badly. For this and other related issues of violations, the declaration of human rights has put in article 25 “Everyone has the right to a standard of living adequate for the health and well-being of widowhood, old age or other lack of livelihood in circumstances beyond his control himself and of his family, including food, clothing, housing, and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability.” (25:2015).

In most cases, it should be the domestic authority’s responsibility to fulfill the rights and burdens of the society of one country's government. The question is, is there anyone to help the local government to overcome poverty, the problem of health, and when there is a lack of food and clothing? In the current time, the international governments tried to help and overcome the problem of those who have faced such a problem but it could be hard to find a society that comes out of the problems. Charles R. Beitz mentioned in his book “There is an abstract responsibility to act when a local government fails to achieve the outcomes defined by the rights. This embraces a responsibility to cooperate internationally to remove obstacles or disincentives for local governments”. (163:2009).

Here what is mainly raised is that to cooperate internationally to achieve the responsibility, why is it important to raise support for the internal government failures? In today's world, most systems are interconnected in different ways globally through market systems and other technological systems so; this interconnectedness by itself has its own positive and negative impacts. This means that non-local governments could have an impact on other country’s standards of living. As we know it could be very simple to hear the concept of grouping the world into different classes first world, second world, and third world. And at the same time, we sit down

and talk about human rights and human dignity which may have the opposite reality. It has an impact on the moral of society even if it seems very simple. Respecting the morals of the society is also one part of the duty of the government leaders to be free from the groupings of the society. The government's duty would have been to facilitate a good environment for society to get respected morally and without any comparison. "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control". (25:2015).

2.2 The right to food

The office of the high commissioner for human rights described the right to food as "The right to adequate food is realized when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement". (2:2010) and it also explains that there is no compromise on how to be available, accessible and adequate. By understanding this, the states are not fulfilling the needs or the questions of the rights to the adequacy of food. When we come to our major situation rather than providing the food, the society has been suffering from the problems. It is the responsibility of the states to make a comfortable environment for the society to produce and gain their fruits.

In the same book, the office of the high commissioner for human rights puts "The right to food requires States to provide an enabling environment in which people can use their full potential to produce or procure adequate food for themselves and their families". (3:2010). What is enabling environment? Before we proceed, it would be good to ask who created the bad environment? Is that only the society or the state itself has been also a partaker in this action? In today's world, the political party leaders called themselves as a leader which explains their duties clearly. Either the bad or good environment both are created by the society and the state but the leading role could be from the state leaders in the political system governance. All human beings are created equal and have the capacity to produce and feed themselves but because they grew up in different environments their capacity to produce and feed themselves and their family is taken.

Enabling good environment that may help to grow and become fruit full could be the main function of the government. That should be what is expected from the political leaders of all the states but in reverse what the environment created was that leads the society to hunger and poverty. Office of the high commissioner for human rights described on the right to adequate food the state has three obligations to respect, protect and fulfil as explained below. It puts the state has to respect the accesses and ways by which the society gets food “This means that any measure which results in preventing access to food, for example denying food assistance to political opponents, is prohibited”. (18:2010).

The ruling governments have the responsibility to protect from any forces that may put the rights of the society to the risk or have the responsibility to protect from any threats as stated in the constitutions of each country. Office of the high commissioner for human rights has put “States should prevent third parties from destroying sources of food by, for instance, polluting land, water and air with hazardous industrial or agricultural products or destroying the ancestral lands of indigenous peoples to clear the way for mines, dams, highways or industrial agriculture”. (18:2010) and also the obligation to facilitate and provide is expected from the state it also adds “The obligation to fulfill or facilitate means the States must be proactive in strengthening people’s access to and use of resources and means of ensuring their livelihoods, including food security”. (18:2010). Who is responsible if the societies are dying because of a lack of enough food? Am I going to accuse them after I died because of a lack of enough food? It also forces us to ask why either the government or any other institutions do not do their best to change the problem? Why has food become a big deal in today’s world society? There is no question that it is a big deal as the United Nations global compact mentioned ten percent of the population of the world live in poverty. It says “10 percent of the global population still live in extreme poverty, which means they are surviving on less than \$1.90 a day. Experts predict these figures will continue to rise as a result of the COVID-19 crisis alongside the ongoing impacts of conflicts and climate change”. (21:2020). Here my point is not only to mention the problem the world is passing through but to ask what is really the problem that makes the world population to suffer such a problem? Each state has the political system leaders to show them the right way to live in peace, health, and wealth by setting rules and regulations. The governments have the responsibility to fulfill the rights to food

of its citizens and to solve this governments have to prioritize the issue of access to food for all its citizens by employing effective policies and adequate resources.

Office of the high commissioner put under the Right to Adequate Food and the state has the responsibility to implement a road-map for the society to bring a solution. “States must lay down a road-map towards the full realization of the right to food immediately, and demonstrate that they are making every possible effort, using all available resources, to better respect, protect and fulfill the right to food” on Fact Sheet Number (19:34). The existence of one state is not only to formulate the laws but the main concern of one state should be to bring solutions that eradicate the problems the society is going to face in different directions and in this way the society might not get into such sufferings.

Who has the power to lead society into the ideas that release them from such problems? Where does society get the grand ideas that have brought the society to poverty? Who is giving society these grand leading ideas? Is that from society or from the governments? Yes, it should be the governments who takes the responsibility to lead the society either through the influences it has on the society or by formulating the laws in different areas of the life of the people. It is the government that collects taxes from society to protect their rights. To make it more clear the government would be responsible not after I have entered into the problems but before the problems will happen. Because the society’s way of thinking could be set by the ruling system and this is real for the majority of the society.

The United Nations global compact also mentioned that “Poverty is about more than a lack of income. It has a range of different socioeconomic dimensions, including: the ability to access services and social protection measures and to express opinions and choice; the power to negotiate; and social status, decent work and opportunities”. Is it possible to come out of poverty through the developmental ideas of the wealthy nations? Does this lack of food happen because of a lack of fertile land? Never, that is not the problem seen on the ground. Especially when we see the third world countries according to what was written in the article 25 of the universal declaration the life of the society is seen opposite on the ground.

The International Covenant on Economic, Social and Cultural Rights puts in its article no 2 “The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed” and under article 11 (a) it says “To improve methods of production, conservation, and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources”. (4:1976). Peoples live the same life by hoping the declarations one day they get what is already written there. There is no opportunity to ask the state to make rules that may help endangered society to help because everything is written but there is no one to implement them. As it is an issue of life and death the society in different areas of the country has chosen another alternative for their life survival. Others use illegal migrations, some become robbers and the rest are under different addictions even though the issue of human rights is not the only source of the above problems.

John Kleinig and Nicholas G. Evans have mentioned in their article on human flourishing, human dignity, and human rights how much food, water, and shelter is important for human life for their nourishment. It says “As embodied creatures, humans will require food, water, and shelter if they are to flourish. Health too will generally be an important component of human flourishing”. This shortage of food and shelter is not something that is seen as simple for the life of one society. Because it is one of the main and crucial parts of the existence of humans. They also put Education, food, and health care, as well as a range of social opportunities, which may be claimed as human rights if people are to develop and flourish as beings possessing dignity.

As the main problem, the attention of the state to execute the written laws is not urgent as the problem has been hunting the society. It is not the written rule that matters but solving the problems on the ground that may give relief to society as a whole. Things are solved by the level of attention they got and it could be true that different states are solving their different problems even more complicated one that takes long years, but why does the rest of the states failed to solve such urgent issue?

2.3 The right to health

Under article 25 the UDHR (universal declarations on human rights) has confirmed the right to health and it says “Everyone has the right to a standard of living adequate for the health”. Before we precede let us see what is the right to health? The world health organization defined the right to health as “The right to health means that governments must generate conditions in which everyone can be as healthy as possible”. And it also explained the conditions “Such conditions range from ensuring availability of health services, healthy and safe working conditions, adequate housing and nutritious food”. May 5, 2020. Does the government fulfil those rights? It is still a more critical question in developing countries of the world rather than in any other states of the world.

The Office of the United Nations High Commissioner for Human Rights put on its page the Right to Health (3:2008) and has also included the below rights under the right to health. This includes;

- Safe drinking water and adequate sanitation;
- Safe food;
- Adequate nutrition and housing;
- Healthy working and environmental conditions;
- Health-related education and information;
- Gender equality.

It could be bad news that the world is still suffering from the problem of safe drinking water and adequate sanitation. And it could be daydreaming to think of those things in different developing countries of the world. The above-mentioned points of the right to health could be controlled and managed by the government in most cases of today’s political system in the world. Even if the individuals can manage a few of them in the cases of private property but the issues like water sanitation, healthy working, environmental conditions, health-related education, and information are the primary duties of the government. In some countries “developed countries” they are available and the societies are enjoying their rights of health and related issues even if the accesses are not fully applicable. This may force us to ask the question of why the other nations are failed to achieve or are not showing any progress which may lead the society to a better health system?

As those rights are directly related to the life and survival of the wide society the problem of health becomes only counting the number of dead people from different states of the world but that was not the only job for institutions. University of Minnesota Human Rights Centre print explained in its article “The idea that all people are entitled to have the physical needs of their bodies satisfied is at the heart of the human rights movement. This includes the right to survive and to live free of reasonably preventable suffering”. (25:2013).

When we see the truth contrary to this is that most of the people are dying from diseases that would be preventable. Diseases like hepatitis, cholera, malaria, HIV, and tuberculosis are the main killer and many have suffered from those diseases, especially in developing countries. It is already become like a culture in the states to tell the society to live with diseases rather than working to combat the problems that are existing for a long time. According to the world health organization report in 2019 that took the lives and that becomes causes of many of the deaths “are associated with three broad topics: cardiovascular (ischaemic heart disease, stroke), respiratory (chronic obstructive pulmonary disease, lower respiratory infections) and neonatal conditions – which include birth asphyxia and birth trauma, neonatal sepsis and infections, and preterm birth complications” reported on December 19, 2020. This even varies based on the state.

CHAPTER THREE

WE ARE BORN FREE AND EQUAL

3.1 What is equality?

Let's continue first by what equality itself means in different aspects and definitions, as we see from the concept it directly relates to the idea and identity of humankind that is seen in different ways. The National Council of Educational Research and Training (NCERT) has put equality "As a political ideal the concept of equality invokes the idea that all human beings have an equal worth regardless of their colour, gender, race, or nationality. It maintains that human beings deserve equal consideration and respect because of their common humanity." (30:2022).

The concept of free-born and equal tells us that we are all born to a world that exist equal and free for everyone of all humankind. We could also put as a limit these rights the rights set by law and regulations and still questions raised on the rules and regulations of different states may be acceptable and condition to be considered by rule-makers. Because all mankind has the same right to the nature we are born in and to live as a free people. John Locke also pointed in his Political or Civil Society "man was born with a right to perfect freedom, and with an uncontrolled enjoyment of all the rights and privileges of the law of nature, equally with any other man or men in the world." (28:2017). Because of the malfunctions of the political systems built by different states in different parts of the world these rights of equality could become difficult to apply fully.

3.2 Human freedom and the political system

Article 1 of the UDHR puts "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." (1:2015). This declaration is written and all member states are trying to apply all the declarations. Let us see why is the statement "all human beings are born free and equal in dignity and rights" could become an issue? Because if they are equal and free there is no need to announce this and make it rule for the state members. The answer is already known, there is inequality and lack of freedom even though they are born free. The problem for these could be the government which sets the system only for few people.

If all are born free and equal, how inequality and lack of freedom has widespread? This is telling us the systems in the world have a problem to fix this and to bring equality and freedom people had when they are born. What hindered the continuity of these equality and freedom of human kind that might benefit the whole system of the world? The answer simple, it is the system of the world that could be set by the governments. And let us see how this system was built? Jean-Jacques Rousseau put in his book “you could call the family the prime model of political societies: the ruler corresponds to the father, and the people to the children; and all of them—ruler, people, father, children—because they were born free and equal don’t give up their liberty without getting something in return.” (2:2017).

This could be one of the example we may take, taking the society and political system leaders as a separate entity has its own challenges. The responsibility we take naturally and the way we practice the responsibility should be based on our understanding. And we will develop this through the norms and cultures practiced in our environment we are living in. So giving the new born child in such a culture and norm might be a great problem and this implies us the depriving of the freedom of human kind. On the other way being born free and equal tells us all human kinds have access to the capacity that were hidden inside the concept of freedom and equality unless otherwise it would be taken by the family or the ruling political powers. In the same book Jean-Jacques Rousseau asks why “Man is born free, and everywhere he is in chains”. (1:2017). Jean-Jacques Rousseau mentioned this freedom of man taken by force and the human kind have to return it back by force again and he finally put “But the social order isn’t to be understood in terms of force; it is a sacred right on which all other rights are based.” (1:2017).

We are born free but we are not living free life because the system is set by somebody or the governments and that system is ruling us and telling us in which way to think and live. This is done through the system called constitutions of the country's and regulations. If anyone wants to live against this system, there is a rule and regulations to control the society. It is not a hidden thing that human beings are living in the prison that could be set by the majority of the society and if any one becomes against this you will be guilty according to their law. So how we would say that human kind is free? As long as mankind is born free and also it has the right to live free in this world too, but this becomes very difficult to bring it to the system practically in which

mankind living in. Why mankind is not free? The prison is not seen publicly but it is done in a systematic way and in a much unknown way and this systematic and unknown way could be the political system set for the society to accept and live with it. John Locke put it “Freedom of men under government is having a standing rule to live by, common to everyone in the society in question”. (9:2017). We have been informed that the door for the life of mankind are clothed if anyone passes that clothed door no one takes the responsibility for their life.

3.3 Freedom, Equality and the political system

Article 1 of the UDHR says “All human beings are born free and equal in dignity and rights”. This article tells us that all are born free and equal and this signifies the message that it is natural to be free and equal. John Simmons, put in his book the naturalistic view of human rights “Natural rights are those rights that can be possessed by persons in a “state of nature”. Human rights are those natural rights that are innate and that cannot be lost. Human rights, then, will have the property in on forfeit ability, independence, naturalness, inalienability, non-forfeit ability, and imprescriptibility.” (30:1992).

Those rights are innate and cannot be lost which means no political power or any other agent can overtake these rights. On the other hand, the political view of human rights also tells on the other side modern international politics. In the Journal of Moral Philosophy S. Matthew Liao and Adam Etinson put the political view of human rights “The Political Conception is committed to understanding the distinctive nature of human rights in light of their role or function in modern international political practice. Those who take up the Political Conception have offered different accounts of what this role or function consists in.” (3:2012). It could be common to see the major problems in the side of political powers leaders in the violations human rights and human dignity in whatever it is understood in political aspects. As our main concern the political system tries to formulate rules and laws to protect the human rights that all are born free and equal. who is born free and equal do not allow his or her rights to be violated but there is a third party who is violating the rights of someone and this must be either the political agents, groups or individuals. Groups and individuals are the rules and laws formulated by the state and controlled by the ruling state.

When we talk about freedom and equality of people it could be better if we answer the question, why the freedom and equality of people is in question in the daily bases of human life? We are not born and given to the political system leaders to protect us from anything harm-full in the world as it is also true that there is no supernatural power to protect the political system leader itself from a higher power. So the connection between the society and political system itself could be the relation of inter dependency and which also mean the political system could be also doing favor for itself in reverse.

This inter dependency reaches up to economic, social and political aspects. We are not born in the same environment that could be suitable for the daily life of people in all aspects but we born in the environment that was created to be challenging for human kind to live in and this environment is created by human kind in the long history of creatures on this earth. One of the article written on the equality and freedom of people by UNA-NCA puts “Remember that a right is a freedom of some kind; something to which you are entitled by virtue of being human. It doesn’t matter where we are born or what kind of a family we are born into. We are all born into this world and should be given the same opportunities and given a fair shot at a life well lived.” (Aug 3, 2018).

We are born free and equal should be the final thing for the life of mankind and this does not need any prerequisite but everyone have the right to enjoy it. As the article written on the equality and freedom of people by UNA-NCA puts “It doesn’t matter where we are born or what kind of a family we are born into” just to be born is out of the control of human kind but we are able to control could be the environment that we are going to be born in. The family we are going to born in and the area or environment where we are going to born in might base on the adjustment of society.

Everyone is responsible to protect the rights and freedoms of others and there is no specific agent who takes the responsibility to safeguard the rights of human kind as there are different ways those rights and freedoms are threatened. The article on the equality and freedom of people by UNA-NCA also confirms us the ability to make choices on our life in different aspects. Even if the choices we make in our life seems ours they are not originally our interest but rather we make them through the feelings and interests we developed from the environment we lived. Weather we know it or

not our decisions of the choices lead us to live under the influence and this influence might lead us to lose our naturally given rights and freedoms. It says “this means that we have the ability to make our own choices, whether that’s choosing what college we go to, what career path we take, or who we choose as a partner to spend our life with.” (3:2018).

Article 1 all human beings are born free and equal in dignity and rights. This article reminds all human kind to be treated equally in all aspects of their natural identity and in having equal acceptance in the participation of either political or social aspects. This does not mean we are responsible to respect based on their financial or ability that one gets after different experiences but it only guarantees the right they have naturally or by being only mankind. All mankind has the right and this right could be considered in all political and social aspects. Here no education or talent should be needed to respect the natural rights of man and the political system sets the rules to execute it.

The political system sets the rules to protect the rights from any violations and abuse but the question is who is responsible if the political power leaders themselves violates this rules and rights of mankind? There must be responsible agent to execute this rights of mankind not to be violated by anyone either groups or any individuals. In most cases it is not a strange thing to see these rights of mankind are treated in different cases. Jessica Ellis put under the title of Consequences of a Human Rights Violation? On the date April 20, 2022. “The United Nations Security Council is considered the supreme instrument of protecting human rights around the globe, but is frequently criticized for failing to act on clear violations of rights stated in the UN Universal Declaration of Human Rights and other UN-sanctioned documents on the matter.”

This thing happens in the name of different political agendas to be accomplished. It could be common to see the political agendas seems very important than any of the human rights or it seems the way to protect the human rights and human dignity. There is no responsible agent to protect the natural rights of mankind purely. The majority who comes to raise this human rights and human dignity have another hidden goal behind the issue of these rights. Organizations and political powers are

the main agents who come with such issues but it is still a dream to see human rights and human dignity respected and treated well.

As it says in article 01 of the UDHR “all human beings are born free and equal in dignity and rights.” (2:2015), the sentence “born free” tells us that not only the life of humans in their mother’s womb but also it tells us that after we are born we have these rights equally. Here what we have to consider is, what is this “born free” itself? Does the government understand it with its full meaning? The levels of understandings of the governments are the crucial things because that could be the place where rules and regulations comes from. The idea of free born tells us man is born true or not of any slavery. When we see the structure of the system built by the governments it tells us the opposite of the free born. A man starts to face the structure system built by the society in cooperation with the government that could be taken as a necessity for everyone to go through with. So in these situations how is the man is gets its natural free born rights? The system created by the governments applied by society are not external only but they are also used as a punishment to collect everyone under one umbrella. This could take the right man gets naturally. It clearly tells us the right taken not naturally but by man-made rules and regulations. The main source for the rules and regulations are the governments (democratic or not democratic). the rules and regulations are made for the benefits of the society but gradually changed and start to abuse human rights. Rousseau also tells us human the constitutions fade out in his social contract book “man’s constitution is the work of nature; the state’s constitution is the work of art”. (46:2017).

3.4 Political system

In the recent world it is common to see rebellion, migration, death, war, addictions, conflicts and etc. This all happens in the presence of government but it could very be devastating unless the person asks why those are happening while they have political system leaders? Or are the political leaders also partakers of the crimes and violations happening to society? While all these are happening to the society we never forget that it is the duty of the government to control and stop the illegalities and to protect the society from disgracing the rights and dignity of the human kind. John Locke put in his book second treaties of government the political system has a right to make laws to protect the society from the dangers to come “political power, then, I take to be a right of making laws with penalties of death, and consequently all less penalties,

for the regulating and preserving of property, and of employing the force of the community, in the execution of such laws, and in the defence of the commonwealth from foreign injury; and all this only for the public good.” (5:1980).

It could be good to know that in the today's world it is not difficult to get the written rules and regulations in different states of the world but it is very rare to find the political systems who apply the written rule and regulations. It is the governments duty to put into practice the declarations written by the International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR) and by the Universal Declaration of Human Rights (UDHR).

All what John Locke has mentioned in his book of second treaties of government as seen above are to make laws, to preserve the property of the society, to employ the society including the execution of the laws and protection of the common wealth should be the main duties for one government. The law made by the political system is for all the society of one state to live the life of free and equal. In the same way it is fact that the regulations of UDHR, ICESCR and ICCPR are all included under the laws of different states of the world.

Part 3 article 6 of the International Covenant on Civil and Political Rights puts that everyone has the innate right that no one will take it from us and that is given naturally. In this article it puts also the duty of the states to protect this right that is given naturally. Our concern here is that, is it really what is seen on the ground? Peoples are dying in different areas of the world without any reason and deprived of their right that is given naturally. In part three article 6 of the International Covenant on Civil and Political Rights says “Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.” (6,1:1976).

It is good to accept that the right is given naturally but are they playing their role to protect the rights of human kind? I have a doubt because what is seen on the ground is the reverse to what is written. As it says the rights are protected by the laws, it could be clear that there are laws there is no doubt on this but are they applicable in protecting the rights and dignity of the people? Because even if there are laws available for this purpose peoples are suffering the same problem in different states

and regions of the world and even the death of people could be seen as trial for one constitutions or checkup of the system. The article published on the 70th anniversary of the High Commissioner for Human Rights (OHCHR) in December 18, 2018 has put “sets equality as the all-embracing overarching theme of the Declaration, one that has been the basis for elaborating rights for many – including minorities, indigenous people and people with disabilities.” There is no one who can take responsibilities for the death of peoples as government leaders rather than giving excuses and arguing on the documents. It should be the responsibility of political leaders to execute the written laws.

This has different senses in different areas if we see for example in Africa the human rights have its own challenges in different ways from these the political power leaders themselves deprive the rights of the society. There are different reasons given for these from these the indirect interference of western world is one. The regimes are the role players in the implementations of declarations of UDHR. Jack Donnelly put in his book *Universal Human Rights in Theory and Practice* “Although human rights norms have been largely internationalized, their implementation remains almost exclusively national. Contemporary international (and regional) human rights regimes are supervisory mechanisms that monitor relations between states and citizens.” (32:2013).

CHAPTER FOUR

4.1 The right to freedom of movement

The right to movement is one of the rights that everyone has to enjoy without any restrictions Antoine Pécoud has put in his article “Freedom of movement refers to the right of people to circulate without restrictions across the surface of the world.” (1:2013). In the right to freedom of movement everyone have the rights to move in his or her country of origin, the right to leave one country and right to return to one’s own country. The origin of this right takes as to the ancient philosophy and natural law. In today's world, there is a convention that is designed to allow humankind to move freely from one place to another but the problem widely seen today is also that people are not moving just for their desired freedom of movement. Instead, the majority of the people are moving because of the forcing factors that exist in their own countries.

The freedom of movement has its own impacts on the lifestyle of the society and because of the right to the freedom of movement in the history of humankind different cultures have been explored and different experiences are gained. Under article 13 of the UDHR, the right to movement is respected and it clearly tells everyone is free to move from one place to another without any restrictions within the legitimate environment. It says “Everyone has the right to freedom of movement and residence within the borders of each State.” (28:2015). It is common to see people moving from one place to another and this happens because of different reasons from these instabilities related to religions, ethnicity, war, poverty, fear of persecution and etc. This has different images based on the time. Jack Donnelly put in his book “medieval Christians saw themselves as surrounded by dangerous heathens. In the ninth, tenth, and twelfth centuries, Christendom moved significantly north and east. Much Muslim-held territory in Spain and Italy was “reconquered” in the eleventh and twelfth centuries.” (83:2013). These movements are still continuing societies in different parts of the continent are under the problem of persecution and it almost become a culture.

Avoiding the difference could become one of the main problems in the history of humankind and this is seen in the lack of tolerance between people which causes people to suffer different problems. The right put under the 18 tells us anyone has the

right to have their own thoughts. As we know the starting point of the quarrels between different groups could be having different thoughts, conscience, and beliefs. The UDHR article 18 says “Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship, and observance.” (38:2015). Unless there must be forcing factors it will be difficult to conclude that people may not put themselves under suffering without any cause and to leave their properties and relatives. This directly relates to the identity of a person as we identify someone by their belief, opinions, and thoughts. But on the other side article 16 of the UDHR allows the right to undertake without limitation of religion “Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family.” (34:2015). If all these are available for the society so, what would be the problems that are forcing the society to move and leave their settlement without their interests? The problems point us to see the political system practiced in different states of the world and that they are not fulfilling their responsibilities and are not executing the declarations.

Jane Mcadam has seen article 13 of the UDHR in the Melbourne Journal of International Law by classifying it into three definite meanings. As she puts it “First, it encompasses the right to move freely within a country and to choose one’s place of residence there. Secondly, it includes the right to cross an international border, expressed as the right to leave any country, including one’s own country. Thirdly, it extends to the right to return to one’s country. This is coupled with the right to seek and enjoy, in other countries, asylum from persecution.” (4:2011). The first one is simple in comparison with the second category she saw but it is difficult in countries like China to move within their country and also it is even very difficult in countries like Somalia. What she saw in the second category of the right to cross the international border would be very important for a society that has suffered different problems in its own countries or in foreign countries.

It is very important in the cases of persecution, war, and religious issues to get settlements from other countries. It could be difficult for the societies who want to move easily as stated in the right to move from one country to the other in most cases because of the ruling governments or the states. An international commission of

jurists and Indian commission of justice put on the Right to Freedom of Movement “It is also to be noticed that many countries which have attained freedom subsequent to the adoption of the Universal Declaration of Human Rights, have incorporated this right to Freedom of Movement in their Constitution in language closely similar to that of the Declaration.” (11: 1968). By pointing out some of the Constitutions as we will see below;

France: “To every man is guaranteed as a natural and civil right the power to go, to remain or to depart without being arrested or detained except in accordance with the procedure established by the Constitution.” (Article one Constitution of France, 1791). The constitution of France allows as it is guaranteed natural and civil rights and the benefit will be for all, especially for the society it is not taken as enjoyment but it should be like to save one’s own life from the war and problems that may put their life in great trouble.

Argentina: “All inhabitants of the nation enjoy the following rights in conformity with the laws which regulate their exercise; viz. to enter, to remain, to traverse and to depart from Argentinian territory.” (Article 14, Constitution of Argentina, 1853).

Switzerland: “No Swiss citizen shall be expelled from the territory of the Confederation or from his Canton of origin”. (Article 44, Constitution of Switzerland, 1874). This also confirms the citizen’s right to freedom of movement in the society and no one shall be forced to leave the country.

Mexico: “Every man has the right to enter and depart from the Republic, to travel across its territory, and to change his residence without the necessity of a card of identity, passport, safe-conduct, or any other formalities. The exercise of the right shall be subject to the authority of the Courts in cases of civil or criminal responsibility, and to that of the administration in respect of the restrictions which may be imposed by laws in the matter of emigration, immigration, or of public interest or which may be imposed on resident foreigners dangerous to peace.” (Article 11, Constitution of Mexico, 1917). In the same way, as we have seen above Mexico also put the freedom of movement which allows entering and departing from the country.

Migration is one of the main things in today’s world crises. In today's world, different states around the world have got lost their towns, cities, properties, families, and

everything they had because of different wars either internal or external that were aimless and that had never benefited the society of the country by any means. Most of them had left their land and their territory and lost their family only because of political causes. From these what was happened in Somalia is one, after the regime of Said Barre in 1991. By the time in Somalia, many has lost their family during the war, and others has suffered and lost their property. The country becomes the center of different terrorist attacks.

The Office of the United Nations High Commissioner for Human Rights UNICEF United Nations Children's Fund (OHCHR) has put in its print in 30 September 2021 "Most of them tried to build new lives in other parts of the country, usually in wretched, unsafe makeshift settlements where they cobbled huts together from discarded detergent cartons and scraps of cloth and were subject to constant extortion and sexual violence". We plainly see that the political system could be the main role player in this miserable life of the society of the country. Kenneth W. Kliesner has put under her report of Human rights violations in Somalia for 23 years by pointing the Amnesty International, Human Rights Watch, and amnesty international the clash that happened between the government and the Islamic forces how they used their ideological difference for the war and it says "The Islamic forces wish for the country to become an Islamic state ruled under Sharia law, while government forces aim for the country to follow through with the constitution that founded the federal republic in 2012." March 9, 2014.

Governments and other political parties are the main responsible one for the crises in Somalia and the death of people but it would be difficult to find any political system member suffering or getting into problems whatever happened to the society. The society has lost their property and the country they have built for years and they left it simply. Kenneth W. Kliesner seen the crises happened including use of child soldiers and rape. It says, "Human rights violations include indiscriminate attacks against civilians, displacement of persons, restrictions on humanitarian aid, rape, recruitment, and use of child soldiers, unlawful killings and torture by armed groups and armed piracy off the Somali coast". March 9, 2014. How is it become so easy to give reasons for such devastation? As everyone knows the government always works for the benefit of the society but in such cases what devotion do they try to resolve the situations of war to bring peace? All peoples want to live a peaceful life and do not

want war because they want to raise their children and they want to keep the properties that they have got in their long lifetime or what they have inherited from their former families and they might have memories to keep safe with it. But what the society has suffered was very cruel as Kenneth W. Kliesner also put by mentioning the Amnesty International, Human Rights Watch and Human Rights Watch “all parties to the conflict use mortars and heavy weapons in areas populated or frequented by civilians, killing and injuring thousands of people, many of which are women and children under the age of (2014)” (March 9:2014).

In the present world, it is not confusing to understand that there is a reason which restricts the right to movement these are the economic difference between states, security, and other political issues like the alliance between states. Antoine Pécoud has put in his article on freedom of movement the uncontrollable flow of people will “led to practices such as the detention and/or forced expulsion of illegal migrants, the increased militarization of borders, reduced access by migrants to welfare provisions.” (2:2013). These reasons are could be taken as a limiting factors, even if they are also the main source for the illegal movement of peoples either internally or cross border.

Most countries use it for their own benefits especially “developed countries” which have clearly benefited from these by using systemic brain drain for their selfish economic development. Antoine Pécoud saw “While sometimes based on ethno racial or religious criteria, this selection is predominantly economic and takes the form of a global hunt for talented and skilled professionals, expected to boost economic growth and innovation in destination countries, and to integrate more easily.” (3:2013). How could we call this as the right to movement since it excludes the majority of the society of the world? These are designed to benefit the economically benefited and open ways for the professionals. Here the rights are designed for all the society both the professional and without profession and for the poor and rich without any exclusion. But the states abused the rights that were given naturally to all human kings for the sake of their benefits. Antoine Pécoud put “Citizens from developed countries can travel and settle down almost anywhere in the world, while their fellow human beings from less developed countries depend upon the uncertain issuance of visas and residence permits to migrate” (2:2013).

What is hidden from the states is the secret that gives the rights are more important for the economic growth of the states. Antoine Pécoud added “From an economic

perspective, freedom of movement would create a unified world labour market. This is sometimes advocated to achieve a better international allocation of labour, leading to increased development and growth.” (2:2013). According to Antoine Pécoud the state is doing against the way the societies are supposed to grow. This is not only against the economic development but also it is doing against the opportunity the society will get in economic growth and other opportunities in their life. It could be good if the borders are open for the society to move either internally or to cross borders and then the states have to do by collaborating on the economies of the countries. The main point why the states put restrictions on the freedom of movement is the reason for illegal migration that exists within different boundaries of the states.

This is also because of the economic variations between different states and those who have a good or developed economy can benefit from the free movement of the people but those who do not have a developed economy can lose both their human resources and freedom.

4.2 The right to seek asylum

Before we proceed to the right to seek asylum let us see what is meant by asylum seeker? The United Nations High Commissioner for Refugees (UNHCR) has defined asylum seeker “asylum seekers are individuals who have sought international protection and whose claims for refugee status have not yet been determined.” (23:2009). The right to seek asylum has a long history starting from the ancient civilizations, in ancient Rome they had a system to accept the individuals those who were fleeing from different persecutions. In religions like Christianity and Islam accepting the individuals persecuted from their home countries because of different reasons has also a long history. So, the concept of asylum was found in different social norms before the establishment of the UN (United Nations) and other humanitarian organizations. As it is seen in the Right to Asylum under International Law “Before the establishment of nation-states and the national laws that recognize the right to asylum, the idea was found in the religious laws, traditions, and practices of many societies.” (3:2021). This shows us how the right to freedom of movement exists throughout the history of humankind and it could also suggest that this human right has a deep connection with humankind.

In modern times also the right to seek asylum is taken as fundamental human rights and this right to asylum has a great benefit for those who have faced different types of sufferings from different persecutors exist in the world. Arrests, hatred, destruction of property, torture, murder, beatings, and imprisonment are Persecutions that could happen to an individual or group by another from governments. The article 14:1 of UDHR puts “Everyone has the right to seek and to enjoy in other countries asylum from persecution.” (30:2015). The right to seek asylum is important at all times as long as there are persecutions because of political, racism, religious, and gender.

As we all know the political system leaders is one of the main responsible to settle a peaceful environment for all society of one country including the oppositional parties who reside in their country. This responsibility of the state is not seen practically in most countries of the world, especially which are called the developing nations.

Millions have suffered problems because of political, racism, religious, and gender persecutions that are happening in different states of the world. The main problem that leads so many politicians and political members to suffer from state or from their origin country to another state is the political persecution. Jaakko Kuosmanen has discussed it as “In persecution, there exists a 'relationship of harm' between agents, and in the relationship, the persecutors are in some sense 'following' or 'pursuing' the persecuted. In other words, in persecution there seems to be some kind of directed effort on behalf of some agents to inflict harms on others.” (130: 2014).

It could be a must to see the political leadership’s irresponsibility that leads others to suffer a life crisis. This could be seen in different states around the world. Because of these persecutions peoples are facing a lot of problems around the world. The indirect role of the ruling government can play a major role and this indirect role could be political disagreement and ridged ruling systems are the mainly mentioned. Ronald Christenson put in his article of the Political Theory of Persecution “A theory of persecution presents a complex of ideas, some explicit, many implicit, in the attempt to justify a policy which purposefully singles out a certain group of people for oppression, generally because of their religious or political principles.” (419:1968). This has its own impacts on the societies right to life and the right to freedom of speech. The United Nations higher commission for refugees (UNHCR) is the subsidiary organ under the United Nations General assembly and it is established in January 1, 1951. It works with governments to provide international protection to

refugees around the world. This organ is non-political and works for the refugees as the statutes put under chapter one “The work of the High Commissioner shall be of an entirely non-political character; it shall be humanitarian and social and shall relate, as a rule, to groups and categories of refugees.” (6:1950).

Even if the work of United Nations higher commissioner for refugees (UNHCR) is non-political the source for the crises that leads many people to the state of refugee could be political. The political situations in the countries could be the main source for many to flee from their home. State asylum systems are set for different asylum seekers around the world but the attention given to the asylum seekers are not enough to solve the problems they are facing. A handbook for Parliamentarians no. 27, addressed roles and responsibilities of the branches of states “The various branches of government, whether the executive, legislature, or the judiciary have complementary roles and responsibilities for establishing and maintaining State asylum systems based on the rule of law, and for providing protection and durable solutions to refugees.” (34:2017). It is also better to mention the causes for the immigration of different people of the world.

To see a few of the states who have recently suffered these problems with the war between Ukraine and Russia, the United States and Afghanistan, and the government of Ethiopia and the Tigray region party are examples of these.

During the invasion of Ukraine by Russia, many have left their homes and their land and fled to different neighbouring countries of the EU. In this devastating time of war between Russia and Ukraine majority of Ukrainian have entered Poland, Romania, Bulgaria, and other EU countries. This war is not new for the EU country alone but many other nations have also suffered the same situations in different parts of the world and due to this war many have left their home and fled to other countries and migrants of different nations were died and have lost their families. As one of the new humanitarian articles has put how the other refugees are seen differently from the Ukrainian.

The new humanitarian puts “While countries in the EU have laudably opened their doors to welcome Ukrainian refugees, people from the Middle East, Africa, and South Asia attempting to seek refuge in Europe continue to suffer the consequences of policies designed to keep them out.” 4 March 2022. From these EU countries Poland

is the main one receiving the refugees from Ukraine and in the opposite way the new humanitarian has mentioned that “Poland is building a \$400 million wall along its border with Belarus, where politics created a humanitarian crisis for asylum seekers and migrants late last year.” 4 March 2022. And this wall is to protect the refugees that come from other parts of the world. The new humanitarian has reminded this issue “The stark difference in treatment is a sad and powerful reminder of how the response to those seeking refuge is shaped by racism.” 4 March 2022.

The report written by the UNHCR has mentioned “Afghans were the second-largest refugee group under UNHCR’s mandate, with some 2.6 million persons at the end of 2014.” (14:2014). when we internally displaced people are also more than one million as the article written by Belquis Ahmadi and Sadaf Lakhani tells “More than one million people within Afghanistan have been internally displaced because of violence and ongoing war in their communities.” (2:2017).

These all number of people moving from their country without their interest and to save a life from the war inside their country. The political issue here also is the partaker for this war to happen between the two groups. The war started when the United States and its allies invaded Afghanistan in the year 2021 G.C. The most difficult part is, it could be difficult to get back to their properties after all this war and even it may cause another conflict between the society. Belquis Ahmadi and Sadaf Lakhani have put “Some families are compelled to leave homes they have lived in for decades with little notice and often without time to gather their belongings.” (3:2017). The way they left their homes is even telling us that there is no responsible group or individual that cares for the society’s life.

After the war in different parts of Somalia the society were put into the problems of economic, lack of security, lack of infrastructure and with basic services like water and health care. During the civil war many of the people were become homeless as there homes were destroyed and displaced from their homes. Belquis Ahmadi and Sadaf Lakhani have mentioned “Disputes over housing, land, and property between returnees and current occupants have also been reported.” (2:2017). The society is going through difficult situations without any of their mistakes but while all this happening the parties that were in war do not even care about the problem of this society. In such cases, it is very easy for the society either economic migrants or refugees but it is clear that the major source of the problem is not the society alone

rather the political system should be the main responsible one. In this all situations the state did not played its role to protect individuals rights and there was no well-structured functioning institutions in the country.

In the movement of either internal or cross-border, it has its own impacts on the other way if it is not done peacefully for the safety and good life standard of the people. If we take on the other side the countries who accept the societies who moved from their original country to other states, are not comfortable with those refugees who come to their territories. This is because of so many reasons from this the fear of economic issues could be one and also the fear that the foreigners who come to our country may take the job opportunities.

The other issue which is taken into consideration is the economic problem that may happen to the host country. It could be confusing to believe such issues raised some of the countries because the host countries are not only giving the host for the refugees alone but rather they are benefiting from them through different ways like using cheap labor and they get easy way hire the intellectual from the moving society. Angela Stanzel put in her article about Afghanistan's refugee crises and what it means for Europe "At the heart of Afghanistan's migration crisis are its poor and worsening prospects in terms of security, politics, and the economy." (4:2016).

CHAPTER FIVE

SLAVERY AND SERVITUDE

5.1 What is slavery?

Before we proceed to our point let's see what it means by slavery and servitude are. What is slavery? Slavery is the practice in which one own and control one person as a property and without their consent use them to perform labor. In the human history the act of slavery becomes as a hereditary in the life of the society and this act is done in different ways. From these different ways through the governing authority and through the societal systems are the major ones. Slavery is the act of taking the rights and freedoms of someone by another person or entity and in which the person is forced to lose its own identity as human being. This act has mentioned and defined by different groups and scholars at different times.

It could be plain that the act of slavery is not when one person does take the freedom of his own personality but it the act of one person against the other person the article of The Anti-Slavery Provision has put slavery as when “one person taking away another person's freedom—their freedom to leave their workplace or employer/slave master at their own choosing, to control their body, to choose their work—so that they can be exploited.” (2:2016).

These actions might be done because of the differences between humankind that may be developed through time like having differences in world view, differences in economic background, differences in education level, and also a strong desire to use and exploit the other person. To balance these differences and to keep the freedom of individuals there are political systems and non-governmental organizations which are not successful in fulfilling their duties. Even though the act of slavery is against the law of states, Ppeople are sold like commodities and they have been deprived of their dignities. This had put a big scar on the society who has suffered it and it has brought on the slaves to lose their real identity and see themselves as a man who is below anyone. This act was not only a physical thing but rather it has put under pressure their economies, feelings, morals, and self-understanding they have for themselves. To eradicate this problem the human rights has put in its Article 4 of the universal declarations on human rights (UDHR) “No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms”. (10:2015).

In the history of human kind slavery has interpreted in different dimensions like from religious books and Greek thinkers. From the ideas raised from the Greek thinkers like Aristotle that takes the slavery as a piece of property to be bought and sold. He pointed in his politics translated by Benjamin Jowett it says “and into the art of getting wealth, in accordance with our unusual method, for a slave has been shown to be a part of property.” (12:1999. when it says as property it has the monetary value as any property to be sold, so this clearly could decrease the dignity of human kind in any ways. On the other way Kostas Vlassoulas has mentioned its importance in the modern research in his article “The vast majority of Greek thinkers conceived slavery in a different mode, and this way of thinking about slavery could be still of important analytical value for modern research.” (116:2011).

This act of slavery has a long history, especially in the history written in the bible and known as Moses’ law. In the bible in the book of exodus it is mentioned that “If you buy a Hebrew slave, he shall serve for six years; but on the seventh, he shall go out as a free man without payment.” (In exodus 21:2). In the first place, the law of Moses was given for Israel’s nation and the way it was taken into action does not much to the aim of the law. Here it could be good to consider what Moses has brought was not only the law that tells about slavery but it has more of better freedom for the life of humankind. The problem is people could only take the negative aspects of it and used it for their selfish interests and to abuse each other.

In today's world, it could be good to hear the prohibition of slavery and servitude. But the question is what might represent the real meaning of slavery if they are still taking place in another form? As John Locke has said in his second treatise on government under slavery “The natural liberty of man is to be free from any superior power on earth, and not to be under the will or legislative authority of men but to be ruled only by the law of nature.” (114:1823), is humankind free from any superior power? If the answer is no, so how we say that there is no slavery? Because mistakes seem right until they are proved after a time.

When we talk about slavery and when we define slavery we always tell how someone controlled somebody by force. So, the implementation of the law starts by protecting one person and then we say the law is implemented. Starting in the past humankind is under violations of slavery in different systems and from all the times the recent time conventions are supposed to protect humankind from the action of slavery.

The main problem could be all different states of the world may be partakers of these problems. And this has different forms in different parts of the world in today's modern slavery. Kevin Bales has mentioned in his book the different forms of slavery in today's world, he mentioned there are four main forms of slavery first "chattel slavery, the form closest to old slavery, where a person is captured, born, or sold into permanent servitude, and ownership is often asserted" (33:2009), the second form is debt bondage slavery, or bonded labor and the fourth one is forced labour.

Article 2 of the UDHR put "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or another opinion, national or social origin, property, birth or another status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional, or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing, or under any other limitation of sovereignty." It is common to see the opposite of article 2 of the UDHR in the practical world. Distinctions seen in the areas of race, language, sex, religion political opinions, and property are the most common and even beyond the control of states and it has become the main source of the death of many peoples and distractions of life in different ways. We all know that the declaration itself would be needed for the equality and freedom of all mankind but what if the discrimination continues at the same level through time? This shows us there must be things to be changed in such cases either from the state departments or any other responsible agents.

Article 4 of UDHR put "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms". (10:2015). It may be unfortunate to say there is no slavery in today's world since the name slavery is broad and includes the pain and suffering of humans on each other for the comfort of a few people. 2022 Merriam Webster defined slavery as "the practice of slave holding, the state of a person who is held in forced servitude, a situation or practice in which people are entrapped (as by debt) and submission to a dominating influence."

Slavery is the act in which the slave master can control and abuses of the slaves without their interests. It is the act in which the person can be enslaved under the control of the other person or group. When we say the person we are not only limited

to the physical identity of the person but we are also referring to the mind and spirit or soul of the person. 2022 Merriam Webster also puts slavery as “the condition in which one person is owned as property by another and is under the owner’s control, especially in involuntary servitude”. The difference between slavery and servitude is, slavery could be when someone owns somebody as property of his own and in the same way servitude is when someone serves somebody and is unable to leave, but does not own him or her as property.

The UCSD center on Global Justice for the Global Citizenship Commission has put the concept of slavery in Article 4 as it includes forced labor, decent-based slavery, and human trafficking. It puts “The concept of slavery and slavery-like practices can cover a range of practices, including forced labor (e.g., debt bondage, serfdom, and forced sex work), forced labour (e.g., child soldiers), descent based slavery, forced or servile marriage (e.g., exchanging a woman for payment), and human trafficking.” (1:2016). Forced labour, decent-based slavery, servile marriage, and human trafficking are all not strange things for this twenty-first-century generation. The surprising thing about these slaves is they are known by the majority of the society including different political system leaders of the world.

Different states of the world have the ability and access to prohibit those inhuman practices but they have preferred to stay silent. Forced labour, human trafficking, and decent-based slavery are all become the centre for the world media coverage purposes alone and all the pain could only have been left to the people under the bondage. These media coverages are also seen as a favour done by the states for the society that has faced problems from different agents.

5.2 Modern slavery

Slavery have a long history and it still exists in a different ways in a society. It could be impossible to think the freedom of individuals in the presence of slavery as it brings down the status of human kind to level of commodities. Modern slavery is a slavery in which peoples becomes enslaves in a different forms. It could be sad news that the act of slavery still exists as there are different struggles going to combat this act. From the reasons that allow this act to continue it comes with a new form what was known before. In the modern slavery book Kevin Bales put “This modern-day

slavery takes various forms and achieves certain ends but its outcomes are always exploitative in nature.” (18:2009).

The modern slavery comes with the new culture that could be set to only benefit the owners in different areas of job. This act is done as a job creation for the unemployed peoples in different parts of the world and use as a economic gain for the slave masters. In his book of modern slavery Kevin Bales also mentioned “appropriation of labour for productive activities resulting in economic gain, use of the enslaved person as an item of conspicuous consumption, sexual use of an enslaved person for pleasure and procreation, and the savings gained when paid servants or workers are replaced with unpaid and unfree workers.” (18:2009). This exploitation also includes children as he also mentioned “exploitation in agriculture, industry, and domestic service, a huge proportion of slave labour is performed by children”. (20:2009). We all are sure to testify the prohibition of “slavery in all states of the world from these world states Kevin Bales tells us about the Legal slavery in the US ended some sixty years later. But slavery itself didn’t end; making something illegal doesn’t make it disappear, it only disappears from view.” (20:2009). many are still suffering in different parts of the world because of these slavery actions and it is the reason for the death of many and for the loss of human rights and human dignity.

In many parts of the world, it is not far to see the different ways slavery actions may fit the states they exist in. Kevin adds how much the action of slavery intensified and is still practiced all around the world “The laws allowing slavery have been rescinded, yet slavery occurs on every continent except Antarctica”. (18:2009).

One of the anti-slavery international charity organizations described in its print in the year 2022 put modern slavery takes different forms and the common ones are human trafficking, forced labor, slavery of children forced early marriage, and descent-based slavery. The term modern slavery itself has its own implications that could be different from the past time slavery. Even though the 1948 UDHR has clearly prohibited slavery and servitude the practice could be still active and is putting human society into a great mess of life. The anti-slavery international charity organization put in its findings in the year 2022 “Modern slavery is the severe exploitation of other people for personal or commercial gain”. Modern slavery is all around us, but often just out of sight. It clearly shows us how much it could be happening even in the daily

lives of human kinds and Kevin Bales also says in his book on modern slavery “People can become entrapped making our clothes, serving our food, picking our crops, working in factories, or working in houses as cooks, cleaners or nannies”. (18:2009).

According to the data of the United Nations in 2020, estimated that around the world 40.3 million people are in modern slavery, 24.9 are in forced labour and 15.4 million are in forced marriage. This data even varies based on different regions of the world if we see for example according to the data of ILO on Global estimates of modern slavery shows “Modern slavery was most prevalent in Africa (7.6 per 1,000 people), followed by Asia and the Pacific (6.1 per 1,000) then Europe and Central Asia (3.9 per 1,000).” (9:2017). It is large number in Africa and Asia when compared to other continent.

This number shows us how much it is intensified and how much it could be large when we see it in relation to the impacts it has brought to the large society because we are not only talking about the single number of people but it has a chain effect because of man has a social interaction. Here it could be very interesting to see what is modernity? How this is happening in the century called modern? Modernity has been interpreted in different ways and by different scholars and different perspectives. The word modernity tells as a new time and culture or a recent time and culture. In the time called new the same act of slavery is taking place in a new character. The act of slavery continued by modernizing itself with the new lifestyle or character of the society. Kevin Bales put the characteristics of modern slavery as “Slavery globalized, Illegal and legal ownership avoided, Short-term relationship, Racial differences less important, Very low purchase cost, very high profits, Surplus of potential slaves, Slaves disposable.” (28:2009).

5.3 Forms of slavery

5.3.1 Human trafficking

One of the major problems in today’s world could be human trafficking and this problem is seen as an unknown problem in most nations. Before we proceed let’s see what is human trafficking itself? Human trafficking is one of the form of slavery and it is the act of having control over the other person by using force, deception or in the

name of recruitment for exploitation. Human traffickers can be anyone from any work of life. In the world human kinds are deployed to cover their daily life enjoyment and to fulfill their purposes by doing what they believed in their entire life. The act of human trafficking can occur anywhere and this does not mean that there are the same experiences in different regions the world. Because of different factors like war, lack of proper education and in the regions where the law executions are weak could face more cases than the other parts of the world. The united nations also defined human trafficking as “recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.” (2:2014).

Human trafficking is one of the mainly mentioned types of modern slavery in today's world. This problem is seen in different parts of the world and it depends on the type of stability and economic conditions of the states but this does not mean it does not exist in some other parts of the world. Marie Vlachová has mentioned this in the article Trafficking in Humans “Regions with unstable social and economic conditions with a demand for illicit labour (including sex workers) quickly become targets of trafficking activities, as evidenced by the speed with which these gangs were created in or entered the countries of Central and Eastern Europe after the end of the Cold War.” (2:2022). she puts as the main factors for these “poverty, illiteracy, unemployment, weak or corrupt state institutions, the demand for illicit labour, the lack of brides, or the thriving economics of sex tourism”. (3:2022).

Why the states choose to stay silent on the issue of human trafficking? The responses of the governments are not satisfactory or they are not working in their full potential to combat this problem. It could be challenging to solve the issue of human trafficking by the local governments alone. The effort of local governments could be very important, if we take as an example one of the national action plan in the United States of America has mentioned in the publication of the National Action Plan to Combat Human Trafficking (NAP) “We recognize and express our gratitude to the community leaders, service providers, businesses, grassroots activists, and individuals with lived experience of human trafficking across the United States and around the world who continue to forge innovative anti-trafficking strategies and push various

forms of government to improve their response to human trafficking.” December 03, 2021 statements and releases. The United Nations has put under the human trafficking and the role of local government in the publication that works on Counter-trafficking activities which might also be applicable in other nations of the world and says “Prevention of human trafficking, protection of Victims and Prosecution of traffickers. This 3P principle acts as a policy framework used by governments worldwide to combat trafficking of persons.” (23:2005).

To protect the human rights in any country the responsibility of the governments are undeniable especially local governments by supporting the survivors and by investigating the cases to prevent it. Human trafficking could be one of the signs that tells the peoples are discriminated and also shows that there is inequality. The local governments have a duty to provide ways to economic development by educating the peoples and by creating jobs that could help the society to have awareness and better life. In reverse human rights and social justice are in question as the local governments and NGOs are not addressing the problems due to different reasons like Madevi Sun-Suon has put the lack of capacity of the local governments to handle human trafficking “Local governments and NGOs lack the expertise, sensitivity or experienced personnel to deal with the needs of human trafficking victims”. (40:2005). This human trafficking may be internal or cross-border. But it is undeniable that those problems are happening in front of every political system leader in the world. The data reported at different times are also one of the main justifications for these. Women and children are the most vulnerable to these problems of human trafficking in the majority of the world’s nations. According to the report of the statements releases human rights commission in one year around one million children are exploited by traffickers for the purpose of commercial sex. Under the gender-specific factors the United Nations also put as the root causes; “the acceptance and normalization of violence against women and girls, the vulnerability of women to poverty, the concentration of women in insecure and vulnerable workers and their lack of decent work opportunities, and the limited access for women and girls to education.” (18:2018).

In any case, identifying the areas may help the states to know and identify the areas and then will help to solve the problems but here our point should be the executive bodies of either the states or other organizations are not giving much concern in many

areas of the world. The factors for the problems happening in relation to human trafficking are not natural factors but are man-made and solve-able. People who are taken by the traffickers are deployed on different duties which are very risky as the world health organization has mentioned in 2012 “The risks can include poor ventilation and sanitation; extended hours; repetitive-motion activities; poor training in use of heavy or high-risk equipment; chemical hazards; lack of protective equipment; heat or cold extremes; and airborne and bacterial contaminants.” (3:2012).

The laws in single country are not formulated to protect the majority of the society only but the laws and regulations are also for all societies of the states that are living in one specific area. The role and responsibility of the government should be also to protect one single person because in any case, the life existence of humankind begins with a single person. Whatever the system of the human trafficking is so complex the states must have to be much better than the traffickers to abolish their act. The Fact Sheet written by the Human Rights and Human Trafficking tells “Although determining the responsibility of States can be difficult because of the complex nature of trafficking and its associated legal framework, in very general terms, States will be responsible for their own acts or omissions that breach their obligations under international law, including human rights law.” (11:2014).

5.3.2 Forced labor

What is forced labour? Forced labor is a form of modern slavery under which individuals are involuntarily forced to work by putting them under different punishments and threats. This act is the violation of human rights and human dignity. According to the Forced Labour Convention, 1930 (No. 29) it says “For the purposes of this Convention the term forced or compulsory labour shall mean all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.” (15:2015). as we understand from the definition it is the act of driving someone into a work without his or her interest. This problem could be done for different purposes from these one is to get economic benefits by putting the other person into bad conditions. Debt and loans may also be used for the indirect forced labour.

Forced labor has a direct history in the past as it has been used as means of socio-political and economic superiority. In the ancient times individuals are forced to

work because their former families are being enslaved and this continues in the middle ages also individuals were forced to work for the called lords at the time to save their life's from punishments or deaths. In the recent time forced labour also continues even if it is acknowledged as a violation of human rights forbidden by the international laws. This forcing someone could be done in the recent times either during the recruitment or on the job. According to the study made by Global estimates of modern slavery “The coercion may take place during the worker’s recruitment process to force him or her to accept the job or, once the person is working to force him or her to do tasks that were not part of what was agreed to at the time of recruitment or to prevent him or her from leaving the job.” (16:2017).

The states could never be free from the abuse happening to the society in different parts of the country and even sometimes they are the supporters of such actions directly for their own purpose using the policies or indirectly by ignorance and because of lack of proper administrations the International Trade Union Confederation ITUC has pointed in its action guide “The state can also be indirectly responsible for forced labour when it is either unable to offer adequate protection due to limited institutional capacity, local presence or power or corruption or unwilling to offer protection due to informal or irregular status of workers.” (13:2008). On the other side most of the exploitations are also outside their country of residence and in such a case it becomes sophisticated and they become more vulnerable. State imposed forced labour is taken within the border of the country they live in.

The issue of labour force should not be considered in such an easy way as the problem is intense and putting the rights of humankind under a horrible problem. If we see the number of people suffering from this problem, it clearly tells us how much the states are irresponsible for the safety and rights, and freedom of their society. The Global estimates of modern slavery mentioned “24.9 million people were being forced to work under threat or coercion as domestic workers, on construction sites, in factories, on farms and fishing boats, in other sectors, and in the sex industry.” (22:2017).

The effect of this action can harm each nation because it could be the process of stopping humankind’s potential not to work freely by using its ability and interest. The states themselves may lose the higher potential of their society that helps to develop the entire nations. The International labour organization (ILO) has put as a

guidance manual on the Developing National Action Plans on Forced Labour “Each Member shall take effective measures for the identification, release, protection, recovery and rehabilitation of all victims of forced or compulsory labour, as well as the provision of other forms of assistance and support.” (14:2020).

CHAPTER SIX

THE RIGHT TO PROPERTY

6.1 What are the rights to property?

Before we proceed we have to ask what is the right to property itself? The right to own property is one the rights that humankind gets naturally to own and use the property. Maria Tereza put in her publication under property “A property right may be seen as a bundle of basic rights, namely the rights of possession, use (usus), fruition (usus fructus) and alienation of the subject of the right. These rights, however, may or may not belong to the same holder.” (5:2016). The market business news defined the right to property as “The term refers to the ownership of a resource or economic good – either tangible or intangible (physical or abstract) and how it can be used by the owner.” Common Properties, private Properties and public Properties are the different types of properties that can be owned by different persons.

For the sake of the safety and peaceful life of humankind, it could be a must to have a proper laws and regulations that govern this ownership. The University of Illinois Extension also put the right to property as the right that is set between society to express the bearer “Property rights establish relationships among participants in any social and economic system. Holding the rights to property is an expression of the relative power of the bearer.” (2022).

6.2 Property ownership and human rights

It is clear for all that the importance of property is unquestionable and it is also clear that property by itself is nothing unless it is used by humankind or other creatures. As John Locke also mentioned the uses of properties like to eat and drink. No one is created rich or poor regarding property and all properties are created by humankind and to humankind.

Neither animals nor plants have properties, knowing these ideas may force us to ask how can humans alone become property owners? Or what makes mankind to become the owner of the property? Because man has the ability to manage and control and also has the ability to multiply by using skills and knowledge, but this ability alone is not enough for one to become a property owner there must be rule, and regulations set, and

these rules and regulations also have to be undertaken by the government. Mankind is destroying properties without any questions because of war and conflicts happening in different parts of the world and this is leading mankind to lose their shelter and the wealth they have accumulated through time.

In the new international version of the bible it says "has given the earth to the children of men" (psalm 16:1978), but here what we have to know is the property given to man exists when we only multiply them by using the freedom and right we have that helps us to use our knowledge and skills but in reverse when there is a war the properties will get lost, So protecting the right and dignity of human kind must be the first priority of all things.

War becomes the main factor that is causing distractions on humankind's rights and dignity as it is also destroying their properties. Let us see how it is, it is deep to analyse how far can mankind understand nature to develop them for a better life. Mankind searches for new discoveries and new creativity to simplify the hardship in life and accumulate properties that will help them to enjoy it. So, to dig out and know the things that exist in nature we need to have the right and freedom.

Peoples have the right to use their property without any interference as they prefer and in the way that do not violate the right of others. This right gives the authority to the owner of the property to use and enjoy it based on the laws and regulations set. The rights to use one's own property in the same way also includes the right to preserve and protect the properties.

Humankind has their own properties which get through fair work by their labor as Erik Mack also supports the idea of Locke ownership which mankind gets, and it helps mankind to express their rights. When they express their rights, it is not only limited to those who have the properties but it also includes the whole societies. The influence they have in the expression of their rights includes could also bring the impact in process of making rules and regulations to stop the threatening that challenges the rights of individuals.

This happens through the ways states make policies in relation to the target of economic growth as also Luisa Cruz has mentioned in the paper of an essential factor for the realization of the right to food "Policy on land and other natural resources are intrinsically related to economic policy on investment and international trade".

(10:2010). Policies cantered on only the one who has a capital and the majority are excluded especially this is seen broadly in developing countries of the world. This problem is also taken as the main source of starvation and hunger in different states of the world. The first responsibility of the states would be to protect and set a rule that will benefit the whole society but it is not happening, the OHCHR (office of the united nations high commissioner for human rights) also supports the idea it says “Guaranteeing human rights requires an enabling environment in which: authorities are legitimate and act legitimately, efficiently, effectively and competently; in which there are clear procedures that guarantee the participation of civil society in decision-making; in which information is transparent and in which governmental authorities are accountable”. (27:2006).

John Locke put "Every commoner necessary to anyone's appropriate to himself any part of what is given in common". (29:2008). It explained all resources must be given to everyone who wants to get them in his or her labour. The rich have higher acceptance in different participation with governments and this leads the few owners of property to become the decision makers and helps them to influence the rules and regulations set for the majority. This unbalanced distribution of resources has its own bad consequences on the life of the society as also the publication written by the Third World Centre (CETIM) put “The unequal distribution of fertile land is one of the major causes of hunger and poverty throughout the world, particularly in rural areas. On the one hand, a small minority holds thousands – indeed millions – of hectares of land, whereas hundreds of millions of peasants are without land or must survive with less than one hectare, depending on the country”. (12:2014).

Article of UDHR says “Everyone has the right to own property alone as well as in association with others”. (36:2015). As we have mentioned above to bring a suitable environment for the society that may help to get the property and own it the government must also have to do its responsibility the society has given them. This also gives the right to mankind to own the naturally given property and in addition to what they are getting by their labor. There is no problem with the property that is given naturally because as we know there are excess resources to mankind but the problem, what we should ask is that, is a man capable to manage this free resource in a fair and equal way by adding the knowledge and understandings that humankind

have? Because nature does not only give the natural resources but also gave the knowledge to remodify them by using the skills and knowledge to use them fairly.

Does the earth the property of all mankind? The answer is Yes. But it does not seem like that even in recent times the world quarrels over these properties as seen in different parts of the world. John Locke argued in his second treaties of the government it says “God gave the world to men in common”. (34:2008).

He also added that it is given to use it industrious and rational. In the same way, as John Locke put to use these properties human beings have to use their rationality which may help them for equal and fair distributions, but this could be difficult to rely only on the rationality of mankind to use the resources fairly. John Locke told us how one has his own resources by using his own labor and in the same way, the political system has to bring the ways to protect their rights of having and enjoying their properties and for those who violate the rights of others there should be punishment. But what if most of mankind including the state officials refuse to work and accumulate their own property and choose to steal other properties from those who get by their own labor? Locke's answer is men have to use their reason. But this has brought a mess that goes beyond reason and men could have used their evil identity too.

6.3 Hhuman rights and property usage

The problem of management should be the source as man needs the skills, knowledge, wisdom, and understanding to rule and manage his own properties on the earth. The basic thing for these skills and knowledge is the education system that the states provide for the society as it is mentioned in the UDHR (universal declarations of human rights) article ‘everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit’. (Article 26:1).

Everyone have the rights to enjoy healthy and clean environment. The property used in the daily life of peoples have its own uses and have also impacts if do not managed properly. The problems related to bad weather conditions and environmental pollution's could be the results of lack of good usage of properties. The governments

have the duty to keep the society safe from the problems that comes due to inappropriate usage of properties. The governments must ensure this by making the laws that could keep the rights of the society. If there are laws and regulations that help keep the rights property rights it could be devastating for the society, The world Bank Documents reports has also put “there are many examples throughout history where failure to establish the necessary property rights institutions has led to conflict and resource dissipation rather than investments that would enhance resource values and productivity.” (10:2004).

The life of the society may depend on the property that exists either naturally or by their labor. So, if the property is not managed properly it could cause a great loss. Peaceful and proper usage of the property has its own benefits for the society of one state and the world. José E. Alvarez pointed out in his article on the Human Right of Property “the idea that everyone’s right to property requires respect because it is essential for a nation’s people to live peacefully in common, because it enables sovereigns to engage with one another, and because it provides a suitable base for a common law among nations—*jus gentium*—were not justifications newly minted by the U.S. Founders.” (16:2018).

There is no need to put restrictions on the rights of the society to own properties as the existence of the world could also be for the favor of the society. The existence of mountains, rivers and other natural properties are older than the age human existence. Human beings could also be the reason for the existence of the world and the properties exist on it, so human kinds have the right to own and use these properties without any restrictions. In the same way, mankind could also be responsible and have a duty to preserve the world by avoiding the destruction of properties.

Everyone should have equal right to get the opportunities to use properties without any discrimination. Bringing equal access to property for the society could be one of the solutions to stop discrimination. This equal access gives everyone the rights to use and own the properties without any discrimination arise related to different groups like gender, religion and race. It is good to take an example from what Locke described about Americans in (15:2008). That they are rich in land and poor in all the comforts of life. Locke did not mention why they were poor in the comforts of life.

This happening tells us that life is not full in the absence of rights and freedoms regarding the usage and fair distribution of properties.

If we see the life of black Americans are still not safe, they still Carry guns and have no understanding that goes with the standard and morality of the name America. There is no question that Americans have property as he also mentioned but it is very painful how much lack of management is destroying the property and human life. So before we start to protect the property that we have got by our labor we need to have a proper right that helps all humankind to accept themselves and to manage the existing resources that nature gave us. As it is mentioned in the new international version of the holy bible it says " And God said unto Noah, the end of all flesh comes before me; for the earth is filled with violence through them; and, behold, I will destroy them with the earth". (6:13).

As Locke said in section 25 the natural right of property itself has no guarantee for the human creature. To some extent, I agree with what John Locke said regarding property on what "man tills, plants, improves, cultivates and can use the product of so much is his property". (10:2008). Here it is good for mankind to have property as much as they labour but if the men completely focus on the goal of having property alone it puts mankind to have an imbalanced conception of life and the state. It may also make mankind to forget the skills that make them cultivate and plant. In the same way, Locke mentioned men have given reason. As Locke mentioned in the second treatise of government "has also given them reason to make use of it". (11:2008).

6.4 Politics and mismanagement of property

"Though the earth and the all inferior creatures be common to all men". (27:3008). the government only focuses on the usage of properties for humans and these selfish laws of the government made nature to extinct. In the above verse, John Locke pointed out how the common property that we get by nature is free to all men who labor. Nature is given to a mankind not only for usage but also to stand independently and this could be done when mankind has got the right and freedom to own the properties and to enjoy its rights. Both the state and society destroy nature illegally which Locke also called the "common properties" because of the state fails to teach the society to develop their knowledge and understanding of nature.

Different things are happening in the recent world how individuals are losing their properties without any reason by individuals and by the state itself. On this Hobbes's idea of the law must be needed for men as it says "There is no law where no injustice" in this case, even though there is a law it must include the right to get knowledge and wisdom to manage and own property. Man created the things that may help to live safely in this world but the things that were created for the safety of humankind got more priority. To get properties that may help humankind the government must set rules and systems that will protect the humankind from any harmful things. But if ignorance continues regarding the formulation and to execute the laws as Hobbes also mentioned "That there be no property, no ownership, no mine and thine distinct". (493:1970).

John Locke mentioned on property that "God, who has given the world to men in common". (11:2010). He clearly mentioned that the world is given to mankind without any restrictions that come from any agent. Whenever there are restrictions that come from mankind in the name of any political or civil powers that could break the right given to mankind. Political power leaders want to correct and administer those rights with their limited ability and this may bring breaking of the rights of individuals. Locke added, "nobody has originally a private's dominion, exclusive of the rest of mankind, in any of them, as they are thus in their natural state." (11:2010), which means everyone has a right to use and nourishes that property that is given by nature. Putting restrictions to use and nourish those properties must be breaking the rights of ma kind that was given naturally.

When fences are put by the government not to get the property and when confusing rules are set by the government which seems good rules but that tackles the society not to use and prosper by using the property. On the other has when it says "nobody has originally a private dominion" it includes the government because the properties given by nature are not time-limited. The government is limited by time but this is a gift for mankind at any time. Locke argues that "nobody has any right to" any property except the labour of his body. Most of the governing authorities are also included here since, the properties that exist originally are not the labour of their body. The government authorities use the property and set the rules in the name of administration. In the recent world, it is difficult to find a country or continent that has no rules and regulations even that do not allow having a property. The recent world

seems imaginary because this right has been allowed but it is difficult to find individuals to find with their own properties. What makes the majority of individuals not to have properties as there is a clear right that allows and protects them to have properties? The answer is simple the one who gives these rights.

6.5 Concluding Remarks

Generally, we have seen how the political system has threatened human rights and human dignity. Human rights are universal and are given to all nations equally. This includes irrespective of any race, sex, religion, language or age, etc. The political systems could give priority to their power not to the safety of the individuals and the basic rights of the society. This is seen in countries where the government systems are called authoritarian or democrats. The political system is used to abuse and exploit the rights and dignity of individuals to keep the society silent for the sake of their political power. To abolish the abuse of human rights and dignity the human rights came as with the convention in the twentieth century. It is easy to understand the existence of human rights as old as the history of men even if they are called by different names in different times. The political system and the governments are only following their advantages for the sake of political position.

The concept of equality invokes the idea that all human beings have an equal worth regardless of their color, gender, race, or nationality. Individuals have the right to be treated equally and the political power leaders also have the power to bring the environment in which all human beings are seen and treated equally. The notion of free born and equal tells us that we are all born to a world that exists equal and free for everyone of all humanity. Equality is the right of human kind and it is also one of the main area where the rights and dignity of human kind could be threatened by the governments. It must be the responsibility if the governments to teach the society that they have the right to live equally without any gender, color and consideration of their nationality. Finally, everyone should be treated equally and and the political power leaders has to give equal access for everyone.

The political leadership's irresponsibility that leads others to suffer a life crisis could be seen in the majority of states of the world. Because of this persecutions peoples are facing a lot of problems around the world. The right to movement is one of the rights that everyone has to enjoy without any restrictions. The indirect role of the ruling government which could see in different forms of regulations and policies can play a major role either to protect or exploit the rights and equality of the individuals.

The human rights and dignity are threatened through different ways by enslaving the society for their sake of political power. Human rights and human dignity threatened through different ways from these slavery and servitude are the mainly mentioned.

The act of slavery is against the law of every state of the world, but the act became the main area for the society to suffer challenges in their life. Modern slavery takes different forms and the common ones are human trafficking, forced labor, slavery of children forced early marriage, and descent-based slavery. The term modern slavery itself has its own implications that could be different from the past time slavery and this can tell as that the act still taking place in the new form.

The life of the society in any part of the world depends on the property that exists either naturally or by their labor. So, if the property is not managed properly it could cause a great loss, and to overcome this problem it is the state's duty to establish proper rules and regulations and then to protect the rights and dignity of the society.

The political view of human rights tells on the other side of modern international politics. It could be common to see the major problems on the side of political power leaders in violations of human rights and human dignity in whatever way it is understood in political aspects. The one born free and equal does not threaten his or her rights in most of the time but this must be either political agents, groups, or individuals.

Generally, the human rights and human dignity is not respected properly the society needs to create a solution that could help them to protect their rights by themselves. This can be possible through different ways from, by creating putting limitations on the power of governments ruling system and by creating trusted unions works for the society and by the society.

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