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Development and Human Security in Asia: An Analysis from Human Rights and Cultural Relativism Point of View

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Abbreviations

CP	Civil and Political
DPI	Department of Public Information
ESC	Economic, Social and Cultural
HDR	Human Development Report
PRC	People's Republic of China
QoL	Quality of Life
UDHR	Universal Declaration of Human Rights
UN	United Nation
UNDP	United Nations Development Programme

Abstract

This paper attempts to discuss the conflict between the liberal doctrine of Universal Human Rights and cultural relativism from the view point of development and human security in Asia. Using the Universal Declaration of Human Rights as a reference point it discusses the levels of conflict between human rights standard and cultural differences in developing Asia, particularly in their pathways of economic and social development. It also discusses the criticisms about universal human rights doctrine from a Relativist point of view and responses from a Universalist approach. This essay aims to consider various claims about 'Asian Values' made in relation to development and human rights to find the Asian way of promoting human development and security. From the theoretical discussions and case studies of Asia, what becomes clear is that the Universal Human Rights doctrine does not have to be abandoned on the grounds of cultural diversity and development. Therefore, for promoting development and human security in Asia the way forward is to work on a better and more impartial implementation of human rights doctrine rather than leaving it to governments to judge which culture is worth protecting and which elements of a culture can be legitimately oppressed.

Key words

Development, Human security, Human rights, Cultural relativism, Asian values.

1. Introduction

'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' (United Nations, 1948).

.....A promising start to the Universal Declaration of Human Rights (UDHR) adopted by the General Assembly of the United Nations in 1948. But, having opened with such noble sentiments, did it go a little too far in terms of detailing specific rights that no-one, realistically, could have expected every country to observe, by reason of cultural relativism or judging in terms of level of economic development? For example, in states where arranged marriages are customary, one would expect clause 2 of Article 16 ('Marriage shall be entered into only with the free and full consent of the intending spouses') to be routinely disregarded, while the Iranians who placed a *fatwah* on Salman Rushdie clearly felt justified on religious grounds to ignore Article 19 ('Everyone has the right to freedom of opinion and expression . . .'). Thus, there are grounds of conflict between 'Universalists' and 'Relativists' of human rights. While Universalists view human rights to be a standard for all irrespective of culture or space, cultural Relativists view universal rights as insensitive to cultural differences and an instrument of oppression itself.

Based on this understanding, some Asian states call the human rights doctrine a new form of western imperialism and argue that human rights should be more 'culture relative' rather than universal. Their call gets further momentum when the Bangkok Declaration of UN's World Conference on Human Rights 1990 suggested that universality of human rights should be considered, "in the context of a dynamic and evolving process of international norm-setting, bearing in mind the significance of national and regional particularities and various historical, and cultural and religious backgrounds" (Chan 1993). Some even refer the right to economic development as basic to the implementation of other human rights and promoting overall human development and security. They seek to link development issues with human rights and emphasize the importance of non-interference on the implementation of human rights based on cultural context and development levels. They argue that in the process of development, human right violations are unavoidable and therefore the level of development and context of individual culture should be taken into account when the UN judges the human rights records of states. Based on this argument, some Asian countries tried to promote the concept 'Asian Value'¹ to secure development, human rights and human security in Asia. But these grounds of need for more culturally relative human rights doctrine to promote development and human security seems unjustified when in many Asian countries cultural relativism is clearly used by regimes to justify their own appalling human rights records. Thus, sometimes in the name of cultural relativism and economic development regimes try to suppress individual or group rights threatening human security in individual as well as community and group levels.

¹ Promulgated by the founder of the modern Singapore Lee Kuan Yew the phrase "Asian values" implies that "the social, economic and political characteristics of certain Asian countries are based upon a shared value system which is identifiable and distinct and which transcends national, religious and ideological differences" (UN 1997). "Asian values" were codified and promoted in the Bangkok Declaration of 1993 which re-emphasized the principles of sovereignty, self-determination, and non-interference in civil and political rights. They included: Predisposition towards single-party authoritarian government; Preference for social harmony; Concern with socio-economic prosperity and the collective well-being of the community; Loyalty and respect towards figures of authority; Preference for collectivism and communitarianism (See Jacobsen and Brun 2000).

Considering these grounds the main aim of this paper is to discuss the levels of conflict between the liberal doctrine of universal human rights and cultural relativism from the view point of development and human security in Asia.

Thus, this paper basically, looks at one overarching question and few related sub-questions. The broad question this paper addresses is, shall we abandon the universal human right doctrine on the grounds of cultural relativism and economic development? Two related sub-questions are: (i) What is the basis of conflict between human rights and cultural relativism for promoting development and human security; and (ii) How far the claim of 'Asian Values' and promoting development in cost of violating human rights is justifiable?

2. Analytical framework and composition of the paper

This essay aims to consider various claims about 'Asian Values' made in relation to cultural relativism and human rights to find Asian ways of promoting development and human security. As an analytical framework, the paper uses 'qualitative content analysis'² approach based on analysis of related secondary materials. First, Section 3 of the paper includes the definition of main terminologies as well as interwoven relationships among them. Next, using the UDHR as a reference point and considering culture relative criticisms about it Section 4 focuses on the levels of conflict between human rights standard and cultural differences in the Asian context. Section 5 discusses the criticisms about Universal Human Right doctrine from a relativist point of view and responses from a Universalist context by citing examples from some Asian countries. By discussing case studies of two Asian countries Indonesia and Bangladesh Section 6 tries to show irrelevance of claim for culture specific human rights. Finally, section 7 provides discussions and concluding remarks.

3. Universal human right, cultural relativism, development and human security

The conflict between Universal human right doctrine and cultural relativism is found from the very beginning of the adoption of Universal human right doctrine in 1948. But this conflict found new momentum when scholars tried to find out how these two conflicting matters could influence development and security. Particularly, the astonishing economic growth of some East Asian countries, with regard to recession of Western economies, and the abrasion due to economic conditionality, trade protectionism, democracy and human rights have made the debate over cultural relativism and 'Asian Values' more than just a scholarly exercise (Hossain 2009). Before going to the main discussion, to understand this conflict it is important to define these three terminologies.

The UN general assembly (United Nations 1948) proclaims the Universal Declaration of Human Rights (UDHR) as, "a common standard of achievement for all peoples and all nations". According to this definition human rights must be considered core rights to which every human being is entitled by virtue of being human. In the main part, they are-or should be-common to all cultures

² Content analysis' is often used as a realist approach based on the quantification of words in text and talk. It shows how participants' talk reflects their ideas, thought, feelings, etc. In this approach, text is taken as a fact without the context of the discourse in which the text arises. For more on qualitative content analysis approach see Mayring 2000; Mostyn 1985 etc.

and societies and the denial of any of these by any reason of cultural relativism or development is surely indefensible.

On the other hand The United Nations Department of Public Information (DPI) defines cultural relativism as, “the assertion that human values, far from being universal, vary a great deal according to different cultural perspectives. Some would apply this relativism to the promotion, protection, interpretation and application of human rights which could be interpreted differently within different cultural, ethnic and religious traditions” (Diana 1995). Also, as defined by Lawson, 1998, “cultural relativism maintains that there is an irreducible diversity among cultures because each culture is a unique whole with parts so intertwined that none of them can be understood or evaluated without reference to the other parts and to the cultural whole, the so-called pattern of culture” (Lawson 1998).

Thus, in cultural relativism, all points of view are equally valid, and any truth is relative. The truth belongs to the individual or her or his culture. All ethical, religious, and political beliefs are truths related to the cultural identity of the individual or society. In other words, according to cultural relativist view, human rights are culturally relative rather than universal. And these two definitions show that there is ground for conflict between Universality of human rights and cultural relativism.

On the other hand in defining human security there are frequent disagreements about the nature and meaning of human security—its what and how. The UN Human Development Report (HDR) 1994 defined human security as “freedom from fear and freedom from want”. “Freedom from fear” focuses on the political dimension of violent conflict and basic human rights, while “freedom from want” addresses social and economic threats to human beings and the promotion of their well-being (UNDP 1994). King and Murry (2000) offer a definition of human security that is intended to include only ‘essential’ elements, meaning elements that are “important enough for human beings to fight over or to put their lives or property at great risk”. And using this standard, they identify five key indicators of well-being- poverty, health, education, political freedom, and democracy-that they intend to incorporate into an overall measure of human security for individuals and groups. Lincoln C. Chen has defined 3 key strategies to achieve human security- protection, promotion and prevention (Chen 1995). These require legalized guarantee at the national and international level in the form of equal and common for all human beings. Adoption of Universal Human Right doctrine is such a guarantee to secure human security irrespective of cultural differences. However from the very beginning of adoption of this doctrine there are arguments about it, particularly criticisms from some Asian and African governments who tried to justify their acts of human rights violation in the name of protecting cultural values and promoting economic development.

Finally, the concept of development is usually understood as the process of increasing the economic growth of a nation. However, in recent years the notion is seen from the broader perspective of human development. In the words of Amartya Sen, the real goal of development is, “Without ignoring the importance of economic growth, we must look well beyond it. Development has to be more concerned with enhancing the lives we lead and the freedoms we enjoy” (quoted in Smith 2006). Here the concept is used in a much broader sense to indicate development and growth of individuals and groups within a society in a variety of ways-political, economic, social, cultural, and religious.

Thus, this concept is directly linked to the concept of human rights and human security, as noted in the Human Development Report, “Human rights and human development share a common vision and a common purpose- to secure, for every human being, freedom, well-being and dignity” (UNDP 2000, p.1). The basic freedoms that are core to both human development and human rights are freedom from discrimination (by gender, race, ethnicity, national origin or religion); freedom from want (to enjoy a decent standard of living), freedom to develop and realize one’s human potential; freedom from fear (threats to personal security, from torture, arbitrary arrests and other violent acts), freedom from injustice and violations of the rule of law; freedom of thought, speech and to participate in decision-making and form associations, and freedom for decent work without exploitation (Ibid.). Thus, at the core of the concept of human development are three essential components: (i) Equality of opportunities for all people in society; (ii) Sustainability of opportunities from one generation to the next; (iii) Empowerment of people so that they participate in - and benefit from- development processes (Jolly 1997).

There for, there is deep connection between the idea of development, human rights and human security. In achieving development goals such as education, health, good governance, human rights can act as a “roadmap” (Tomas 2005, p.7). For instance, under a human rights framework the objective of “education” includes affordability, accessibility, and quality of education services, and embraces the underlying determinants of education, such as increasing enrolment, reducing racial or gender inequalities. In achieving human development objectives the idea of human rights add a stronger focus on obligation and duties. Given that human rights are inscribed in international law, nation states are the primary duty bearers for enforcing human rights to achieve over all human development and security

Thus, all these concepts are interrelated. However, by arguing from different levels and cultural relativist ground one can find that there are some points of debate particularly in the Asian context. This debate offer more space of research to find out Asian way of promoting development and human security.

4. Levels of conflict between human rights and cultural relativism

Today’s world shows sign of positive progress towards the universal system of human rights. The globalization of human rights began when the world was awakened to the crimes committed under one government (Hitler), and the need for a more universal system of accountability and responsibility (Uganda Human Rights Commission 2004). But at the practical level still today many cultures and societies reject outright the globalization of human rights even today. For instance, many Asian culture and societies claim at least implicitly that Asia has a unique set of values, ‘Asian Values’, which provide the basis for their different understanding of human rights and justify the ‘exceptional’ handling of rights by governments of many Asian countries. In asserting these values, leaders from the region find that they have convenient tools to silence internal criticism and to fan anti-Western nationalist sentiments. At the same time, the concept is welcomed by cultural relativists, cultural supremacists, and isolationists alike, as fresh evidence for their various positions against a political liberalism that defends universal human rights and democracy.

According to scholars, the universality of human rights can be challenged by cultural relativists on three different levels (Donnelly 1989). The first level is the substance of the list of human rights to

be protected. The thesis of cultural relativism holds that different societies have different perceptions of right and wrong, so human rights substances should also be different. But it is absurd to make a critical standard of morality dependent on the level of support it has from various societies as every society tries to set it according to their own interest.

The second level where cultural differences may challenge the universality of the human rights doctrine is the interpretation of specific rights. According to cultural relativists, interpretation of human rights is also relevant with cultural perspectives. But apart from the question of whether or not people differ a lot in how they interpret human rights and what they consider to be violations of them, it is not possible to allow for major differences in interpretation of human rights standards if they are to give any serious protection to individuals at all.

Third, there may be differences of form in how human rights are implemented in different cultures. But independent of the form of implementation, the minimum standard set by the international human rights doctrine must be met. Differences in institutional implementation cannot be used as justification for lack of protection of universal human rights.

So, at though controversial there are some grounds for cultural relativists to fight for a culturally relative human rights doctrine. But these grounds became irrelevant when we see many Asian states and leaders endangering human security by violating basic human and group rights in the name of 'Asian values' and development.

The next part of the paper discusses debates on the levels of conflict by keeping development and human security as the center of ultimate goal of both human rights Universalists and cultural relativists and citing examples from some Asian countries.

5. Criticisms from a relativist point of view and responses from a Universalist view

Human rights have been described as the core of human security (Sabina 2002) and as a normative framework for promoting human development and security³. Human security is a broader concept, comprising fundamental rights as well as basic capabilities and absolute needs (ibid). Human security, in contrast to human rights, seems to comprise threats that human rights are not primarily concerned with and it stretches towards threats from State and non-State actors alike and thus is not concerned with the private/public divide which we find in human rights. Human rights are part of human security and cultural relativism in many cases acts as a catalyst to endanger human security. Thus in many Asian states in the name of development and culture relative human rights the proponent of 'Asian Values' are found to be threatening human security. This conflict between Universal Human Rights and Asian views and how they endanger human security in Asia are evident from some debates, as discussed next.

³ See the declaration adopted by the Workshop on Relationship between Human Rights and Human Security, San Jose, Costa Rica, 2 December 2001, <http://humansecurity-chs.org/doc/sanjosedec.html>: "We reaffirm the conviction that human rights and the attributes stemming from human dignity constitute a normative framework and a conceptual reference point which must necessarily be applied to the construction and implementation of the notion of human security".

5.1 Rights are culture specific in Asia and distinctive to Western societies

In the debate of culturally relative human rights in Asia, two versions of cultural relativism can be distinguished. The first one claims that human rights are a Western ideal and do not apply in the same way to non-western societies. The second one formally accepts human rights as universal, but believe that the cultural differences between the West and non-Western societies should influence the assessment of non-Western states by the UN. For example, in article 8 of the Bangkok Declaration of 1993, Asian states declared that “human rights must be considered bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds.”⁴ China’s 1991 White Paper stated that “owing to tremendous differences in historical background, social system, cultural tradition and economic development, countries differ in their understanding and practice of human rights” (PRC 1991). Again in argument regarding the interpretation of human rights, there is also strong criticism expressed especially by the African states. Western definition of democracy as basically any form of multi-party system of political representation is criticized by non-Westerns. Making overseas aid conditional on democratization is generally seen as a way to impose Western norms, values and cultures on African states (Barya 1993).

This criticism about the distinctive nature of Asian culture and that the West is imposing its culture on other countries can be seen in tile light of the human rights violations committed by non-Western states, especially many Asian and African states, where violation of human rights is justified by states on this ground. The accusation of the universal human rights doctrine for not being compatible with non-Western cultures rests on an oversimplified account of these cultures. But the Asian culture for example has a tradition of theories of justice that included human rights concerns even if they were not always cast in those terms. And in the Bangkok Declaration, Asian states themselves adhere to universalism, which is inconsistent with the claim that human rights are alien to Asian culture (Ng 1995).

5.2 Precedence of economic, social and cultural rights over political and civil rights

Proponent of Asian values argue that Asian societies rank social and economic rights over individual’s Civil and Political (CP) rights. And the West is accused of prioritizing civil and political rights over Economic, Social and Cultural (ESC) rights. Ching 1993 states, “The US State Department, issues annual reports on the human rights situation in countries around the world, but the reports cover only political rights, not economic, social and cultural rights.” The Chinese White Paper (1991) stated that, “to eat their fill and dress warmly were the fundamental demands of the Chinese people who had long suffered cold and hunger.” CP rights, on this view, do not make sense to poor and illiterate multitudes; such rights are not meaningful under destitute and unstable conditions.

This criticism from Asians is in direct conflict with the doctrine of UDHR and found to use by many Asian states to gain support for violation of human rights and endanger human security. When it is an authoritarian regime or leaders who pose this dilemma, one should be particularly suspicious.

⁴ Article 8 of the Bangkok Declaration, sourced from the think center website at <http://www.thinkcentre.org/article.cfm?ArticleID=830>

The sad truth is that an authoritarian regime can practice political repression and starve the poor at the same time. Moreover, the most immediate victims of oppression—those subjected to imprisonment or torture—are often those who have spoken out against the errors or the incompetence of authorities who have failed to alleviate deprivation, or who in fact have made it worse. Conversely, an end to oppression often means the alleviation of poverty—as when to borrow Amartya Sen’s example, accountable governments manage to avert famine by heeding the warnings of a free press (Sen 1999).

A more plausible argument for ranking ESC rights above CP rights is that poor and illiterate people cannot really exercise their civil-political rights. Yet the poor and illiterate may benefit from civil and political freedom by speaking, without fear, of their discontent. Meanwhile as we have seen, political repression does not guarantee better living conditions and education for the poor and illiterate. The leaders who are in a position to encroach upon citizen’s rights to express political opinions will also be beyond reproach and accountability for failures to protect citizen’s ESC rights. Thus, by taking advantage of these claims many Asian states are violating human rights in individual, group or community level and endangering human security.

5.3 Economic development should get priority over human rights

Asian states refer to the right to economic development as basic to the implementation of other human rights. In the process of development, human rights violations are unavoidable and therefore the level of development should be taken into account when the UN judges the human rights records of states, according to the Asian states (Indonesian Statement to the World Conference on Human Rights 1993). It is evident that there are close relations among economic development, human development, human rights and human security in many aspects. And emphasis on the human dimension of development in recent years clearly has reinforced the place of human security in the international policy agenda. Former Thai Foreign Minister Surin Pitsuwan pointed out this close linkage between human development and human security in the following way, “Human security and human development are two sides of the same coin. One cannot be considered in isolation from the other. They are mutually reinforcing. Human security provides an enabling environment for human development and vice versa” (Surin 1999).

However this argument regarding giving precedence of economic development right is not supported by evidences from many Asian states. Economic development does not always enhance human rights records, rather they degrade human rights and endanger human security. An example is the case of authoritarian governments of Malaysia where Malaysia’s Internal Security Act has been used to “detain without trial not only communists but government critics and opposition activists” (Harold 1993). Similarly, there are many allegations about violation of human rights against many economically developed Asian states like China, Japan, and Thailand. And from the development pathway of a state it is also not clear that human rights violations would be necessary to the goal of achieving economic development, so this is not a justification for violating rights. In fact, Many Asian states, by taking the advantage of this claim endangered human security by violating individual and group rights in different ways.

5.4 Prioritizing of group and communal rights over individual rights

Another claim in favor of 'Asian value' is that the individualism of the human rights doctrine is said not to be suitable for the Asian culture. The so called Asian value of 'community harmony' is used as an illustration of 'cultural' differences between Asian and Western societies, in order to show that the idea of the individual's inalienable rights does not suit Asian societies.

However, this Asian view creates confusion by collapsing "community" into the state and the state into the regime. When equations are drawn between community, the state and the regime, any criticisms of the regime become crimes against the nation-state, the community, and the people (Li 1996). This Asian view relies on such a conceptual maneuver to dismiss individual rights that conflict with regime's interest, allowing the condemnation of individual rights as anti-communal, destructive of social harmony, and seditious against the sovereign state.

At the same time, this view denies the existence of conflicting interests between the state (understood as political entity) and communities (understood as voluntary, civil associations) in Asian societies. What begins as an endorsement of the value of community and social harmony ends in an assertion of the supreme status of the regime and its leaders (Ibid.). Such a regime is capable of imposing any restrictions on the right to free association and expression or dissolving any non-governmental organizations it dislikes in the name of 'community interest'. Thus, by violating basic human rights many Asian states endanger human security in the name of cultural relativism.

Also collective or group rights are also potentially worrying because it is not always clear which group should have the right to self-determination, for example, and who belongs to the group. In the words of Alan Gewirth, "the emphasis on individual rights is not only compatible with, but requires a conscientious concern for, the common good" (Freeman 1993). Thus the claim for cultural relative human right in Asia found to justify the violation of human rights in many Asian states endangering the overall security of human beings.

5.5 More regional instruments and less global directives in the UDHR

In terms of form of the Universal Human rights doctrine, the Asian cultural relativist view is that the world community needs more regional instruments and less global directives from the UN. The form in which human rights are protected should also be more co-operative rather than confrontational. This would lead to human rights instruments that are better applicable to specific regions for their culture by taking account of "geographical complexity, diversity and vastness of the region as well as their historical background and levels of political stability, economic development and social progress" (Statement from Indonesia at the World Conference on Human Rights, 1993) (UNHCR 1993).

This demand for more regional instruments seems a way to deflect attention by the UN and the world community as a whole from human rights violations and endangering of human security in the region. In practice, the European regional instruments are most detailed and are most adhered to. The other regional organizations have not been successful in implementing very stringent human rights norms on a regional level (Donnelly 1989).

5.6 Discriminatory application of human rights

A final major complaint from all non-Western states and many Asian states is that human rights standards are applied discriminatorily. Some well-known dictatorships in Africa and Asia have been propped up with support from the West whereas socialist countries were forced by conditionality to enter global free market capitalism. And although China has been criticized formally, it has been granted most favored nation status.

Though this argument against the double standards in applying the instruments of universal human rights has some strong grounds, it is not attacking the character of human rights itself. The use of the international instruments by the international community is not a conceptual problem or a matter of differences in culture. It is a problem of politics in the international community in general. So, on these grounds of the discriminatory nature of the human rights there should not be any room for Asian states to violate human rights in the name of promoting development or protecting individual culture.

6. Examples from Asia

The discussion above shows the argument for culture relative or developmental stage specific human rights is mostly invalid at the theoretical level. The claim from proponents of cultural relativists were found mostly unacceptable in the discussion above. Similarly, some examples cited above also support this invalidity. The section below gives two case studies in some detail to show how the claim for culture and development relative human rights is also found unacceptable at the practical level in practice.

6.1 Indonesia: Cultural relativism, development and human rights conflict

Among Asian countries, Indonesia is a good example where human rights, democracy and economic development showed strong influence of cultural relativist ideology for a long time. By the name of preserving culture and promoting economic development, Indonesia has seen promoting different models of democracy such as 'Liberal Democracy'⁵ 'Guided Democracy'⁶ and 'Pancasila Democracy'⁷. Supporting such culture relative democracy of Indonesia some Asian scholars and politicians advocated for a special form of democracy namely 'Asian Democracy'. They argued that, just like the same as Western liberal model it is "an equally valid system in the context of particular needs and cultural values" (Chan 1993). Again, taking in to account Indonesia's diversity and divisiveness of ethnicity and religion rather than the Western form of liberal democracy some scholars advocated in favor of 'Asian Democracy' by authoritarian leadership to thwart disorder, division and aggression (Furnivall 1956).

⁵ By proclaiming that Indonesian people were not prepared for 'Western democracy' and there was no democratic custom in Indonesian culture a special liberal form of democratic system was introduced by President Sukarno in 1950. It ended with the imposition of martial law and President Sukarno's introduction of guided democracy in 1957.

⁶ Guided democracy was a type of authoritarian rule by which the rights of assembly and organizations were abridged and people's political activities were kept under control by the state forming a large organization. Parliament was a rubber stamp and 'Indonesian socialism' was the only acceptable political ideology.

⁷ Pancasila Democracy is referred as, a system of life for the state and society where democracy is based on people's sovereignty. According to Pancasila, the use of democratic rights should always be in line with five principles: Belief in the One and Only God; A Just and civilized humanity; the Unity of Indonesia; Democracy guided by the inner wisdom of deliberations of representatives; and Social Justice for all the Indonesian people (For more details see: Pancasila Democracy, in the website of the Embassy of the Republic of Indonesia, Philippines, available in URL http://www.indonesianembassy.org.ph/about_indonesia/history-democracy.html accessed 9 September, 2015)

However, some scholars criticized such culture relative democracy, as upon critical scrutiny its characteristics not only reflect both 'representative democracy' and 'authoritarianism' but also it is found workable only during the time of better economic conditions of the country (Huntington, 1993). Thus, this proposed Asian brand of democracy is found to lead political turmoil rather than steadiness in a country particularly due to absence of any viable party capable of governing. This also became evident by the collapse of the three decade long regime of President Suharto in 1998 as a consequence of economic and political crisis caused by the Asian Financial Crisis (AFC) of 1997.

6.2 Bangladesh: Debate over development, democracy and human rights

With about 150 million people, Bangladesh was one of the poorest countries of the world. However, supported by an average GDP growth rate of 6% for more than a decade and prospect for continuous growth ahead, Bangladesh is classified as a 'Next Eleven (N-11) after BRIC'⁸ in Goldman Sachs report (O'Neil 2005) and one of the 'Frontier Five' by JP Morgan in 2007. In 2015, with a per capita GNI of US\$ 1,314 the country has already become a lower-middle income country (World Bank 2015a) and is targeting to become an upper middle income country by 2021 with a per capita GNI of US \$ 4,126. In particular, the country has achieved significant economic growth in the last decade when the overall governance of the country was criticized for ineffective democratic governance and related consequences of human rights violations. Besides its own structural constraints and weak global market, the disruptions in economic activities caused by confrontational political activities has hit the economy of the country hard causing direct economic losses of around 1 percent of GDP in 2015 (World Bank 2015b). Thus, despite long time negative performance in terms of governance, vigorous development of Bangladesh both in economic and social dimensions is a puzzle to many scholars, including Professor Amartya Sen, who termed the case as 'the Bangladesh Paradox' (BEI 2014).

However, though there is no straight forward link between democracy and economic emancipation; by becoming enthusiastic from the example of Bangladesh some often argue in favor of a tradeoff between democracy and development. In particular, citing development examples of some countries (Malaysia, Singapore, and China), leaders of current ruling parties sometimes try to promote the concept that these countries developed not through democracy but through good governance and competent leadership (Ullah 2015). Echoing them some political analysts also argue for context specific democracy in Bangladesh, stating, 'we must be clear in our minds what style of democracy we need and what is suitable for our people in our present socio-economic situation'(Choudhury 2015).

However, example shows that democracy and development are inseparable and development cannot sustain in the long run without 'functional democracy'⁹. Development does not mean only economic growth, in the broader sense it also includes increasing human 'choice' and 'freedom', thus improving Quality of Life (QoL) through ensuring justice and security of life

⁸ The Next 11 countries are Bangladesh, Egypt, Indonesia, Iran, South Korea, Mexico, Nigeria, Pakistan, the Philippines, Turkey and Vietnam. Although varied both geographically and economically, these 11 countries have features in common that are believed to single out their high economic potential. <http://next11.se/next-11-emerging-markets/>

⁹ The term functional democracy may be defined as, any governing or governed environment that encourages and enables three essential requisites of democracy: a well-informed citizenry, freedom of participation in the decision-making process and accountability. See more in Opuamie-Ngoa 2014.

and property, rule of law, freedom of speech and sustaining livelihood without any obstruction. Further, the accountability criteria of democracy ensures efficient use of resources of a country for the best interest of the people. Thus, the role of democracy as a means and process of development is indivisible as argued by Professor Amartya Sen (1999): “freedoms are not only the primary ends of development, they are also among its principal means.”

Therefore, citing examples of other countries, ‘guided democracy’, ‘controlled democracy’, or ‘limited democracy’ arguing in favor of development instead of democracy in Bangladesh is invalid. This is not only because in many cases the people of these countries had to suffer a lot by sacrificing their basic rights but also most of these countries failed to sustain such form of governance in the long run. For example, despite the economic success the human rights conditions in many East Asian countries have constantly been rated as poor by international human rights monitoring groups. Governments in these countries cannot avoid the responsibility of widespread human rights abuses.

Thus, the argument in favor of culture specific human rights or the tradeoff between development and human rights is invalid as in most of the cases it just becomes an instrument of gross human rights violations to sustain the regime of autocratic governments.

7. Discussion and Conclusion

The philosophical level of attacking the Universalist approach of Human right doctrine from the Asian cultural relativist point of view is not sustainable. The factual claim of cultural differences does not entail any conclusions as to what level of interference with specific cultures is allowed. And finally, the normative claim that cultural differences need to be protected is incoherent in a cultural relativist approach, since it relies on the fundamental right of tolerance to diversity.

Again, cultural relativism has the inherent danger that individuals are denied fundamental rights dependent on the state they happen to be in. It is frequently used by regimes to justify their own appalling human rights records by endangering human security. In 1992, the year before the Bangkok Declaration was published, Amnesty International documented the cases of thousands of prisoners of conscience, hundreds of disappearances, extra judicial executions and reports of torture in many Asian countries. Moreover, examples from Asian countries also show that in the long run culture specific or development centered arguments for human rights are found to be unsustainable.

Therefore, the debate between universalism and relativism for promoting human rights in Asia should be a non-issue. Universal goals and cultural sensitivities can be reconciled in the establishment of realistic strategies to promote development and human security in Asia. Moreover, the debate in its present form contributes to divert attention from the more important issue of ensuring human development and security to other, less important issues. Different interest groups and regimes in Asia use this debate to suppress ethnic or religious minority or political rival groups or even general people of the state to secure their power. Thus, by using cultural relativism as an issue they are endangering human security.



To promote human security in Asia the effective protection of human rights requires a transformation not only of the government and laws but also of the non-state institutions and practices that the present Human Rights doctrine-universal or relative-does not touch. And to do so the inherent strength of the concept of human rights and human security must be stressed, as it has human beings as its central interest rather than power or territory. The involvement of third parties should be encouraged to solve conflicts taking place in the region. Thus, governments need to be more open to the involvement of outside parties. Everyone should be aware that the more we can unite around a common core of recognized, international principles, the better. Universally accepted norms and rules can be the most important guidelines in this regard.

We can conclude that in the Asian context the Human rights doctrine may be western, liberal and Universalist, but that does not mean to say that differences in culture cannot be accommodated. In fact minority cultures often need the protection of human rights to prevent them from oppression, and this type of protection can ensure overall human development and security in Asia. It should be also be borne in mind that human security expands the notion of human rights towards threats that do not only emerge from states. Human security might allow for a better explanation of why acts by private parties and non-state actors should be seen as human rights violations. Thus, in the Asian context promotion of human security can also promote human rights and development, but for that it is necessary to promote norms of universal human rights coming behind the so called 'Asian Values'. We should always bear in mind that no one culture is 'right'. We must respect the cultures of others while avoiding extremism and unreasonableness to promote sustainable human development and security in Asia.

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