

Human Rights are universal and absolute

By Roger Mottini

Whenever a baby is born, Human Rights are supposed to apply immediately. It is the beauty of Human Rights that there are no other conditions or qualifications required other than to be born as a human being; no government authority is needed in order to grant them because whatever can be granted can also be retracted at any time. Human Rights are therefore the first and the last refuge for an individual against oppression and abuse by government or any organised group.

Some people say that this is a purely western concept imposed on the world. They are wrong. Human Rights have always been there waiting to be discovered and it is a historical coincidence that they had first been explicitly formulated and made popular in Europe. Besides, a baby is a baby and there is no reason or belief which can convincingly explain why one of them should have more rights to live and prosper than any other one. It was Fukuzawa Yukichi (1835-1901) who made the concept of Human Rights popular in Japan with his famous opening phrase in one of his books: "Heaven did not create humans who are above others and humans who are below others" (Gakumon no susume, 1871). When reactionary forces succeeded in steering the nation away from those principles, it all ended in disaster.

The best guarantee against abuse of Human Rights is a functioning impartial judiciary. In today's Japan, Human Rights are watched over by fiercely independent courts which, in my eyes, are more independent even than in some European countries. This should remind us, that the preservation of Human Rights is more like tending to a delicate flower than building a monument which stands forever.

The discussions and demonstrations presently taking place on the occasion of the Olympic flame being carried to Beijing shows how difficult it still is to understand and realize the potential of an idea which has been with us for more than two centuries. Some tend to forget that Human Rights have nothing to do with the independence or freedom of a country or a people. Human Rights concern the oppressive ways and methods which authorities tend to apply in order to deny a person the possibility to exercise them.

This ongoing struggle should constantly remind us of two basic facts:

1. There will never be a shortage of power hungry men who are disposed to trample over Human rights in the name of an ideology or belief whatsoever.
2. Human Rights do always apply by definition, but they are not always applied, hence they are fragile and must be re-established anew every day.

The best thing we can do to safeguard them is to always be aware that any "compromise" with regard to Human Rights in the name of ideology, politics, religion or culture is impossible.

Either Human Rights do apply or they don't apply – there is no third possibility.