IS CONSCIENCE A CIVIL RIGHT? - FIGHTERS FOR HUMAN RIGHTS AND HUMAN DIGNITY

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Abstract:
Fighters for human rights and human dignity are extremely courageous people. In fact they are real people who understand compassion and suffering, who value ethics and environment, who promote non violence as they believe in the value of life. For them human rights are real and should be respected. They decide, at the cost of their life, to become the protectors of those without protection.

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There have always been people who have tried to get along without any conscience at all, to be endlessly capable of what Locke described as ‘enormities practised without remorse.’\(^1\) In time, the general understanding of conscience has expanded so that it now includes both secular and ethical as well as spiritual/religious and moral motivations. The question is if decisions about the limits of conscience-based belief, and especially, behaviour, are to be made on \textit{ad hoc} or case-by-case basis, within the forum of public opinion, or if a basis exists for thinking that such protections deserve to be extended as a matter of \textit{right}, enforceable by civil or (as in the EU) collective or even (with respect to the UN) international law.\(^2\)

Explaining that ‘disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind’, the United Nations’ Universal Declaration of Human Rights states that ‘Everyone has the right to freedom of thought, conscience, and religion.’ In the hands of organizations like Amnesty International and Human Rights Watch, this document has been a crucial force for improvement in the circumstances of victims of political and religious discrimination.\(^3\) But this is not enough as the Declaration is referring to matters of inner conviction. The real test for the principles of the Declaration resides in the next step, when conscience rights are imported into the arena of public (as opposed to purely private) behaviour. Thus, if the concept of conscience is to be

\(^2\) Ibidem, p.83
\(^3\) Ibidem, p.84
extended from the arena of private belief into the arena of public action, then the task is to discover principles which will command assent by balancing the demands of individual freedom while respecting the responsibility of each society to protect the collective wellbeing of all its members.1

Then, what is conscience for? Conscience drives and activates the attempt to refine belief, translating this one into action and engagement. Conscience is active on two equally important levels: in spurring the human being to define her or his beliefs about right conduct and then, even more important, to apply those beliefs to emergent situations. Conscience, rather than knowing, is a matter of application, and more particularly the application of knowledge to a particular case. Good intentions alone do not constitute an adequately conscientious response.2

Four elements which are connected to the concept of conscience can also define the concept of leadership: position, person, result, process. In fact, we have a possible fourfold approach to leadership. From it we can even derive four questions. Is it where leaders operate that makes them leaders? Is it who leaders are that makes them leaders? Is it what leaders achieve that makes them leaders? Is it how leaders get things done that makes them leaders?3

We can go on asking ourselves even if leaders are born or bred? And then, why not, if we all can have such qualities to become leaders? Why not? In certain circumstances and when our conscience is alive/alert. Leadership is not, then, the elephant in the room that many would rather not face up to; it is the room itself-which we cannot do without. This, in another world, is what Baumann calls, ‘the unbearable silence of responsibility.’ And this is our collective and also individual challenge.4 Simple though it is’, as Robert Murphy put it, ‘the idea that societies are systematized is central to the social sciences.’ Similarly, as Clifford Geertz and others have noted, virtually all explanations made by anthropologists of human behaviour or human relations are couched in terms of the functions such behaviour or relations perform.5

In order to get the good wished for, the courageous human being has no fear of obstacles. Only cowards and stupid people cannot endure the wrong or regain the good they just wish for. Their energy is destroyed by their own cowardice. Nobody can ignore the fact that we are all made according to the same pattern to show us we are all equal or rather we are all brothers. Considering that we are all related, we can look at each other as in a mirror and identify ourselves in our fellows. This is to help us know ourselves better, and to better share our thoughts in order to get to the communion of our wishes. Nature has made us all comrades. ‘Freedom is thus natural; that is why, in my opinion, we were not only born with it but we were born with the need/urge to defend it.’6

Plato’s republic is sometimes taken to be a utopia, a picture of an ideal condition, but this is not all. The dialogue refers also to the process of personal development which must take us closer to that ideal. ‘What is merely desired has no intellectual force, whereas what is desirable moves the argument on to an objective plane beyond desire.’7 Justice is an ideal itself, it is a normative concept. This means that we ought to take our bearings from it.’ To say that justice requires a certain policy, or that some existing situation is unjust, is to propose action. When we talk about justice, then, we might be describing an ideal, sketching a utopia, stating a grievance, or advancing

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1 Ibidem, p.90
2 Ibidem, pp.92-93
3 Keith Grint, Leadership, Oxford University Press, Oxford, 2010, pp.3-4
4 Ibidem, p.126

6 Étienne de la Boétie, Despre servitute, All, București, 2014, pp.15-20
7 Kenneth Minogue, Politics, Oxford University Press, Oxford, 2000, p.80
some policy, or indeed doing variety of other things. The essential thing about justice and other ideals is that they function in many different ways, and it is important always to ask in any particular case which function is being performed.1

That is why political life is nowadays so full of people demanding justice. The way in which ideals function in political life, especially in political discourse, can be illustrated by that ideal, so common today, which is called either freedom or liberty or, more and more these days, human rights.

Let us start with the right to life and go on with the one to freedom and other rights considered normal in a ‘civilized’ world. Former president of Senegal, Leopold Senghor said once that ‘human rights begin with breakfast.’ Today different types of rights to be mutually reinforcing: better nutrition, health and education will lead to improvements in political freedoms and the rule of law. At the same time, freedom of expression and association could bring about good decisions to protect rights to food, health and work.2 Just look at a picture showing some children, standing barefoot on the stones while assembling at a school, and you will immediately know they represent ‘the third world’ or the ‘tricontinental world’. This world is the postcolonial world. The colonialists usually say that it was they who brought us into history: today we show that this is not so. They made us leave history, our history, to follow them, right at the back, to follow the progress of their history.3

Postcolonialism, or tricontinentalism, is the generic name, denoting the insurgent knowledges coming from ‘the subaltern, the dispossessed, and seek to change the terms and values under which we all live. You can learn it anywhere if you want to. The only qualification you need to start is to make sure you are looking at the world not from above, but from below.4 What is the role that we, the exploited people of the world, must play? The contribution that falls to us, the exploited and backward of the world, is to eliminate the foundation sustaining imperialism: our oppressed nations, from which capital, raw materials and cheap labour (both workers and technicians) are extracted, and to which new capital (tools of domination), arms and all kinds of goods are exported, sinking us into absolute dependence. The fundamental element of that strategic objective, then, will be the real liberation of the peoples.5

In a world characterized by a common lament that heroes have disappeared, cynicism and despair are too often taken as evidence of the death of moral courage, and consequently of the disappearance of conscience. But people of great valour and heart, committed to noble purposes and with long records of personal sacrifice, walk among us in every country of the world. They are famous, even Nobel Prize laureates or mostly unknown. The overwhelming number of such individuals share a past which includes torture, death threats, harassment, detention, and imprisonment. Despite the pressure they feel, these people are strong and optimistic. And as they seek social justice, they all share a unifying sense of fulfilment. This seems to mean that they have discovered the meaning of their own life. These voices are, most of all, a call to action, much needed because human rights violations occur too often. We must bring the international spotlight to violation and broaden the community of those who know and care.6

Rigoberta Menchu Tum: ‘I was a militant woman in the cause of justice.

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1 Ibidem
3 Amilcar Cabral, Return to the Source, apud,Robert J.C.Young, Postcolonialism, Oxford University Press, Oxford, 2003, p.18
4 Robert J. C. Young, op.cit.,p.20
5 Che Guevara, Message to the Tricontinental, 1967, apud, Robert J.C.Young, op.cit.p.18
6 Kerry Kennedy, Speak Truth to Power, Umbrage Editions, New York,2005, pp.6-9
And for twelve years I did not have a home of my own or a family.’ This woman is a heroine to Mayan Indians in Guatemala and indigenous peoples all over the world. She brought to the spotlight the massive suffering of Guatemala’s indigenous people at the hand of one of the most brutal military government. In 1992, Rigoberta won the Nobel Peace Prize for her activity which meant dedication and sacrifice. She has been forced into exile more times but despite the threats she continues her work focused on human rights, in general, and indigenous rights, women’s rights, and development. As we know, the rights of the poor, the struggle for human life and human dignity seem to be rather difficult issues to solve even today. Rigoberta says that ‘the most important thing to have is a great quantity of positive feelings and thoughts…I always attempt to look for the highest values that human beings could possibly have. We have to invent hope all over again…I really would like…to hear the voice of the victims. And at this moment, the victims are really not listened to….A real reconciliation has to be based on the search for truth…(but) finding the truth is not enough. What we also have to find is justice...through law...through procedures that are legal.’

Talking about Rigoberta, Elisabeth Burgos-Debray, the editor of Rigoberta’s autobiographical book, says that ‘she will not let us forget and insists on showing us what we have always refused to see….Without any fear of exaggeration, it could be said that, especially in countries with a large Indian population, there is an internal colonialism which works to the detriment of the indigenous population. The ease with which North America dominates so-called ‘Latin’ America is to a large extent a result of the collusion afforded by this internal colonialism. So long as these relations persist, the countries of Latin America will not be countries in any real sense of the word, and they will therefore remain vulnerable.’ As the editor considers Rigoberta a popular leader, she goes on writing that the heroine’s one ambition is ‘to devote her life to overthrowing the relations of dominations and exclusion which characterize internal colonialism.’ The editor continues by saying that ‘Rigoberta and her people are taken into account only when their labour power is needed; culturally, they are discriminated against and rejected. Rigoberta Menchu’s struggle is a struggle to modify and break the bonds that link her people to the Ladinos, and that inevitably implies changing the world. She is in no sense advocating a racial struggle, much less refusing to accept the irreversible fact of the existence of the Ladinos. She is fighting for the recognition of her culture, for acceptance of the fact that it is different and for her people’s rightful share of power.’ In Guatemala and certain other countries of Latin America, the majority of the population is represented by native Indians. It’s a situation comparable with the one in South Africa. In the Latin American countries in which Indians are in minority, these people ‘do not even have the most elementary rights which every human being should enjoy. Indeed, the so-called forest Indians are being systematically exterminated in the name of progress.’ In this context, Nobel Peace Prize winner(1992), Rigoberta Menchu is active in playing an active role in history. From this point of view, she is extremely modern while trying to preserve the best of her people’s tradition.

Rigoberta and her comrades have given their historical ambitions an organic expression in the shape of the Peasant Unity Committee (CUC) and their decision was to join the ’31 January Popular Front, which was founded in January 1981.

1 Ibidem, p.157
2 Ibidem, pp.157-159
4 Ibidem,p.xiii
5 Elisabeth Burgos-Debray, editor of I. Rigoberta Menchu,p.xiii
6 Ibidem
7 Ibidem
Rigoberta Menchu is just one name of the many courageous people who have fought and are still fighting for human rights and human dignity.

Others: Abubacar Sultan, fighter to stop children from becoming soldiers; Juliana Dogbazi, fighter against sex slavery; Bruce Harris, fighter for children’s rights; Rana husseini, fighter against honour killings; The Dalay Lama, fighter for religious freedom; Wangari Maathai, fighter for the environment; Oscar Arias Sanchez, fighter for disarmament; Dianna Ortiz, fighter against torture; Hafez al Sayed Seada, fighter for political rights; Desmond Tutu, fighter for reconciliation; Van Jones, fighter against police brutality; Ka Hsaw Wa, fighter for multinational corporate responsibility; Vera Stremkovskaya, fighter for law and democratic change; Bobby Muller, Fighter for the international ban on land mines; Raji Sourani, fighter for self-determination; Martin O’Brien, fighter for human rights in the midst of conflict; Baltasar Garzon, fighter for international law; Vaclav Havel, fighter for free expression; Zbigniew Bujak, fighter for political participation; Sezgin Tanrikulu, fighter for the Kurds and self-determination; Maria Teresa Tula, fighter for the cause of the disappeared; Jose Ramos-Horta, fighter for national sovereignty; Maria Wright Edelman, fighter against poverty; Helen Prejean, fighter against death penalty; Kailash Satyarthi, fighter against child labour; Marina Pisklakova, fighter against domestic violence. And many, many others…

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