

ASIA AND HUMAN RIGHTS IN THE AGE OF GLOBALIZATION

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In the past, the religions occupied very central place in matters human. They have been the repository of ethical and moral values which were justified with reference to God or an Ultimate reality. Though placed in the best position to guide the course of the ethical life of humanity and contribute to its unity, unfortunately, religions have proved incapable of achieving such noble goals to which they are called.¹ Against this general failure of religions and religious agents to fashion a world of human dignity and moral conduct, we appreciate the importance of human rights instrument as the

¹ In this respect the religions are often in an ambivalent situation. In those cases where human rights are readily admitted in theory, they are blatantly contradicted in practice. In other cases, religions have shown difficulty even in admitting in theory human rights for various reasons, such as the religious conception of a hierarchical order of society, or the role they have attributed to sovereigns and political powers. Once human rights have been brought into the consciousness of humanity through secular forces, there have taken place attempts to rethink these rights and to strengthen them through religious motivations. Some would even argue that a religious foundation for human rights is necessary. This is so because they offer a "sacred" foundation to the human person (with consequence for human dignity and rights), which the secular thought is not able to do. Cf Michael J. Perry, "Is the idea of Human Rights Ineliminably Religious?" in his work: *The Idea of Human Rights: Four Inquiries*, New York: Oxford University Press, 1998, pp.11-41. More specifically, regarding more recent orientations in Christianity regarding Human Rights, cf. David Hollenbach, *Claims in Conflict: Retrieving and Renewing the Catholic Human Rights Tradition*, New York: Paulist Press, 1979.

converging point of both religious groups as well as those who are committed to secular ideals. Humanity has entered into a new millennium with the important ethical and legal instrument of human rights. For many centuries to come, this will remain a sure point of reference.

The human rights instrument as we have today is but the inchoate form of a more complete magna carta humanity needs to shape for its life in the new millennium. We who have just crossed the threshold of a new epoch, live in a very exciting period in which the foundations for a future magna carta are being laid. These foundations are not simply theoretical conceptualizations; they derive from concrete praxis in different parts of the world. In fact, a converging pattern of praxis in defence of the dignity and rights of the victims has contributed to the evolution of something that can unite the entire human family.

While projecting a future vision of human rights as a converging point for the entire human family, we should not undermine the complexity of the situation of today in which human rights tradition has entered a very paradoxical and crucial phase. I mean to say that the practice and discourse in which human rights take place is the situation of globalization. The word "globalization" has become today a magical mantra; it casts its spell on all and sundry. As the Argentinian thinker Nestor Miguez rightly points out, globalization is simply a new name for the same old capitalism.² With globalization what we are experiencing today is simply a "non-revolutionary situation."³

What is worse, globalization has thrown a huge blanket of lie to cover up the actual situation of dehumanization and exclusion. As a process of exclusion and disintegration - contrary to the impression of unity it projects - globalization is at the root of many human rights violations. Suffice it to recall here how the process of globalization with its strong homogenizing trend and through fostering of competition has caused serious disruption into the life-worlds of the

2 Cf. Nestor Miguez, "The Challenge to Hear the Victim's Voice" in *Jeevadhar* 2000/1 (edited by Felix Wilfred; publication shortly).

3 *Ibid.*

different communities, ethnic, linguistic, geographic groups. As Neera Chandhoke observes in her recent scholarly study, "globalization cannot but invade and destroy existing communities as it expands and intensifies the reach of capital."⁴

The ethnic conflicts which are escalating in different parts of the world are in great part the byproduct of globalization. There is enough reason to be seriously preoccupied with globalization as the single most dangerous phenomenon violative of human rights. It is to be feared in no less a manner than feudalism and political absolutism. To critically probe into the dynamics and process of globalization is today an important task of all those who are committed to the cause of the poor and the marginalized. I have argued elsewhere how contemporary capitalism has usurped for its own defence the human rights and coopted this discourse for itself, whereas, it is meant to protect the powerless.⁵

The complexity of the situation of human rights we noted also tells us why no single tradition or heritage can claim to lay the foundations for human rights. In particular, the development of a new magna carta for the new millennium will require a more comprehensive approach. Here Asia has an important role to play. Globalization has affected to a great degree our parts of Asia and the continuing infringement of human rights is there for all to see. In the face of such a situation, Asia needs to draw from its own civilizational sources new insights, perspectives and foundations for upholding the dignity and rights of every human person. In this context we could also think of a positive contribution deriving from the Asian Christians in dialogue with the Asian societies.

4 Neera Chandhoke, *Beyond Secularism: The Rights of Religious Minorities*, Delhi: Oxford University Press, 1999, p. 231.

5 Cf. Felix Wilfred, "Human Rights or the Rights of the Poor? The Inversion of Human Rights" in *Info on Human Development*, vol. 24, n. 11-12, November-December, 1998. We understand the dynamics of this inversion of human rights by relating it to the situation within India. We have the upper caste groups and associations employing human rights rhetoric. This is a completely different matter from the movements of scheduled or backward caste movement invoking human rights. In the case of dalits and other backward groups, human rights advocacy is for the cause of liberation, whereas in the case of upper castes and classes, it is to augment collectively the power to dominate and control others.

Human Rights - Contribution of the Entire Humanity

Human rights discourse is opposed by several states on the plea that it is Western. This is a rather new development considering the enthusiasm with which the Universal Declaration of Human Rights was greeted when it was proclaimed in 1948.⁶ Obviously there has taken place a shift - owing often to internal political compulsions - which would see human rights relative to different cultures.⁷ In the culture-based critique of human rights there is the lurking presupposition that human rights is something basically Western. But, in fact, though human rights may not have found a universal formulation and articulation as we have it now, it has always been an object of concern in the different civilizations and cultures. This should not be forgotten. It is this common concern lived in a wide variety of ways across peoples and nations that enable us to speak meaningfully of human rights as something pertaining to the whole of human family. Its content and concerns are filled with the contributions of the whole of humanity. Hence, it will be more and more difficult to play the cultural argument against the human rights instrument.

Even in the matter of human rights, unfortunately, there are a large number of Westerners too who are of the view that human rights is something Western, which implies that Asians and others have to take to these rights if they want to be modern. Such a chauvinistic view, maintained by Jack Donnelly for example, is as little helpful as the arguments which have reservation on human rights on the basis of Asian values.⁸

6 Cf Ian Brownlie (ed.), *Basic Documents on Human Rights*, Oxford: Clarendon Press, 1992 (third edition).

7 Cf G. Haragopal, *Political Economy of Human Rights: Emerging Dimensions*, Mumbai: Himalaya Publishing House, 1997, pp. 41-64.

8 Jack Donnelly, "Human Rights and Asian Values: A Defence of Western Universalism," in Joanne R. Bauer -Daniel A. Bell (eds), *The East Asian Challenge for Human Rights*, Cambridge University Press, 1999, pp. 60-87. As the author confesses at the beginning of his article, he has not much familiarity with the real life-situations and cultures of Asia except through academic channels. A very different approach to the matter is taken, for example, by Charles Taylor, "Conditions of an Unforced Consensus on Human Rights," *ibid.* pp. 124-144.

From the Individual to the Subject

Talking of the contribution of the whole of humanity in shaping up the contemporary human rights, we should think of the part played by the Latin American countries. A liberal perspective on human rights based on individual as the principal point of reference could not help resolve the problems of that continent where late capitalism has created so much of injustice, conflict and violence. That is why the Latin American continent developed the concept of the *subject*. There is a difference between the individual and the subject. The individual is someone abstracted from history, culture and from community. The major preoccupation with the conception of individual to whose emergence thinkers like Kant contributed was that a person should be free from coercion, or in other words should be autonomous. The autonomy of the individual was contrasted with heteronomy or the situation of being ruled from the exterior. It is the corner-stone of liberalism.

Today, to base the human rights on such a conception of individual as an autonomous entity would mean insensitivity to history, to the social reality, to culture and solidarity. On the other hand, the category of subject is a concept that is relational in character, and is historically situated.⁹ This category is an important corrective to the concept of individual. The subject is someone who needs to be continually freed from all kinds of coercion, but he or she is not an individual who could be defined without relationship to the community and to the social realities around.

Human rights based on an abstract individualism will not be able to meet the challenges of our contemporary times. If globalization and capitalism are driven by the steam of individualism, we just cannot expect that a human rights instrument propelled by the same steam will be able to salvage the victims from the woes of globalization. The need of the hour is to lay emphasis on community, solidarity and human togetherness as a counter-culture to the

9 Cf Enrique Dussel, *Ética de la liberación en la edad de la globalización y de la exclusión*, Madrid: Editorial Trotta, 1998; Franz J. Hinkelammert, *El Grito del Sujeto. Del teatro-mundo del evangelio de Juan al perro-mundo de la globalización*, San Jose: Editorial Dei, 1998.

prevailing spirit of individualism. That is why more than ever before it is important that human rights be inspired by the spirit of human solidarity. What is envisaged thereby goes beyond mere recognition of the human rights of various groups - cultural, ethnic, linguistic, etc. This is but a sequel to human rights cast in the mould of human solidarity.

Asian Sources

As for Asia is concerned, there has taken place a significant contribution to human rights in terms of solidarity, which, unfortunately, has not been sufficiently recognized. To be able to understand the Asian contribution, we need to take into account of the fact that it relates not only to theory but also to concrete praxis. In South Asia, for example, great care was taken that the weaker ones in the society were not victimized, in spite of many contradictions in the society in this respect.¹⁰ Conventions, rules and practices tended in this direction. For instance, it was the common practice in ancient times that before entering into war in another country or territory, the ruler made known of the impending war so that women, children and other weaker ones in the society could be taken to safety and no harm was done to them. Similarly, it was forbidden that a person on horse-back attacks any soldier on the ground.¹¹ The fight should be from an equal position. In the Tamil version of the great epic Ramayana, poet Kambar depicts a scene in which fully armed Rama was faced with the enemy without any weapon in hand. Rama, then, instead of attacking the enemy without weapon - which was the easiest thing to do - asks him to come back next day with his weapons. What is implied is a sharp sense of justice and fairness even when it is a question of battle.

10 A most glaring contradiction is the case of caste in South Asian societies. The hierarchization and discrimination of people on the basis of their ascriptive social identity has been a permanent source for the infringement of the rights of human persons. The experience of the Dalits in India amply illustrates this point.

11 Cf. Nagendra Singh, "Human Rights and India" in *Encyclopedia of Social Work in India*, Vol. 2, Delhi: Ministry of Welfare, Government of India, 1987, pp. 90-105.

There are yet other forms in which the rights of the people were safeguarded. The traditional institution of kingship in South Asia did not suffer from absolutism, which was the case in many other parts of the world. In the West, for example, absolutism of the ruler was justified by the claim of the so-called "*divine right of Kings*". In South Asia, on the other hand, kings and rulers were considered not above law and ethical injunctions, but were obliged to follow the ethical path known as *rajadharma*. Part of this conduct was the protection of the people by the ruler ensuring that they have the necessities of life.¹²

There are many narrations and stories which show that justice, specially to the weaker ones is the obligation of the King. Implicit therein is the conviction that the powers of the King are to be under the demands of justice, specially to the weaker sections in the society. This presents an interesting contrast with the development of human rights tradition in the West. The beginnings of this tradition goes back to the times when the nobility revolted against the absolute powers of the King and wanted his powers to be checked. If checking the powers and bringing it under moral and legal control was an achievement which marked the beginnings of the modern human rights tradition, this was already at work in the South Asian tradition in terms of the *dharma* which the ruler was supposed to observe and the justice he was expected to dispense. A very dramatic case of demanding justice and asserting rights by a simple woman against a King is depicted in the Tamil epic *Chilapadhikaram*. Here, the enraged Kannaki, burning with the sense of justice, confronts the Pandiyan King who unjustly murdered her husband by mistaking him to be a thief. The King realizing his mistake collapses. The flames of justice emanating from Kannaki sets the whole city of Madurai on fire.

The Cultural Argument

In reflecting upon human rights in Asia in the context of globalization, we need to come to terms with the argument deriving from cultural diversity. As I noted earlier, whereas there was consensus for a common standard of human rights in 1948, it was a different case at the Human Rights Conference held in Vienna in 1993.

12 Cf. P. Varma, *Ancient and Medieval Indian Political Thought*, Agra: Lakshmi Narain Agarwal, 1989.

Questions were raised about the applicability of human rights to all nations. This was the tenor of some of the interventions in Vienna—especially from Asia. The main argument was to say that the cultures of Asian peoples are different. There is something like the “Asian values”. In Asia, particularly in those regions under the Confucian influence, the family and kinship have greater importance than and priority over the individual, the primary reference point of human rights in the Western liberal tradition. The Confucian vision and way of life should not be equated with the Western ways of understanding the human, so it is argued. China’s stand vis a vis the critique from the West regarding the practice of human rights illustrates the point. Perhaps, it is Lee Kuan Yew, the former prime minister of Singapore who has articulated the argument most sharply, and he represents in a way the thought-pattern of a sizable section of people in the Asian countries. We could foresee the consequences of such a view in different areas of life.¹³

Who could deny that there are cultural differences in the conception of the human? The fact that this is exploited in practice for the curtailment of human rights in some of the Asian countries should not be a motive to negate such differences. These derive from the various world-views, history and tradition characteristic of the different civilizations and cultures of the world. Given this general background, little wonder if the understanding and approach to human rights also bear differences. But, the question is, are the differences so great that we will have to get reconciled to the prospect of a “clash of civilizations” (Samuel Huntington) also in the matter of human rights? The cultural argument is not an end. It should be the beginning of a new discourse on human rights. The difference in the matter should lead to a more in-depth dialogue which would also require the theoretical contribution of inter-cultural hermeneutics in human rights. This is an area which need to be developed in the projection of a magna carta for the new millennium. Another important means is to re-lay the foundations of human rights inter-culturally. More about it later in the article.

13 Regarding the implications of this in the field of labour, cf Anthony Woodiwiss, *Globalization, Human Rights and Labour Law in Pacific Asia*, Cambridge: Cambridge University Press, 1998.

Development and Restraint of Human Rights

Closely related to the above cultural argument is the legitimization of restraint on civil and political rights in the name of development. Though such an argument is used all over the world, by authoritarian regimes of all kinds, in Asian countries they assume importance. This is not only due to the fact that this argument is systematically expounded, but also because of what appears a confirmation in terms of the development that have been achieved - in spite of the economic crisis - in the South East Asian regions. According to this view, though democracy and human rights are important values, they have to be necessarily limited and restrained if a country is to make advancement in the economic field. Democratization will come about, according to this thesis, with the progressive achievement of economic prosperity. Until that time civil and political rights need to be restrained, if not suspended. As one cannot make omelette without breaking eggs, so too without some kind of violations of human rights, one cannot think of development and progress.¹⁴ Such a position, obviously, has far-reaching consequences, and indeed at different planes. It implies the curtailment of freedom of expression and legitimate opposition to the state; it implies that the workers, and the various ethnic groups to fall in line with the state and not raise questions of their legitimate rights.

Further, this line of argument rests on an assumption which is far from being questionable. Speaking on this issue of the interconnection between human rights and development, Amartya Sen calls our attention to the fact that, development and practice of human rights need not be opposed to each other as is supposed here. If the examples of Singapore, Korea, Taiwan, etc. can be invoked to prove economic achievement with restraint on human rights, we have other cases to disprove such an assumption. In this connection Sen observes:

14 The imagery is from the human rights advocate Paul Sieghart. Cf. Neela Tiruchelvam, "Democracy, Development and Human Rights: A South Asian Perspective" in **Human Rights: The New Consensus**, London: Regency Press, 1994, p. 139.

Systematic studies give no real support to the claim that there is a general conflict between political rights and economic performance. That relationship seems conditional on many other circumstances....We should not take the high economic growth of South Korea or Singapore in Asia as proof that authoritarianism does better in promoting economic growth any more than we should conclude the opposite on the basis of the fact that one of the fastest growing countries in the world - Botswana - with the best consistent record of economic growth in Africa has been a real oasis of democracy in that continent. The selective anecdotal evidence goes in contrary directions, and the general statistical picture does not yield any clear relationship at all.¹⁵

The United Nations on the basis of empirical data has drawn our attention to the interdependence between observance of human rights and development.¹⁶ One may argue that the atmosphere of democracy may lead to chaos and disorder while, what is required for a solid economic growth is an atmosphere infused with a different set of values. However, it is curious that the attainment of material well-being should be at the cost of the very freedom (as it comes to expression in democracy and human rights) which is indispensable for the full unfolding of the potentialities of human persons - individual and collective. It is possible that democratic functioning may present a picture of chaos prejudicial to economic growth. But the solution to the woes of democracy is not less democracy but more of democracy.

Deepening the Asian Foundations for Human Rights

The discourse on human rights and its practice in modern times requires a fresh rethinking on its foundations. The foundation was provided for long by the theory of natural law. There is a certain order in nature including the human being. Human beings claim their basic rights on the basis of the law of nature which are something given by

15 Amartya Sen, "Human Rights and Economic Achievements" in Joannie R. Bauer - Daniel A. Bell (eds), *The East Asian Challenge for Human Rights*, Cambridge: Cambridge University Press, 1999, pp. 88-89, p. 91. For the Indian situation, cf. Marc Galanter, *Law and Society in Modern India*, Delhi: Oxford University Press, 1997.

16 UN Declaration on the Right to Development adopted by the General Assembly on December 4, 1986.

their very being. The state or civil society with which human persons associate themselves can never demand the surrender of these basic rights which precede these kinds of associational life. The English philosopher Locke and French thinkers like Voltaire, Rousseau, Montesquieu and the American Thomas Jefferson were some of the ardent supporters of a set of inalienable human rights deriving from the law of nature. This has remained the principal basis on which the human rights tradition has rested. There has not taken place more extensive discussion on the question of the foundation. Even, when the insights of socialist tradition were integrated into the various human rights instrument, still there has not occurred a deeper integration of it with the issue of the *foundation* of human rights.

In the same way, when today questions are raised about the universality of human rights from the point of view of cultural relativism or "Asian values", one way to meet this new situation is to broaden the foundations of human rights in such a way that the Asian world-view and values will find a place. In this way, the Asian peoples and societies will not find human rights as something alien, but part of their own, since its foundation comprises their values and world-views. Earlier, we saw how human rights concern has been part and parcel of Asian tradition. Now is the case of exploring some of the basis on which these concerns rested, and integrate them in order to really turn the human rights instrument into a common heritage and goal of the entire human family. In this way, it will not be a case of universalizing something which had its origin in the West, but acknowledging this instrument as truly Asian in as much as its foundation has Asian components, and that it reflects Asian vision of humanity.

What Asia seems to say is that, to serve the cause of the poor, a *spiritual approach* to human rights is called for. Respect for the marginalized and their legitimate rights cannot result simply from a general intellectual perception of the equality of all and its formulation in statements. History amply bears out how the project of the Enlightenment could co-habit with the practice of slavery, colonization of peoples and suppression of women's rights, and with

what devastating consequences! Unless human rights become part of a deeper spiritual quest, the scandalous cleavage between theoretical affirmation and praxis is bound to continue.

By spiritual is meant not anything necessarily religious. Spiritual is basically a centri-fugal movement, that is a movement away from the world of the self towards the other. Ultimately it is a movement towards truth which necessarily calls for a continuous transcendence of the self and its interests. Existentially this movement is provoked by the experience of *duhkha* or the suffering of the other. Seen in this perspective, the practice of human rights can be part and parcel of a vibrant spiritual realization. It may be noted here that Mahatma Gandhi, in the thick of his political engagement, underlined the importance of *ahimsa* - not inflicting suffering on others (which translated could be called non-violation of human rights). In the practice of *ahimsa* as well as *satyagraha* or the fidelity to truth, he found the way of spiritual advancement.¹⁷

The respect for the dignity of others and desisting from inflicting suffering on them (by way of concentration of power, exploitation and injustice) flow from another kind of anthropology. The human spells differently in the world of the victims. In this anthropology, human beings are not primarily ethical beings who follow certain principles of conduct because these are in conformity to reason. There is something even deeper than ethics and reason. Human beings are those who have deep in them the capacity to be affected by the suffering of others. It is by awakening this inherent power that we lay a lasting foundation for respect for others and for the removal of their suffering. In other words, human beings are defined not simply in terms of reason; human beings are compassionate beings. In this anthropological perspective, human rights are expressions of the compassion for the suffering of the poor. Human suffering and compassion offer the anthropological and spiritual key to interpret human rights as the rights of the poor.

17 Cf Margaret Chatterjee, *Gandhi's Religious Thought*, London: The Macmillan Press, 1983.

There are peoples and cultures for whom anything related to law brings with it a sense of obligation: the best way to give effect to anything is to convert it into legal language. But for most peoples in South Asia, this may not be the case. Anyone conversant with the Asian societies will know that many of the modern laws and constitutions remain dead-letters, and they are observed more in breach. In other words, a legal approach to human rights couched in a formal and abstract anthropology dissociated from the concrete historical subjects and victims - whether one likes it or not - stands little chance of being listened to. It does not carry conviction unless it becomes part of a spiritual outlook towards others and the *vasudeva kutumbakam* - the whole human family. It is the appeal to the suffering of others and the activation of compassion that can lead to the fulfilment of ethical and legal requirements.

Explorations in major civilizational and religious traditions need to be undertaken for deepening and widening the foundation of human rights. In this respect commendable efforts have been made from the Buddhist tradition, for example, by such thinkers as Sulak Sivaraksha of Thailand. From a Buddhist point of view, besides the *dhukha* to which I referred earlier, the doctrine of non-violence offers a very important basis for the instrument of human rights. This is true as well of the Jain tradition and of Hindu tradition. Gandhi's own practice of claiming legitimate rights of peoples rested on the principle of non-violence and *satyagraha* as a means to the attainment of one's legitimate rights. This Gandhian approach is becoming an important point of reference and source of inspiration for the practice of human rights in different parts of the world, which only goes to confirm how the human rights instrument is resting today on a much larger foundation than those furnished by the Western tradition.

Contribution of Asian Christians to Human Rights

The human rights situation in different parts of Asia is such that it calls for contributions from every quarter. At this moment of Asian history, there is a special responsibility for Christians and Christian groups to make an important contribution to the cause of human rights in Asia. Here is an issue which offers the platform for a convergence of Christianity with the concerns of socially committed secularists in Asia. Experience shows that the contribution of Asian Christians has been positively welcomed by the secular groups. More

difficult, however, has been to turn human rights as a meeting point with other religious traditions. But a more persistent dialogue on this issue with peoples of other faiths could prove very helpful.

An Asian Christian reading through the Gospels will find important principles which go in the line of the dignity and rights of every human being. These principles are much more important than the argument that all human beings have the same creator and they are equal. For, the idea of creation in this form deriving from the Semitic tradition may not have so much appeal in this part of Asia as the humanistic principles enshrined in the Gospels. These need to be explored through the Asian eyes and with reference to concrete situations in the Asian societies.

In this respect we need to direct our attention to one of the central Gospel principles: "the Sabbath was made for man, and not man for the Sabbath" (Mk 2:27). It says that on no account human beings should be made instrument and simple means. We live in a world of systems and these directly or indirectly force the human beings to fall in line. Such systems could be legal ones, political ones or of an economic kind as the late capitalism. In the authoritarian states like those in South East Asia, the political system may present itself as the ideal one. People have only to accept it and it will ensure their well-being. The world-system of late capitalism is saying the same things to the nations of Asia, that they have to only accept it and follow its logic. Everything else will follow. In short, we are here before systems which want to win the allegiance of human beings with the promise of protecting their interests. We have here the precedence of system over people, over persons which is something very dangerous. Instead we require that human beings be set above the systems. These systems should be at the service of human persons and not to be their masters. Even more, the dignity and rights of human persons should be the main point of critique of all these systems.

In some of our Asian societies, the dignity and rights of persons are violated on the basis of certain traditional systems. In South Asia we have the most glaring example in the caste-system. It is similar in the case of ethnic groups. Gross violation of human rights happen when caste is set above the dignity and rights of men and women. We have innumerable cases of caste-clashes and conflicts in which the mere fact that another person belongs to a different caste, is reason

enough to inflict on him or her all kinds of brutalities. Most vulnerable have been the women. As is often the case, in caste-clashes and riots, revenge is taken by raping the women of another caste or ethnic group. What is implied in such detestable practices is that caste or ethnic identity is supreme, to maintain which the dignity and rights of the other can be sacrificed. That leads us to the next consideration.

In the Asian societies made up, as they are, of many ethnic, caste, linguistic groups, it is necessary to transcend the boundaries of one's group to be able to practice the human rights. The Gospels depict the image of Jesus who was always in the process of transcending the borders. Sometimes it took the form of challenging transgressions of boundaries -legal, ethnic, etc. In the Jewish society which had marked its borders from the gentile world, Jesus ventures to highlight the other whom Jews had excluded. Jesus' reference to Naaman, the Syrian, the widow of Zarephath who were of another ethnic group and not belonging to the Jewish religious world, provokes the anger of the Jews (Lk 4 : 25 -30). Further, the dealing of Jesus with the Syrophoenician woman (Mk 7 : 24 - 30; Mt 15 : 21 - 28) and the Samaritans are all evidence of his constant peregrination to the world of the other.

Transcending the borders of one's world and tradition is a high spiritual quality. And this is the quality which is required very much today in Asia in the context of its multi-cultural, multi-ethnic societies. Without this spiritual quality, there is the danger of not only violation of human rights, but also of ethnic-cleansing. The situation in the North-Eastern parts of India, and the brutal killings between the Chinese and Malays in Malaysia, the riots in Indonesia in which the Chinese minority community was targeted, are all reminders of how much the Asian societies require this transgression of one's boundaries to respect the other, independent of any consideration regarding his or her caste, ethnic or linguistic belonging.

A third important contribution which the Asian Christians could derive from the Gospel is the principle of privileging the least and the last in the society. From the past history we know that a mere theoretical admission of equality of all is inadequate for the effective practice of human rights. It requires the crucial support of the privileging of the least. Jesus was very clear in his teaching that all

human beings are to be considered as brothers and sisters (Lk 8:19 - 21; Mt 12: 46 - 50; Mk 3: 31 -35). But he did not stop with it. Precisely because he knew that there is the constant temptation to construct systems of hierarchy in which people are ranked and ordered according to high and low, he gave a principle that contains in itself the dynamics to put equality into effective operation. He envisages a society in which utmost care is given to the last ones. Anyone wanting to be first will have to be a servant. Many of the so-called "reversal parables" of Jesus illustrate this point (Mt 20: 1-15; 22:1-13; Lk 14:15-24; 16:19-31; 18:10-13). In a world and culture in which the weaker ones are being systematically excluded, this principle of privileging the poor stands out as a great challenge.

CONCLUSION

Thanks to globalization, the economic growth is at the top of the agenda of the Asian nations. South East Asia, in particular, has surprised the world by its phenomenal growth-potential, in spite of the economic crisis. South Asian countries, on their part, have started moving with giant strides on the path of liberal economy. What is not being recognized is the fact that with globalization as the new avatar of capitalism, we are today, to use an expression of Noam Chomsky, "on a march backwards to what could be a very ugly future."¹⁸ In other words, contrary to its glittering appearance, we are back to the law of the jungle where the fittest survive and the others perish. The deleterious consequences of such a globalization are to be seen in the growing violation of human rights. The model of development underlying globalization is one of the root-causes for the infringement of human rights in Asia. Hence, it is clear that the future of human rights for the Asian peoples will very much depend upon how they grapple with the reigning model of development. Human rights instrument should become truly a bulwark to protect the weak and the powerless, and the challenges, as is only too evident, are most daunting in these times of globalization.

18 Noam Chomsky, *Powers and Prospects. Reflections on Human Nature and the Social Order*, 1996, Delhi: Madhyam Books, p. 77.

Interestingly, the nations which have fallen prostrate before globalization are also the ones who are becoming sceptical of human rights discourse and practice. They take refuge under the cover of "Asian values". It is an euphemism for the license to treat people as if they had no dignity and rights. Far from being at odds, globalization and "Asian values" seem to be in good company, proving beyond doubt that one should not expect globalization to protect human rights any more than the leopard to function as the guardian of the lamb.

But true Asia with its millennial civilizations is an expert on humanity, and it has much to contribute to the practice as well as contemporary formulation of human rights. Human rights should become progressively a heritage of the entire human family and the ideals towards which we journey together. For this purpose, the very conceptualization as well as practice should reflect the diversity and plurality of cultures and human situations. The true Asian values such as compassion before human suffering, the primacy of *dharma*, and the practice of *ahimsa* and *satyagraha* are today the much needed spiritual force for the practice of human rights. They need to be integrated with this new instrument of human rights to become truly a common point of reference for an ethically sustainable world-order.

In this way, human rights instrument far from being a Western invention, will get historicized and become part and parcel of Asian ethos. Finally, when Asian Christians rooted in their heritage read the human rights through the Gospel, they will be able to make a very significant contribution to the understanding and practice of human rights. This remains at the same time a challenge for a meaningful Christian engagement in the Asian continent in these times of globalization.