

We ought to rethink our notion of human rights

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Modern philosophers have theorized that human rights, in accordance with the principle of natural law, are inalienable rights - they can never be taken away. Locke, in his Treatise, asserts that man, by nature, possess the rights to life, liberty, and property; Life: because the most fundamental natural law is the preservation of mankind. Liberty: for the nature of man is to be free so long as his actions do not violate the rights of others. Property: for labourers ought to have ownership of the products of their labour.

For the three pillars of modern philosophy, the role of the state, as an arguably consensual construct and a product of human social interactions, is to ensure and/or protect the fundamental natural rights of every man.

These are dark days for the state of human rights in the country. The so-called drug-war reached a toll of over 30,000. Farmer communities are being militarized, strafed, and displaced. Development aggression continues to plague the indigenous peoples' ancestral lands. Workers' strikes and picket lines have faced violent dispersals. Activists and human rights workers are being terror-tagged, arrested without warrant, and charged with trumped-up case. Their offices are being raided and planted with evidences and activists of all sorts are being abducted and assassinated by alleged state forces. Our human rights are systematically and repeatedly threatened, violated by the state forces that supposedly protect it.

And yet, the strength of the resistance is not as consolidated as we expect it to be. With such rampant human rights violations, shouldn't we be seeing larger uprisings? Shouldn't there be a more united people's movement? Shouldn't we be seeing a broader anti-fascist movement? It seems as though we have grown accustomed to this violence. As if this everyday spectacle has shifted the normality - from the middle-class wonderland of peaceful solitary lifestyle to a mad state of near-lawlessness. Can it now be said that we have grown apathetic as we adapt to this normalized violence?

I maintain that apathy is not the case. I also believe that the movement is not particularly weak. As a matter of fact, our rights being violated is and has always been everyday experience. But what ought not be overlooked is the fact that human rights violations must be discussed simultaneously with economic factors that give way for human rights to be enjoyed. After all, the fundamental rights to life, liberty, and property are heavily determined by socio-economic factors that directly affect our capacity to enjoy them. The right to life can only be secured by the providence of one's basic necessities to living. The right to property is satisfied by one's capacity to acquire property. The right to liberty can only be truly exercised by those unenslaved by oppressive labor relations.

Think of it as if we lose our rights to rights if we cannot afford them.

The biggest and grandest violation of human rights is the perpetuation of poverty and harsh living conditions. When food on the table is scarce and everyday is a struggle to find something to eat; when there is no roof to take shelter; when income, our source of sustenance, is only a fraction of the cost of sustaining our lives, can we say that we are truly enjoying the right to live? When we are incapable of purchasing our very basic necessities and land-tillers are ironically deprived of the very land they till, is it not mere abstraction to say that we have the right to property when realistically, the means to acquire so does not exist? When we are slaves to capitalistic power relations under a tight 12-hour working schedule; when those with property use property in order to perpetuate power imbalance; can it be said that we are truly enjoying freedom?

Economic stability is a necessary condition in order to enjoy human rights. When such socio-economic conditions are not met, we are being deprived of our natural rights. Hence, we are becoming alienated of that which we have believed to be inalienable.

When everyday is a constant and consistent denial of our rights to life, liberty, and property, it becomes difficult for us to feel the abhorrence of the news of their violations. When everyday, we are slowly being murdered; robbed of our strength, power, and hope to continue living, we become desensitized of the killings.

When in fact, we no longer ‘enjoy’ - in the broadest sense of the term - the benefits of such rights and when the state no longer promotes nor provides these rights to us, we tend to become less and less concerned about the government sabotaging our rights and more and more concerned about how and by what means could we be able to provide these for ourselves. The question is no longer about “Is the government failing in its duty to secure our human rights?” nor “is it right to rebel?” No. The question of the labourer goes back to its most basic and primitive form: “How can I earn enough to make a living?” and “Where will I find food to feed my family of five?” We have become desensitized enough that we have lost any hope from the state. But if we hope to struggle against the regime’s ever-intensifying HRVs, lest should we forget to see that the issue of human rights must be addressed in relation to the groans of the stomach.

Maybe all this time, we are making the wrong assumptions.

Since the era of modern philosophy, we have always assumed that the role of the state is to serve mankind and protect our fundamental human rights. When the state fails to fulfill its role. It becomes right to rebel. But this does not seem to be the nature of the state. The nature of the state is a nature defined by its class bias. It does not see human rights as homogenous. It is and always has been a violent repressive force protecting the rights and interests of one class at the expense of repression through coercion of the rights and interests of another class.

They say that it is right to rebel if the government no longer serves its role. I say that the state can never fail its role because it is precisely its role. I say that it is always right to revolt because the very nature of the state is coercive. We should revolt until such a time that there is no longer a need for state repression; until such time that there is no longer a need to discuss human rights only because we starve for it every day.

We have believed that human rights are inalienable because they are based on man’s natural moral obligations. We have believed that human rights can only be limited either by as far as the rights of others go or as far as natural law permits. But if natural law is grounded upon the nature of man, what happens when the nature of man is based on the nature of competition and oppression? It becomes naturally alienating. If the nature of oppression, where natural rights are supposed to be grounded, is the nature of competing rights and the denial of the means to enjoy his natural rights, oppression becomes a natural right. In the process, man also loses his right to revolt.

But since oppression naturally breeds revolution, the natural law is to revolt. This contradiction between natural law and natural right brings forth our new moral obligation: We should not revolt because it is a right. We should revolt because it is a moral duty. ###

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