
HUMAN RIGHTS IN THE AGE OF GLOBALIZATION

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ABSTRACT

In recent years, “globalization” has become an intensely-debated issue at all levels of society across the world which turns the whole world in a globe village. It means that the economy of the world operating under a neo-liberal free market ideology and is increasingly integrated into one capitalist political economy. It is only possible through globalization that the world would perceive unique or exceptional enjoyment of human rights everywhere. All people are aware of its business-driven character which spills over a tremendous aura that has shaped the global trend to an unprecedented homogenized culture. While globalization has enhanced the ability of civil society to function across borders and promote human rights, other actors have gained the power to violate human rights in unforeseen ways. On one hand, Globalization has brought opportunity to improvements in human rights and on other hand posed serious challenges of gross violation of human rights for instance right to equality and other socio economic rights. In developing countries socio-economic consequences of globalization are anti-poor and anti-marginalized as its benefits are unevenly shared and its costs are unevenly distributed which adversely affects the full enjoyment of all human rights. Therefore, Globalization has played both a positive and negative role in the advancement of human rights around the world. Hence, it is an urgent need to strengthen the human face of globalization. Therefore, the objective of this paper is to address the impact of globalization on human rights.

KEYWORDS: Capitalist, Economy, Globalization, Human Rights, Violation.

INTRODUCTION

The word 'globalization' is now used widely and gaining momentum day by day to sum up today's world order. In general parlance globalization appears to be a process that is age old (goes back to the ancient times), continuous, and irreversible. Globalization is a multidimensional miracle as it involves process of interaction among the people of different nations and also involves the establishment of economic, political, social, and technological links among countries. Globalization describes a process by which regional economies, societies, and cultures have become integrated through a global network of communication, transportation, and trade. The United Nations Development Programme (UNDP) defines globalization as shrinking space, shrinking time, and disappearing of borders. At present, it is a shift from a world economy based on national market economies to a borderless global market economy increasingly governed by one set of rules. In a nutshell, globalization enhances mutual dependence between nations.

Human rights are the basic rights and freedoms that inherent to all human beings around the world, regardless of gender, nationality, place of residency, sex, ethnicity, religion, color or and other categorization which makes human rights 'Universal'. These basic rights included the right to life, the freedom of speech, freedom of religion, right to health, education are based on shared values like dignity, fairness, equality, respect and independence. These rights are defined and protected by law. Though, human rights are non-discriminatory means that all human beings are entitled to them and cannot be excluded from them but all human beings are not experience them equally throughout the world. Many governments and individuals ignore human rights and grossly exploit other human beings. In a nutshell, human rights are a broad concept that encompasses civil rights, civil freedoms, as well as social, economic, and cultural rights. These are rights that no one may be denied without breaching the rule of law.

OBJECTIVES

1. To explore the present status of Globalization and Human Rights.
2. To examine the impact of globalization on human rights.

RESEARCH METHODOLOGY

In view of the objectives of the study listed above, historical and descriptive research design has been used. Historical research interprets the already available information and it lays particular emphasis on analysis and interpretation of the existing and available information and it makes use of secondary data. The data has been collected from various reports which are published in magazines, journals, books and official websites. To obtain meaningful conclusions the collected data is analyzed logically and meaningfully.

IMPACT OF GLOBALIZATION ON HUMAN RIGHTS

Today globalization is not global yet. Nor is it universalism—values which embrace all humanity, hypothetically or actually (Rsenau, 1996). There are various categories of "human rights," such as civic and political rights, economic and work rights, and cultural and artistic rights. The exponents of globalization have devout belief in its process and argued that the economic development and prosperity can come in countries through this. But in the present scenario picture is different from their dreams because determinants and process of globalization are under question in developing nations as globalization directly benefited to developed countries and made dependent to developing countries on them. It's negative impact on environment, culture, socio-economic condition and human rights are well known phenomena.

Today it's a fact that human rights and democracy are related because human rights has become the barometer to know that any state is how much democratic. Now it is proved by scholars, like Amartya Sen and others, that human rights are more preserve in democracy rather than any other form of government. In democracy, individual have rights to develop his or her personality as he or she wish. But the globalization affected to this proved premise. In February 2022, several government-run educational institutions in India's but Karnataka state banned Muslim female students from wearing the hijab, or headscarf. The bans, which led to violent clashes between Hindu and Muslim student's which is the example of Indian authorities increasingly seeking to marginalize Muslims, exposing them to heightened violence.

Globalization process confronts threats and opportunities in the way of human rights. Of course, globalization brought new tools and technology by which human life became easier and created a strong civil society with ability to work across the border and promote the human rights. The human rights discourse became an issue of global debate with globalization. Undoubtedly the process of globalization played an important role to develop consciousness about the human rights protection. Some new human rights such as right to information, right to education, right to food, right to employment etc are the result of global attachment. Today's market driven economy generated new rights such as right to enter, right to bargain, right to alternatives, right to exit, right to choose (Assadi, 2011). Thus, globalization has extended the sphere of human rights. But it is only one sided truth, there are other sides too. It is true that due to globalization large number of population became displaced and has lost their livelihood. The emphasis on competitiveness and economic development has had especially negative effects on such vulnerable groups as migrant workers, indigenous peoples and migrant women. Globalization has been cited as a contributing factor in violations of the right to life, the right to protection of health, the right to safe and healthy working conditions and freedom of association in many countries.

Human rights violations (whether of individual civil/political, economic/social, or minority rights) as a consequence of destructive social change resulting from globalization might result, at least in some instances, in radical shifts in a society's cultural values and norms that, in turn, may lead to a reconfiguration of the substance of traditional or historic notions of human rights. The outcome of this search for a revitalized identity and meaning is unpredictable. There may be a reinforcement of an exclusive communalism with little personal autonomy or there may be a loosening of communal ties and an expansion of individual demands based on class. The evidence points in both directions. Clearly globalization has had a deleterious effect on the entire complex of human rights, resulting in significant transformations in the behavior and values of masses of humanity across the globe.

A primary effect of economic globalization is the widening gaps between the rich and the poor both within and between nations and that, in many countries; poverty is both increasing by numbers and by depth. Some studies also prove that globalization has been

associated with rising inequality as poor do not share in the gains from trade. As Coffee is the second most traded commodity in the world, yet most of its growers only make 10 per cent of what it eventually sells for. Statistics prove that half the world –nearly three billion people – live on less than two dollars a day; the wealthiest nation on earth has the widest gap between rich and poor of any industrialized nation; the top fifth of the world’s people in the richest countries enjoy 82% of the expanding export trade and 68% of foreign direct investment –while the bottom fifth, barely more than 1%. This leads to an increasing feeling of deprivation and injustice among the populations of the different countries of the world. The weakness of international rules, bad policies and weak governance in developing countries, and corporate practices which prioritise short-term profit over long-term human development are undermining the capacity of poor countries and poor people to benefit from international trade. In many cases, economic liberalization has been accompanied by greater inequality and people are left trapped in utter poverty. The Human Development Report of 1997 revealed that poor countries and poor people too often find their interests neglected as a result of globalization.

Economic globalization has resulted in the violation of the internationally proclaimed human rights underlined by the Universal Declaration of Human Rights (UDHR). The rights most likely to be violated by the transnational companies (TNCs) include non-discrimination, women rights, life, liberty and physical integrity of the person, civic freedoms, employees’ rights, child labour, slavery, forced and bonded labour, right to food, health, education and housing and lastly, the environmental rights. On the other hand, in their drive for profits, the TNCs have been restructuring their operation on a global scale. This has resulted in massive unemployment and underemployment, the worst situation since the 1930s. Similarly, in many industrialized countries unemployment has soared to levels not seen for many years and income disparity to levels not recorded since last century. The collapses of the economies of the Asian Tigers are examples of this. Because of this, more people are crossing borders in search of jobs and in most conditions people are forced to work in inhuman conditions for lower wages.

Often being unorganized, facing recurrent inequality in employment and harassment at work and violation of their human rights, with low levels of education, limited technological skills, women workers easily become marginalized and hardly derive any benefits

from the ever new opportunities emerging in an open and competitive world trade. Globalization has drawn millions of women into paid employment across the developing world. Today, supermarkets and clothing stores source the products that they sell from farms and factories worldwide. At the end of their supply chains, the majority of workers-picking and packing fruits, sewing garments, cutting flowers- are women. But these women workers are systematically being denied their fair share of the benefits brought by globalization. Commonly hired on short-term contracts-or with no contract at all women are working at high speed for low wages in unhealthy conditions and sometimes they are sexually exploited by contractors. The example of sexual harassment at the workplace is the "Vishaka Case". Following this case the court has made guidelines for protecting women from sexual harassment at their workplace. Most have no sick leave or maternity leave, few are enrolled in health or unemployment schemes, and fewer still have saving for the future. Instead of supporting long-term development trade is reinforcing insecurity and vulnerability for millions of women workers. The harsh reality faced by women workers highlights one of the glaring failures of the current model of globalization.

A social activist of the Philippines, comments that colonization was the trend one hundred years ago, globalization is, today. Today global corporations have replaced the colonial powers. In developing countries, global corporations are allowed to feast on natural resources, human resources, and national wealth. They displace farmers from their land, workers from their jobs, and communities from their roots. They are responsible for the breaking up of communities and the destruction of the environment to serve the human and raw material requirements of global production for the global market. The consequence is the collapse of food security and the emergence of global environmental crises, which in the end may turn out to be even worse than colonization. Even the peoples of developed countries suffer from the profit-hungry rules of global corporations today, which virtually rule the world. In fact human rights and environment go hand in hand because the degradation of the environment violates numerous well-recognized human rights.

In the present scenario, the farmer's suicide is also the result of the new forms of capitalist development that the globalization initiated in the sphere of agriculture. It is estimated that the incidence of farmer suicides has remained high in the 6 years between 2014 and 2020. Fifty-six hundred farmers died by suicide in 2014, and 5,500 farmers died by suicide in

2020—the largest wave of recorded suicides in human history. A great number of those affected are cash crop farmers and cotton farmers in particular. New patent law and hybrid seeds further aggravated this crisis. Patent regimes have taken away the right to produce, sell and exchange the seeds (Assadi, 2011). Hence, today the human rights of the Indian farmers are under threat.

Globalization violating cultural rights of local people and actually imposing own culture upon them. With the rise of global media and the internet, cultural products such as music, films, and television shows are now easily accessible in even the most remote corners of the world. This has led to the homogenization of cultural tastes and the erosion of traditional cultural practices. For example, many traditional music styles and instruments are being replaced by Western pop music and electric instruments, and traditional dress is being replaced by Western-style clothing. This process, driven by globalization, can diminish the distinctiveness of cultural practices, languages and traditions undermining the cultural rights of local communities to preserve and celebrate their unique identities. Even globalization of communication and media often favors a few dominant languages, leading to the marginalization and decline of smaller, local languages. Language is a vital component of cultural identity, and the erosion of linguistic diversity can limit the ability of local communities to express themselves in their native tongues, affecting their cultural rights. The process of globalization effected to environment too. Due to high level of industrialization, the environment has increasingly decreased. High pace of de-forestaization violate human rights of indigenous people. Another thing has taken place that is consumer culture, is also a product of globalization.

Members of the World Trade Organization when negotiating and implementing international rules on trade liberalization should bear in mind their concurrent obligations to promote and protect human rights, mindful of the commitment made in the Vienna Declaration 1993, that human rights are the first responsibility of governments. While the WTO agreements provide a legal framework for the economic aspects of the liberalization of trade, the norms and standards of human rights balance this by offering a legal framework for trade liberalization's social and ethical dimensions. The human rights violations resulting from globalization are failures of governance. Human rights law is capable of monitoring and regulating foreign investment. Respect for human rights requires governments to protect, promote and fulfill obligations. The right to development process can provide a framework focused on the

implementation of a rights-based approach to development. The right to development is versatile and promotes global responsibility for globalization. The Declaration on the Right to Development requires states to guarantee rights in a manner applicable to globalization. In order to be universal and remain relevant, human rights law must protect those marginalized by the exigencies of globalization by empowering local peoples (De Feyter, 2005).

The protection of rights generally requires a legal system that is effective and credible, and such systems do not come free. Moreover, many rights require some additional sacrifice of other human wants—minimum wages, rights to unionize, environmental standards, and social security systems, for example, all come at the price of an increase in the cost of goods and services, or an increase in taxation. Not all effects of globalisation will infringe “human rights,” but some of them may (Sykes, 2003).

Globalization has affected the human rights complex as a whole. The emphasis on competitiveness and economic expansion has hurt vulnerable communities such as migratory workers, indigenous peoples, and migrating women disproportionately. There may be a strengthening of exclusive communalism with restricted personal liberty, or there could be a relaxing of community links and an increase in class based individual demands. Economic rights, labour rights, cultural rights, social and political rights, and so on are all examples of "human rights."

SUGGESTIONS

Human rights are the principles by which we create the sacred home for human dignity. There is a need to create an alternative society based on gender justice, ecological sustainability and local global democracy and also develop the institutional mechanisms to establish norms and resolve disputes in the context of overlapping jurisdictions and conflicting values will in practice determine whether globalization proves to be a friend or foe to human rights. Additionally, what is also required is a more balanced approach, which ensures that human rights principles are integrated into the rule-making processes from the outset. So hereby few suggestions are made:

1. Maintaining the right balance between globalization and protection of human rights should be a priority.
2. Frame out International treaties and other legal instruments which set out the minimum human rights standards that each State should aim for in terms of human rights protection.
3. A global watch should be established to monitor and report the unethical transactions that take place between the governments of developing nations and global corporations. The governments of developing nations should not continue to get rich by selling their factors of production (land, labor) to global corporations.
4. All the countries should monitoring and reporting the impartial gathering of verifiable information to assess the situation on the ground and ensure better implementation of laws to protect human rights of women workers.
5. Requirements to become a free trading nation should be revised. Present requirements eliminate many developing countries. Developed countries need to do more to assist by making it easier for developing countries to benefit from trade and investments.
6. Gender-sensitive politics and programmes of economic and social development should be adopted at national and international level.
7. Treaty-based mechanism focusing on the responsibilities of multilaterals as well as private actors in protecting human rights is an extremely significant step in the current economic environment.
8. Efforts by states to create investment rules must be subjected to scrutiny and analyzed through human rights discourse.

CONCLUSION

In a nutshell, in an age of globalization, the struggle for human rights has become more complex and challenging. Globalization has its winners and losers. It creates both help and hindrance in realization of human rights. Although globalization of the economy has been characterized as a locomotive for productivity, opportunity technological progress, and uniting the world, ultimately it causes increased impoverishment, social disparities and resulted into various indirect and direct ways of causing violations of human rights. Therefore, there is an

immediate urgency for all the governments to frame laws and policies prioritizing rights of people over globalization in the coming years as there is every probability of the human rights to be threatened in some form or the other in the post-globalized era.

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