

Violation of Human Rights: Incompatibility of harmful traditional practices and human rights

What are the major hindrances in Tanzania and Pakistan to the achievement of Human rights and how can they be tackled?

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1.0 Introduction

Tradition is a golden identification of a society which is inherited from a previous generation. People describe tradition in many ways that enable them to express their near and dear relationship with tradition, as well as what they do not relish about it.

Out of the 7,5 million people living in this world, only a few of us are unequivocally aware of our human rights as well as the harmful traditional practices. Our obliviousness or insufficient knowledge on these two things allows injustice and unethical actions to prolong.

The violation of human rights across the world is prevalent despite the promotion and ratification of human rights in many countries. Albeit some countries are abiding by international law and are promoting and protecting human rights, not a single country is found to be plenary liberated from the violation of human rights.

Tanzania and Pakistan are two complicit countries that have failed to defend the human rights of their citizens. By contrast, Finland and Norway are countries that are applauded for their promotion and protection of human rights. This essay will be dedicated to compare and contrast the failure and success of Tanzania, Pakistan, Finland, and Norway in terms of promoting and protecting human rights.

2.0 Tanzania: The practice of harmful traditions and the violation of human rights

Tanzania, a country that is located in the eastern part of Africa, is renowned for its rich wildlife resources and for possessing the highest mountain in Africa that is Kilimanjaro. Tanzania is the largest east African country with a population of 57.2 million as of 2017.

The country has been showing a sustained economic growth for the last two decades. According to a report provided by the World Bank, the poverty rate in Tanzania has declined and increase in the production of agricultural products has been observed. The political

stability of the country is said to be the significant contributor to the aforementioned improvements in Tanzania.

In a different manner, Tanzania is also known for its failure in achieving some of the fundamental human rights. Namely, the country has failed to stop the mass killing of albinos, corporal punishment and school ban on pregnant girls.

2.1 Mass killing of albinos

According to albinism.org, the word albinism is defined as an inherited genetic condition that reduces the amount of melanin pigment formed in the skin, hair and/or eyes. Albinism affects one in 17-20,000 people in the world. Nevertheless, albinism is more prevalent in Africa than it is elsewhere. One in 4,000 people in South Africa and one in 5,000 people in Nigeria has albinism. Albinism has the highest prevalence rate in Tanzania with an estimation of one in 1,400 people who are affected by the genetic condition.

One of the main causes for the persecution of albinos is the belief system that is ingrained in the Tanzanian society. Superstition, in particular, plays a big role in the ostracization and other crimes committed against albinos.

Ingredients of “prosperity” in Tanzania are made from dismembered parts of humans. This is an absurd statement that is difficult to believe. Unfortunately, this appalling and delusive reality that has been exercised in Tanzania for several years. Witch doctors in Tanzania believe that body parts of Albinos will bring success to their magical powers and prosperity to their customers. Therefore, they hunt, mutilate, and kill albinos. Conversely, albinos are persecuted for the exact opposite reason, namely, bringing bad luck to an individual or the society in general.

However, this does not mean that everyone in the Tanzanian society advocates the immoral and inhumane acts inflicted on Albinos. As a matter of fact, there are educated and diligent Tanzanian activists such as Josephat Torner who are combating the violence and injustice against albinos.

This genetic disorder combined with lack of adequate education in Tanzania has led to the physical and mental harm of albinos. The misapprehensions about albinism have caused the isolation and victimization of albinos. The inhumane treatment of albinos and their persecution primarily violates Article five of the Universal Declaration of Human Rights.

2.2 Corporal punishment and school ban on pregnant girls

Beating pupils for not doing homework or other school-related things is common in Tanzania. This is part of many students daily life in Tanzania. A 2014 study made by African Child Policy Forum betokens that the abuse against students in Tanzania is very high and alarming.

Tanzania has national regulations that allow corporal punishment in schools and even provides guidance to teachers on how and where to beat the students. This affects the physical and mental capacity of students to actively participate both in and outside school compounds.

Another violation of human rights by the Tanzanian government is banning pregnant girls from schools. According to Tanzania Bureau of Statistics 21% of teenage girls aged from 15-19 have given birth. Although some of these teenage girls become willingly pregnant, others are sexually harassed and have to deal with unwanted pregnancy.

Tanzania's president John Magufuli unequivocally expressed his alignment with the ban on pregnant girls by saying "As long as I am president...no pregnant student will be allowed to return to school...After getting pregnant, you are done." Tanzania has laws that constitutionally allows this type of ban on pregnant girls. The Centre for Reproductive Rights reported in 2013 that more than 55,000 pregnant girls have been expelled from schools in the past decade.

Such a ban will have implications both on a micro and macro level. On a micro level, it will obstruct individuals explicitly, teenage girls from being able to be educated and support themselves in the future. On a macro level, the more uneducated people, the more the jeopardy of unemployment and poverty. Lack of diversified ideas will result in less effective work environments that can have long-term effects on the development of a society.

The World Bank and the UK have been investing in the education system in Tanzania in an effort to improve the teaching-learning process. While applauding the support given to Tanzania, some human rights researchers have emphasized the significance of assuring that children are being treated right once they get access to education.

3.0 Pakistan, the practice of harmful traditions and the violation of human rights

The Islamic Republic of Pakistan is the 33rd largest country in the world, and one of the nine countries that possess nuclear weapons. The country is governed by a democratic parliamentary system.

In terms of economy, it is estimated that Pakistan was one of the wealthiest countries in the world throughout the first millennium. Present day Pakistan has shown its strong commitment advocating and implementing Sustainable Development goals as it is reported by the United Nations Development Program. Despite the unstable security environment in the country, a solid growth in the economy is projected in the year 2017.

On the contrary, The Islamic Republic of Pakistan struggles with promoting and protecting human rights. For decades, the society of Pakistan has been performing harmful traditional practices. Among those practices, child marriage and honor killing are some of them.

In order to fathom how the political and social system in Pakistan operates, it is important to bear in mind that religion is an intrinsic part of the country. Pakistan is one of the Muslim-majority countries who have legally institutionalized Shariá. Hence, the preponderance of Pakistan's public policies is formulated based on Islamic law.

3.1 Child marriage

As the name implies, child marriage is a formal marriage or informal union before age 18.¹ Although both male and female are subjected to child marriage, girls are the most affected groups. Some of the reasons to why child marriage exist include but is not limited to tradition and gender inequality.

In Pakistan, the patriarchal system of the society is one of the driving forces behind child marriage. Girls are mistreated and objectified in the Pakistani society because of their gender. Moreover, in a society where girls are considered to be a 'burden' to their family, they are often forced to marry in a young age in order to alleviate the economic pressure of their families.

Given the fact that Pakistan follows Sharia law, girls who have gone through puberty are expected to prepare themselves for marriage regardless of their ages.

While they are still with their families, most of the girls in Pakistan are deprived of their freedom and are guarded strictly so that they will restrain from contacting males that are not approved by the female's family. In the same manner, after they are married most of them are subjected to domestic violence.

The deep-rooted traditional belief of the Pakistani society suggests that women shall remain subjugated and ruled over by men. This makes women less active in the society and reduces their self-esteem. Furthermore, child marriage infringes Article 16 of the UDHR.²

3.2 Honor killing

¹ *Girls not brides*, Girls not brides, www.girlsnotbrides.org/about-child-marriage/
Child marriage is any formal marriage or informal union where one or both of the parties are under 18 years of age.

² "Universal Declaration of Human Rights." *un.org*, United Nations, <http://www.un.org/en/universal-declaration-human-rights/>
Article 16.

(1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending spouses.

Originated in the rural and tribal areas of Sindh, Pakistan, honor killing has a local name which is, Karo-Kari. Honour killing according to Collins dictionary, is defined as a murder committed by a male on a female relative considered to have brought dishonor to the family, usually through sexual activity forbidden by a religion or tradition. For the most part in Pakistan, girls/women are not allowed to be in a relationship with partners of their own choice. Rather, their families are to choose spouses for their daughters. If unmarried females are found to be or are suspected of being engaged in any sexual activities, they will be murdered by a family member.

The brutal act of honor killing is a common harmful traditional practice in Pakistan. Even though not every individual in Pakistan advocates honor killing, the preponderance of the society has accepted and still exercise this inhumane act. Females are primarily murdered because of the belief that honor will be restored to the family if the “adulterer” is removed from the family.

“Immoral act” which will result in honor killing in Pakistan, is not limited to one's intentional engagement in sexual activity. It also includes females demanding a divorce, being raped and refusal to submit to arranged marriage. It has also been reported that some people in Pakistan commit honor killing when they simply want to remarry or avoid their wives. Such an act by itself is immoral and highly affects the mentality of females in general. Furthermore, it reduces social cohesion and results in the stagnation of a country's development of the country in a way lacks diversified ideas. Additionally, honor killing, in particular, violates Article 12 of the UDHR.

3.3 The Nonconformity of Cultural relativism to International Law

Ethnocentrism is the practice of viewing other people's culture according to one's preconceptions. On the other hand, as specified by cultural.relativism.com, cultural relativism is the belief that all religious, ethical, aesthetic, and political beliefs are completely relative to the individual within a cultural identity. In other words, cultural relativism advocates the idea of understanding societies in their own cultural context. Albeit the universal importance of cultural relativism, that is the development of tolerance within the globe, cultural relativism is not beneficial in all cases.

Cultural relativism and human rights are two concepts that are arduous to fully integrate within one another. Cultural relativists partially oppose the idea of human rights by arguing that demanding a society to give up on its practice in order to adhere to international law is imposing international norms on that society. In a similar manner, cultural relativists also argue that for individual actions to be considered right or wrong, his/actions are relative to the society he/she is in. Therefore, there is no universal morality and no one, including international organizations, have the right to judge other societies based on the international norm. This makes one question the credibility and legitimacy of human rights theory.

By the same token cultural relativism allows the aforementioned and other inhumane and extreme cultural practices, namely, the murder of albinos, child marriage and honor killings to be practiced. All these and other inhumane acts clearly violate human rights and are a threat to the universal society.

Human rights are rights that are formulated to benefit every individual. Nevertheless, cultural relativists and others who refuse to adhere to the international norm criticize human rights by arguing that the ultimate aim of human rights is to westernize the world. This is a critique that is often heard in Islamic countries since Sharia law strongly opposes western ideologies and norms.

On the other hand, human rights partisans argue that human rights are rights that are based on universal norms. Therefore, the theory of human rights does not impose western views on the rest of the world. In addition, the theory of universalism argues that the protection of human dignity is valued by all cultures. Hence, adopting international human rights surpasses cultural differences. Human rights positivists also argue that states that are participating in the UN process are obligated to work towards a common goal by promoting and protecting human rights.

4.0 Development of Finland and promotion and protection of human rights

Finland is one of the five Scandinavian countries that has a population of 5.5 million people. The country declared its independence from Russia on December 6, 1917, which now makes it an independent country for a century. Finland has a parliamentary republic form of government and it is among the countries where living standard is high.

Finland is renowned for having one of the least corrupt governments in the world. The country also has a good level of performance in several fields such as human development, education, and civil liberties. Moreover, Finland proves its democratic and well-functioning government by ranking the best in some of the international world indexes. For instance, in Fragile States Index (2017), Finland ranks 178th out of 178 countries which indicate its least vulnerability to conflict or collapse as a country. Finland also ranks second in Global Gender Gap Report by the World Economic Forum. As a whole, Finland is one of the most developed countries in the world and has a good overall reputation as a country.

One may ask the reason for the success of Finland as a country. And one of the answers to this particular question is, the promotion and protection of human rights is an intrinsic part of Finland.

Finland is the world's first country that adopted and granted full gender equality to men and women. The country has formulated policies that give special importance to the elimination of violence against women, human rights of women and girls and education of women and girls. Explicitly, the policy of Decision-in-principle on Development policy adopted by the Finnish

government highlights the country's measurement to take effective measures to promote gender equality. Finland has taken the empowerment of women through the means of education seriously. When women are given equal opportunities of education as men, educated manpower increases. Thus, women contribute to the development of a society by being engaged in the different sectors of the economy.

The Government Report on Human Rights reported that women's rights are regarded a priority area in Finnish human rights policy. Beyond its national border, Finland provides assistance to international NGOs to advance gender equality namely, Forum For African Women Educationalists' and International Alert Gender and Peacebuilding Programme.

As opposed to Tanzania and Pakistan, Finland values human rights as it is an integral part of human and national development.

4.1 Development of Norway and promotion and protection of human rights

Norway is another Scandinavian country that has one of the world's highest standard of living. As of 2017, Norway has a population of 5.3 million people as it is found in the data provided by worldometers.info. Norway is a politically and economically active country in the global sphere. Explicitly, the country has mediated in the Sri Lankan and Israel and Palestinian conflict. Additionally, Norway is engaged in international trade both in developed and underdeveloped countries.

Norway is also listed as the world's happiest countries in 2017. World happiness report, which is supported by the UN High-Level Meeting on Happiness and well-being, provides such kind of data based on different dimensions. Specifically, World Happiness Report collects and provides data based on the social progress and public policy of a country and well-being of a country's population. Norway has a high rank in World Happiness Report when it comes to promoting the happiness of its population through the means of health, freedom, income, good governance and other similar factors.

The forenamed factors that contribute to the happiness of individuals are interlinked with the protection and promotion of human rights. Norway is one of the leading nations when it comes to making an international effort to protect children's rights. Norway has made the promotion of human rights an indispensable component of its development policy. The country strengthens the personal development of its citizens and its relationship with the international community by promoting human rights and complying with the UN Conventions of children's rights.

In contrast to Tanzania and Pakistan who gives less importance to children's protection and education, Norway strongly advocates the opinion of children and young people to be heard in issues that involve them. Norway not only advocates the right of children and young people, but the country has been able to effectively protect and fulfill the right to education by making

a good standard of education available to children. Providing education of a good standard to today's children will likely have a fruit of socially, politically and economically active citizens in the future.

4.2 The significance of protecting and promoting human rights

Universality is the cornerstone of human rights law. The UDHR through international law obligates states that have become parties to international treaties to respect, protect and fulfill human rights. In addition, four of the major characteristics of human rights: inalienable, interconnected, indivisible and non-discriminatory serves as guidelines for states to ensure the safety of their citizens. Human rights are not only rights but also obligations which individuals and governments ought to adhere to.

The promotion and protection of human rights benefit individuals and countries in many different ways. As human rights and democracy are concepts that go hand in hand, the promotion and protection of human rights give people the freedom to choose who they wish to be governed by. Moreover, as it is mentioned above, human rights are not only rights but also obligations. Thus, international law obligates governments to protect and promote human rights by protecting their citizens from any kind of discrimination based on race, religion or sex.

In particular, as the situation in Tanzania and Pakistan if the rights of minorities and women are not protected it can result in a long-term social, political and economic effect on a country. If individuals and governments are accountable for the governance in their country, they can hinder the violation of human rights which in turn contributes to the development of a country.

The promotion and protection of human rights result in the personal development of individuals, the social, political and economic development of a country. The UN believes that human rights ensure that a human being will be able to fully develop and use human qualities such as intelligence, talent, and conscience. On top of that, the respect, promotion, and protection of human rights play a major role in engendering/strengthening a unified international relation between states.

Human rights also contribute to sustainable development and reduction of violence. The violation of rights through unequal distribution of resources and similar factors are often the main reasons for the rise/ escalation of the conflict.

Conclusion

All things considered, violation of human rights is destructive to both individuals and nations in general. Countries such as Tanzania and Pakistan should consider eradicating harmful traditional practices that are exercised because of culture or religion. Consideration of a strategy or policy by itself is insufficient. On that account, Tanzania and Pakistan should

formulate policies that strictly opposes degradation of minorities and women and make their citizens and governance intolerant of human rights violations.

The mass killing of albinos and corporal punishment in Tanzania are morally unacceptable due to their inhumanness and implications on both individuals and countries in general. For that reason, such type of acts should be eliminated from both Tanzania and other countries that exercise this act. This also applies to The Islamic Republic of Pakistan which practices child marriage and honor killing.

The promotion and protection of human rights contribute to human and national development. Individuals, governments and human rights organizations can combat violation of human rights by educating people and making them aware of their rights and obligations. Although some traditional practices are relative to a certain culture, and their sovereignty should be respected as any other nations, the international community should have zero tolerance for the degradation of children, women, and humanity in general. Therefore, both individuals and governments should work towards protecting human value and creating a peaceful and harmonious world.

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