

Governance and Society Review (GSR)

Volume 1 Issue 1, Spring 2022


ISSN(P): 2959-1619, ISSN(E): 2959-1627

Homepage: <https://journals.umt.edu.pk/index.php/gsr>



Article QR



-
- Title:** The Effects of Unwritten Laws and How it Affects the Positive Attributes of Human Rights
- Author (s):** Sarah Shirazi
- Affiliation (s):** University of Maryland, USA
- DOI:** <https://doi.org/10.32350/gsr.11.02>
- History:** Received: January 5, 2022, Revised: March 25, 2022, Accepted: May 2, 2022, Publication Date: June 29, 2022
- Citation:** Shirazi, S. (2022). The effects of unwritten laws and how it affects the positive attributes of human rights. *Governance and Society Review*, 1(1), 17-35. <https://doi.org/10.32350/gsr.11.02>
- Copyright:** © The Authors
- Licensing:**  This article is open access and is distributed under the terms of [Creative Commons Attribution 4.0 International License](https://creativecommons.org/licenses/by/4.0/)
- Conflict of Interest:** Author(s) declared no conflict of interest



A publication of
The School of Governance and Society
University of Management and Technology, Lahore, Pakistan

The Effects of Unwritten Laws and How It Affects the Positive Attributes of Human Rights

Sarah Shirazi*

University of Maryland, USA

Abstract

From the traditional form of laws, human rights were introduced with the need of finding ways to protect humans. Later on, it enumerated to international level setting the obligations of different states defining the laws in particular to protect their citizens. This study involves defining unwritten laws and how they are linked in affecting the human rights. Human right laws make it clear to everyone being entitled to a set of rights and freedom which basically protects one from discrimination and being engaged in forceful activities. The study focuses on human rights being the baseline reflection on how humans should live or be handled. From explanation on how social justice was achieved, the study will shade the light on low flexibility based on different generation. The study will define what is meant by the term unwritten laws and human rights that will promote a clear view on the overall research and make an effective conclusion that will allow other researchers and other users in understanding the need of human right as part of unwritten laws. Through qualitative analysis as the methodology, the study will evaluate other researchers' findings and their argument on how the unwritten law impacts the good side of human rights. The conclusion will discuss the findings and elaborate on how the unwritten laws impact the effectiveness of human right from the past to the current generation.

Keywords: Unwritten laws, human rights, traditional laws, social justice, law flexibility, law evolution

Introduction

Peter Singer a piece influencer quoted that "famine, affluence, and morality, it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it" this means it everyone's duty to practice and work hard towards

* Corresponding Author: sshirazi@umaryland.edu

ending to what may be linked to human suffering. It is morally right and recommendable to act against anything that may be considered a sacrifice which are almost comparable to moral importance, should be encouraged in what may be referred to as a movement towards protecting human dignity. From the past, it is evident of situations where sacrifices have been made as ritual to protecting and demanding their needs such as political leaders causing uncountable human suffering as stipulated by Daughton (2013). To fight this human came up with revolutions and movements necessary to act against slavery and racial discrimination these organized groups can be categorized into two humanitarian action and human rights advocacy.

Currently, humanitarian action and human rights advocacy are portrayed as overlap with each approach explained in different ways. These differences are made of both conceptual and operational degrees, where extra differences are outlined in the latter. This study will outline the narrative's differences with human rights are affected by the unwritten laws. The principal differences will set the base from which actual human suffering is viewed in today's world with the use of examples in situations where the narrative has been applied. Unwritten laws are explained as humanitarian actions which are advocated to end human suffering or solve causes that subject human to unsafe condition.

To begin with humanitarian narrative have been claimed to be a "humanitarian action which is an attempt to avert certain results, and enhance other, with an aim of minimizing human suffering", The major focus of the narrative is to come up with policies that palliate, remedy, and prevent human being from being subjected to unsafe activities that endanger their wellbeing and welfare through discrimination and mistreatment. The principle main objective sets to reduce human suffering through aid, restore health, dignity, and improve people's capabilities in coping up from offered developmental seminars, and minimize continuous threat encountered from wreaking more havoc (International Federation of Red Cross and Red Crescent Societies [IFRC], 2011). In addition, humanitarianism portrays to reduce experienced symptoms of suffering and tackling their proximate causes. In the past, Humanitarian was view as need based which gave assistance to people who need it the most. In short, humanitarian is designed as universal duty necessary to eliminate the human suffering through delivering a sense of compassion and developing the common humanity that every human is portrayed to possess.

Literature review

Human rights approach concentrates on the root causes of suffering and is preoccupied with achieving justice. Central to human rights advocacy is noting an injustice or denying some of what they are rightful due, and seeking to not only prevent it from happening in the future, but to seek justice by demanding something of the violators. This is based on a notion of “being wronged” and someone being responsible for that wrong. Human rights belong to everyone, and denial of such should be met with punishment and a guarantee of future protection (Darcy, [2004](#)). In addition, there is “a broad distinction that can be made between human rights approaches that stress issues of social justice and the fair distribution of goods roughly, the economic and social rights agenda; and approaches concerned with protection from abuse and with corrective justice part of the civil and political rights agenda.” All rights are seen as fundamental to all persons, applying non-discriminatorily and equally to everyone.

There are two important distinctions to be made based on the above conceptualization of humanitarianism and human rights agendas. First, while the humanitarian framework considers justice only as a means to ensuring human welfare and security, human rights is concerned with justice as a primary good that should be considered an end in itself. If targeting the source of human rights violations and invoking principles of due process and justice leads to greater human welfare and protection, then humanitarians will use that method but only insofar as it is a means of reaching their end of human welfare (Huyse & Salter, [2005](#)). In contrast, human rights advocates believes that justice, due process, and universal rights are important to because that is the to human welfare and all else that is good for the peaceful coexistence of people in society.

Another important distinction is that of priorities. Like aforementioned, humanitarians, although impartial, seek to remedy the suffering that is most urgent, immediate, or widespread. They prioritize, for example, hunger relief over adequate shelter and over legitimate political rights. On the other hand, human rights are seen to be “indivisible, inalienable, and universal,” which means that rights are understood as one cohesive whole. In fact, human rights agendas do not establish a set of “core concerns” because it might run the risk of categorizing human rights into different levels of importance (Palais des Nations, [2014](#)). Issues with considering rights in this way have been raised, given that one minor rights violation would be

equivalent to undermining the entire institution of human rights. But that is an issue with how the protection of rights are applied more so than how it is dealt with in principle. “In practice, of course, situations are accorded to different degrees of priority according to severity of abuse and level of people’s well-being.” In principle, though, the implication of such an understanding of rights is that there is no hierarchy of rights as there is a hierarchy of basic needs for survival.

Methodology

The research will analyze how different researchers view the impacts of unwritten laws in enhancing the positive side of human rights. The extensive analysis will be conducted through the qualitative analysis where other authors’ findings will be used to examine different cases where human rights are violated resulting to human suffering. Quantitative analysis revolves around data analysis where is ineffective in this research as it does not involve data analysis.

Applying the Humanitarian and Human Rights Approaches

These differences lead to differences at the operational level. “Human rights organizations, for example, often rely more on advocacy and denunciation, while humanitarian organizations are more likely to provide direct services to affected populations as a way to redress the suffering caused by human rights abuses. “In order to demonstrate this point, I want to turn to some key points in history, examining the way in which the ideologies, cultures, events, and sentiments of those times differently affected the narratives of humanitarianism and human rights. I will start by briefly going over the development of human rights and humanitarianism from the 18th century until the abolition of slavery, after which I will spend more time on examining abolitionism and its impact on the two different narratives (Fordham University, [2017](#)).

During the several centuries leading up to the 1700s, most of Europe witnessed some sort of war and violence that resulted in mass human suffering. There were great battles fought under the name of religion, extraordinary violence resulting from imperialism, and great struggles against inequality and oppression (Daughton, [2013](#)). These experiences inspired a new way of thinking about humanity and created a new desire to rethink society in a way to avoid the great conflagration caused by religion and inequality and decrease the amount of violence and suffering in the

world. Furthermore, there was a growing bourgeois class during the 18th century as a result of urbanization and economic prosperity from imperialism. The bourgeois was preoccupied with education and valued productivity and utility. Consequently, people became more and more aware of the natural world and became more and more able to manipulate that natural world. With an increased emphasis on knowledge and utility came about a belief in progress in addition to emotional revolution a reflection upon the new understanding about the cruelties of the world, common humanity, natural law, and human dignity. This emotional and educational development was fostered by the introduction of the novel, which allowed readers to enter the interior lives of others and transcend the differences between each other. It is during this time that “details about the suffering bodies of others engender compassion” and has been “understood as a moral imperative to undertake ameliorative action.” Such a development gave people a belief in humanity and a newfound desire to define what it means to be human. It is within this context that the American and French revolutions, then soon thereafter, the abolition movement came about.

As part of defining humanity, there is an emphasis on rights, which is best represented through the rhetoric of American and French revolutionaries who argue for the protection of inalienable rights (National Archives, [1776](#)). Because all men are created equal to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed” and because “ignorance, neglect, or contempt of the rights of man are the sole cause of public calamities and of the corruption of government, constantly before all the members of the Social body, shall remind the people continually of their rights and duties in order that they thus be more respected.” Note that in both the American and French context, rights are being demanded not because it will lead to better, happier lives which it does, but as a means of affirming governmental legitimacy and rooting out corruption. Therefore, we see that human rights are being invoked in light of seeking some higher order of justice and righteousness (United Nations [UN], [n. d.](#)).

Even after the success of the two revolutions, human rights had a long way to go. The next crucial issue is that of slavery. After the revolutions took place, slaves adopted the language of the American and French revolutionaries to protest and rebel against slavery. In the spirit of favoring

broad ideologies over instances of abuses, the trans-Atlantic slave trade flourishes. I think this is similar to the focus on ideology and more abstract concepts of human rights versus the focus on practical consequences of humanitarianism. Sugar, coffee, tobacco, and other commodities produced through slave labor became an important part of European lives, economy, and prosperity. Valuing capitalism, innovation, and productivity, people justified slavery, consequently leading to other rationales such as racial superiority or inferiority, scientific racial differences, and more.

The global abolitionist movement in response to the slavery and racism saw a tremendous amount of development in terms of the equality, universality, and fundamentality of human rights. The beginnings of abolitionism can be explained as a humanitarian impulse more than human rights. In Britain, there was no clear case for equality, liberty, freedom, and justice, and the country had a potent economic interest in slavery. So how do we make sense of British abolitionism? To begin, there was a shift towards industrialization that lessened the centrality of slave labor in guaranteeing economic prosperity. Therefore, economic considerations were outweighed by the natural discomfort with widespread human suffering. The immorality of slavery became an important issue, heightened by the spread of slave narratives that underscored the humanity and spirituality of the slaves that are no different from the general populace (UN, [2015](#)).

Moreover, “the first groups to denounce the principle of slavery were the perfectionist sect whose ideals involved a form of mutual love and recognition that precluded treating men as objects”. The reason slavery must be abolished is not because it is an injustice, but because it is simply wrong to treat humans in such a way reasoning more in line with humanitarianism than human rights (International Commission on Intervention and State Sovereign [ICISS], [2001](#)). However, throughout the course of the abolition movement, more and more human rights rhetoric emerges. An example would be William Lloyd Garrison’s call upon rights of man based on “the honest conviction that Truth, Justice, and Right” are on his side, arguing that “freeing the slave is not depriving the owner of property, but restoring it to its rightful owner”. Here, we see a more human rights approach to slavery that considers the cruel institution as depriving one of something that rightfully belongs to him or her. Because such deprivation is unjust and unfair, we must abolish slavery. Moreover, Garrison argues that the owners

do not deserve any sort of compensation, which is in line with the human rights agenda of bringing justice for the victim and the perpetrator.

Then, the abolition movement involves both humanitarian and human rights rhetoric, arising from an “emergence of secular social philosophy” emphasizing natural law and rights and a “popularization of an ethic of benevolence” with humanitarian concerns about the immorality of slavery (Palais des Nations, [2004](#)). The focus on the rights of the slaves as autonomous human beings by rights advocates was met with the rising humanitarian concerns about the cruelty of slavery thanks to numerous media that brought attention to the cruelties of slavery. There were many novels, medical writings, and other publications and efforts aimed at revealing the deplorable conditions of the slaves from their journey on the middle passage to the sad lives and harsh treatments they face during their enslavement. Humanitarian and human rights concerns both became part of one movement against slavery. Petitions started to arise invoking “the language of ‘natural rights,’ such as, ‘we are a freeborn people and have never forfeited this blessing by any compact’” in addition to highlighting “the sexual and moral outrage of slaver and demands of Christian brotherhood.”

Revisiting Humanitarianism and Human Rights in a Modern Context

The abolition of slavery was a tremendous advancement for both human rights and humanitarianism. But human rights and humanitarianism as we see it today did not become so until the two world wars and the cold war. These massive global wars led to heightened awareness of both the cruelty and frailty of humans. The world began to realize that humans should be guaranteed more than the right to life and very basic autonomy. The Universal Declaration of Human Rights (UDHR) of 1948 reflects this grander notion of being human and attempts to grant everyone access to all the luxuries of being a human, compared to some other creature existing for the sake of mere survival. Furthermore, the UDHR is a critical human rights document given that it states its purpose as follows: “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.” We can see that once again; human rights are important insofar as it contributes to the maintenance of freedom and justice the ultimate end we strive to achieve. And through the power dynamics established after the world wars and during the Cold War, we see a furthering of the

humanitarian narrative (Sutton et al., [2017](#)). Under the humanitarian framework, the human welfare is a primary good, and actions must be taken to relieve human suffering for the sake of advancing human welfare. Look to the introductory report from the International Coalition for the Responsibility to Protect (ICR2P) about humanitarian intervention to prove this point. The very first line of the publication states, “This report is about the right of humanitarian intervention and the question of when it is appropriate for states to take coercive action against another state for the purpose of protecting people at risk in that other state.” In contrast to the UDHR, the ICR2P values the protection and welfare in and of itself and the appropriate methods by which to do so is up to debate.

Today, how have the two narratives begun to merge together? Traditionally, humanitarianism has been understood to be a need-based approach to human suffering, focusing on delivering aid and assistance to those who are deemed to need it most. Although impartial and non-discriminatory, humanitarianism is concerned with more urgent and immediate harms such as poverty from displacement, war, and natural disasters. They have a short-term and forward-looking purview aimed at mitigating the harmful consequences of an injustice that has already occurred. The practice of humanitarianism strives to mitigate the effects of already occurred human rights violations in order to establish a state of human welfare or an apparent state of human rights protection. But various humanitarian organizations focus on development or structural injustices. Instead of remedying wrongs, humanitarian deeds have started to also take preventative measures, making it look more like human rights.

In fact, “people affected by crises were beginning to demand their rights rather than simply humanitarian relief and this was evidenced in recent demonstrations in Kanga Bayanga, where the local population refused food aid: they did not want humanitarian assistance; they wanted an end to the suffering of conflict and human rights abuses.” Van Woudenberg of the Human Rights Watch “suggested that, in reality, situations which required short-term lifesaving interventions were rare, particularly in Africa, and the human rights and humanitarian community needed to work together to improve the situation (International Commission of Jurists, [2013](#)). The agendas of humanitarian and human rights agencies were essentially complementary.” Nonetheless, some argue that human rights and humanitarianism are distinct. “In Srebrenica in 1995, despite being both

hungry and thirsty, the first question people asked was 'are we safe here?' and the second was 'where is my family?'. Darfur had been described as a human rights crisis, but it was questionable whether the people of Darfur saw it that way or were concerned primarily with safety.” What is the value of employing human rights language, when the same language was being used to talk about school uniforms in the Western press?”

Human rights revolutions can be traced from the World War II and today is seen as an important movement that brought great impact to a state's civil and political system. Human rights have not only been practiced in an international level but also in regional, national, and community states (United Kingdom Department for International Development, [2005](#)). African tradition has been referred to have contributed in defining human rights laws through a formulated charter that outlines the laws with support from the commission that enhance their implementation, and the regional court help in legitimizing the practice of the human rights laws (Pajibo, [2008](#)). Customs and traditions that defines how people live were introduced by their ancestors, long time age and they been passed from one generation to the next. The defined way of life are guidelines that direct people on how to accept and practice morals. However, with changes being experienced from one generation to the next, most of these customs have been replaced in the modern society. For example, the practice of FGM where young girls between 12 to 14 years were cut and scared using sharp bamboo pieces to symbolize their maturity, in the modern world this act is discouraged and it is every girl's right not to be subjected to such suffering in the name of customs and tradition (Fihlani, [2013](#)). With the argument of initiating young boys and girls, the leaders deny the young generation their human right from the statement of after initiation they are ready to be married. The conventional, narrow-minded mentality, of their older generation is witnessed when it raises the question on is a 12-year-old boy or girl mature enough to become an adult? What happens to their educational right? What happens to their need for parental support? What happened to the right of not being exposed to social vices for instance prostitution? Definitely these questions remain in the mind of few people in the society and the fight against these suffering remains unwritten but actions are prominent.

To mitigate and eradicate human suffering there is a need of strong leadership and those in charge to come up with measures that would ensure people are protected from unsafe and unfair practices. For instance, the

African communities can be considered to experience government leadership for a very short time, this has provided minimal time to provide policies that would enhance human right protection from violations (Stephanie, [2005](#)). This ineffective government can be proven by the countries to sign up for the Convention Against Torture and the First Optional Protocols of ICCPR, CEDAW and CRC. With minimal time to formulate their forces, African countries security forces are very reluctant in handling domestic violence with much of the communities linked to their cultural practices and tradition. To eliminate these practices, African governments need to seek experts who will assist in creating awareness and implementation that fight against violations mostly to the children and women. With government not imposing laws that govern how people should be treated shows its negligence towards protecting its population against abuse. Failure of the government to include laws that protect its citizens is a violation itself as the step to sign up the Convention Against Torture is essential in discouraging torture within its boundaries.

According to article one of the United Nations Universal Declaration of Human Rights (UNUDHR) it is noted that "everyone is born free and therefore there is need for everyone to be treated equally in terms of both rights and dignity" (United Kingdom Department for International Development, [2005](#)). The article further claims that every individual has an inborn conscience that gives the reason to why we are all connected as brothers. This narrates that people should treat each other with a mindset of brotherhood and with dignity. Negligence and ignorance of this act declares violence which subjects others to suffering and non-conducive conditions such as employing fists, harsh weapons, dragging and kicking. However, such kind of acts are not prominent in some regions of the globe, for instance, regions where women are considered weak and are treated without dignity or brotherhood spirit which is evidence to violations in the current world.

On the second article of the same UNUDHR it is declared that "all humans are to enjoy their rights and freedom regardless of their gender, color, race, social status or political opinion". However, this is not the case in most part of the world such as Africa where, women are discriminated with the reason of being considered to have low social status. Also, according to Article 26 of ICCPR (International Covenant on Civil and Political Rights) it is noted that "all people are equal before the law and

should be equally protected by the law". In addition, ICCPR article 14 proclaims that "all persons are equal before the law". However, Africa stands out of many countries where the law is bias and justice served with consideration of personal background, occupation, wealth, and high security leaders who happen to be the ones violating human rights. This advantageous position gives them the power to exploit others through abuse such as sexual abuse to women and girls with no action taken to provide justice to the vulnerable group. These acts are true definition of discrimination to vulnerable women and girls violating their protection rights by the government systems denying them justice (United Nations, [2015](#)).

Shelter, education, food, and clothing are the modern basic needs for every child and adult, lack of provision of these basic necessities is a violation of human rights. According to article two of the ICESCR (International Covenant on Economic, Social and Cultural Rights) "it is the duty of every state to provide a conducive environment for its citizen that maximizes and avails required resources that ensure they acquire the basics in manner that this right is realized". This act emphasizes on every individual regardless of the gender is provided with basic needs in manner that ensure they all enjoy fully on the rights they deserve (Tully, [2003](#)). The act can be explained as it is the responsibility of the government to protect it citizen against violation of their human rights. Failures of the government to implement policies that ensure the citizen do not enjoy their rights it is contravening with ICESCR act. However, the act lacks a measure to what extent does the government efforts indicate provision of enough resources to its citizen, this argument has been gone against by the party to council of Europe.

According to rights law in Africa (Kimani, [2012](#)) there is an argument on increased domestic violence experienced by women and children mostly to girls in between 10 to 15 years. The article states that, "the right of a husband to beat or physically intimidate his wife" came out as "a deeply held conviction." Women and children are exposed to severe beatings by their men through fists, dragging, kicking and weapons to extent of having permanent disabilities. According to IWC (International Women's Council) there is a record of approximately 15 cases of women and children registered daily having violated domestically, sexually abused, or mistreated within one day. For instance, in 2010, the IWC's reported

approximately 17,500 calls of women and young girls incurring injuries from domestic violence and in need of help to protect them from being subjected to further sufferings.

In addition, Human Rights Law in Africa Online (2004) claims that "customs and traditions were founded by ancestor's long time ago and passed from generation to generation". The major reasons for asserted customs and traditions, aims to ensure people gain good morals, however, other people practice outdated practices which harms and causes suffering to others and they should be considered customs to the modern world. Communities engaging in FGM practices should be subjected to education awareness that provides insight on how the practice affects the future of females during birth and contribute to the spread infectious diseases such as HIV/AIDs. The government should also impose measures that discourage the practice and reduce the much pain experienced the young girls just in the name of keeping the traditions and customs from the ancestors.

Refugees also pose another group with neglected rights, where currently from the number of experienced crisis, there has been huge number of migrants with people move from their places of origin to other nations for safety. These refugees experience rejection, discrimination, and unfair treatment from foreign government. From the fact that everyone is equal and everyone is equal, refugees stand a chance to be treated accordingly and same as others. Discrimination in terms of job opportunities, shelter, food, and clothes is among the experienced denied rights by the refugees. For the past five decades Afghans have posted high rate of migration from internal wars between its government and the Taliban.

The major objective of International Community is to ensure that refugees are provided with protection that relieves them from any fear of harm. The United Kingdom is among the countries accommodating the refugees and providing them with food and shelter. The United Kingdom has history of refugees since 1990s when it received unexpected Afghans refugees who were drawn to the Calais Port in France and made illegal immigration to Britain through the Euro Tunnel. During this time the refugees were all over the streets, beaches, and parks, this led to the opening of the Sangatte camp which was converted to a home for refugees. The Sangatte camp being located along the train tunnel, made it easy for the refugees to illegally migrate to Britain. However, this illegal immigration did not last long, as about 18,500 refugees were stopped from entering

Britain in 2001 (Clark, [2001](#)). Recently the country is recording new number of refugees and migrants from the Current Afghanistan crisis.

Mr. Guy Goodwin-Gill claimed that, “refugees have come to be seen as objects rather than individuals with rights.” This statement explains that many countries especially the wealthy western communities tend to avoid refugees and migrants which is proved by the increased adoption of refugee camps. In addition, Rachael Reilly claimed that “European countries, as well as North America and Australia have systematically diluted their responsibilities towards refugees over the past ten to fifteen years.” Rachael outlines that the rights of migrants and refugees are conducted and agreed upon in a process known as “offshore-processing” which involves exchange of refugees of those immigrating to Britain for financial benefits (Danieli et al., [2011](#)). According to British Broadcasting Corporation (BBC) reports ([2021](#)), Zoe Gardner (policy lead at policy charity the Joint Council for the Welfare of Immigrant (JCWI)) outlined that the UK resettlement project should be “life-changing” and “only be a part of the system.” This reflects that the process of Afghan immigration will be carried out by the government and for the benefits of the refugees.

According to research conducted by the Hopkins and Fiaz ([2009](#)), a good number of Afghan immigrants are located in London and meet the required working age. However, the Afghan immigrants remain jobless as their qualifications are not approved making it difficult for the Afghans to secure higher professional jobs and end up securing low professional jobs. Bloch ([2002](#)) stated that this situation of joblessness is much experienced by male Afghans which have raised an alarm on unattended depression on the Afghan population. Based on research, conducted by Gov. UK ([2021b](#)), it was found out the Afghans were treated as a migrant group with poor performance which made them to experience discrimination and exclusion in UK labor markets. In 2007, Rutter et al found out that Afghans claimed they experienced discrimination across the job markets. According to current news reported by BBC ([2021](#)), the UK government has promised to allocate 5,000 Afghans with settlement and looking further to accommodate a total of 20,000 Afghan in future which will be the largest settlement project across Europe. In addition, the government through Afghan Relocation and Assistance Policy (ARAP) project will be able to resettle present and former Afghan workers. According to Gov. UK. ([2021](#)) the project has been able to resettle more than 2,000 former and present Afghan

workers in the UK in a span of two months. In addition, the project aims in resettling 5,000 Afghan staffs by the end of 2021. Also, through Ex-Gratia Policy, UK has been able to resettle 1,000 workers (Aljazeera, [2021](#)).

The need for medical services by the Afghan refugees has been a challenge over the past decades. With tension of their application being rejected and facing retention, Afghan migrants developed the feeling of hopelessness that causes mental health from depression. This problem resulted to reported cases of suicide. Atwal and Bourne ([2007](#)), reported suicide cases of Nadim Hussain, eighteen years old, who committed suicide after his application was rejected and Zekia Mohammed who hanged himself after being unable to tolerate the harsh condition of the situation in UK. From a research conducted by Social Perspectives Network and London Development Centre (found out that asylum seeker, including Afghan migrants faced the challenge of receiving medical support that made them feel their mental health becoming progressively worse since they arrived in UK. However, in recent situation, the UK government has set £5million meant to offer medical and housing support to arriving Afghans. Having the globe affected by the Covid-19 pandemic, the government has offered give Covid-19 vaccine and immediate mental assistance (Gov. UK, [2021](#)).

Conclusion

There is much to be gained from combining the two approaches into an integrated whole. This can be proven through examining women's rights issues, especially in sexual and gender-based violence. "The emphasis on rights shifted the focus away from rape as a reproductive health issue, requiring palliative care and post-rape counseling, towards a focus on rape as a human rights violation, which required redress and preventative action to be taken." This is why more and more humanitarian organizations are seen to adopt rights rhetoric. Also, more conventions and workshops have been held between organizations and speakers from a variety of places both humanitarian and human rights oriented, such as the Sphere Project started in 2003 and the Inter-agency Standing Committee on Human Rights. I believe that in the end, what matters is our compassion to reduce human suffering, and from the compassion arises individual sense of justice and impulse to act.

Besides Africa being in the dark on fighting violence against human rights, there has been a great movement towards educating and creating awareness on the importance of treating each other with equality. Most of the African governments have imposed policies to safeguard and protect their citizen from discrimination, and social abuses. For instance, the practice of FGM which a common traditional practice in Africa has been discouraged with the help of awareness created through education systems and community gatherings on the much pain women and girls are subjected when being circumcised. The right of being equally treated is much enhanced and mistreatment of women through severe beatings is currently is regarded legal action where, men or people who subject other into suffering are considered guilty and legal actions applied. In the modern world Women are given the right to education unlike in the traditional times when they were married off in their younger ages 12 to 14 years.

Even with much problems being experienced in the past decades UK's current government has come up with solution that ensure Afghan refugees and migrants enjoy human rights. The effort of providing housing and medical support through Councils of England, prove the unweaving support to Afghanistan migrants and refugees in their new destination. The tension of being rejected and returned is well handled with the government offering to accept the Afghans' application through Afghan Relocation and Assistance Policy that target to resettle more than 20,000 Afghan migrants. The refugees are relieved from the fear of feeling hopeless through medical support to attend majorly to their mental health minimizing the suicide cases as experienced in the past. The ability of Afghan staffs to work comfortably through securing jobs, allows the migrants to enjoy the right of employment without being discriminated from unrecognized and acknowledgment of their qualifications. Lastly, the current circumstances have shown to be concerned with the rights of Afghans than any other previous UK governments through coming up with schemes that are majorly aimed at ensuring they are safe and feel wanted in their new home.

References

Aljazeera. (2021, August 18). UK announces plan to resettle 2,000 refugees from Afghanistan. *Aljazeera*.
<https://www.aljazeera.com/news/2021/8/18/uk-announces-plan-to-resettle-20000-refugees-from-afghanistan>

- Atwal, H., & Bourne, J. (2007). Driven to despair: Asylum deaths in the UK. *Race & Class*, 48(4), 106-114. <https://doi.org/10.1177/030639680704800>
- Bloch, A. (2002). *Refugees' opportunities and barriers in employment and training* (Vol. 179). Corporate Document Services.
- British Broadcasting Corporation. (2021, August 12). How many asylum seekers has the UK taken in? *BBC*. <https://www.bbc.com/news/uk-58245684>
- Clark, J. (2021). Fleeing Afghans blocked at borders. UNHCR. <https://www.unhcr.org/news/latest/2001/9/3ba861e44/fleeing-afghans-blocked-borders.html>
- Danieli, M. G., Pettinari, L., Moretti, R., Logullo, F., & Gabrielli, A. (2011). Subcutaneous immunoglobulin in polymyositis and dermatomyositis: a novel application. *Autoimmunity Reviews*, 10(3), 144-149. <https://doi.org/10.1016/j.autrev.2010.09.004>
- Darcy, J. (2004). *Human rights and humanitarian action: A review of the issues*. Humanitarian Policy Group Overseas Development Institute.
- Daughton, J. P. (2013). *Natural Law and the Enlightenment in Europe and America*. Stanford University.
- Fihlani, P. (2013, October 23). The four sisters who took on Botswana's chiefs – and won, *BBC News*. www.bbc.com/news/world-africa-24623692
- Fordham University. (2017). Modern history sourcebook: Slaves' appeal to Thomas Gage, Royal Governor of Massachusetts, May 25, 1774. (2017). *Fordham University*. <https://sourcebooks.fordham.edu/mod/1774slavesappeal.asp>
- Gov. UK. (2021a). *Extra healthcare and housing support for those arriving from Afghanistan*. Govt.UK. <https://www.gov.uk/government/news/extra-healthcare-and-housing-support-for-those-arriving-from-afghanistan>
- Gov PK. (2021b). *Afghans resettlement scheme*. Gov. UK. <https://www.gov.uk/guidance/afghan-citizens-resettlement-scheme>

- Hopkins, L., & Fiaz, R. (2009). *The Afghanistan muslim community in england: understanding Muslim ethic communities*. Change Institute, Department for Communities and local Government, London.
- Huysse, L., & Salter, M. (2008). *Tradition-based justice and reconciliation after violent conflict. Learning from African Experiences*. Stockholm: International IDEA.
- International Commission of Jurists (2013). *South Sudan: An independent judiciary in an independent State*. International Commission of Jurists. <https://www.refworld.org/pdfid/530cb3604.pdf>
- International Commission on Intervention and State Sovereign. (2001). *The responsibility to protect*. ICISS. https://walterdorn.net/pdf/Responsibility-to-Protect_ICISS-Report_Dec2001.pdf
- International Federation of Red Cross and Red Crescent Societies. (2011). *IFRC framework for evaluation: Planning and evaluation department (PED) IFRC Secretariat*. IFRC. <https://www.ifrc.org/sites/default/files/2021-09/IFRC-Framework-for-Evaluation.pdf>
- Kimani, M. (2012). Taking on violence against women in Africa. *Africa Renewal*. <https://www.un.org/africarenewal/magazine/special-edition-women-2012/taking-violence-against-women-africa>
- National Archives. (1776). *Declaration of independence, July 4, 1776*. National Archives. <https://www.archives.gov/milestones/documents/declaration-of-independence>
- Pajibo, E. (2008). Traditional justice mechanisms: The Liberian case. *Stockholm: International Institute for Democracy and Electoral Assistance*. International IDEA. <https://siilo.tips/download/traditional-justice-mechanisms-the-liberian-case>
- Palais des Nations. (2014). *Humanitarian Action and Human Rights: Summary Report of the IASC Workshop on Human Rights and Humanitarian Action, 22 & 23 April 2004*. Geneva. Inter-agency standing committee working group 57th meeting. https://interagencystandingcommittee.org/system/files/legacy_files/Dr aft%20HAHRworkshopreport%209June04.pdf

- Stephanie, W. (2005, August 5). *The gacaca process: Eradicating the culture of impunity in Rwanda?* Situation report, Institute for Security Studies.
- Sutton, K., O'Shea, J. & Urbano, M. (2017). *Review of Australia's Humanitarian Assistance to Myanmar (2014-2017)*. Australia Department of Foreign Affairs and Trade. <https://www.alnap.org/help-library/review-of-australia%E2%80%99s-humanitarian-assistance-to-myanmar-2014-2017>
- Tully, L. D. (2003). Human rights compliance and the gacaca jurisdictions in Rwanda. *Boston College International and Comparative Law Review*, 26(2), 385-414.
- United Kingdom Department for International Development, (2005). Non-State justice and security services, Policy Division Info series, 1–2, www.gsdrc.org/docs/open/ssaj101.pdf
- United Nations. (2015). *Universal declaration of human rights*. UN. https://www.un.org/en/udhrbook/pdf/udhr_booklet_en_web.pdf
- United Nations. (n.d.). *Access to justice*. UN. <https://www.un.org/ruleoflaw/thematic-areas/access-to-justice-and-rule-of-law-institutions/access-to-justice/>