Breaking the Cycle:
The Sanctity of Human Rights amidst Atrocities

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Since the dawn of humanity, violence has plagued the human race. Over many millennia, innumerous wars have been fought under the auspices of revenge, religion, territorial assertion, and the purposeful extermination of those deemed unworthy to live. Since the 20th century, the world has witnessed two major developments: an increase in the scale of violent atrocities committed by both the state and autonomous organisations and a new institution in the international community to protect human rights, regardless of state boundaries. After two world wars and Hitler's infamous genocide that brought violence to unprecedented levels, many world leaders uttered the phrase, «Never again». In the aftermath of a devastated planet, many organisations, particularly those within the framework of the United Nations, sought to end violent conflict once and for all. Eventually, this led to the development of an entire field devoted to conflict prevention, management, and resolution. The question now lies in how best to approach these three separate but intertwined aspirations.

Now that several decades have passed since the widespread recognition of the need for conflict prevention, management, and resolution on a global scale, it is necessary to examine the general effectiveness of those ambitions. Broadly speaking, the traditional approaches have failed. This is not due to the fact that conflicts can't be prevented through any means, but it is the approach of these methods that needs redefinition. In the past, human rights knowledge and methodology was entirely lacking in the field of conflict prevention, management, and resolution and therefore those measures failed because they were entirely misapplied.

Conflict is a global affair. From the traditional definition of conflict relating to occupation, inter-state conflict, war, and self-determination, to other forces occurring specifically within

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a state, such as a lack of democracy and freedom of speech, migrant and minority rights, and a lack of development, conflict is all encompassing in lives of most of the people around the world. It may seem to be limited to a particular state or region at one time or another, but that is in appearances only. The world is now an extremely connected entity, one whose globalisation is increasing at a rapid pace. Violent conflict can destroy a nation, but it also affects the security and stability of all humanity. The effect could be large or minute, economic or social, but nevertheless, the results always provide far-reaching consequences. Most importantly, the denial and violation of human rights and the corresponding development of a people is something that infringes upon the humanity of all. Therefore, it is highly necessary to not only combat violence wherever it may occur across the globe, but more importantly, it is essential to support the recognition of human rights in those efforts.

Mary Robinson, the former United Nations High Commissioner for Human Rights, eloquently encompassed the necessity for a human rights approach in conflict prevention, management, and resolution when she made the following statement:

We must understand the role of human rights as empowering of individuals and communities. By protecting these rights, we can help prevent the many conflicts based on poverty, discrimination and exclusion (social, economic and political) that continue to plague humanity and destroy decades of development efforts. The vicious circle of human rights violations that lead to conflicts – which in turn lead to more violations – must be broken. I believe we can break it only by ensuring respect for all human rights[1].

In a world currently rife with conflict and corresponding blatant human rights abuses, the need to reexamine approaches of conflict prevention, management, and resolution is of the utmost necessity. More specifically, however, peace-building strategy and policy in the Middle East and North Africa (MENA) needs to be reassessed by both states and third-party organisations due to those sectors' legacy of failure in the region. In light of the recent and ongoing Arab revolutions across the entire region, the need for this evaluation and implementation is of the utmost priority, for the region's dynamic is constantly shifting and could become more volatile at any second.

In June of 2011, Cherif Bassiouni, Head of the UN Human

[1] M. Robinson, 1998, at http://www.unfpa.org/rights/quotes.htm.

Rights Council investigation in Tripoli, concluded that at least 15,000 civilians had been killed over the span of three months in the Libyan revolution[2]. This rough estimate was not even including the stockpiles of bodies found in Tripoli after the anti-Gaddafi forces claimed victory in the Libyan capitol. Since the death of Gaddafi in October of 2011, the new Minister of Health in Libya, Naji Barakat, claims that roughly 25,000 to 50,000 people have died since the beginning of the conflict[3]. In the Levant, estimates of civilian deaths in Syria, where Bashar al-Assad's government is practicing a brutal crackdown on dissent, are much harder to come by, though, due to the government's expulsion of all foreign media. According to the current United Nations human rights chief, Navi Pillay, as of December 2011, approximately 5,000 Syrians have been killed in the conflict, with possibly thousands more detained by Syrian security forces[4].

In addition to these aforementioned atrocities, many more human rights abuses have been committed and are still occurring in this afflicted region. Although the number of deaths incurred is indeed horrific, other abuses, such rape, can take a much larger toll on both the victim individually, as well as her family and the community as a whole. Rape has been used as a tool to quash revolt, such as in the case of Libya, where the lasting effects of that monstrosity will reverberate for many years to come. The fact that this outrage has been employed time and time again in both the MENA region and other parts of the world is just one of the many signs that traditional conflict prevention methods are no longer sufficient, for the abundant human rights abuses run far too deep.

This paper does not set out to call for the abolishment of all traditional conflict prevention, management, and resolution techniques. Rather, it attempts to demonstrate the limitations of those traditional theories and methods in dealing with conflict worldwide and in the Middle East and North Africa. It proposes a new model based on a strong human rights approach to solving the current conflicts the world and MENA region face. More importantly, it advocates for human rights techniques to be used as a means for transitional justice, as most of the states are currently undergoing revolutions or immense change and therefore the incoming dynamic will require more than just mere conflict management. Through examining the various conflict

[2] *Up to 15,000 Killed in Libya War: U.N. Rights Expert*, in «Reuters», 9 June 2011, at <http://www.reuters.com/article/2011/06/09/us-libya-un-deaths-idUSTRE74UY20110609> (visited on 25 January 2012).

[3] R. Nordland, *Libya Counts More Martyrs than Bodies*, in «The New York Times», 16 September 2011, at <http://www.nytimes.com/2011/09/17/world/africa/skirmishes-flare-around-qaddafi-strongholds.html?_r=1&pagewanted=all> (visited on 25 January 2012).

[4] *As Syrian Death Toll Tops 5,000, UN Human Rights Chief Warns about Key City*, UN News Centre, United Nations, 12 December 2011, at <http://www.un.org/apps/news/story.asp?NewsID=40708> (visited on 25 January 2012).

prevention, management, and resolution techniques, from a scholastic perspective as well as citing specific case studies, and pinpointing how a grassroots human rights approach would more effectively solve certain aspects of conflict, this paper will demonstrate that respecting human rights, by both the state and the individual, is the only way for the successful long-term development of the MENA region and world as a whole. Conflict can sometimes be ended momentarily by peace talks and agreements, but in the end, if all parties involved don't respect the basic human rights of all individuals, then lasting peace will never be had.

1. A Brief History Lesson

To fully understand the context of conflict in the MENA region, but more so why conflict prevention, management, and resolution has typically failed, one must first look at the formation of the modern-day Arab states, starting after the end of World War I. The borders of the modern Middle East were drawn by the victorious powers of World War I, as laid out in the infamous Sykes-Picot Agreement of 1916, and by the mid-1960s, most of the territories had achieved independence from the European imperialist powers[5]. One crucial moment, however, was the establishment of Israel in 1948, which would entirely alter the course of the development of the region and mandate its politics until this very day.

In the capitols and states all across the MENA region, various tribes, religions, and ethnicities have been thrown together and defined as a singular people and state, even when loyalties may lie across artificial international borders. High unemployment rates are like a plague, largely affecting an extremely disproportionate youth population and causing widespread civil unrest.

A 2005 article in the «Journal of Conflict Resolution» set out to determine the primary causes of conflict in the MENA region and its precise conclusions foreshadowed the revolutions of 2011[6]. First, the authors concluded that a lack of democracy in the region was not the sole cause of conflict, although it is a powerful force. In fact, the authors make a point to note that the United States has supported and continues to support a majority of the authoritarian regimes, notably the ones with oil reserves.

[5] M.E. Sørli, N.P. Gleditsch, H. Strand, *Why Is There so Much Conflict in the Middle East?*, in «The Journal of Conflict Resolution», vol. 49, 2005, pp. 141-165.

[6] *Ibidem*.

The article also tested the theory that the Israeli/Palestinian conflict was a primary source of contention, but the numbers showed no such result. After testing many other variables, the authors concluded that the economic and political effects of oil, or lack thereof, would be the basis for future revolutions, as oil has provided corruption, authoritarianism, and slow growth. Social grievances, such as a lack of economic opportunity and political repression, would be the undoing of authoritarian regimes and would be a major source of conflict in the region. It turns out that the authors' claims were correct, as a series of revolutions exploded across the entire region in the beginning of 2011, overthrowing the infamous regimes of Hosni Mubarak, Muammar Gaddafi, Zine al Abidine Ben Ali, and Ali Abdullah Saleh, as well as causing severe conflicts between protestors and government forces in other states such as Syria and Bahrain.

To exacerbate the situation, the strong international presence that was felt during colonial times never left the region post-independence, as only the names of the players have changed. The British, as well the French, were the hegemonic powers pre-World War II and after their presence became muted, the United States and the Soviet Union rose to «battle» for ultimate global domination throughout the Cold War, with the United States finally claiming top hegemonic status in the early 1990s. In this fight for hegemonic status, the MENA region became trampled on by these two superpowers largely due to its geostrategic position and resources. Even though the United States remains the most notable player in the region, other Western European states have consistently been involved in the region's affairs, albeit largely through IGOs and NGOs, namely the United Nations. With the civil war in Libya, the Western powers decided to get involved by committing NATO troops, declaring a «no-fly zone», and supporting the rebel fighters, for they now see themselves as the peacekeepers of the region. The question is, has their mediating and peacekeeping methods worked? The recent strings of protests and revolutions in the region throughout the past year have proven that they have not, in fact, worked.

2. Theories Attempting to Quash Conflict

There have been countless attempts at peace treaties and

peace-building coalitions introduced and mediated by Western powers in the MENA region for decades, mostly dealing with the Israeli/Palestinian conflict. Overall, though, there haven't been a large number of successfully negotiated solutions. The Camp David Accords and the Oslo Accords are some of the better known agreements, but even then, they come under much scrutiny by both Arabs and Westerners alike. But why is this the case? One would think that after decades of attempting to establish a lasting peace in the region, there would at least be some progress. To grasp the reason, one must take a look at the notion of the democratic peace theory and its skewed political implementation in the region.

The democratic peace theory, in a vast oversimplification, states that democracies will not go to war with each other. This theory has come under much scrutiny, especially in light of the US-led invasion of Iraq in 2003, in which the democratic peace theory was used as one of the many justifications of the war in the Bush doctrine. Piki Ish-Shalom of The Hebrew University of Jerusalem argues that rather than criticising the thesis itself, one should point the finger at the politicians who misrepresent the thesis and use it for their own political gain[7]. He calls, though, for the theoreticians to maintain a sense of social responsibility by involving themselves more in the political process in order to correctly represent their theoretical political assumptions. More importantly, however, Ish-Shalom points out that in the manipulation of the thesis by American politicians, they fail to note that the thesis explicitly states that the theory is «valid only dyadically: between pairs of democracies»[8]. This automatically nullifies the rationale for a majority of American foreign policy in the region, especially since the First Gulf War, due to the fact that democracies are hard come to by in the region. Although several of the states, namely Egypt, Libya, and Tunisia, are attempting to change their style of governance, traditionally, most of the states are long-lasting monarchies or authoritarian strongholds claiming to be democratic. Those who do claim to follow the democratic process, as was the case with Hosni Mubarak in Egypt, the democratic processes in that state left much to be desired. In spite of all the various peace attempts and agreements, the authoritarian rulers in place have finally started to fall or diminish, as aforementioned in this paper. Due to the fact that a majority of the states in the MENA region are

7 P. Ish-Shalom, *Theorization, Harm, and the Democratic Imperative: Lessons from the Politicization of the Democratic-Peace Thesis*, in «International Studies Review», vol. 10, 2008, pp. 680-692.
8 *Ibidem*, p. 683.

undergoing conflict or are trying to put the pieces back together in a post-conflict state, it is a necessity to look towards the future and hence transitional peace methods with an emphasis on human rights, rather than glancing back at a failed conflict-ridden past.

Although there are numerous parties involved in peace building, particularly in the MENA region, the primary actor is ultimately the United Nations. The implementation of peace building has been around since the formation of the entity but the activity mainly began after the end of the Cold War in the wake of a post-Soviet world[9]. During «first generation» peace building, the UN was highly adamant about its role being neutral in the conflict, staying out of domestic politics, and merely acting as an observer[10]. After there was a distinct increase in internal conflicts between various ethnic groups, the UN decided to instead implement «second generation» peace building techniques, also known as multilateral peace operations[11]. The previous policy of non-interference was abandoned for one that involved activities directly linked with the internal structure of states, in order to tackle issues such as economic, social, and political grievances. The UN and its actors saw that a lasting peace could never be achieved without delving into the heart of the conflict. Now, the United Nations does not employ peace-keeping operations without the process of peace building directly following ceasefires.

In light of the recent revolutions and ongoing conflict in the MENA region, it is most advantageous to talk about transitional/post-conflict peace methods. Transitional peace methods always occur in post-conflict areas where human rights abuses have undoubtedly occurred and they essentially confront the causes of the conflict head-on, as well as the issues arising in a post-conflict state. Traditionally, the primary techniques used in post-conflict areas are judicial mechanisms and truth commissions, in conjunction with victims' compensation[12].

Judicial mechanisms are simply tools, like tribunals or special courts, used in post-conflict states to directly address the crimes committed during the conflict and hold the perpetrators accountable for their various atrocities and are usually introduced when international law has blatantly been violated. The proceedings are typically historic and groundbreaking due to the high-profile characters involved and the ghastly nature of the crimes committed, as seen

[9] C.L. Sriram, O. Martin-Ortega, J. Herman, *Evaluating and Comparing Strategies of Peacebuilding and Transitional Justice*, Working Paper, May 2009, at http://www.lu.se/upload/LUPDF/Samhallsvetenskap/Just_and_Durable_Peace/Workingpaper1.pdf (visited on 25 January 2012).

[10] *Ibidem*, p. 8.

[11] *Ibidem*, p. 9.

[12] *Ibidem*.

with the Nuremberg trials and the corresponding genocide of the Holocaust. In addition to prosecuting the perpetrators, the trials are also used as a means to set the new international standard and as a preventative measure for possible future violators of international law and social standards.

Judicial mechanisms serve to provide retributive justice and therefore some solace for the victims, but unfortunately, there are many problems involved with this transitional peace method. First, the prosecution must actually be effective, or a sub-standard prosecution will give the message that the crime shouldn't be regarded as a major violation of law. Thus, the trial fails to serve as a preventative measure for future offenders. One of the most important flaws in these proceedings, though, is the likelihood of amnesty for important officials, for those who should be convicted of major human rights violations are instead granted pardons in order to make peace agreements or ceasefires. Essentially, this is «trading justice for peace»[13]. Also, it is sometimes impossible to charge certain individuals with crimes against humanity when large numbers in the particular society commit the act as well. On the other hand, by completely ignoring what happened, the lesson is never learned and the crime is likely to be committed again. Finally, in some cases, the society as a whole could be so devastated by the conflict that they fail to even see why the crimes committed were wrong and why certain individuals are charged with the crime at hand, thus losing support for the trial and the judicial system.

Egypt serves as a current example of this process, as it is in the midst of prosecuting ex-president Hosni Mubarak, as well as other high ranking government officials from his regime. As Mubarak only abandoned his office less than a year ago, the Egyptian people were swift to bring justice to the table. The particularly interesting aspect of this case is that it is being handled entirely through the national justice system in place, rather than by an international force, and without any international observers such as the UN. The Egyptian people came out en masse during the revolution to dispose of Mubarak and his authoritarian rule and they clearly want to try their own hand at democracy, without any international influence. This example of a judicial mechanism demonstrates the benefits of the process, as the people set the precedent by demanding that their voices be heard. It is to be noted, however, that at the time of this writing, the process is far

[13] D.E. Guinn, *Human Rights Education: The Third Leg of Post-Conflict/Transitional Justice*, Working Paper no. 42, 21 March 2007, at www.du.edu/gsis/hrhw/working/2007/42-guinn-2007.pdf.

from over and thus the full effects of the trial and corresponding prosecution remain to be seen.

To address the need of a social healing process, the truth commission was established. The truth commission can be justified as a means to heal psychological wounds but is more so used as a preventative measure, as well as for victims' compensation. Truth is one of the first things repressed in an authoritarian regime and without truth, the victim will always remain a victim. If society as a whole doesn't know the truth about the atrocities committed, then realities are skewed and the path to recovery is severely hindered, «thus the repressive regime takes away the voice of the oppressed, denying them their sense of self and dignity»[14]. With a truth commission offering the reality of what happened as public knowledge, then the truth has the power to prevent the same human rights violations from happening in the future.

Unfortunately, truth commissions also possess a set of problems, as they sometimes prove completely ineffective due to the way in which they are implemented. One of the most common problems is the way the truth is compiled and presented, as well its accessibility. If a truth commission gathers information and then fails to use vernacular language or isn't accessible for the average person of the target population, then the truth commission has failed and only serves the political needs of specific parties. It is to be noted that this process is extremely rare in the Middle East, with the first only undertaken by Morocco in 2004.

The aforementioned transitional peace methods are positive and thus should not be ignored, but individually, they will not serve as long-term solutions. Given the problems that can arise with these methods, it would be highly imprudent to rely solely on one method. More importantly, however, both of these methods are completely useless in terms of sustainable development if the growth of grassroots human rights organisations does not coincide with them.

3. Demanding Human Rights for All

«Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the

[14] *Ibidem*.

foundation of freedom, justice and peace in the world, whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people [...]»[15].

These strong and inspiring words from the Preamble to the Universal Declaration of Human Rights lay the foundation for the human rights approach to solving conflict, but more importantly, from preventing its reoccurrence. As mentioned previously, a human rights approach, specifically human rights education, is absolutely essential in any peace building and restoration strategy, instead of separating the two techniques, as has been done historically. After all, how can a person understand why a crime is wrong when that said person doesn't know his or her own essential and natural human rights?

In the book *Human Rights and Conflict: Exploring the Links between Rights, Law, and Peacebuilding*, Janet E. Lord and Nancy Flowers contribute a chapter exploring human rights education, drawing specific examples, and concluding with the correct way to successfully implement human rights education (HRE) in post-conflict areas. The two authors note that in the past, the primary problem with HRE was that it is a «means of addressing problems happening somewhere else», instead of in one's society and thus, there should be three crucial parts of every HRE program: planned flexibility, long-term commitment, and a community base.

Planned flexibility includes many aspects, but simply stated, it means that the particular program needs to be catered to specific conflicts and abuses, not just a broad-based plan that uses vague language. It also includes adapting to shifting political and societal situations, which is quite common in any present or post-conflict area. Without planned flexibility, the program will not be sustainable and entirely fails to serve its purpose. In regards to the MENA region, planned flexibility is extremely applicable due to the fact that in many of the states, the social and political foundation is tribal, thus meaning that various «Western» processes do not conform and must be adjusted accordingly.

Another complicating factor is, of course, the presence of Israel.

[15] UN General Assembly, Universal Declaration of Human Rights, 10 December 1948, 217 A (III), at http://www.un.org/en/documents/udhr/ (visited on 23 January 2012).

With so many decades of constant conflict and hatred between the Arab people and the Israeli state, attempting to teach HRE is no easy task. The Israeli/Palestinian conflict is an example, though, of how HRE can be used as a tool to help solve the conflict itself, rather than waiting to employ it in a post-conflict situation. After decades of fighting and constant confrontation, it is increasingly easy for the two sides to forget the basic humanity of the opposing entity. By introducing HRE into the daily lives of both parties, whether through public information campaigns or grassroots organisations, reminding the Israelis and Palestinians/Arabs of each other's dignity and human rights could very well be a positive step towards finally brokering a lasting peace deal.

The second aspect of every successful human rights education program is, of course, long-term commitment. This should go without saying, for it is impossible to reverse societal attitudes within a short span of time. Rather, it is a lifelong process that should first be implemented in schools starting at an early age and taught in conjunction with all courses, not as a separate course. Naturally, there should then be programs for adults that cater to all needs, as well as different human rights abuses. In addition to long-term commitment, having a strong community base is of the utmost necessity, for the program should be grounded in the local people of that particular society. Even if the program is fully funded by a foreign entity, a foreign worker can be a positive influence, but at the end of the day, that said person is still foreign and will never fully grasp the context of various human rights abuses in that particular society. For example, with the rape that occurred throughout the revolution in Libya, it will be incredibly hard for that human rights abuse to not only be acknowledged, but to be overcome as well. Rape is a completely taboo subject in the conservative society of Libya and thus it completely destroys the lives of the victims and their families it touches. Addressing this issue through HRE will be incredibly difficult and if foreign women aid workers become involved, which will most likely occur due to the presence of the UN and other third-party organisations, it will take an extremely long time for the women to begin to address the issue at hand and it will take an even longer time for society as a whole to overcome that hurt.

Finally, it is necessary to view a case in which a grassroots human

rights education program had a significantly positive effect on the population it touched. Although this specific case was in Turkey, not in the MENA region, it is still highly applicable due to some of the populations it shares, notably the Kurds, as well as conservative Islamic communities. Most importantly, though, this particular organisation has focused on human rights in terms of the individual's role in a community, rather than through the typical approach where the sole focus is on the individual itself. «Women for Women's Human Rights» is a well-established program that has been in existence for over 15 years and focuses on all aspects of the lives of women in economically challenged communities, specifically targeting their basic legal rights[16]. Although it started in Istanbul, it has since spread to communities all over Turkey and many of its participants have since created their own organisations. «Women for Women's Human Rights» (WWHR) uses social workers from the communities as mentors which makes it easier for the families of the females to allow them to participate, in addition to possessing the benefit of female workers who know the local context. The extended length of the program allows for the female participants to fully immerse themselves in the topics at hand and the local context of the subject material is linked to national and international movements, leading to a sense of empowerment and global awareness. Eventually, the process of empowerment turns to female solidarity and thus an understanding of organised grassroots action. The following is a quote from a former participant:

We live in the capital city but we are not aware of what goes on in this country. In our day, we could not defend our own rights; we were brought up in ignorance. I do not want my daughter, my son or my daughter-in-law to experience what I have lived through. I have to make this happen. I have seen that through the Women's Human Rights Training Program. I have changed my husband as well; but it is not only my husband, our society has to change. And this will happen in time. And most important of all, I now live for myself. I had not recognised my own individual existence, desires; I had forgotten about the people out there and how to talk to them. Now I travel and talk to my heart's desire, and I write freely, without fear.
Turkan, a participant from Ankara, Central Anatolia[17].

[16] P. Ilkkaracan, L. Eercevik Amado, *Human Rights Education as a Tool for Grassroots Organizing and Social Transformation: A Case Study from Turkey*, in «Intercultural Education», vol. 16, no. 2, 2005, pp. 115-128.

[17] *Ibidem*.

4. Conclusion

To conclude this paper, it is necessary to reiterate the human rights approach within the context of the Middle East and North Africa. The region is undergoing immense change right now and the conflict is far from over. In some states, the rebuilding process is already underway or will soon begin and in others, the fighting and oppression may last for years to come. Conflict resolution methods are not futile, but they alone cannot be successful nor sustainable if they are not presented within the context of basic unalienable human rights. Although foreign entities can be involved in the process, which is a given in this increasingly intertwined world, at the end of the day, the full recognition of all human rights and the initiative to pursue them must come from within the society.

Violence and its many corresponding atrocities is something that has haunted humanity since its very inception. Those who dare to suggest that the tides of sweeping violence can be turned are often painted as idealistic and irrational, but the idea is slowly gaining traction in the international community. The famed psychologist Steven Pinker has boldly proclaimed that the world is, in fact, becoming less violent and peace is turning out to be the norm that societies demand. «We enjoy the peace we find today because people in past generations were appalled by the violence in their time and worked to end it, and so we should work to end the appalling violence in our time»[18]. Now, more than ever before, humankind and its institutions are recognising that every individual and community, no matter their background, possesses unquestionable human rights. A right to life, a right to freedom, and a right to dignity are just some of the basic truths imparted to every person. Breaking the cycle of violence in the Middle East and North Africa and in the world as a whole is no easy task, but paired with the effective techniques of human rights and human rights education, the cycle just might be broken once and for all.

[18] S. Pinker, *Why Is There Peace?*, editorial in «The Greater Good», 1 April 2009.

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