Concluding Observations
CONCLUDING OBSERVATIONS

Human beings have a capacity to development and one can assign value to them not only as biological object but as beings achieved various degree of excellence. A new dimension to the theory of human rights is added by introducing the notion of the full development of the human personality which requires person to act as an effective agent. As human being we have goals and we make choice in the light of those goals. Being able to formulate goals defines us as individually human and competence in making choice makes us agents. Agency freedom means the freedom individual have to pursue whatever projects or value they may conceive. Though well-being aspects and agency aspects are different, certain amount of well-being is required for individual to be an effective agent. The argument for human rights to basic needs can develop into a right to the condition for attainment of whatever degree and kind of excellence of which a person is capable. The right to such conditions would include universal declaration of education, to leisure and to participate in cultural life of the community interest common to all autarchic person. This provides a bridge from individualist theory of human rights into what is referred as species theory. Ultimately the progress of humanity as species overtakes the progress of humanity as a citizen of state.

In general people do not and can not have an overall choice of total plan of life. They choose successively to pursue various activities from time to time, not one for all. The goals must belong to category of activity, that there is diverse goals and there are object of progressive choice. It has changed the theory from goal-based to right based one. Right-based theory may be individualistic and may not be individualistic. An autonomous
person is one who is the author of his own life. A person is autonomous only if he has variety of acceptable options available for him to choose from. But the existence of many options require existence of certain social conditions. For example, an architect is one who belongs to a socially recognized profession. Some may argue that morality can never be right-based since there is fundamental right that is right to autonomy. But it follows that there is also right to collective good. Individual interests in being autonomous shows that it is in his interest to live in a society where all these options are available.

The major institutions and practices of any good society would be shaped by recognition of the claim that all human beings share an equal interest in having the means or (resources) necessary to pursue the projects they formulate and to try to realize the values they conceive. These include mental and physical power, right, liberties and opportunities, income and wealth, status and recognition (that can be given only by the members of a society to one another). There is no inherent contradiction between choice rights and welfare rights. For example, positive rights of participating in the government is a means for protecting what liberals hold an ultimate value namely negative liberty.

In liberal view, what matters above all is not the end we choose but our capacity to choose them. As the right is prior to its ends, the priority of right may give rise to misunderstanding that implies a liberal political conception of justice cannot use any idea of good at all. The idea of the good included must belong to a reasonable political conception of justice so that we may assume that they are shared by citizen regarded as free and equal and they do not pre-suppose any particular comprehensive doctrine. The
major institution and practices of any good society would be shaped by
recognition of the claim that all human beings share an equal interest in
having the means or resources necessary to pursue the projects they
formulate and try to realize the values they conceive. Instead of dissolving
himself or herself within the community, individual should reconstitute
himself or herself as free and equal being. Since intuition generally proceeds
consensus, we can start from liberal international order having
communitarian elements which gives priority to freedom.

We can acknowledge that all political arrangements will have some
intended or unintended consequences so that it is impossible to be neutralist.
So, if a government does not make any effort to promote value by
conditioning preferences and providing incentives, the result will be no gain
in autonomy but only a lessening in the number of citizens who lives in the
way the government consider potentially valuable. This prevents at least
some citizens from living valuable lives. Liberal framework does not mean
that individuals are wholly without purpose and incapable of moral ties. It is
capable of constituting meaning on its own as agent of construction in case
of rights and agent of choice in case of good.

The reason for acceptance of responsibility by society for enhancing
well-being of members are following. First, individual would ultimately
being incapable of full development on their own and incapable of
cooperation with others in order to draw their special capabilities. Second,
many constraints operating on individual action and development are the
product of social mal-organization error and incompetence. Third, the
protection of individual right serve specifically social-interest such as
national viability or health and quality of working power available to society.
From this perspective, a right constitutes a claim that enhances quality of life in a community and of a community.

Though the guiding principle of international relations have been stability, predictability and order at the cost of justice, in recent years the liberal tradition have come to view economic justice as an essential component of individual rights. What we should look for in compassing alternative social arrangements is whether individual’s rights are adequately protected and whether they have the material resources to make worth while use of rights. We need to explore reason for the concern for justice both in national level and international level as guiding principle of orderly governance.

Justice is the standard by which conflicting values are reconciled and competing conception of good are accommodated. Priority of good have grounded their moral structures on welfare and perfection. There will be no value in the satisfaction of preferences unless it makes the contribution to the quality of life. Similarly, perfection influences our ethical deliberation only when it contributes to value such as well-being.

Morality centrally concerns with the choice individuals make within given social relations. In this thesis, we discuss two version of morality. One is wholly dependent on human nature and the variation in the moral codes are due to different social conditions while underlying uniformity of these codes is due to the possession of same basic psychological tendencies of all human beings. As against this naturalistic theory, there are view that morality contains some absolute truth, has a foundation in the nature of the universe or in the nature of God, not simply in human nature. Such view held
by rationalists. Kant insists that moral relations are universal and has made it difficult to identify morality in personal relations. While morality for Hume is rooted in passions, it is only considerably objectified by being universal. But universality cannot solves the problem of public/private dichotomy. In a liberal society state will be stronger if individual get separated from each other more and more. Civil society needs restoration of public space. A liberal democracy while fostering pluralism, can not equate all values since its very existence as a political form of society requires a specific ordering of values which precludes total pluralism. A political regime cannot exist without constitutive outside. Both the nature and reason can supplement each other. Our social nature is a part of human nature. Right-based morality that includes fundamental collective rights in richer than one does not include them. The mechanism of nature may be used by reason as a means of making way for realization of her own purpose. There should be space to take productive power of reason beyond object or order which will form the constitutive outside.

Social cohesion can be approached in terms of a connection points rather than dividing lines. Community is made from hybridity, not from myth of self-contained groups. Community will advance development when individual and groups have a sense of responsibility for one another. It requires concrete act of solidarity particularly toward the needy and vulnerable. Right to enjoyment of one’s culture is one of the right specified in the International Covenants on Human Rights. However, we can include cultural rights within the sphere of human rights if we think of being a member of a particular culture as one of the basic interest of person as such.
Constructive inter-culturality requires critical responsibility, an ethic of care, a will among all partners in a community to advance one another's welfare in a mutually acceptable ways. Even the best constructed and operated local entity is inadequate on its own as a formula for community. Most people in contemporary society cannot fulfill all their material and affective needs within the confines of their immediate environs. Many services cannot be provided locally and most persons reach out to a wider world to develop various dimensions of their identity. Hence an effective design of community must incorporate multiple context besides local.

There are examples of cosmopolitanism based on religion imposes duties on human beings. Such conception of moral order are not conception of human rights because they are not based on conception of the claim of individuals. Individuals may be beneficiaries of the duties but they have no rights unless the valid claims they can make within the scheme. We should distinguish between the idea of valid claim constituted by such an order and the ground for recognizing the order as binding one.

In conclusion, the basic directions of emerging world order can be summarized in following ways.

First, there is a need to redefine the concept of individual autonomy, since many options require the existence of social conditions (including international public sphere).

Second, under international human rights, human being instead of object of value, should try to realize the value they conceive as an effective agent. This should be one criterion of full development of human
personality. Individual instead of dissolving them within the community, should reconstitute himself or herself.

Third, International human rights requires individual to recognize each other as an effective agent. Before, in liberal society state is considered as chief agent of recognition and change. International human rights locates change at the level of the subject of the rights in question. It refers to change in the circumstances of human existence.

Fourth, Civil society needs restoration of public space. While civil society provides normativity by encouraging tolerance, fairness, civic friendship etc., polity views justice as an essential component of individuals rights and development.

Fifth, Morality centrally concerns with the choice individuals make as a part of species within given social relations. Our social nature is a part of human nature. The mechanism of nature may be used by reason as a means of making way for realization of her own purpose. There should be space to take productive power of reason beyond object or order which will form the constitutive outside.

Sixth, we can include cultural rights within the sphere of human rights if we think of being a member of a particular culture as one of the basis of interests of persons as such.

Seventh, since intuition generally precedes consensus in normativity, we can use liberal world order as our starting point of discussion although all designs possess some communitarian elements. We should distinguish
between the idea of valid claim constituted by such an order and the ground for recognizing the order as binding one.

**Eighth**, human rights is the direct concern of the emerging world order. It enhances quality of life in a community and of a community. An individual is autonomous when there is a right to choose among so many options. Many of these options are available only in society (which is not only local) This provides a bridge from individualist theory of human rights into species theory. Ultimately, progress of humanity as a species overtakes the progress of humanity as a citizen of state.

Liberty does not entail a strictly equal distribution of good, not does it entails a more equal distribution unless that distribution is a pre-condition for expanding individual freedom of choice within social context. Article 2 (2) of the Declaration of the Right to Development provides that all human beings have a responsibility for development, individually or collectively, taking into account the need for full respect for their human rights and fundamental freedoms as well as their duties to the community, which alone can ensure the free and complete fulfillment of human being and they should therefore promote and protect an appropriate political, social and economic order for development.

For Christian Bay, freedom includes both social solidarity and self-development. While we have no rational ground for denying that the identified component of human nature are indeed central, these may not be sufficient. We may wish to add other core of human capacities, such as capacity to enjoy friendship and music. The pursuit of human well-being need not then be denoted to instrumental status in relation to autonomy.
An autonomous person is one who is in some sense rule himself or one who determines the course of his own life. Contrasted with the conception of autonomy in the Kantian tradition, are the conception of value autonomy which is a essential constituent of well-being. Here, the normative significance of autonomy resides not in its being the central feature of personhood but it is being an essential element of living well.

The post-1945 world has witnessed the emergence of global human rights culture. Article 3 of the Universal Declaration of Human Rights states that every individual has the right to life, liberty and security. The right to integrity of one's genetic heritage which is already stirring up debate in international organizations goes far beyond the right to physical integrity. Again the right to live in an unpolluted environment has been the basis for the ecological movement. It means that the protection of life in its fullness and not in the extreme cases of when it is about to start or about to finish. Article 26(2) of the Universal Declaration provides that education shall be directed to the full development of human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance, friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace. The world Conference on Human Rights held in Vienna in June, 1993 calls on states and institutions to include human rights, humanitarian law, democracy and rule of law as subjects in the curriculum of all learning institutions in formal and informal settings. In contrast to communitarian liberals who believe that education should promote national value, cosmopolitan education teaches how to draw the outer circle of obligation (common humanity). It is central to realizing the ideal that all
individuals are of equal moral value and should be part of our community of dialogue and concern.

There is nevertheless a widespread dissatisfaction with major aspects of globalisation about the dangers inherent in issues such as environmental degradation, economic injustice, weapon of mass destruction and political oppression. Human rights are not just abstract values, but a set of particular social practices to realize those values. The emphasis on human rights in contemporary international relations thus implies selecting certain types of rights and wrongs for special attention and thereby indirectly de-emphasizing or devaluing others. There is much of moral importance in international relations that fall outside the domain of human rights (entitlement). It also means selecting a particular mechanism – right entitlement – for advancing those (rectitude) such as distributive justice both in statist and cosmopolitan term.

Constructive theory insists that human development is possible only through comprehensive human action coordinated by human rights. It is committed to a view of human nature as conditioned but not fully determined by objective historical process. But deconstructionist theory argues that human rights should serve as a critical tool which permits to unmask the power structure in the society that inhibit realization of the full potential of human beings. It says that the fixed idea about human rights and contextualization of right must be questioned. It requires first is to explore the epistemological potential of other type and level of knowledge and second is to open up the existing mould of scientific rationality to make it accessible to other forms of reason.
First, there must be some global principle of pluralism giving it a basic normative shape; and second, there must be some specific procedural principle providing normative guidelines for situation where plural form of life come into conflict. It is not enough to reject an essentialist or universalist defense of reason. Instead, the limit of reason must be extended to recognizing other way in which people learn to take up particular subject position. Society should be faithful to disagreements, providing institutional channels for their expression, adjudicative mechanism and alternative distributions.

Article 28 of the Universal Declaration of Human Rights (1948) provides that everyone is entitled to a social and international order in which the rights and freedoms set forth in this declaration can be fully realized. In the present world any viable world order must take into account these following points.

- bringing normativeness to autonomy by linking it to well-being
- making all individual of equal moral worth and part of our community dialogue and concern
- selecting particular mechanism that is entitlement for advancing rectitude such as distributive justice in both statist and cosmopolitan term
- taking the productive power of universalist reason beyond object and order which will form the constitutive outside
- providing a bridge between individualist aspect of human rights and species theory

Due to the present unjust international order, we must look at some human rights such as right to development, the right to peace, the right of people to self- determination and the right of people to have permanent
sovereignty over natural resources. Right to development is part of developing normative order which is substantially independent of state system. Balanced and integrated economic and social development would continue towards the promotion and maintenance of peace and security, social progress and better standard of living and the observance of and respect for rights and freedom. The quest is to find conceptual schemes in which demand of three distinct ethical values – justice, freedom and solidarity are relativized. No single one of these values can be taken to have absolute worth and each must defined and delimited in its proper boundaries in relation to other two.