Chapter 1
Historical Perspective Concerning Identity, Human Rights and Globalization

In this chapter, we shall explore and examine the concepts of Identity, Human Rights and Globalization from the historical perspective. As a matter of fact, Identity is one of the most basic features of social existence and it is often summed up in a tradition, culture and history of a particular society. Tradition, culture and history help us in finding answer to the questions; “Who we are, and where our root is?”, while the concepts of community and ethnicity give a feeling of identity that belongs to us. In the first part, we will make an attempt to analyze the role of community and ethnicity in identity development and also role of history, culture and tradition for formation of particular identity. In the second part we will analyze the development of Human Rights form ancient time till the era of globalization and its significance. We will also consider development of idea and notion of Human Rights in India and Kyrgyzstan. We will analyze human right debates in the contemporary time from Eastern and Western perspectives. In the third part, we will examine different concepts and debate of the concept of globalization. Especially, we will analyze different theories and concepts of globalization concerning its causal dynamics, its driving forces, its positive and negative consequences for different peoples and social groups, and its impact on nation-states.

Identity

1.1.1. Community and Ethnicity

It is a fact that identity is not mainly an individual affair. Individuals make their own identity, but not under conditions of their own choosing. In fact, identities are often created in the specificity of group histories, cultures and structural positions, but also as a result of colonialism, socio-economic changes and crisis, and national conflicts and so on. Hence, to understand identities we need to study and analyze community, ethnicity, tradition, culture, and history. Let us begin with clarification of the concept of community and ethnicity.

The word ‘community’ is derived from the Old French word communité which is also derived from the Latin communitas (cum, ‘with/together’ + munus, ‘gift’), a broad term for
fellowship or organized society. In modern dictionary we can find definition of “Community” as "a concentrated settlement of people in a limited territorial area, within which they satisfy many of their daily needs through a system of inter-dependent relationship"\(^1\), and “a number of people who share certain common traditions or interests, such as an ethnic group or a community of scholars.”\(^2\)

The conceptual study of community can be traced to Ferdinand Tonnies’ influential book *Gemeinschaft und Gesellschaft* (Community and Society) first published in 1887. Tonnies was concerned with the issue of social cohesion; that is, “…the sentiments and motives which draw people to each other, keep them together, and induce them to join action...which resulting there from, make possible and sustain a common existence.”\(^3\)

Tonnies contended that the basis of social cohesion was undergoing a transition from Gemeinschaft (community) to Gesellschaft (society). Hence, the conceptual study of community has been characterized by oppositions of two terms: Gemeinschaft and Gesellschaft. The term Gemeinschaft is associated by community and is constituted by primordial bond of blood, territory, culture and/or language, while Gesellschaft as a society or association, which is a collectivity of atomized individuals.\(^4\) Communities prioritized norms and values of the collectivity over the individual. Thus, Community defined in terms of its opposition to the individual as well as to the state, market and modern society.

The opposition between culture/community and society/individual have brought another fundamental dichotomy of social science, that of west versus the east. In this orientalist discourse, community is that which the East has retained but the West has lost; conversely, individualism (freedom from inscriptive status and bounds, personal autonomy and agency) is what the west has achieved but the east lacks. Since in post-industrial Western societies the dilemmas of modernity are reflected in a feeling of alienation of the individual, which itself is a consequence of self-indulgent individualism. This is further reinforced by the declain of

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2 Ibid., p. 97.
4 Ibid., p.34.
community life and communal values, mainly due to the overwhelming growth mass society dependent on television, internet, phone and electronic instruments of communication. In the non-Western world, people are still bound by tradition, custom and irrational religious beliefs, while in the West; individuals have the freedom to form associations and the ability to make rational decisions about the future and to separate religion from other arenas of life (secularism). With this move community came to be associated with a whole series of oppositions: east/west, irrational/rational, traditional/modern, spiritual/materialistic, and so on.

In the West the loss of community thesis often argues that what was lost was a village or small town, a local place where one was born, raised, and died—a local place with inherently intimate, holistic relationship. Tonnies stresses the importance of place in his original description of the Gemeinschaft-like community: “A common relation to the soil tends to associate people who may be kinsfolk or believe themselves to be such, neighborhood, the fact that they live together, is the basis of their union...this type is the rural village community”. Some researcher argues that communities still exist in which residents identify with the territorial area, often known as the neighborhood, and the personal interactions are still important within the boundaries of the neighborhood. While the progress of globalization continues at an unprecedented rate, the importance of local communities and their local identities have experienced resurgence. The cultural homogenization model of globalization does not fit many communities.

In Indian social science, the notion of community had been used in two different ways. “The first was the subsantivist approach where ‘culturally’ defined categories – ethnic groups, religious communities, caste – were seen as the authentic units that constituted the society. The second was the constructivist approach which saw most of present day ‘communities’ and the identities on which they were based not necessarily as native/authentic social groping or

survivals from the pre-colonial times but as creation of colonial policies and discourses.”7 Another view says that: “Community in India has been generally associated with those modes of social organization that are considered fundamental to ‘traditional’ or pre-colonial Indian society, such as jati, village or religious sect. Such communities are often regarded as natural groupings based on ties of shared blood, language, history, territory and, above all culture. In this view, a community is a social entity that endures over time although the individuals that comprise it change as new members are born and the older die. Continuity is ensured by passing down shared traditions, customs, and language, and social norms – in short, culture – from generation to generation.”8 Thus, “communities are characterized by continuity, cohesion, boundedness and adherence to tradition. Communities and their specific cultures also provide the basis for the identity of individual members as well their primary social context.”9

But, according to some researchers, the process of globalization is reflecting the breakdown of community values in the contemporary India. Today “most village communities in India have now become political communities, and each caste group in a village attempts to consolidate its interest in an outer-directed fashion with similar caste groups outside the village.”10

As we have already mentioned above, critiques of modern global societies often include the loss of community, due to process of globalization, weak connections with local places and changing modes of social interactions. In the contemporary time we can also observe growth of feeling ethnicity in many countries due to decay of community life and community sentiments. Ethnicity at its root lies in the consciousness of a community or communities which share a common political and economic destiny. Researchers say that “the process through which communities transform themselves into ethnic group may be many, such as a minority status due

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9 Ibid.
to migration to other countries, acute consciousness of alienation due to exploitation within their own country of residence as for example, due to uneven levels of developmental opportunities.”

The concept of ‘ethnicity’ needs a clarification here. “Ethnicity” and “ethnic group” are terms which are increasingly used in everyday discussions of political and cultural developments around the world. Definitions and uses of the term ethnicity have changed over time. The word ‘ethnic’ is derived from the Greek words *ethnos*, ‘a people’ and *ethnikos*, a ‘heathen’. This early usage shaped subsequent interpretations across Western Europe so that from the 14th century ‘ethnic’ was employed in English to refer to pagan, i.e. non-Christian populations. During the mid 19th century the focus on religion began to be replaced by a preoccupation with the relationship between ethnic and racial difference and, by the 1940s, the word ‘ethnic’ in the USA had become a polite way of referring to Jews, Italians, Irish and other people considered inferior to the dominant group of largely British descent.

The variation in the interpretation of ethnicity is according to diverse national traditions. Within Britain, ethnicity is usually used in debates about minorities which have settled in that country since the end of the Second World War. In Africa, the discussion tends to focus on the changing character or post-colonial nations. Marxist ideological traditions within the former USSR have established another distinctive way of approaching ethnicity, linking it with an evolutionary theory of ‘nationalities’, while in North America ethnicity is often used to describe divisions among the majority of white population. Sometimes, different meanings may be suggested by the place being referred to. The same analyst might use ethnicity to refer to minorities in England, religious grouping in Ireland, indigenous peoples in Latin America, and races in South Africa.

However, the idea of an ethnic group is relatively new. The term first surfaced in standard English dictionaries in the 1960s as increased world migration and globalization

13 Ibid.
heightened contact among different peoples. Immigration to the United States, for example, created a heterogeneous society of varied nationalities, religions and cultures. By the 1970s, displaying ethnicity became popular in American multicultural society.

As a general definition, an ethnic group is a segment of a larger society whose members are thought, by themselves or others, to have a common origin and to share important segments of a common culture and who, in addition, participate in shared activities in which the common origin and culture are significant ingredients.\(^\text{14}\) Thus ethnic group has three ingredients: 1. The group is perceived by others in the society to be different in some combination of the following traits: language, religion, race and ancestral homeland with its related culture; 2. the members also perceive themselves as a different; and 3. they participate in shared activities built around their real or mythical common origin and culture.\(^\text{15}\)

Paul R. Brass in his book *Ethnicity and Nationalism* (1991) characterizes three ways of defending ethnic groups – first, in terms of *objective attributes*, second, *subjective feelings*, and third, *relation to behavior*. "An objective definition assumes that though no specific attribute is invariably associated with all ethnic categories, there must be some distinguished cultural feature that clearly separates one group of people from other, whether that feature or features be language, territory, religion, colour, diet, dress, or any of them. The problem with objective definition is that it is usually extremely difficult to determinate the boundaries of ethnic categories in this way. The difficulty with subjective definitions is that they make it impossible to answer the basic question of how a group of people arrives at subjective self-consciousness in the first place. Behavioural definitions are really a form of objective definitions since they assume that there are specific, concrete ways in which ethnic groups behave or do not behave, particularly in relation to and in interaction with other groups. Behavioural definitions merely suggest that there are cultural differences between ethnic groups, but that the critical distinctions reveal themselves only in interaction with other groups."\(^\text{16}\) Thus, any group of people dissimilar from other peoples in terms of objective cultural criteria (such as language or dialect, distinctive


\(^\text{15}\) Ibid., pp.3-4.

dress or diet or customs, religion or race), subjective feeling (self-consciousness, which gives to feel that he is a part of concrete ethnic group), and behavioural which shows cultural difference between ethnic groups. Ethnicity is a sense of ethnic identity writes P. Brass, “subjective, symbolic or emblematic use ‘by’ a group of people... of any aspect of culture, in other to create internal cohesion and differentiate themselves from other groups.”

Comparative analyses of processes of ethnic identity formation suggest that “cohesive ethnic groups arise not out of their inevitable march toward their historical destiny, but out of un-predetermined struggles, which take three forms: within the group; between the ethnic groups; and between the state and its dominants groups, on the one hand, and local elite groups and populations in its outlying territories, on the other hand. Struggle within the group takes place within the ethnic group itself for control over its material and symbolic resources, which in turn involves defining the group’s boundaries and its rules for inclusion and exclusion. The second identity takes place between ethnic groups as a competition for rights, privileges, and available resources. The third one takes place between the state and the groups that dominate it, on one side, and the populations that inhabit its territory on other side. The main focus in on the maintenance and extension of its control over local territories and populations and the provision of qualified manpower to administer its institutions, implement its policies, and create wealth, power, and safety for itself and its inhabitants. These three sets of struggle intersect in different ways at different times, but it is possible to specify particular patterns of elite competition within and between ethnic groups, the role of the state in each pattern, and the potential consequences of each pattern for ethnic identity formation and political mobilization.”

In India, ethnic groups are formed through various criteria such as religion, caste, region, language, socio-economic status, etc. Thus ethnicity denotes those characteristics of a society which are bound together by the concept or race or community or groups with an identity of its own. Primarily, it is social product-based on cultural and social content or patterns. Nowadays it is used for a feeling given by a racial, social, cultural and psychological consciousness. Thus,

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17 Ibid., p.19.
18 Ibid., pp.301-302.
the member of each group have certain opinions, ideas and attitudes of their own as well as about the members of their groups and the feeling of “we group” and “they group” becomes imminent. Ethnic groups are inherently ethnocentric regarding their cultural trait as natural, correct and superior or those of other ethnic groups who are perceived as odd, amusing, inferior or immoral. Nationality, language, religion and tribal identity are all ethnic categories that have been employed to distinguish between groups.

Ethnic community and identity are often associated with conflict, and more particularly political struggles in various parts of the world. There are two major sources of ethnic conflict. One is associated with cultural, notably linguistic and religious, differences. A second is concerned with the distribution of political rewards within polytechnic states. With the appearance of the modern state and capitalism, ethnic communities take on a new political importance. The new ideologies of political nationalism required all the member of a ‘nation state’ to be united and homogeneous, and this produced quite new conflicts in most states which were, after all, composed of several ethnic communities. For instance, the attitude of French revolutionaries to minorities within the borders of the new nation of “France”. In their view, “France constituted a homogeneous cultural nation, a ‘republic one and indivisible’; minorities, therefore, though they might practice their custom and religion in private, had to assimilate as individuals into the French body politics and become equal citizen.” 20 But nowadays there has emerged a wider concern for the elements of both ethnic and national identities. For many, the influx of immigrants, Gastarbeiter, asylum-seekers, and ex-colonials has decomposed received narratives of ‘national identity’ into their ‘hybridized’ cultural components. Multiculturalism has become the political expression of a more pluralistic approach to nationhood in Western polytechnic states, though such tendencies have also generated nationalist reaction to ethnic minorities.

1.1.2. Tradition, Culture and History

National identity and character is often summed up in the tradition, culture and history. Culture manifests itself in the form of tradition and that tradition gives a shape to culture. The

substance of a tradition consists of rules or principles, customs, symbols (language), rituals, habits, and practices. The tradition is body of practice and believes which is socially transmitted from the past.

The word tradition comes from the Latin word traditio which means 'to hand down' or 'to hand over.' It is used in a number of ways in the English language: 1. Beliefs or customs taught by one generation to the next, often orally. 2. A set of customs or practices. A broad religious movement made up of religious denominations or church bodies that have a common history, customs, culture, and, to some extent, body of teachings. For example, one can speak of Islam's Sufi tradition or Christianity's Lutheran tradition. Philosophers generally employ two notions of 'tradition': one narrow, the other broad. The narrow view recognizes only intellectual or spiritual discourses in which the learned elite deliberates and disputes norms, rules and standards. The broad view sees tradition as reflected knowledge that is continuously reinterpreted, recreated, and enacted. In this view, tradition is not merely an intellectual discourse or its product. It is also practice and practiced rules or lived ideas. A tradition as a practice, custom, or story is memorized and passed down from generation to generation, originally without the need for a writing system. It is regarded as having authority in the present simply because it comes from the past, and encapsulated the wisdom and experience of the past. Tools to aid this process include poetic devices such as rhyme and alliteration. The stories thus preserved are also referred to as tradition, or as part of an oral tradition.

For instance, the immense sources for Hindu traditions, culture, rituals are the great epics such as, the Ramayana and the Mahabharata. The religious importance of these epics "lay at first in the royal sacrificial ritual, part of which involved telling stories of the heroes of the past. This put the martial ballads into the hands of their priesthood, who, in transmitting them, often altered their superficial character, and interpolated many long passages on theology, morals and statecraft."\footnote{Basham, A.L. (2003) The Wonder that was India (Third revised edition) (New Delhi, Rupa & Co), p.407.}

Ramayana is one of the great epic poems of the Hindus along with the Mahabharata. The word Ramayana means the adventures of Rama and it is said to have been composed by a Brahmin
named Valmiki. His work consists of 24,000 stanzas or 96,000 lines and divided into seven books. It may be divided into three principal parts, or periods, corresponding to the three chief epochs in the life of Rama. 1. The account of his youthful days: his education and residence at the court of his father Dasaratha, king of Ayodhya: his happy marriage to Sita: and his inauguration as heir-apparent or Crown Prince. 2. The circumstances that led to his banishment: the description of his exile and residence in the forests of Central India. 3. His war with the giants or demons of the south for the recovery of his wife Sita, who had been carried off by their chief Ravana: his conquest and distraction of Ravana, and his restoration to the throne of his father. 22

Lord Rama’s humanity is a significant part of the Ramayana. Rama is tall, strong, and righteous. His beautiful features are surpassed only by his inner beauty. He is embodiment of virtue, a true hero, who often shows his more ‘human’ side, making him a particularly endearing manifestation of God. Sita, the divine consort of Lord Rama, is also depicted as being as virtuous as she is beautiful. Indeed, she is seen as an incarnation of Lakshmi, consort of Vishnu, the female manifestation of God. In Ramayana, Sita is the paradigm of chastity and all that is good and true. Hanuman, the half man/half monkey devotee of Rama, is the very emblem of strength, chivalry, loyalty, and devotion. It is he who is pivotal in returning Sita to Rama.

The climax of Ramayana is battle between Rama’s army and Ravana’s, the obnoxious warlord who had kidnapped Sita. Ultimately, Rama was victorious. With the return of his loving bride, he established the ideal God-centered kingdom, known in the Indic tradition as Rama Rajya.

Mahabharata is a huge epic, which is in all probability later in date than the Ramayana, and consists about 220,000 long lines, is rather a encyclopaedia of Hindu mythology, legendary history and philosophy, than a poem with single subject. The Mahabharata is divided into eighteen books of verses interspersed with passages of prose. It says that Mahabharata has been collected and arranged by Vyasa (the supposed compiler of the Vedas and Puranas), a name

derived from the Sanskrit verb, meaning 'to fit together', or 'arrange'. Later, according to tradition, recited in the public for the first time at the great sacrifice held by King Janamejaya, the great grandson of Arjuna, one of the heroes of the story. Mahabharata in poetic verse was spread over a period of 800 years, from 1000 BC to 200 BC.

The Mahabharata tells the story of the descendants of the Bharata, the eponymous founder of the great Indian families of yore, reaching its climax in the war of succession between the Kauravas and Pandavas, two groups of cousins.

The Mahabharata contains the teachings and beliefs of various tribes and societies of that era and is a rare work of history and mythology, politics and law, as well as philosophy and theology.

Bhagavad Gita (Song of Lord), composed between the fifth and second centuries BC, is part of epic poem of Mahabharata, located in the Bhisma-Parva, chapters 23-40., and is revered in Hinduism. It consists of 700 verses in 18 chapters and is often referred to as the Gitopanishad. In other words, it follows the literally style and the philosophical conclusions of the earlier Upanishads, the esoteric books of knowledge appended to the Vedas.

The Bhagavad Gita is considered by most Hindus to be the single most representative sacred text of the faith, and it is acknowledged source book of Yoga philosophy.

On the contrary, the most vivid among Kyrgyz culture is the oral literary tradition, which includes epic and lyric poetry. As the internationally renowned Kyrgyz writer Chingiz Aitmatov notes: "If other peoples/nations displayed their past culture and history in written literature, sculpture, architecture, theatre and art, the Kyrgyz people expressed their worldview, pride and dignity, battles and their hope for the future in epic genre." The epic Manas is one of the great example of this tradition, which preserved and conveyed orally from one generation to other throughout the centuries. The epic is named after a legendary Kyrgyz warrior who led his people

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23 Ibid., 337.
in heroic battle for freedom against invaders. The story reflects people's dream for justice and better life. This epic depicts the Kyrgyz people's way of life, customs, traditions, morals, religious rituals, geographic and medical knowledge, diplomatic relations with other countries and their people. The saga of Manas is frequently recited at festivals by manaschi (a person who recite Manas). The well—known Russian orientalist V. Radlov accentuated the highly developed declamatory skills of Kyrgyz people. He was also noticed by the scientists Ch. Valihanov and V. Jirmunsky. The “Manas’ epos contains lines, which tell us that a common speech pronounced by a talented orator will be apprehended as a song. The manaschies by the names Sayakbay Karalaev, Sagimbay Orozbakov in XX century were the famous orators among companions of Manas. The Manas epic is written in verse and contains 500 thousand lines of poetry. Thus it is longer than the Mahabharata, or the Iliad and the Odyssey combined. In 1995, Kyrgyzstan celebrated the 1000th anniversary of the epic work, which was recognized by the UNESCO as one of the year's most significant world cultural events.

Culture and tradition is an important part of our life which have a big role in identity development. Culture, as a social practice, is not something that individuals possess. Rather, it is a social process in which individuals participate, in the context of changing historical conditions. As a ‘historical reservoir', culture is an important factor in shaping identity. Some critics of cultural identity argue that the preservation of cultural identity, being based upon difference, is a divisive force in society, and that cosmopolitanism gives individuals a greater sense of shared citizenship.

Culture is articulated at several levels. “At the most basic level it is reflected in the language, including the ways in which its syntax, grammar and vocabulary divide up and describe the world. Societies sharing a common language share at least some cultural features in common. And when a group of individuals acquires a wholly new language as many colonial subjects did, they also learn new ways of understanding the world. Culture of a society is also embodied in its proverbs, maxims, myths, rituals, symbols, collective memories, jokes, body
language, customs, traditions, institutions and manner of greetings. At a slightly different level it is embodied in its arts, music, oral and written literature, moral life, and vision of good life.”

Each social group is characterized by its own culture, which informs the thought and activity of its member. Hence culture also is the worldview of a social group. This is how we figure out how other cultures think by looking closely at a variety of cultural practices and attempting to interpret the worldview from this practice. Therefore, the view of life as well as the way of life constitutes the culture of a people. Philosophy and religion, the aspiration and achievements, both material and spiritual — all these form the culture of people. India’s famous thinker and philosopher Sri Aurobindo pointed out: “The culture of people may be roughly described as the expression of a consciousness of life which formulates itself in three aspects. There is a side of thought, of ideal, of upward will and the soul’s aspiration; there is a side of creative self-expression and appreciative aesthesis, intelligence, and imagination; and there is a side of practical and outward formulation. A people’s philosophy and higher thinking give us its mind’s purest, largest, and most general formulation of its consciousness of life and its dynamic view of existence. Its religion formulates the most intense form of its upward will and the soul’s aspirations toward the fulfillment of its highest ideal and impulse. Its art, poetry, and literature provide for us the creative expression and impression of its intuition, imagination, vital turn, and creative intelligence. Its society and politics provide in their forms an outward frame in which the more external life works out what it can of its inspiring ideal and of its special character and nature under the difficulties of the environment. We can see how much of it has taken the crude material of living, what it has done with it, how it has shaped as much of it as possible into some reflection of its guarding consciousness and deeper spirit. None of them express the whole spirit behind, but they derive from it their main ideas and their cultural character. Together they make up its soul, mind, and body.”

It is obvious that all these have to be cultivated by the people making use of what is provided for them in their own constitution as well as in the constitution of the world. “Any particular person is a product of the particular culture in which he or she has lived, and

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differences between human beings are to be explained (but not judged) by differences in their cultures (rather their race)." Any one individual’s experience of culture will be affected by the multiple aspects of their identity – ‘race’, gender, age, sexuality, class, caste position, religion, geography and so forth – and it is likely to alter in various circumstance. Hence, culture is our primary source of identity. It is a source for a great deal of self-definition, expression and sense of group belonging. The term ‘our’ culture refers not to one in which we are born, for we might emigrate or be given up for adaptation and raised in another culture, but one in terms of which we understand and organize our individual and collective lives. ‘Our’ culture is one we live, which has shaped us, and with which we identify. And we recognize those as members of our cultural community who share its beliefs and participate in its practices.

Understanding culture in a broad conceptual framework can help us interpret what things mean to people. Broadly speaking, “culture could possibly be evaluated in three ways – Cognitive, Connotive and Normative. The cognitive aspect consists of the world view, the apparent plurality with internal coherence and identity reflects a continuing conversation between its different traditions and stands of thoughts. Connotive means acting in certain way within the culture, a way of life with meaning and significance. Normative means judging or evaluating in terms of majority and minority, mainstream and subaltern, high and low etc with the view of apprehending the crisis. In a nutshell we can say that culture consists of the aspects of religion/dharm, spirituality, ethics, aesthetics, and archeology and so on.”

The history and historical writing is vital for understanding of national building. But the first question is what history is, how it proceeds, and what is it for? History is first a chronological record of significant events (as affecting a nation or institution) often including an explanation of their causes; second: a branch of knowledge that records and explains past events; third (a): events that from the subject matter of history, (b): events of the past. In other words, the very notion of history is centered on recording and explaining those past events that might or have certain level of significance for the community of people or an institution. "To history, he

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[Leopard von Ranke] wrote in the preface to one of his works, 'has been assigned the office of judging the past, of instructing the present for the benefit of future ages. To such high offices this work does not aspire: it wants only to show what actually happened.' Consequently, the role of an historian could be defined as that of a person whose duty is to make historical data available to the public. It is worth to notice that when interpreting the facts, historians are expected to be as close to the data and stay as objective as possible. Their duty, in the more precise translations of Ranke’s words, is to depict history the way “it essentially was.”

Famous English philosopher of History R.G. Collingwood in his book *The Idea of History* asks: How does a work of history differ from a work of fiction? In answering this, he takes it for granted that the historian’s work and the novelist’s have something important in common. Each, he says, seek to construct a ‘coherent picture’. But evidently the historian is under the further obligation that he must make his ‘picture’ as true as possible: it must be an account of things that really happened. This requirement is then specified as follows.

- The historian’s picture must be located in space and time, in another words historical events take place in certain time, certain locality and it should be determine by certain causality.
- The historian’s picture ‘stands in a peculiar relation to something called evidence.’

In other words, when we explain the historical events we must need to know space and time, and relation between events and all events should be evident. And more we have to know why and how it happened. This means to seek the casual relations between events. R.G. Collingwood writes: “History proceeds by the interpretation of evidence: where evidence is a collective name for things which singly are called documents and a document is a thing existing here and now, of such a kind that the historian, by thinking about it, can get answer to the questions he asks about past events.”

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31 Ibid.
33 Ibid., p. 7.
History as human knowledge about past consists in innumerable individual histories, covering every epoch and every mode of human experience from brewing to mysticism. Also, history is the work of individual historians. It has been said with plausible exaggeration that history is made only when the historians writes it. It is enough to recognize that without the historian there would be no history as a coherent account of a past beyond recall. History is artifact; it is the present, in the person of the historian, viewing the past; and as present succeeds present, so history succeeds - and to some extent supersedes - history.\textsuperscript{34}

History means different things to different scholars. For instance, for Hegel, history represented the dialectical unfolding of the absolute idea which had reached its apotheosis in his own age and state; for Marx, it meant the dialectical succession of different modes of production, representing different historical epochs and soon to culminate in the suppression of capitalism by socialism which would mark the end of human bondage; for Dilthey, history enabled man to grasp the meaning of his own nature as objectified in his past; for Ranke, on the other hand, history was the reconstruction of the past as it had actually been; although each epoch was equally close to God, and God was in history, history thereby become scientific.\textsuperscript{35}

Though there is the question of the validity of historical knowledge. Can it be regarded as objective when the most palpable things about it are the individual historian’s interpretation? As Carr has said: “the facts of history never come to us ‘pure’, since they do not and cannot exist in a pure form: they are always refracted through the mind of the recorder. It follows that when we take up a work of history. Our first concern should be not with the facts which it contains but with the historian who wrote it.”\textsuperscript{36} Moreover he adds, that “The fact of history cannot be purely objective, since they become facts of history only in virtue of the significance attached to them by the historians. Objectivity in history-if we are still to use the conventional term-cannot be objectivity of fact, but only of relation, of the relation between fact and interpretation...”\textsuperscript{37}

\textsuperscript{35} Ibid., p. 15.
\textsuperscript{37} Ibid., p. 120.
historian lacks the means of testing his facts empirically; he can, in Christopher Blake’s words, only ‘recreate reality on paper.’

Historical objectivity is all balance assessment and evidence. It can never be less than interpretation and it may be less than the best interpretation for all its fidelity to the sources. The historian, by definition must be competent; he must of course try to be sure of his facts. Consequently we can say that objectivity of history is truth.

What is the role of history in formation of identity of person or nation? First, history helps us to understand and answer the questions: ‘who am I’ and ‘who we are?’ R.G. Collingwood writes: “History is for human self-knowledge. It is generally thought to be of importance to man that he should know himself: where knowing himself means knowing not his merely personal peculiarities, the things that distinguish him from other man, but his nature as man. Knowing yourself means knowing, first, what it is to be a man; secondly, knowing what it is to be the kind of man you are; and thirdly, knowing what it is to be the man you are and nobody else is. Knowing yourself means knowing what you can do; and since nobody knows what he can do until he tries, the only clue to what man can do is what man has done. The value of history, then, is that it teaches us what man has done and thus what man is.” Thus, every nation seeks their historical roots in history and culture. Through these concepts we can identify ourselves and differentiate from the others.

Identity is based on “we and others” dichotomy. Through these dichotomies one can identify him or herself belonging to particular culture with distinct history, worldview so on and differentiate form others. And it is also one’s imagination about other cultures, history and people. Orientalism, for instance, illustrative example for imagined model of Occident about Orient. Three decades ago Edward Said in his book “Orientalism” wrote: “Orientalism, a way of coming to terms with the Orient that is based on the Orient’s special place in European Western experience. The Orient is not only adjacent to Europe; it is also the place of European’s greatest

and richest and oldest colonies, the source of its civilizations and languages, its cultural contestant, and one of its deepest and most recurring images of the Other. In addition, the Orient has helped to define Europe (or the West) as its contrasting image, idea, personality, experience. "The Orient is an idea that has a history and tradition of thought, imaginary, and vocabulary that have given it reality and presence in and for West."

For instance, A. Sen said, that self-imagines (or ‘internal identities’) of Indians have been much affected by colonialism over the past centuries and are influenced – both collaterally and dialectically – by the impact of outside imaginary (what we may call ‘external identity’). He said that “Attempts from outside India to understand and interpret the country’s traditions can be put into at least three distinct categories, which I shall call exotic approaches, magisterial approaches and curatorial approaches. The first category concentrates on the wondrous aspects of India. The focus here is one what is different, what is strange in the country that, Hegel put it, ‘has existed for millennia in the imagination of the Europeans. The second (magisterial) category strongly relates to the exercise of imperial power and sees India as a subject territory from the point of view of its British governors. This outlook assimilates a sense of superiority and guardianhood needed to deal with a country... The third (curatorial) category... includes various attempts at noting, classifying and exhibiting diverse aspects of Indian culture.” The three approaches have produced quite distinct views of Indian intellectual history, but their overall impact has been to exaggerate the non-material and arcane aspects if Indian traditions compared to its more rationalistic and analytical elements.

During the Russian Tsarist administration and Soviet period the most of history of USSR was written according to communist ideology and Great Russian Orientalism “The Orientalist discourse became the series of justifications about the superiority of the ruling colonial regime, including superiority of race, culture and history. The justification of exploitative governmental policies in the annexed regions ran parallel to the stereotyping of Oriental villainy in Russian

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42 Ibid., p.5.
44 Ibid., pp141-142.
45 Ibid., 159.
administrations, research and creative writing. Mirror image of the colonizer, the aggressor was transferred to the colonized that was typified as the savage and the barbarian. It is ironical that Russia derived many of its linguistic and cultural roots from its eastern and southern neighbors while simultaneously striving to reject these very roots by adopting European thoughts and ideas.\textsuperscript{46}

After the disintegration USSR, former-Soviet Republic, are experiencing rising of nationalism, and attempting to modernize and westernize while maintaining and redefining their national identity and character. Many aspects of Soviet legacy, especially history are being examined. According to B. Anderson, the history, meaning and emotional legitimacy of nationalism are milestones in understanding its nature. The solution to a problem of creating a new ‘imagined community’ was found in history, in inventing a narrative of ‘identity’.\textsuperscript{47} The word ‘imagined’ means the creation of the myth of a common historical past as well a contemporary belief in shared historical/cultural ties and destiny produced by that myth. Print-capitalism was the main device in historical development that brought this sense of national unity.\textsuperscript{48} There was the need for such a narrative since ‘nations have no clear identifiable births, and their deaths, if they ever happen, are never natural… Yet the death that structure the nation’s biography is of a special kind… But to serve the narrative proposes, these violent deaths must be remembered/forgotten as “our own.”\textsuperscript{49}

Today, history as a narrative of identity becomes one of the chief instruments of nationalism in former-Soviet republic. However, history as an important part of identity should always to remain our past, present and to inspire us for confident future. History is a learning process and perhaps “Dionysius of Helicarnassus” was right in observing that history is “philosophy learned from examples.”\textsuperscript{50} Therefore, “History is philosophical because of its


\textsuperscript{49} Ibid., p.206.

reflective character marked by general principles; and particular examples are important for it because of the concreteness it imparts to our understanding."\textsuperscript{51}

2. Human Rights

1.2.1. Evolution and Genesis of the concept of Human Rights

Human Rights are considered the foundation of freedom, peace and justice in the world. Human rights are the rights which every human being is entitled to enjoy and it is the duty of human beings to protect these rights. The idea of "human right" is universal – it is essentially a product of 17\textsuperscript{th} and 18\textsuperscript{th} century of European thought. The new phrase "human right" was adopted only in the 20\textsuperscript{th} century from the expression previously know as "natural right" of man. But systematic and conceptual changes have been taking over the period so far as fundamental rights are concerned. Evolution and crystallization of the concept "human right" took a long time.

During Greek period, "we cannot find any language or theory of human rights..., nevertheless the basis of human rights, the concept of justice, is strongly present there"\textsuperscript{52}. In ancient Greece, the search for justice would be associated with the philosopher Plato (427-348 B.C.E.). Plato’s Republic (c.360 B.C.E.) rests on the foundation of eternal ideas of Truth or Forms that represent universals or absolutes.

Like Plato, Aristotle (384-322 B.C.E.) had a profound impact on the development of the notion of justice and human rights. Aristotle’s Politics (c.350B.C.E.) shows how the concepts of justice, virtue, and rights change in accordance with different kinds of constitutions and circumstances.

Aristotle recognized a clear distinction between two types of justice, one which is legal or conventional (\textit{nomikon}) and which can change according to circumstances in society, and the other which is natural (\textit{phusikon}) and more fundamental, "which everywhere has the same force

\textsuperscript{51} Ibid., p.73.
and does not exist by people’s thinking this or that. In addition, Aristotle’s reference to “natural justice” invokes another major idea, the idea of nature (phusis), which was to provide a highly significant resource for ethical standards by acting as the basis of a moral law of human nature, or a ‘natural law’, and eventually of ‘natural’ rights as the historical precursor of human rights. As Weinreb observes, “from the first, the idea of a normative order immanent in nature was a fundamental element of classical Greek speculation.”

In legal and philosophical tradition of ancient Rome, was concept of a normative human nature which was to provide Roman ethical theory with a systematic basis for exploring universal moral obligations and duties as expressed in the concept of “natural law”, or ius naturale. As explained by Buckland in his study of Roman law, the notion of natural law “originated in Greek philosophy; it was a system of moral rules implanted in man, not necessary in other living things, by nature – an intuitionist morality”. Marcus Tullius Cicero (106-43 BCE) observes, “The origin of law appears to be drawn from nature... There seems to be ... a law of nature which comes to us not from opinion but from a kind of inborn power.”

The idea of personal rights, or the application of ius (justice) in a subjective sense of something possesses by the individual, took shape in the course of Middle Age. To start with, the idea of the universal moral law emerging from human nature which was developed from classical and Christian sources became a central component of medieval ethical thought; and a systematic expression of this source of moral knowledge and duties based on the natural constitution of the human creature was developed and articulated in the thirteenth century by its greatest thinker, Thomas Aquinas (1225-74). Yet Aquinas accords no place in his system to the idea of rights entitling a person to make the medieval period that the subjective understanding of ius, as a rights, became accepted and widespread.

53 Ibid.
The concept of human rights started developing in 13\textsuperscript{th} century. In 1215, the concept of "Human rights" first came into existence, when the rebellion of feudal barons against King John of England brought about the Proclamation of "Magna Carta", which even today remains the innermost part of the constitution of Britain. "Wherefore we will and firmly enjoin that... men in our kingdom have and hold all the aforesaid liberties, rights (iura) and grants, well and in peace, freely and quietly, fully and entirely for themselves and their heirs from us and our heirs, in all matters and places".\textsuperscript{57} "Magna Carta established basic principles that the government must obey the fundamental laws of the state and they must be responsible to the will of the people."\textsuperscript{58} It included such rights as church is free from government influences, free citizens including widows can own and inherit property, equality before law, prohibition of bribery, etc. In the course of time and historical developments those rights developed as human rights.\textsuperscript{59}

The next fundamental philosophy of human rights arose from the idea of positive law. Thomas Hobbes (1588-1689) one of the greatest English political theorists saw natural law as being very vague and hollow and too open to vast differences of interpretation. Therefore under positive law, instead of human rights being absolute, they can be given, taken away, and modified by a society to suit its needs. Jeremy Bentham, another legal positivist sums up the essence of the positive view: "Right is a child of law; from real laws come real rights, but from imaginary law, from "law of nature", come imaginary rights...Natural rights is simple nonsense"\textsuperscript{60}. After Magna Carta, there came many such accords to substantiate and elaborate the right of the people; such as, the Petition of Rights (1628) and the Bill of Rights (1689). The idea of elaboration end protection of rights of human beings has been gradually transformed into written norms. For instance, the American Declaration of Independence (1776), the French Declaration on the Rights of Man and Citizen (1789), and the Declaration of the Rights of Women and Citizen (1790).

According to scholar the evolution of the contemporary concept of human rights is commonly understood in terms of three generations of human rights:

1. The first generation of human rights is those originated in Europe in the 18th Century. These rights emerged from the American and French revolution. The fall of the Bastille opened the gates for the arrival of new civic rights, and the Declaration of Man and of the Citizen hailed universal rights previously acclaimed by the Americans. Its article 7, for instance, stated that no one “may be deprived of property rights unless a legally established public necessity requires it and upon condition of a just and previous indemnity”. In reference to political freedom, it declared that “sovereignty resides essentially in the nation... The law is the expression of the general will; all citizens have the rights to contribute personally or through their representatives... All citizen being equal before it, are equally admissible to all public offices, positions and employment according to their capacity, and without other distinction than that of virtues and talent” (Article 3 and 6).\(^61\)

2. The second generation of human rights emerged in the 19th century, that come out of rise of socialism and the political and economic struggles of the emergent working class and included political and economic demands, for instance the right to participate in the exercise of political power, the right to universal adult franchise; the right to fixed hours of work; the right to minimum wages; the right to form unions and so on. These rights were conceptualized and legalized in the West in course of a series of agitation and struggles corresponding to the various stages of economic growth under a capitalist system. These rights – social, economic and cultural – are more positive in nature in that they make it the duty of the state to ensure that these rights

are realized. The rights to a free education, to work, to safe working conditions, to public health care, to form free associations and trade unions – all core clauses of the covenant on economic, social and cultural rights – originated in the filthy and hazardous conditions of European and American mines and factories. While such social rights were first invoked in the 19th century, social legislative protections would receive greater attention in the 20th century, which saw the rise of the welfare state. The Universal Declaration of Human Rights reflects the consensus on the principles which form the basis of the first and second generation rights. First-generation rights are enshrined in Articles 3 to 21 of the Universal Declaration of Human Rights, while an article 22 to 27 contains second generation of rights. Demands have come from some developing countries to focus on community or group rights, as, it is claimed, and their societies are less individualistic than Western cultures. Consequently, third generation of rights has been developed.

3. The third generation of human rights emerged in the 20th century through the socio-political turmoil of the two World Wars. These rights are a response to the phenomenon of global interdependence. These rights are relatively recent origin. They have evolved in response to various new concern over which international consensus has emerged in recent years. These include environmental, cultural and developmental rights. They are concerned with the rights of groups and peoples rather than of individuals and include such rights as the rights of self-determination and the right to development. Especially it concerns of the Third World and the history of colonialism. 

Universal Declaration of Human Rights on December 10, 1948 is the greatest achievement of human history in 20th century. United Nations General Assembly adopted the Universal Declaration of Human Rights as a bulwark against oppression and discrimination. In the wake of a devastating world war, which had witnessed some of the most barbarous crimes in human history, the Universal Declaration marked the first time that the rights and freedoms of individuals were set forth in such detail. It is also represented in the first international recognition that human rights and fundamental freedoms are applicable to every person, everywhere. In this sense, the Universal Declaration was a landmark achievement in world history.

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It acknowledged that the Universal Declaration is remarkable in two fundamental aspects. The first, in 1948, 58 Member States of the United Nations represented a range of ideologies, political system and religious and cultural backgrounds, as well as different stages of economic development. And second, the authors of the Declaration, themselves from the different regions of the world, sought to ensure that the draft text would reflect these different cultural traditions and incorporate common values inherent in the world's principal legal system and religious and philosophical traditions. Most important, "the Universal Declaration was to be a common statement of mutual aspirations - a shared vision of a more equitable and just world. 30 articles of the Universal Declaration of Human Rights provide an overview of the principal rights and freedom that are every person's birthright."

But after the end of the Cold War the human rights debate has become high on the agenda of international politics. Currently human rights researcher has focused on the debate between what has been called individual versus of collective human rights. On one side of the debate are Western nations, which tend to define human rights in terms of individual rights, arguing that civil and political rights are the most important of human rights (even at times referring to them as 'universal rights'). Others, primarily from non-western countries, argue that human rights should be seen in relation to a country's culture, history, and level of development (often offered as a cultural relativism). At the heart of this debate is the question: which rights have priority when defining and implementing human rights, the individual and collective? This debate has been especially intense between Asian and Western countries. Ex-President of China Jiang Zemin during his official visit to the US in the fall of 1997 said: "Concept of democracy, on human rights, and freedom are relative and specific, and they are to be determined by the specific national situation of different countries." But in the World Conference on Human Rights in Vienna in June 1993 which representatives of 171 countries and hundreds of non-governmental organizations participated, unambiguously affirmed that all human rights are universal, indivisible, and interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same

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emphasis. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms. It has also been affirmed that democracy is the sole guarantor of individual rights – civil, political, economic, social, cultural and collective rights within states and within the community of states.

Some scholars argue that the dominant West’s violations of human rights in the non-Western World, coupled with its inability to uphold some of the fundamental rights of its own citizens, has raised some important questions about the very nature and character of Western Human rights. Therefore, there is need of religious moral outlook to human rights. “There is an urgent need to try to evolve a vision of human dignity which is more just, more holistic, and more universal. In Islam, Hinduism, Sikhism, Taoism, Christianity, and Judaism and even in the theistic strains within Confucianism and Buddhism there are elements of such a vision of the human being, of human rights and of human dignity. The idea that the human being is vice-regent or trustee of God whose primary role is to fulfill God’s trust is lucidly articulated in various religions. As God’s trustee, the human beings live life according to clearly established spiritual and moral values and principles. The rights one possesses, like a responsibilities one undertakes, must be guided by these values and principles. What this means is that human rights and human freedoms are part of a larger spiritual and moral worldview. This also means that individual freedom is not the be-all and end-all of human existence. Neither is the individual the ultimate arbiter of right and wrong, of good and evil. The individual and community must both submit to spiritual and moral values which transcend both individual and community. It is supremacy of these values and, in the end, of the Divine which distinguished our God-guided concept of human dignity from the present individual-centered notion of human rights.”

Nonetheless, the human rights standards that have been negotiated under UN auspices are principles that the vast majority of states have voluntarily accepted as at least roughly

appropriate. Moreover, "by their endorsement of the UN Charter when accepting membership in the United nations, and by ratifying any of the various human rights treaties, member-state become accountable to the international community in ways that inevitably compromise an absolutist interpretation of state sovereignty."\textsuperscript{67}

In today's world, human rights are recognized as a universal and it is foreign to no culture and native to all nations. "One cannot pick and choose among human rights; whether civil, cultural, economic, political or social, human rights are indivisible and interdependent. And as this century's bloody history has taught that the absence of human rights is more than a denial of human dignity; it is also at the root of the poverty and political violence that plague our world."\textsuperscript{68}

In 2008, in the sixtieth anniversary of the adoption of the Universal Declaration of Human Rights, Secretary-General Ban Ki-moon has said: "Now available in more than 360 languages, the Declaration is the most translated document in the world — a testament to its universal nature and reach. It has inspired the constitutions of many newly independent States and many new democracies. It has become a yardstick by which we measure respect for what we know, or should know, as right and wrong. It is our duty to ensure that these rights are a living reality — that they are known, understood and enjoyed by everyone, everywhere. It is often those who most need their human rights protected who also need to be informed that the Declaration exists — and that it exists for them."\textsuperscript{69}

1.2.2. Development of Human Rights in India and Kyrgyzstan

The concept of Human Rights is a product of Western society, but the notion about rights we can find in all societies and at all times, in Europe as well as Asia and Africa, in antique as well as in modern Chinese philosophy, in Hinduism, Buddhism, Christianity, Judaism and Islam. The roots of the notions rights can be traced far back in ancient India, as in most ancient civilizations. More than five thousand years ago, the ancient Indian philosophers and thinkers expounded a theory of higher moral law over and above positive law embodying values of universal validity, the aim of which was to establish a harmonious social order by striking a balance between spiritual and material aspects of life. It was a concept of *Dharma* which governed in an integrative manner all civil, religious and other actions or men in society are king or his subjects.70

Respect for the dignity of an individual and striving for peace and harmony in society, has been an abiding factor in Indian culture. The Indian culture has been the product of the assimilation of diverse cultures and religious that came into contact in the enormous Indian subcontinent over time.71 The spirit of unity and universality in Indian tradition extends to the whole world. It is said in the Rig-Veda: “There is one race; of human beings” and the validity of different traditions, religious, indeed of paths to Truth has always been respected. The Indian guiding principle has been “Sarva Dharma Samanan”.72 An ancient text runs thus: “I seek no kingdom, nor heaven nor rebirth, but I wish that all living beings be pared of the manifold pains and distressed”73. Nagendra Singh says that: “The individual in ancient India existed as a citizen of the State and in that capacity he had both rights and obligations”. These rights and duties have largely been expressed in terms of duties (Dharma) – duties to oneself, to one’s family, to other fellowmen, to the society and the world at large.74

73 Ibid., p.3.
According to Manu, dharma is that which is observed by learned men, and heartily approved by those who are honest and free from hate and attachment. From Manu, it is clear that dharma is what has been narrated in the Manu-Smrti as the duties of all the caste and sub-castes.  

The Buddhist doctrine of non-violence in deed and thought is a humanitarian doctrine par excellence, dating back to the third century BC. Both Buddhism and Jainism emphasized the principles of equality, non-violence and denial of materialistic pleasures.  

In ancient times the first and foremost duty of the King was to protect his people. Protection consists in meeting internal threats as well as external aggression to man’s liberty. Gautama prescribes that the special responsibility of the King is to protect all beings, to award just punishment and that he has to protect the several varnas and asramas according to the rule of sastra and to bring them round to the path of their proper duties when they swerve from it. Gautama prescribes that the special responsibility of the King is to protect all beings, to award just punishment and that he has to protect the several varnas and asramas according to the rule of sastra and to bring them round to the path of their proper duties when they swerve from it.  

Vasishtha, too states that the wise say that protection is a life long Sautra in which the king has to give up fear and softness of heart.  

In ancient India, there were elaborate provisions for social services such as education, public health, medical attendance, insurance against unemployment, old age, widowhood, orphanage and the elimination of poverty. It was believed that it was necessary for the King representing the State and its resources to encourage learning, to care for the blind, the decrepit, the old and the widowed and finds employment for those who were unemployed.  

An extremely high ideal was placed before the King by Kautilya in the Arthasastra. He proclaims the magnificent “ideal in the happiness of the subject lays the happiness of the King, in their welfare lies his welfare; the good of the King does not consist in what is pleasing to himself, but what is pleasing to the subjects constitutes his good”. The King is also called upon to support helpless and aged people, the blind, the crippled, lunatic, widows, orphans, those who are in need.

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77 Ibid., p. 3
79 Ibid., p. 59.
suffering from diseases and calamities and pregnant women by giving them medicines, lodging, food and clothing according to their requirements.

The rise of Buddhism (6 BC) and Jainism (6 BC) in the post – Vedic period was a reaction to the downfall of human Rights jurisprudence. These traditions with their emphasis on the values of egalitarianism hit at the very roots of the caste system. Ashoka the Great carried forward the legacy of the Buddhist traditions and successfully established a welfare state.

The Islamic traditions of human rights jurisprudence became evident in the medieval age. Being inspired by the tenets of the Holy Koran it preached universal brotherhood, justice, compassion and equality. Its finest manifestation was in the era of Akbar the Great (1555-1606). The Mughal emperor Akbar, with his policy of universal reconciliation and tolerance inaugurated an era of healthy traditions in statecraft. His justice – loving tradition was followed by his son Jehangir. The Bhakti and the Sufi traditions too in their own unique ways popularized the idea of universal brotherhood. It revived and regenerated the cherished Indian values of truth, righteousness, justice and morality.

The philosophy of human rights in the modern sense took shape during the course of British rule. Resistance to foreign rule was manifested in the form of demand for fundamental freedoms and civil and political rights for the people India. The concrete demand for the fundamental rights came logically in the wake of Nationalist Movements which coincided with the birth of the Indian National Congress in 1885. The first explicit demand of the people of the Indian sub-continent for fundamental rights found place in the Constitution of India Bill, 1895, also known as the ‘Home Rule Document’ This Bill emphasized on the formulation of a Constitution which would guarantee every citizen basis human rights of life and liberty. It was in 1925 that the Indian National Congress finalized a draft of the “Commonwealth of India Bill” which embodied in it a Declaration of Rights, the demand for which was vehemently repeated by the Motilal Nerhu Committee appointed in 1928. The Karachi Session of Congress in 1931 adopted a detailed in program on fundamental rights with the demand for it to be included in the Government India Act 1935. In 1945, the Tej Bahadur Sapru Committee have stressed on the need for a written code of fundamental rights. The result was the forceful demand of the
Constituent Assembly to include human rights in the Constitution of Independent India. The promulgation of the Constitution of Independent India, by the people of India in January 1950, is watershed in the history of India. The Preamble, fundamental Rights and the directive Principles of the State Policy together provide the basis Human Rights for the people of India. In the Constitution of India, there are certain very important Human Rights provisions. There are: The Preamble; Part III Fundamental Rights; Part IV Directive Principles of State Policy, Part IVA of the Constitution on Fundamental Duties and Articles 226, 300A, 325 and 326.

As mentioned above, the notion of human rights we can find in all societies and at all times. The Kyrgyz one of the ancient people among the Central Asian countries had nomadic lifestyle and culture. The leadership in Kyrgyzstan has taken great pains to create a sense of history that emphasizes the democratic elements which have allegedly always been present in its society. Its leaders like to boast that unlike other Asian countries, the Kyrgyz elected their khans (rulers). Women had equal rights with men, and there was freedom of speech. There is also an emphasis on the consultative aspect of nomadic society, where decisions affecting the community were traditionally taken by the Khans in consultation with tribes.

In epic “Manas” one can find not only historic events, but also all sides of human life; social, economic, political situation, struggle for independence, relations with other states. The epos widely depicts the life, goodness and evil, friendship and humanism, love for homeland, care for people’s well-being. The epos sings the values which are common for all people: social justice, honesty, dignity, humanism, and care for people, and love for homeland, for national traditions and customs, respect for human rights, national unity and tolerance, peaceful co-existence with neighboring states, people’s aspirations and hopes for the better future. The seven principles of Manas, which are the important part of development of Kyrgyz statehood play

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80 The first notable source which one comes across about the Kyrgyz people is in the writing of a Chinese historian Sym Tsyan whose work “Historical records” is dated back to 201 B.C. The name “Kyrgyz” derives from the Turkic kyrk- yz, a combination meaning “forty clans.”

81 The Kyrgyz people have enriched the world culture with the unique epos “Manas”, which is incomparable in its volume and rich content. The epos “Manas” is the national pride of the Kyrgyz people, the peak of their spiritual life, which they inherited from their ancestors. The epos ‘Manas’ is often referred to as “the epos-ocean”, because it is as vast as an ocean in its volume and depth of content. It reflects the ancient history of the Kyrgyz people and their social life covering the period of millennium. The Manas epic is written verse and contains 500 thousand lines of poetry.
significant role of understanding relation between government and its people, between different ethnic groups and cultures, between man and nature. There are as follows: 1. Unity and mutual support, 2. Transethnic consensus, friendship, and cooperation, 3. National honor and patriotism, 4. Through hard, relentless work and knowledge to prosperity and well-being, 5. Humanism, magnanimity, tolerance, 6. Harmony with nature, 7. Strengthening and protecting of Kyrgyz statehood.

The main development of Human Rights in Kyrgyzstan took place during the Soviet time. In 1917-1918 the Great Socialist Revolution took place for the establishment of the Soviet Power. The October Revolution became the new event in the history of Kyrgyzstan. It was the biggest turn in the economy, national relations, and political and cultural life of the country. The revolution gave freedom to earlier suppressed nations of Russia; it created the basis for the complete elimination of the national inequality. At that time the Soviet government wanted to overcome consequences of the breakdown of the old Russia and preserve the union of its peoples. With this purpose the Soviet government approved "Declaration of Rights of Peoples of Russia", "Appeal to All Working Muslims of Russia and East".

"Muslims of Russia, Tatars of the Volga and Crimea, Kirgiz and Sarts of Siberia and Turkestan, Chechens and mountain Cossacks! All you, whose mosques and shrines have been destroyed, whose faith and customs have been violated by the Tsars and oppressors of Russia! Hence forward your beliefs and customs, your national and cultural institutions, are declared free and inviolable! Build your national life freely and without hindrance. It is your right. Know that your rights, like those of all the peoples of Russia, will be protected by the might of the Revolution, by the councils of workers, soldiers, peasants, deputies!"82

While the Bolsheviks, as we have seen, generally supported the rights of the Muslim nationalities they adopted a policy of undermining the influence of the Islamic religion as part of their general camping to undermine all religion as superstition. They considered Islam to be as pernicious as other religions because of its past... Primarily, the attack on Islam was directed at its less fundamental aspects, such as the veiling, and the seclusion of women, polygamy, child

betrothal, bride price, the pilgrim to Mecca... In the late 1920s and 1930s many mosques were closed and a number of religious leaders either deported or imprisoned. However, the practice of Islam itself was never proscribed.

Before the Bolshevik Revolution the vast majority of the peoples of Central Asia, including Kyrgyzstan were illiterate. For instance, only 16.5% of population of Kyrgyzstan was literate before the Revolution. By the end of the 1930s most people throughout the USSR became literate, and by the end of the 1950s literacy was virtually universal.

Soviet policy had been to encourage the development of national cultures and the preservation of the native languages. The Article 36 of Soviet Constitution declared: “Citizens of the USSR of different races and nationalities have equal rights. Exercise of these rights is ensured by a policy of all-round development and drawing together of all the nations and nationalities of the USSR, by educating citizens in the spirit of Soviet patriotism and socialist internationalism, and by the possibility to use their native language and the languages of the other peoples of USSR. Any direct or indirect limitations of the rights of citizens, or establishment of direct or indirect privileges on grounds of race or nationality, or any advocacy of racial or national exclusiveness, hostility or contempt are punishable by law.”

In all republics of Soviet Union education were taught and all forms of media were published in native languages. Russian was taught as a second language throughout the country.

The Kyrgyz used Arabic script from approximately the 10 century until 1928. Latin script was adopted in Kyrgyzstan in 1928 and was replaced by Cyrillic 1940. The adoption of the Cyrillic script “opened the door for the Central Asian languages to be influenced by Russian in the lexical, phonological, morphological, and even syntactic domains. Perhaps the most obvious influence has been the massive influx of Russian terms into these languages. Many languages in the young Soviet state, including those in Central Asia, were perceived to be deficient in the lexical domains considered to be most important in a Communist society, namely the language

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83 Ibid., p.61.
84 Ibid., 51.
of Marxism, Soviet political structure, science and technology, and industrialization. Thus, it was necessary to introduce into the languages terms which expressed these concepts.\(^8^5\)

Today Soviet history and its legacy has been strongly criticizing and examining as a totalitarian and command-administrative system since a disintegration of USSR. But even though some negative sides and consequences of the command-administrative system took place in the Soviet Union, which led to the neglect of national traditions and customs, the USSR resolved historical issues of ethnical, political and social development of Kyrgyzstan.

- Sub-ethnic disassociation of the Kyrgyz nation was over passes, the Kyrgyz consolidated as nation;
- The population became literate in mass; ethnic cultural and historical information was provided to the population in the Kyrgyz language;
- Qualified staff was trained; intelligentsia made a numerous social group;
- Kyrgyz language with its ethnic linguistic features became the common language;
- Certain traditions of a national state and political culture accumulated;
- A broad network of mass media and communication was set up allowing distribution of information to local population; via Russian language and Russian culture Kyrgyz folk got familiar with the European culture.
- Based on the above the new culture of Kyrgyzstan developed, the idea of the united Kyrgyz nation was formed in the minds of society including ideas of the Kyrgyz statehood, national history and culture. The national dignity and striving for independence grew.

Today, Kyrgyzstan is a small mountainous democratic country which has been undergoing socio-economic difficulties of transitional society. The Constitution Kyrgyz Republic announced the republic “a sovereign, unitary, democratic Republic and it is shall be founded as a legal and secular state”. The Constitution of Kyrgyz the Republic declares that fundamental human rights and freedoms shall be recognized and guaranteed pursuant to universally accepted principles and

\(^8^5\) Mark Dickens “Soviet Language Policy in Central Asia” www.oxuscom.com/lang-policy.htm
norms of international law, international treaties and agreements concerning human rights, which shall have been ratified by the Kyrgyz Republic.

The Constitution classifies the Fundamental Rights under six groups as follows:

- Rights to equality (article 15 Constitution of Kyrgyz Republic)
- Rights to particular freedoms (article 16 Constitution of KR)
- Rights to freedom of religion, worship and faith (article 16 Constitution of KR)
- The right to private property (article 19 Constitution of KR)
- Cultural and educational rights (articles 32, 36 Constitution of KR)

1.2.3. Human Rights in the era of Globalization

The human rights agenda in the era of globalization is being shaped in the context of global developments such as market economy, new form of production, and developments in information technology. These changes have made different impacts to different countries, groups, and classes. Nobel Prize-winning Indian economist Amartya Sen pointed out: "Within the narrower views of development (in term of, say, GNP growth or industrialization), it is often asked whether the freedom of political participation and dissent is or not 'conducive to development'. In the light of foundational view of development as freedom, this question would seem to be defectively formulated, since it misses the crucial understanding that political participation and development are constitutive part of development itself...The relevance of the deprivation of basic political freedoms or civil rights, for an adequate understanding of development, does not have to be established through their indirect contribution to other features of development (such as the growth of GNP or the promotion of industrialization). These freedom are part and parcel of enriching the process of development." 86

Weakened by the expansion of a globalized free market economy, trade unions and labour activist, for instance, seek to make labour rights central to the human rights. The

unprecedented ravaging of the global environment has prompted the emergence of an active international ecology movement. The abuses of a growing illegal immigrant labour force and the hardships suffered by refugees fleeing from property, repression, or war have led to calls for fairer immigration and refugee laws. Diffused by a global telecommunication network, Western culture seems more omnipresent and is now more forcefully resisted by many nationalities and advocates of different cultural rights.  

As globalization erodes national distinction, cultural rights revive them, intensifying efforts to protect national patrimonies against waves of immigrants, foreign imports, or the overall homogenization of the world into universal consumerism. Over the last third of twentieth century, the notion of group, or cultural rights became recognized as an important category of human rights aimed at protecting diverse conceptions of human needs and values. Revival of religion has been portrayed as an expression of socio-cultural particularism against the universalizing tendencies of globalization. Defensive in orientation, assertion of cultural rights reflect resistance against what is seen as the overwhelming influence of western – and particularly American – cultural influence throughout the non-Western world.

Immigration and telecommunications have also provided venues for a reverse flow of cultural influence, from south to north, as the latter experiences a growing taste for “exotic” music, food, ideas, and literature, enriching the multicultural tendencies of many Westerners. However the promotion of cultural rights and values was advanced with the march of globalization. With the waning of colonialism, the codification of cultural rights clauses, such as those contained in the International Covenant of Economic, Social and Cultural Rights, was followed by subsequent rights treaties pertaining to labour, environmental, developmental, and immigrations rights. But western scholar say that implementation of cultural rights clauses in diverse international human rights may now be challenged by the post-September 11 reaction to fundamentalism and fears of security threats-fears that can spill beyond the focus on Al Qaeda to

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include everyone of Arab origin or Muslim faith. “The human rights agenda of the beginning of this millennium needs to fight emerging fascist forces, whether in their Islamic or Western manifestation, while simultaneously comforting the selfishness of an ever more privatized corporate world. An alliance of purpose and action, premised upon civil, political, social, and economic rights, becomes a growing necessity, even when the question of which universality should be adopted has not yet been fully settled.”

1.3. Globalization

1.3.1. Globalization: Concept and Debate

The word “globalization” is itself quite new and it has developed recently in academic circles. Although the term global, can be traced back in the English language for over 400 years, according to the Oxford English Dictionary the term globalization, along with the related terms globalize and globalizing, seems to have first come into use in the 1960s, largely in economic contexts. In sociology R. Robertson was one of the first to use the term in articles published in 1985. In media and cultural studies Marshall McLuhan was probably the significant influence, with his use of the term ‘global village’ in his book Understanding Media, published in 1960. In the 1990s the term has rapidly become part of the everyday vocabulary not only of academics, but also business people, and has been taken up and circulated widely in the media.

The term Globalization is mostly connected to the development technology, communication and science: the speed of communication through satellite transmission, increase of computer capacity, Internet, mobile, fax etc. New markets - globally linked financial markets with new instruments, global consumer markets with global brands etc., new actors - multinational corporations, the World Trade Organization, proliferation of international NGO’s, regional blocs, policy coordination groups, new rules - multilateral agreements in trade, conventions on human rights, on global environment, and new tools of communication - cell phones, faxes, e-mail all are have become the main features of globalization process.

Contemporary discussion about concept of globalization has stimulated an intense debate among social scientists and produced a huge literature concerning its causal dynamics, its driving forces, its positive and negative consequences for different peoples and social groups, and its impact on nation-states. Here we can outline several views to the concept of globalization among the researches. For example, T. L. Friedman defines globalization as “inexorable integration of markets, nation-states, and technologies to a degree never witnessed before-in a way that is enabling individuals, corporations and nation-states to reach around the world farther, faster, deeper and cheaper than ever before ... the spread of free-market capitalism to virtually every country in the world”. A. Giddens describes globalization as “intensification of worldwide social relations which link distant localities in such a way that local happenings are shaped by events occurring many miles away and vice versa.” R. Robertson puts that “globalization as a concept refers both to the compression of the world and the intensification of consciousness about the world as a whole.” J. A. Scholte defines globalization is “De-territorialization – or ... the growth of supraterritorial relations between people.”

A. Appadurai argues that we have moved into a new global cultural economy in which existing models, such as centre-periphery are no longer adequate to explain the current phase of disorganized capitalism which is characterized by fundamental disjuncture between economy, culture and politics. “Elementary framework for exploring such disjuncture is to look at the relationship among five dimensions of cultural flows that can be termed a) ethnoscapes, (b) mediascapes, (c) thechnoscapes, (d) finanescapes, and (e) ideoscapes.”

Ethnoscape is the landscape of person who constitute the shifting world in which we live: tourist, immigrants, refugees, exiles, guest workers, and other moving groups and individuals constitute an essential feature of the world and appear to affect the politics of (and between) nations to a hitherto unprecedented degree.

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Techoscape is the global configuration, also ever fluid, of technology, both high and low, both mechanical and informational, now moves at high speeds across various kinds of previously impervious boundaries.

Financescapes is the disposition of global capital which is now a more mysterious, rapid, and difficult landscape to follow than before, as currency markets, national stock exchanges, and commodity speculations move mega monies through turn-stiles at blinding speed, with vast, absolute implications for small differences in percentage points and time units.

Mediascape refers both to the distribution of the electronic capabilities to produce and disseminate information (newspapers, magazines, television stations and film-production studios), which are now available to a growing number of private and public interests throughout the world, and the images of the world created by these media. These images involve many complicated inflections, depending on their mode (documentary or entertainment), their hardware (electronic or pre-electronic), their audience (local, national, or transnational), and the interests of those who own and control them. What is most important about these media scapes is that they provide (especially in their television, film, and cassette forms) large and complex repertories of images, narratives, and ethnoscapes to viewers throughout the world, in which the world of commodities and the world of news and politics are profoundly mixed. Mediascapes tend to be image-centered, narrative based accounts of strips of reality, and what they offer to those who experience and transform them is a series of elements (such as characters, plots and textual forms) out of which scripts can be formed of imagined lives, their own as well as those of others living in other places. These scripts can and do get disaggregated into complex sets of metaphors by which people live as they help to constitute narratives of the Other and proto-narratives of possible lives, fantasies that could become prolegomena to the desire for acquisition and movement.

Ideoscapes are also concentrations of images, but they are often directly political and frequently have to do with the ideologies of states and the counter ideologies of movements explicitly oriented to capturing state power or a piece of it. These ideoscapes are composed of elements of
the Enlightenment worldview, which consists of a chain of ideas, terms, and images, including freedom, welfare, rights, sovereignty, representation, and the master term democracy.96

There is another debate on the following issues: how globalization is best conceptualized and how one should characterize its structural consequences. These issues have developed three broad schools of thought, which scholars will refer to as the hyperglobalizers, the skeptics, and the transformationalists.97

Here are the main characteristics of three dominant tendencies in the globalization debate. For the hyperglobalizers (Ohmae, Wriston, Guehenno), globalization defines a new epoch of human history in which “traditional nation-states have become unnatural, even impossible business units in a global economy.”98 According to them:

- Dominant features of globalization are global capitalism, global governance, and global civil society.
- Driving forces of globalization are capitalism and technology.
- Historical trajectory is global civilization
- Summary argument – the end of the nation-state

Skeptics, such as Hirst and Thompson, argue that globalization is essentially a myth which conceals the reality of an international economy increasingly segmented into three major regional blocs (Europe, Asia-Pacific and North America) in which national governments remain very powerful.99 The dominant features of globalization are:

• World less interdependent than in 1890s.
• Driving forces of globalization is states and markets
• Conceptualization of globalization is internationalization and regionalization
• Historical trajectory are regional blocks/clash of civilization
• Summary argument – Internationalization depends on state acquiescence and support

At the heart of the transformationalist thesis is a conviction that, at the dawn of a new millennium, globalization is a central driving force behind the rapid social, political and economic changes that are reshaping modern societies and world order.100 According to the proponents of this view, contemporary processes of globalization are historically unprecedented such that governments and social societies across the globe having to adjust to a world in which there is no longer a clear distinction between international and domestic, external and internal affairs. For them:

• Dominant feature of capitalism is ‘thick’ (intensive and extensive) globalization
• Driving forces of globalization – combined forces of modernity
• Conceptualization of globalization – as the reordering of interregional relations and action at a distance
• Historical trajectory - indeterminate: global integration and fragmentation
• Summary argument – globalization transforming state power and world politics

Whether we look at global capitalism, trends in consumer tastes, transnational migration and identity politics, the globalization has a few characteristics or dimensions in common. Researchers emphasize these dimensions of globalization as a following:

• Disembedding, including de-localization. Globalization means that distance is becoming irrelevant, relative or at the very least less important. Ideas, songs, books, investment capital, labour and fashions travel faster than ever, and even if they stay put, their location can be less important than it would have been formerly. This aspect of

globalization is driven by technological and economic changes but it has cultural and political implications.

- **Acceleration.** The speed of transport and communication has increased throughout the twentieth century, and this acceleration continues. Anything from expensive plane tickets to cheap calls contribute to integrating the world and the exponential growth in the numbers of Internet users since 1990 indicates that distance no longer means separation.

- **Standardization.** The rapid increase in the use of English as a foreign language is suggestive of this development, as is the worldwide spread of, for instance, similar hotels and shopping centers, as well as the growing web of international agreements.  

We can apply idea of standardization to language in a number of ways. The first and most obvious is the diffusion of one individual language across the globe. The second sense in which language or language capacities have been globalized is through the diffusion of bilingualism or multilingualism, easing the transmission of cultural products and ideas. According to researchers “although there are over 5,000 languages in the contemporary world and many more dialects and regional variations, only 1,000 of these have been written down and it is in the written form that language most effectively travels through time and space.”  

But at the end of twentieth century the human race is becoming closer due to world languages. “If by a world language we mean one which has at least three-hundred million speakers, has been adopted by at least ten countries as a national language, has spread to at least two continents as a major language, and is widely used in four continents for special purposes” If we examine the languages which are becoming global, they would definitely be European languages—especially English and French. An estimated 354 million people speak English as their first language. Estimates about second language speakers of English vary greatly between 150 million and 1.5 billion. The processes of globalization over the last thirty years have propelled English from being an international language—like French, Spanish, Chinese, or

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Arabic to becoming a truly global one, spoken and used more broadly than probably any other language in world history. 85 per cent of international organizations in the world make official use of English, at least 85 per cent of the world’s film market is in English, and more than 65 percent of scientific papers in several important academic fields are published in English. Given the vast global presence of English at the time of the birth of the Internet, as well as the leading role of US scientists and engineers developing the telecommunications industry, it is not surprising that English rapidly became the de facto lingua franca of online communication. Today, English is probably used on about 50% of Web sites and perhaps upwards of 90% of sites used for international e-commerce.\(^{103}\)

- **Interconnectedness.** The networks connecting people across continents are becoming denser, faster and wider every year. Mutual dependence and transnational connections lead to a need for more international agreements and a refashioning of foreign policies, and creates both fields of opportunities, constraints and forms of oppression.

- **Movement.** Migration, business travel, international conferences, tourism have been growing steadily for decades, with various important implications for local communities, politics and economies.

- **Mixing.** Mixing is always a result of movement. Mixing takes place in language, food habits, and customs and so on, in many ways and in every country in the world. Sometimes, cultural impulses from two or several distinct groups mix to create something new; sometimes, the universalist drive of globalization processes mixes with local cultures to produce a glocal version of universal.

- **Vulnerability.** Globalization entails the weakening, and sometimes obliteration, of boundaries. Flows of anything from money to refugees are intensified in this era. This means that territorial polities have difficulties protecting themselves against unwanted

flows. Typical globalized risks include AIDS and now avian flu, transnational terrorism and climate change.\textsuperscript{104}

Contemporary cultural globalization as one of the aspects of universalization is associated an increasing in the intensity, volume and speed of cultural exchange and communication of all kinds, the rise of Western popular culture and inter-business communication as the primary content of global cultural interaction. Thus, the revolution in the sphere information and communication technology, together with increase in the rapid means of transport, extended networking of markets of cultural industries, such as tourism, inter-cultural meets and exchanges, institutionalized exchange of cultural objects, etc., contribute to globalization of culture.

1.3.2. Positive and Negative aspects of Globalization

Globalization is not an unidirectional process. If we want to see the whole picture of globalization, it must include both, benefactors and victims, the globalizers and those who are merely globalized, both those who are caught up in the whirlwind of global processes and those who are excluded. Here the question is what positive and negative aspects of globalization for the people, societies, governments and countries. In the Copenhagen Declaration and Programme of Action (adopted at the World Summit for Social Development in 1995), the consequences of globalization emphasized in the following lines:

"Globalization, which is a consequence of increased human mobility, enhanced communications, greatly increased trade and capital flows, and technological developments, opens new opportunities for sustained economic growth and development of the world economy, particularly in developing countries. Globalization also permits countries to share experiences and to learn from one another’s achievements and difficulties, and promotes a cross-fertilization of ideals, cultural values and aspirations. At the same time, the rapid processes of change and

adjustment have been accompanied by intensified poverty, unemployment and social disintegration.\textsuperscript{105}

As has been mentioned above, globalization as a process of global inter-connectedness and interdependence in the modern world has positive and negative consequences. Let us begin from positive innovative and dynamic aspects of globalization in detail. For some, globalization is a force for positive change that provides opportunities for societies to lift themselves out of poverty. This aspect related to the increased market access, increased access to capital, and increased access to technology and information which have led to greater income and employment opportunities. The revolution in information and communication technology, for example, have allowed people in the remotest villages access to the most modern medical advice, while the potential for education is tremendous. It is argued that globalization not only facilitates rapid economic growth, but also creates the possibility of enhancing human freedom through the expansion of choice and democracy.

Increasing interactions between different cultures are beneficial as they provide the opportunity for people to develop mutual empathy and respect for each other. Increasing contact between different cultures in a tourism context can lead to reduction in prejudice and can establish valuable business links between countries. Developing countries in particular can benefit from tourism as a major income for their economies. As exchange rates between developed and developing countries are strongly in favour of developed countries, travelers will often travel to destinations where the relative cost of living is much lower, and as such can inject vast amounts of capital into developing countries. Tourism can provide jobs and as such help ease unemployment in developing countries, and can lead to increased living standards.

Travel and tourism, the internet and the media have stimulated an exponential growth in the exchange of ideas and information. The emergence of tourism as a major global industry has contributed greatly to globalization, and as these flows increase they will continue to have a vast impact on the shape and nature of the globalized world. Due to economic growth and

technological changes, the tourist industry has grown steadily since 1950s, making it the possibly largest economic sector in the world. "By the mid-1990s, 7 per cent of the global workplace, around 230 million persons, were employed in tourism." 106 People in wealthy countries have experienced across the board increases in living standards, and improved efficiency in the economy has led to an increase in available time for travel. As living standards and disposable income has increased, so too has the desire and the interest in traveling around the world. Rapid technological advances in transport have led to falling transport costs. As a result, people can access the rest of the world by many different methods of transport, including cruise liners, airplanes, helicopters and motor vehicles. People with the financial means to do so, can access even the most remote locations on Earth, leading to further integration of people and cultures into globalization. Tourist organizations predict that in the year 2020, 1.6 billion people will make a trip abroad. 107

It is can also be related to the migration of the people. Migration can occur from developed to developed, developing to developing, or it can occur between the two in either direction. The fundamental desire to migrate remains largely the same: the urge to somehow improve one’s life or prospects by relocating has been the same since the dawn of time. In the current era of globalization perhaps this sense of desire is in many ways heightened. With the advent of rapid technological and transport advances, the possibility of migration is made infinitely more attainable than in the past. In this global environment, it is estimated that up to 3% of the world's population is currently living outside their country of birth. In 2005 this figure represented 191 million migrants, and almost one third of these movements are between developing countries. 108 The effects of migration are numerous, to the economy, the culture and the individual. Economical effects include (but not limited to): facilitating the free exchange of skills, allowing states to address skills shortages, and contributing to economic growth. Culturally speaking, there is the possibility for multiculturalism and this is juxtaposed with the possibility of hostility and xenophobia. Finally, there is the possibility for the individual to realize their potential in the global marketplace for labour. For the skilled professional, this may be rapid career advancement and opportunity- while the unskilled may be locked into a cycle of

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107 Ibid., p.97.
exploitation, a ‘race to the bottom’, in a globalized world where life chances are determined indiscriminately. On the whole, the ranges of circumstances in which people migrate are reflective of the inequalities in this globalized world.

Internationalization of education can also be one of the positive aspects of Globalization. The rise of international students as a people flow has emerged as a tangible result of economic growth and increasing affluence in the developed world. The opportunity to learn in a foreign environment is a privilege enjoyed by a relative few in the globalized world (the same world where 781 million adults are illiterate)¹⁰⁹, and is an example of the opportunities that globalization has availed to a fortunate few in the globalized world. While in terms of numbers, the volume of international students against other people flows is not impressing, the emergence of education as an increasing export market to developed countries is an important effect of globalization.

Apart from the positive aspect of globalization there are negative and marginalizing aspects of globalization, for instance between and within countries— and increasing poverty and deprivation across the globe. The first of all gains of globalization are not equally distributed, both between and within countries. While the world has shrunk into a global village, the gap between the rich and the poor in that village is widening. Hundreds of millions of people are being excluded from the benefits of globalization. The benefits of globalization are also badly skewed within countries, both developing and developed. Income inequality is rising in many countries. Worse, job and income insecurity is increasing, particularly for unskilled labour, although corporate restructuring has also meant job insecurity for professionals. Globalization, which brings market creates problem for poorest countries. If large number of people is illiterate and below the poverty line and have no access to new jobs and new way of understanding global situation, then they are out of market. “In newly democratising countries with weak institutions and elite-controlled economies, the growth of global markets and economic flows tends to destabilize coercive forces but increase crime, police abuse, and corruption.”¹¹⁰

Others see globalization as damaging the environment, emasculating worker's rights and more generally stymieing those who attempt to advance social justice. Globalization also increase insecurity in human life such crime, disease, and loss of cultural identity. Unfortunately, the many opportunities opened up by the widening and deepening of information flows and contacts among the world's people also include increasing opportunities for crime (human trafficking, trafficking in drugs, weapons, women, international syndicates), for the spread of HIV/AIDS as well as ideas, and for the flow of culture and cultural products which may lead to cultural homogeneization, which, while considered enriching by some, is considered as a loss of cultural identity by others. Human trafficking today represents a rapidly growing and highly lucrative criminal activity. According to the UN Office on Drugs and Crime, the industry is worth up to $US 7 billion per year.\textsuperscript{111} While it is impossible to know the full extent of the problem, reports by the US Department of State estimate that anywhere between 600,000 and 800,000 men, women and children are trafficked across international borders every year. According to the same source, up to eighty percent of this figure was women and girls, and up to fifty percent of the total figures are minors.\textsuperscript{112} Increasingly poverty can be seen as a driving factor of this activity. While it is believed many victims are abducted and sold into this life of servitude, it is increasingly being heard from survivors that traffickers are deceiving victims with promises of jobs and a good life. As such, victims often initially go with the traffickers of their own accord, not fully realizing the nature of their agreement until after they have been ensnared by the trafficker. When some victims initially agree to go with traffickers, debt bondage is used as a means of controlling them. Such debt bondage involves working until the money that is owed to the traffickers is paid off; but paying the bondage off is rare as the fees are so high and the pay is so little they infrequently get out of debt.\textsuperscript{113} In this way, there is certainly a case that global inequalities and in particular, poverty, have made large numbers of people, particularly women and children, vulnerable to exploitation by human traffickers.

\textsuperscript{112} ibid
The impact of globalization on women is very visible. As adverted to earlier, greater trade openness increases women’s share of paid employment, as firms producing for export (including multinationals) employ more female workers. This is a worldwide pattern, and is particularly evident in Asia. However, women are also among the first to lose their employment when economic crunches occur, such as those resulting from financial volatility discussed above. Women also predominate in informal subcontracting, which is on the rise under globalization—but this is associated with low wages and poor conditions.

Globalization is also associated with homework, part-time work, and tele-work, where women again predominate. The upside here, is that this accommodates women’s family care obligations, but the downside is that the jobs are precarious and poorly paid.

Globalization and its effects on people flows as we can see, has profound impacts; both of a positive and negative nature. Its effects on the ability and desire of people to cross international borders provides the capability—through technological advancements—for people to move or travel more freely and easily, such as the case with refugees which provide the opportunity for people to escape hostile and dangerous regions. On the other hand, globalization allows the exploitation of people, as in the case of human trafficking, as the opportunity for people to take advantage of the desperation of people in the developing world is very much evident. This has become possible as the protection of borders is increasingly eroding, which is mainly due to the effects of globalization and the closer integration of the world it produces. The flows of people as tourists has also seen positives reaped as a result; as the revenue generated from tourist industries—when invested in the right areas—aides economies dependent on this crucial industry, where an increase in incomes helps raise the overall living standard. Globalization, by its very process, enhances people’s sensitivity to their local identities. There is a view that globalization triggers on the one hand massive movement of people, resources and values from one part of the globe to another part. To this extent there is interaction and homogenization between globalization and local cultures. One the other hand, the technology of globalization encourages and helps the formation of local cultures.
The global spread of human rights is one of the most spectacularly successful forms of globalization experienced in the world. Through internet one can easily have an access of the violation of human rights by the oppressive state, suppression of poor and weak, atrocities committed on women and child labor. Globalization therefore creates obstructions to the human rights on the one hand and on the other it enhances sensitivity towards the practices of human rights.

To sum up, we can say that the concepts community, ethnicity, tradition, culture and history do play major role in identity formation and development in detail. Through these concepts one can feel to belonging to particular group of people with distinct identity, with particular history, culture and language. Historical development of Human Rights shows that in every culture and society we can find the notion of right which was developed from ancient time. In the contemporary time, when our identity, culture, and life is being shaped by market economy, new forms of production, and developments in information technology, the role of human rights become more important. These changes have made different impacts to different countries, groups, and classes. The notion of group, or cultural rights became recognized as an important category of human rights aimed at protecting diverse conceptions of human needs and values.

Globalization is a worldwide interconnection of the peoples of the planet, their culture and institutions characterize by researchers as intensification in the sphere of technology, market, growth of a global consciousness and globalization of local, localization of global. The globalization has a few characteristics or dimensions in common. These are: de-localization, acceleration, standardization, universalization, interconnectedness, movements and mixing. Globalization has profound impacts, both of a positive and negative nature. One of the examples of positive and negative aspects of globalization is its impact to identities. For instance, local identities are strengthened by globalization because people begin to emphasize their uniqueness overtly only when it appears to be threatened. On the other hand, it is evidently true that local power is often weakened as a result of globalization.