



**HUMAN RIGHTS IN THE 21ST CENTURY**

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## HUMAN RIGHTS IN THE 21<sup>st</sup> CENTURY

It is an honor to be asked to serve as the keynote speaker for this event. I am always excited when the youth of our community are engaged in activities that will expose them to some of the most profound aspects of life, law and culture.

I also want to acknowledge the profound and tragic loss this school has suffered in the death of one of your recent graduates. My daughter knew Kimberley Brin, and her death not only saddens us all, but it reminds us of how fragile life can be, and how important it is for all of us to do whatever we can to nurture, preserve and protect life.

As a lawyer, the concept of rights is fundamental to how we see and structure societies. Legal systems are based on the sacred notion that there are these protections and powers called rights which emerge out of constitutions, legislations or court decisions.

The Bill of Rights, which is a fundamental aspect of the U.S. Constitution, bestows upon citizens certain rights, such as freedom of speech, the right to be protected from unreasonable searches by the government, the right to a speedy trial, and various other protections and powers that affect how the society operates and how we live our lives.

Yet the topic you have asked me to speak about – that of human rights – is for me more expansive and even more fundamental than the Bill of Rights contained in the U.S. Constitution. Human rights, by their nature, are more compelling and sacred than political or civil rights. Human rights suggest that there are some basic, organic protections and freedoms that all people should have, regardless of whether they are citizens of a country, or whether the nations in which they live have embraced those protections or freedoms.

Human rights transcend political boundaries and classifications. My right to carry a gun or to have a trial by a jury is enshrined into the constitution of the country within which I reside. But my right to human dignity and respect; my right to freedom from abuse and torture derives from a more sacred well, and from a more universal source. One definition of human rights reads, “human rights are ‘commonly understood as inalienable fundamental rights to which a person is inherently entitled simply because she or he is a human being’.”<sup>1</sup> No one grants human rights to us. No one bestows them upon us from a high court; they come with us as we are fashioned and created. We arrive on this earthly planet wrapped in garments of human rights.

From a spiritual perspective, we are entitled to these protections and powers because dwelling within us is more than our physical make-up – there exists a divine and sacred spirit that must be recognized by the laws and courts that were created by man and woman. Our divine humanity is the compelling justification for our claim to human rights.

Throughout the history of the world and the history of this nation, there have always been struggles around our quest for human rights. Though I want to share a little about those historical struggles, I want to focus my remarks on the human rights struggle of the 21<sup>st</sup> century.

When you study about the denial of the right of people throughout the world to have the freedom to control their own destiny because of systems of slavery, dictatorships or other oppressive regimes, then you are studying about human rights violations. Regardless of whether slavery was legal, or whether Hitler and the Third Reich were the official and legal forms of governmental rule, these were morally offensive structures that violated the human rights and dignity of millions of human beings.

When you study about the abuse of women through rape, forced prostitution, and even the denial of the right to positions and powers controlled by men, you are studying about human rights violations.

The colonization of peoples throughout the world, including in these beautiful Virgin Islands, was not just a political or economic act, but a human rights violation of those peoples' right to self determination.

Even though we often refer to the movement by African Americans in the 1960s to secure basic rights of access to public facilities and the right to vote as the Civil Rights Movement, it was also a human rights movement. Malcolm X's vision was to bring these atrocities to the United Nations, so that the suffering of Black people in America would be elevated out of the limited realm of civil rights, and into the broader stage of human rights.

These historical struggles and many others lead to the enshrinement of human rights into laws that nations recognize, agree to, and enforce. Though I speak of human rights as being greater than legal documents, various nations have come together to create broad treaties and covenants that attempt to take what was natural and intrinsic and codify these principles into law. The United Nations (UN), which is the focus of your activity, is one of the leading organizations for the creation of a legal platform of human rights which it attempts to use to influence the actions of various countries around the world.

This legal platform, though not perfect, has removed some of the ambiguity about what are human rights. Yet the codification of human rights into laws has evolved over time as we discover more about the human suffering and abuse that still exist around the world. Human rights evolve over time, because we become more sensitive to the emerging needs of humanity.

There are limitations to the enforcement of human rights that have been embraced by the United Nations. For if the government within which the people or person lives blatantly refuses to honor the human rights of its citizens, even when these rights are recognized in treaties or other agreements, it is difficult for outside forces to compel that government to do otherwise. The UN has attempted to deal with this limitation by having armed forces made up of soldiers from various countries. This has certainly help in the quest to protect the human rights of individuals and groups, but it has also proved to be very limited in its reach and effectiveness.

Because of these limitations and so many others, we must broaden our understanding of human rights in the 21<sup>st</sup> century and we must broaden our understanding in regards to who is the guardian of human rights around the world. If we want to create a nation and a world where human dignity is respected and nurtured; if we want to create a world where there are no unnecessary barriers to persons' quest to reach their full potential, then all of us must be the guardians of human rights around the world.

Each of us must be human rights activists and advocates. If we ever come to the point of believing that it is up to governments and politicians to be the only guardians of our human rights, then we will continue to see suffering and distress throughout the world and within our midst. This is not because government or politicians are evil. It is because politics and governments by their nature are reactive. They often respond to pressure instead of creating the environment where change occurs.

So you and I must be always on the alert for human rights abuses. We don't have to look far. Human rights abuses can occur in our homes, our schools, and in our neighborhoods. Though there may be laws that protect people from domestic violence, child abuse, purposeful neglect and torture, these are still human rights abuses that are destroying the fabric of our humanity. It is a human rights abuse because it deprives people of those things that give us respect and a sense of purpose.

When people in a country don't have the power to control their destiny: that is a human rights violation. When women are relegated to inferior positions in a society, even though that culture may accept it, it is still a human rights violation. When children are forced to work at young ages and are deprived of the right to pursue an education -- that is a human rights violation, even though their parents may have approved of this situation.

The human rights agenda of the 21<sup>st</sup> Century will focus on basic and classical needs such as the need to be free of torture by governments; the freedom of women to live and act as whole, independent human beings; the right of children to be free from being sold into slavery that feeds illegal sexual enterprise; the freedom of people from starvation and thirst; the right to have decent living conditions even in poor nations around the world. Recently this country

has declared that the attempt to discriminate or commit violence against individuals because of their sexual orientation is a human rights violation. Secretary of State, Hilary Clinton, just days ago, made a speech to this effect before the United Nations. The rights of minorities; of indigenous peoples; the hunger and suffering of so many people will continue to stay on the world agenda.

But I would ask that we focus a little on the possible human rights violations or challenges that exist right before our eyes and in this territory. When children are not able to reach their full potential, because our educational system is not able to inspire, nurture and compel them to high levels of achievement, then we are facing human rights challenges. When young children are forced to grow up in communities where they are surrounded by drugs, violence and gangs and other forms of illegal activity, then that is a collective failure of our protection of human dignity and our aspiration to create whole and healthy children who can reach their full potential.

When we as men continue to stereotype and objectify women as sexual object we are violating the sacred dignity of the full human spirit of those around us. When we neglect our elders and shun our human responsibility to take care of those who took care of us; that, from my perspective, is a human rights violation. Even the issue that we don't like to talk about, but the political status of Virgin Islanders, including the lack of full self determination for the VI and Puerto Rico, is at its heart a human rights challenge. All people should collectively have the gift of self determination.

So human rights are not something you will find at the United Nations. They dwell within us, and their violations also exist all around us. They are the threads that bind us all together, and remind us, in the words of Dr. Martin Luther King, Jr. that "we are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly."<sup>2</sup>

Thus, our best remedy against human rights violations in the future is to build today families, societies and nations that nurture, respect and empower the human spirit wherever we find it. We must create a platform for human dignity, so we do not create the stage for human rights violations.

So this is my charge to you: As you go from this place and embrace the majesty of this United Nations experience, go with your eyes wide open and absorb all that you can about this compelling topic that none of us will ever be able to escape.

But please return with even more compassion and determination to work with us to create within the Virgin Islands an oasis of human dignity and respect. Human rights are as

beautiful and majestic as these islands on which we live. It is up to all of us to preserve the beauty of these islands, amid the inherent beauty and sacredness of every human being.

This is your charge; this is your destiny and I look forward to how this experience will transform you and how you will transform the world.

Godspeed!

### **References:**

<sup>1</sup><http://www.humanrights.is/the-human-rights-project/humanrightscasesandmaterials/humanrightsconceptsideasandfora/theconceptsofhumanrightsanintroduction/definitionsandclassifications/>

<sup>2</sup>[http://en.thinkexist.com/quotation/we are caught in an inescapable network of/146496.html](http://en.thinkexist.com/quotation/we+are+caught+in+an+inescapable+network+of/146496.html)