

## **"Human Rights and Intercultural Dialogue in the Mediterranean"**

International Conference 27<sup>th</sup> – 29<sup>th</sup> of March 2008

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Organized by the Chair for Human Rights

### Introduction:

The international conference takes place on two significant and convergent dates: the 60<sup>th</sup> Anniversary of the Universal Declaration of Human Rights and the European Union "Euro – Mediterranean Year for Intercultural Dialogue". The purpose of this Conference was to explore the reception of the Universal Declaration in the philosophical and juridical traditions of the Mediterranean countries, as well as their significance in the promotion of intercultural, interreligious and political dialogue.

The conference was initiated with the opening of the exhibition "Vignette dal mondo per i diritti umani (Caricatura of the world for human rights)", curated by Silvia della Monica from the Equal Rights and Opportunities Department. The exhibition was composed by several national and international caricaturists and approached in a direct, fast and ironic way to the world of human rights. Afterwards the video "Jamal" from Luisella Ratiglia, who had participated at the "Medfimfest", was projected.

During the Roman Empire the Mediterranean Sea was called "Mare Nostrum", a name that reminds of the coexistence of several people and traditions. For a long time common actions about maritime rights, economic resources or characteristic patrimonial have been carried out. For the actual context the only way to strengthen these relations is by means of a dialogue. It is important to be aware of ones own identity and Italy should function as a bridge towards and not against this cultural approach.

But globalisation and the so called clash between civilisations promoted by Samuel Huntington make it now more than necessary to find a geopolitical balance in order to avoid this clash.

And human rights are not respected in very different forms, regarding these diverse forms of discrimination, within the department of Equal Rights and Opportunities they fight against any form of discrimination such as women, racism, equal opportunities since all form part of the so called human rights.

The afternoon session was about "Human Rights Protection and Immigration: The role of Institutions and the Third Sector". It is difficult to determine the balance between stranger and citizen since citizenship is universal and also an international right. Whenever we talk about respecting human rights, we tend to forget that human rights are to each culture different. Therefore we are confronting a difficult balance between "their values, their history" and the respect for human rights as it is known in the occidental world.

In Algeria for example, the question about human rights is closely connected with women's rights. Even if there has been an opening spirit lately, the context has not really changed. Algerian history is a history of liberation, resistance and manifestation and the challenge of human rights for everyone, independent if man or women, still continues. The "code de la famille" (which determines that each women is restricted to what her male family tells her), the inclusion to international treaties but with important restrictions and the labour situation dangers the improvement of women's right in Algeria.

Also in an immigration context the situation does not look too good, since immigrants pass through three phases of discrimination: during their parting,

during the transit and at their arrival at the host countries (mostly in Europe). Even if we promote the rights of no one living in slavery, no one is excluded of sanity and each one has the right to participate at its government, when it comes to immigrants, European laws do not always apply or respect these rights.

This refers also the right not to be tortured and the procedure for people who are in danger of being tortured at their home countries. Establishing torture is still difficult, since there is no clear definition and each countries defines it for itself. Therefore many people who will be tortured as soon as they enter their home country are not being protected because a right definition of "sustained fear of torture" is still not available.

During the second day " Human Rights in the Mediterranean: Constitutional and international perspectives" were discussed. As it is the year of the 60<sup>th</sup> anniversary of the Universal Declaration of Human Rights and the Euro-Mediterranean Year of Intercultural Dialogue, it is time to rethink the conception of Human Rights in the Mediterranean Area. Since 1948 the historic development has been quite successful with the different waves of human rights (civil and political, social and economic) but still, in some Arab countries things did not go that smooth. This is mainly because we tend to use Human Rights in reference to Democracy, even though most of the Arab countries are not democratic. There are several ways of meeting in this discussion: clashing or including. But the third way is dialoguing.

When studying the three monotheistic religions there is in the three a strong religious and philosophical base. But there are remarkable differences between the declaration of 1948 and the Arab Charta about Human Rights. The vocabulary used is ambiguous, since it does not specify if the law is applied to the country's society, the Muslim society or everyone.

When talking about applying the law (and the resulting rights) only to a part of the population, it is not possible to ignore the population in Gaza. Here Human Rights clash with reality, since the State of Israel denies the access to Gaza. But Gaza is officially neither occupied nor not-occupied. It is therefore in political limbo.

When analysing the constitutionalism of the Human Rights in Arabic Constitutions, they are defined as universal but when it comes to include them in the Constitutions, they are recognised rather than included, omitted or only recognised partially. But to determine the actual impact of Human Rights in Arab Constitutions, it is necessary to analyse the qualitative importance. The situation does also change depending if the country has been a French or an Anglosaxon colony. Having in mind all these details, Human Rights are also recognised only for the Muslim society, the religious people or the religious people of an Arab society.

The afternoon session dealt about "Pluralism and Human Rights: Philosophical and Religious Perspectives". The Declaration of 1948 establishes that rights are our culture, but it is the liberal and Christian culture. So, in order to define human rights it is necessary to ask oneself "who am I?" but also "who is the other?". Human Rights are universally but it is necessary to recognise the existence of "the other".

When it comes to having a dialogue, there are several things that should be kept in mind. According to N. Hinske, the "Gesprächskultur (culture of talking)" is an offsetting item of the rhetoric. The aim of "Gesprächskultur" is finding in oneself's thinking the way to overcome limitations and search for the truth in

what the other one is saying, while the rhetoric aims to make the other one think. The premise is the "impossibility of the total mistake", there is always a bit of truth in everything the other one is saying. In order to get to know this piece of truth, modern talkers should use their rationality like it was done during the Enlightenment. When talking with someone, in order to have a dialogue, the following things have to be considered: it should be participative and no one should stop at the other one's fault since tolerance is when you overcome those mistakes.

But when having a dialogue, it is important to know that there is a plurality of values in the actual world and that there is no system to arrange them since everyone has different values and from a different importance.

In relation to the historic approach, Human Rights can be found in the Bible. It says that each individual has rights because it is a being of god and therefore carrier of dignity. There is equality between the poor, the orphans, the widow and the strangers.

Also in Islamic Law, human rights are present in antique texts. The individual has duties in front of god and towards the society. The tension derives from the duality if those rights and duties remain in public or in a private space. The following five areas are in a conflict situation, since private and public are not always separated: religion, life, family, ownership and rationality.

When discussing about communication versus conversation, the point that the territories where to have those conversations are being homogenised and therefore the boundaries between stranger and not stranger disappear. There is no space to have a conversation, so, first before saving the dialogue it is necessary to save the differences.

The conference was closed with a round table about "Perspectives on Euro-Mediterranean Integration". The actual feeling is that we are living in a limbo of intention and it is time for the politicians to apply these concepts of human rights and intercultural dialogue in the Mediterranean. Europe should function as a bonding ring within the Mediterranean and Italy as the bridge that unifies the continents. It is therefore necessary to change mentality and to accept the other.