

## Toward Human Rights in the Local Community: Multiple Approaches for Implementation\*

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*This paper attempts to show the significance of the implementation of human rights in the local community. Along with the international and national schemes for the collective guarantee of human rights, the local community should be a significant arena for the carrying out of social efforts to protect and promote human rights in practice. For improving the human rights situation at the local level, multiple approaches are suggested: the widespread promotion of a human rights culture in the community, the offering of human rights education in local schools for children and workplaces for adults, the collective efforts for implementing human rights by members of the local community such as agents of the local government and activists of non-governmental organizations, and the introduction of local regulations for human rights. These multiple approaches aim to establish a social system for the collective guarantee of human rights at the level of the local community.*

**Keywords:** *Human Rights, Human Rights Ordinance, Human Rights Culture, Collective Guarantee of Human Rights, Local Community*

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## Introduction

The development of human rights has been one of the goals for human society in the contemporary era. Since the end of World War II, in particular, there have been continued activities to develop human rights at the international and national levels (Robertson and Merrills, 1996). Among the international community, numerous examples, such as the Universal Declaration of Human Rights and International Covenants for Human Rights, demonstrate the achievement of collective efforts for human rights. In addition, international non-governmental organizations have also been working to promote human rights. There are, however, of course, numerous negative elements threatening the international human rights system such as international terrorism, regional conflicts and wars, nationalist uprisings, racial antagonism, and cultural confrontation. Nonetheless, the implementation of human rights has made progress on the global scale for the past several decades.

There has also been overall progress in the implementation of human rights at the national level in many countries. Regardless of the massive disparity among nations, developments in the area of human rights include the introduction of legal systems such as constitutions and bills of rights, and the establishment of governmental organizations dealing with human rights. Progress by the government has been made along with remarkable human rights initiatives issued by non-governmental organizations in civil society. The collective efforts and the national network of NGOs have increased in the last decades, particularly in developing countries. These have no doubt made effective contributions to the implementation of human rights at the national level. Furthermore, cooperation between the governmental and non-governmental organizations has resulted in the improvement of human rights in practice in various sectors of the nation.

Despite the remarkable developments that have been made in the human rights situation at the international and national levels, human rights violations continue to exist in every part of human society. Numerous types of human rights violations occurring in everyday include domestic violence, sexual assault, and child abuse, brutality toward the elderly, life threats, and various sorts of social discrimination. The victims of these crimes—who have been discriminated against, battered or oppressed by community members—continue to appear everywhere people carry out their daily life such as homes, schools, offices, and local places.

For the purpose of improving human rights in practice, we need to pay

more attention to this aspect of human life in every society and then to develop a social system for protecting and promoting human rights in the local community where everyone carries out his/her daily life. Along with the international and national schemes for the development of human rights, collective efforts are needed to establish social systems for human rights in the local community so that all members of human society are aware of their dignity and well-being in everyday life. In this paper, I argue that the human rights situation could be improved through the establishment of concrete and coordinated social systems for human rights in the local community.<sup>1</sup>

## Human Community and Collective Guarantees of Human Rights

To begin with, we understand that all human beings have the basic right to enjoy human dignity. It is a universal understanding that there should be social recognition for each person to have his/her own rights as a human being. In that sense, the concept of human rights is composed of two elements: one is that human rights are basically attributed to individual matters, and the other is that human rights are a social product. Therefore, all members should have some understanding of the human rights of others as well as their own in a social environment. If members of a society are not aware of basic human rights, they will be unable to effectively implement human rights and its practice in their social life.

To improve the implementation of human rights, we need to develop a social system in which all members of the society understand the basic concept of human rights, contribute to the development of the idea, and practice the idea in social life with firm measures. This reflects the history of human rights that consists of continuous efforts to establish a social system ensuring human rights in a collective manner (Ishay, 2004). The collective efforts to ensure human rights have taken place at many levels such as the city, state and the international community. When a community establishes an environment that is sensitive and favorable to human rights, it is more effective in implementing human rights in the community (Donnelly, 1989). Therefore, one of the ultimate goals of the community for the improvement of the human rights situation is to establish a social system that would enable all of its members to ensure

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<sup>1</sup> This paper is based on several articles, previously published in journals in Korean (Kim, 2001; 2004; 2006a; 2006b; 2007; 2009). And the main theme of this paper comes from my research and participation in human rights initiatives in the local community of Jinju, South Korea.

themselves their human rights in practice.

Collective efforts for the guarantee of human rights have been achieved in the last several decades at various levels of communities (Buergethal, 1997; 2000). The international community has attempted to establish a system for the collective guarantee of human rights. For example, the United Nations, the representative institution of the international community, has played a significant role in improving the human rights situation in the world (Evans, 1998). The Universal Declaration of Human Rights, adopted by the General Meeting of the United Nations in 1948, has no doubt contributed to the universal recognition of human rights in the global community. And several international laws and agreements on human rights, adopted by the United Nations and ratified by member states of the UN, have urged the global community into action for protecting and promoting human rights. These efforts at the international level have driven individual states into disseminating new concepts of human rights and improving national standards of human rights for the last several decades.

These international efforts to develop human rights at the global level have contributed to the introduction of the concept of the human rights regime over international affairs (Falk, 2000). Non-intervention in internal affairs, which has lasted for several centuries in international relations, is no longer the policy. As a result, domestic human rights violations in some individual states have often become international issues and received severe external criticism. The international agreement on human rights seems to force individual states to follow global standards of human rights. Furthermore, the international community has imposed on individual states duties and obligations for improving human rights. The evidences for such action can be found in the Vienna Declaration and Program of Action, adopted by the World Conference on Human Rights on June 25<sup>th</sup>, 1993, and the establishment of the international courts of human rights in Europe and America and the International Criminal Tribunals.

In the Vienna Declaration, in particular, the international community emphasizes the role of the state in ensuring human rights for its members as follows:

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 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 (Vienna Declaration, 1993: Art. I, note 5).

Even though human rights violations by the state or its agents have always occurred and continue to do so, the international community has recognized the responsibilities of the state to promote and protect its people's human rights. The state should also fulfill its duties and obligations to implement human rights in its territory. The state is no doubt a cohesive community to lead the development of human rights and should provide a social environment in which human beings can enjoy their lives at various spheres with the basic ideas of human rights in practice. Performing its role at the national level, the state should transform social and political systems into ones guaranteeing human rights. For example, we can be ensured our civil and political rights in the political apparatus as guaranteed by the state. No doubt, the collective guarantee system for human rights at the national community level contributes to strengthening all human rights in every sector of the society.

There are interactive processes between communities for improving the human rights situation. One of the typical examples is the relation between the international community and the individual states. The international community has also urged the individual state to play its proper role to guarantee all members their human rights. As a result, the undeniable pressure from the international community placed on the individual states has contributed to the development of the human rights situation for the last several decades, although there are obvious disparities between nations in terms of the level of human rights achievement.

Efforts for the collective guarantee of human rights have been also made at the regional level. One such example is Europe, where member states of the Council of Europe have ratified the European Charter of Human Rights and established the European Court of Human Rights (Robertson and Merrills, 1993). There are also collective efforts to protect and promote human rights in America and Africa with international agreements and institutions such as the Organization of American States and the Organization of African Unity, although no such counterparts exist in Asia.

Despite some variations in the regions and states, there has, in general, been great progress in the development of human rights in the last few decades through a social system working toward the collective guarantee of human rights at various levels of communities. Nonetheless, as mentioned above, there are continuous violations of human rights wherever every human being pursues his/her life in relation to other people. Violations and abuses of human rights continue to happen on a widespread scale at the international and national levels as well as in daily life at the level of the local community.

Lessons learned from the international and national communities for the

collective guarantee for human rights can be applied to other human communities. There are some apparatus to protect and promote human rights in everyday life. The local community, for example, is one of the closest environments for individuals who carry out their everyday life. Therefore, it is necessary to pay attention to the local community's social system for improving human rights in practice. When the local community is transformed into one guaranteeing human rights in daily life, it is expected to achieve drastic developments working toward human rights for all citizens. The collective guarantee for human rights at the local community would be one of the most effective tools for the development of all human rights in practice.

### The Nature of the Local Community and Human Rights

There are, however, tensions and conflicts between the basic notions of human rights and the social conditions of a human community, including in the local community. Regardless of the type of society, human rights are required to apply the universal norm and value to all human beings of the community. This means that all members of the society should equally have basic rights to dignity and well-being. In addition, they must be allowed to hold different views and express diversity in their social life according to human rights standards. Such equality and diversity should be respected in everyday life.

On the other hand, a social community demands that its members follow its rules and conventions. In particular, there are specific characteristics of the local community in which all members of human society participate in daily life. The local community provides the space for social life to be experienced by all people. It keeps its own inherited nature that has been created over a long time by members of the community who share common experiences in space and time. As a result, their shared membership in the community leads to their possessing a similar social identity. In a sense, therefore, members of the local community can be characterized as being homogeneous; they tend to possess shared norms and values. Also, they are required to follow the rules and regulations of the community, and they are also expected to carry out the obligations and duties for the community's common goals. Thus, the local community refers not only to the spatial conditions of life, but also to the social conditions that constrain community members' lives and activities and dictate specific roles and norms to its members (Etzioni, 1995).

The local community tends to retain its inherited conventions in which its members have unequal relations with others in social life. Within the communal

convention, they have been intertwined with each other in a complex network consisting diverse positions within the political, economic, and social spheres. The relationships existing between members of the community have been formed in a concrete structure on the basis of social positions. Accordingly, members of a community are forced to inhabit certain positions, generally within a hierarchical structure, and the differentiation of their positions naturally brings about inequality in social relations.

These unequal relations have also resulted in the grouping of members within the local communal life by some elements that have been inherited since a long time ago. Examples of such elements that determine the groupings are sex, race, religious affiliation, family roots, regional origin, physical condition, and occupation. Based on such grouping criteria, the members can be broadly divided into two groups within the community: the majority and the minority. The majority members carry out their power and influence to keep the conventional customs and norms. The majority demands its members pursues common goals and, thus, to keep their obligations and duties as members of the community. The minority members, however, are forced to follow the customs and norms set up by the majority, even if these conventions are unfair to them. They have inevitably endured discriminatory and suppressive conventions against them in nature.

The nature of the community's hierarchical structure is intrinsically, more or less, contradictory with the idea that all human beings should be considered equal. The unequal relations potentially threaten the implementation of human rights in practice. Superior persons at the physical, social, political, or economic level might use their strength to damage the human dignity of inferior persons, which could result in these inferior persons becoming the victims of physical violence and social suppression and discrimination in everyday life. Thus, unequal social relations tend to provide one of the main triggers for human rights violations as social conventions based on structural grouping are in conflict with the implementation of human rights. Particularly when the level of diversity and complexity increase in a community's composition, unjust conventions become one of the sources to provoke social confrontations and conflicts between groups.

Thus, the inherited nature of the local community could discourage the development of human rights in practice (Howard, 1995). The members take it for granted that social order should be maintained and also that a common goal for the community should be a priority in the social process. Accordingly, all members have been socialized to carry out the obligations and duties necessary for maintaining order in and working toward the goals of the community.

Furthermore, they are forced to share local communal membership. This leads to a tendency to regard the local community as being homogeneous, which is quite different from the reality: within the community exist many diverse people and personalities.

These situations in such a common sphere prevent the development of individual freedom and personal preference. When the members become accustomed to the spreading atmosphere of communal collectivism, they hardly argue that everyone should have the right to be respected and to be able to make personal decisions and commit certain actions. The strong sense of community membership also tends to force members to keep their inherited conventions. In addition, it might lead members to be intolerant of alien elements in their community. They may be reluctant to admit the existence of diversity and differences in their society, resulting in their being in conflict with others from diverse backgrounds. They do not even hide their hostility toward outsiders, which they justify in the name of communal interest and order.

Nonetheless, there are also increasing social demands for human rights to be implemented at the local level. We begin to recognize the significance of a social system for protecting and promoting human rights in everyday life in the local community. Such recognition results in tensions and even conflicts in the community. Depending on their status, community members are in a position, whether favorable or not, to reform the unfair and unjust conventions that are violations of human rights.

In short, tensions and confrontations between the inherited conventions of the local community and the social demands for human rights exist. Therefore, in order to develop human rights in the social process, the unfavorable elements of the local community that are violations against human rights should be reduced or eliminated, and then replaced with favorable ones. It is also necessary for collective efforts to be carried out to establish social systems for guaranteeing human rights for all members in the community so that they can equally enjoy dignity and fair treatment in social relations.

## The Development of Human Rights and the Local Community

The actors of the international and national communities have contributed to develop human rights in practice ever since the advent of the human rights regime. The collective efforts for the development of human rights have been made in diverse areas of social life. It is necessary to introduce multiple approaches for improving the implementation of human rights at various levels.



In the international norms of human rights regimes, the individual states inevitably attempt to improve the human rights situation, and the national efforts for implementing human rights contribute to the development of human rights in the local communities. It is also important to introduce a social system to guarantee human rights at the local community level.

As discussed above, however, there are some incompatible elements between the intrinsic nature of the local community and the implementation of human rights. There are also continuous violations of human rights in daily life taking place in the local community. The global and national systems for human rights could not work as effectively as expected at the local level. Therefore, independent efforts for the improvement of human rights need to be carried out in the local community.

There are several reasons why we need to pay attention to the implementation of human rights in the local community. First of all, the local community is the central place where all human beings pursue their everyday life and should be allowed to enjoy their basic human rights in practice. Therefore, if all the members of the local community are guaranteed their basic rights in daily life, the human rights situation of the whole society will be much effectively improved. If human rights violations are reduced in the local community, it means that the society members' human rights are protected in practice at the national level. Therefore, it is necessary and urgent to construct a social system for promoting and protecting human rights in daily life.

Secondly, the local community, where its members have close contact with each other, provides a social environment for the observation and improvement of the human rights situation. In contrast, the international and national systems for human rights are a bit too remote to supervise the implementation of human rights in daily life; as a result, they have difficulties in receiving effective feedback at the local level. Especially in a situation where continuous human rights violations take place at the local community, it is necessary to monitor the human rights situation and to find better ways to implement human rights in daily life. Under close surveillance, we can check and be alerted of the human rights situation and, if necessary, take immediate action to provide support victims of human rights violations. Among the methods for such actions are hot-lines for human rights victims in emergency situations, consultants for protecting their human rights, shelters for victims of physical abuse and violence, and so on. In that sense, the local community is the most suitable and effective space for promoting and protecting human rights. And the introduction of a social system for the implementation of human rights in the local community is expected to be one of the most urgent and effective ways to develop human

rights in the whole society. Thus, if we transform the local community into a social space that is sensitive to human rights, it will contribute toward the improvement of all human rights.

Thirdly, I would like to argue that the strong sense of membership of the local community could be a potentially substantial resource to introduce a social system for the collective guarantee of human rights. As discussed above, members of a local community are regarded to be homogeneous and cohesive. These characteristics are, on the one hand, possibly in tension with the very idea of human rights. However, on the other hand, they have the potential to provide a social basis for bringing about rapid changes in the society for protecting human rights. Particularly, community members who possess 'we-group' emotions may play a significant role.

'Familism', one of the emotional characteristics of Korean society, can serve as an example. If people regard others as members of their 'family,' they show them special treatment. In this collective emotion, they do not possess any rational or fair criteria for social action. In the basis of familism, inner group members are sharply distinguished from outer group members. Such a division may benefit certain members due to their social identity and result in their providing favors to each other. This distinction seems to prevent rational decisions from being made on public matters. Family members favor each other while discriminating against others without any proper grounds. This nature of familism is based on the idea of community membership in nature. Generally, the personal linkages result from social identifiers such as school, hometown, clan, and social affiliations.

However, such unfair social behavior tends to prevent equal opportunities from being provided to non-members of the 'family' in the community. They are potentially victims of human rights violations to be discriminated against in everyday life in the community. However, if people who are outsiders are accepted as members of 'the family,' they could receive all sorts of privileges that family members already possess. As they begin to receive favorable responses from others, they may forget or ignore any disadvantages that they used to suffer from as outsiders. In that sense, familism could become a social apparatus to protect their members' interests, including human rights.

This logic could be applied to the local community. If we extend this family concept to all members of the local community, they could devote their efforts for all residents of the local community more than ever. If members of the local community understand the basic ideas of human rights and establish a social system for them, their strong inherited neighborhood, based on familism, can turn out to be a useful resource to accelerate the implementation of human

rights in daily life. For example, when migrant workers and foreign spouses of international marriage are accepted as members of the 'family' at the local community, their human rights could be protected by other members of the local community on the basis of familism. Accordingly, social discrimination against them could be eliminated on the basis of human rights, the core value of familism, with strong support from the neighborhood. Furthermore, a strong neighborhood also contributes to the introduction of a social system for the collective guarantee of human rights at the local community that may substantially lead to the effective improvement of human rights in the whole society.

In short, we understand it is important to pay attention to the human rights situation in the local community and to find proper methods to introduce a social system for the collective guarantee of human rights within it. Such a system would contribute to the development of human rights in cooperation with human rights activities at the global and national levels.

## Toward the Implementation of Human Rights in the Local Community

There are several strategies to develop social systems for human rights at the local level. We should accept that there is not one single method to achieve this task. It is rather effective to combine several methods to bring about the introduction of the system. It is also necessary to suggest concrete and coordinated schemes, especially adjustable to local proper conditions, for the implementation of human rights.

As discussed above, there are unharmonious and even contradictory elements existing between the local community and human rights in nature. The local community attempts to keep its social practices and conventions, which are rooted in hierarchy, whereas human rights suppose the existence of equality in social relations and advocate respect, dignity and well-being for all persons in the community. These disparities could result in confrontations and even conflicts between members of the community, especially when higher ranking members do not understand the basic idea of human rights. These confrontations and conflicts, as a result, tend to prevent the spread of the notions of human rights and their implementation in practice.

Therefore, it is necessary to establish proper methods to eliminate the obstacles against human rights. To begin with, we pay attention to the promotion of a human rights culture that contributes to spreading the core values of human rights into members' daily lives and every stage of social practice in the local community. The spread of a human rights culture means that social cus-

toms and norms are transformed into ones compatible with the notions of human rights. It also means the dissemination of the ideas of human rights to members of the community. That is, they understand the idea that all human beings have the right to enjoy their lives with dignity and to be treated equally by others without suffering from any discrimination.

If members of the local community understand the notion of human rights and practice it in their daily life, it is easy to introduce a social system for the collective guarantee of human rights that aims to protect and promote human rights in practice. In addition, cooperative activities and local regulations for human rights could be set into motion. Thus, a human rights culture provides a social platform to transform all social conventions and institutions into ones that are sensitive and favorable to human rights.

Members of the community look for proper methods to spread a human rights culture, especially considering the specific conditions of the community. One such method is to educate members about human rights, that is, to teach human rights in local schools and in workplaces. Its ultimate goal is to disseminate the notion of human rights into the community and to urge its members to behave according to human rights standards. The effective and deliberate education of human rights effectively encourages all people to act in accordance with human rights and make some efforts to implement them in the community.

Nonetheless, there has not yet been any proper program for human rights education in Korea. Therefore, designing a human rights education program would require identifying a list of top priorities as well as feasible strategies designed for the local situation. Considering local experiences and the local history could, for example, be useful in deciding upon the contents and materials for the educational program. It is also suggested that human rights education, in the overall scheme, should be set up in workplaces for adults as well as at schools for children. Authorized educators should play key roles in coordinating human rights education with well-organized programs. Such human rights education has the potential for effectively contributing to a widespread human rights culture, leading to the development of a social basis for the implementation of human rights at the local community. Accordingly, these would contribute to the development of human rights in the society as a whole.

The other urgent social apparatus for the development of human rights is to establish a cooperative system for all components of the local community to implement human rights. The local government is required to play a key role for the purpose, mainly because it possesses enormous power and influence upon all members of the local community. If it evaluates all policies in terms of

human rights standards, it would lead to the rapid improvement of the human rights situation. For example, when the agents of a local government such as police, court, and the Bureau of Welfare Affairs carry out their proper duties and responsibilities for promoting and protecting human rights, their activities bring about enormous change in the social environment toward the implementation of human rights. In that sense, the leaders of the local government such as mayors and councilors could play pivotal roles in establishing a social system for human rights at the local level.

Along with the local government, local citizens' groups and non-governmental organizations are significant actors for improving the human rights situation. They promote human rights initiatives in the local community, as they do at the international and national levels. They watch and supervise social affairs regarding human rights. One of their roles is also to evaluate the performance of the local government and to urge it to improve the human rights situation. Even though they have a relatively short history of activity during the period of democratization, they have brought about remarkable outcomes in the implementation of human rights in a broad sense at the local community since the late 1980s.

Furthermore, actors such as the local government and non-governmental organizations need to engage in substantial cooperation for the purpose of protecting and promoting human rights in the local community. Their cooperation could be one of the crucial factors to determine the successive route for the development of human rights. They share ideas, information, and even strategies with strong solidarity for the development of human rights. During the cooperative process, they could find proper methods for improving human rights in practice. The local government applying human rights sensitive measures to all policies and local people mobilizing human rights initiatives are also effective contributions to the human rights movement.

This cooperation would lead these actors to establish governance over community matters, especially in the field of human rights. Launching a cooperation committee or a council for human rights that consists of the agents of the local government and NGOs would be a practical model for establishing governance over all matters of the local community. And this would result in the ultimate improvement of a social system for the collective guarantee of human rights at the local level.

On the other hand, it is necessary to extend such cooperative activities to neighboring communities. Because the concept of human rights should hold universal value, the wrongdoing of social conventions in terms of human rights cannot be accepted by global standards. At least, the national regulations pro-

hibit human rights violations. Accordingly, it is necessary to implement human rights at the local level with universal standards. As a result, interaction with human rights activists from other communities provides opportunities to share ideas for the alteration of unfair social conventions by human rights standards. Therefore, it is useful and recommended that communities have close relations with other communities at the national and international levels. Furthermore, for the development of solidarity and networks, it is required that communities communicate with counterpart members of other communities at the national as well as global levels.

Their solidarity and networks could provide useful information and sometimes contribute to changing unfair and unjust social conventions. For example, such solidarity and networks could give members of the local community enormous influence or pressure to alter wrongdoings and violations of human rights and to keep the national and global standards. In the end, such relations could contribute to the alterations of local conventions and values so that they are compatible with human rights. It is more apparent than ever those tremendous effects and influences come from outsiders in the era of globalization. The cooperation with and support from their neighbors becomes an important factor to be considered in our own strategy and scheme for developing human rights. Therefore, the collective cooperation of members is needed for the development of human rights at the national and international levels as well as in the local community much more than ever.

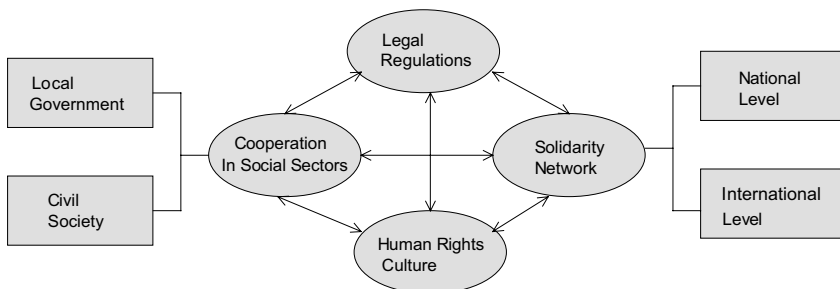
Despite such efforts to develop human rights, without legalization in the democratic society, the goals of a human rights system cannot be efficiently activated. That is, the rule of law should be also applied in the processes involved in human rights matters. Therefore, all these processes involved in the implementation of human rights need to be formalized in the local community by law. The legal regulations which ensure the implementation of human rights in the social process provide in detail the processes and methods for the protection and promotion of human rights for all community members; they pay especially close attention to people who are vulnerable to becoming the victims of human rights violations in practice. For example, the legal regulations make it clear that the leaders of the local government and members of the community councils have the duty and responsibility to implement human rights at the workplace. The prescription of the establishment of formal organizations for protecting and promoting human rights should also be included. One such suggestions regarding concrete and detailed methods for improving the human rights situation such as the compulsory practice of human rights education and activities for the dissemination of human rights principles. In terms of legal reg-

ulations, it makes sure that the effective operation of shelters or ‘help centers’ for human rights victims has been established.

Even though there are legal prescriptions to ensure human rights in the constitution and laws, there are few legal mechanisms to impose human rights matters at the local level in Korea. Therefore, it is necessary to introduce local regulations such as declarations, rules or ordinances for human rights in the local community. Nevertheless, there are few local ordinances or regulations to indicate their purposes vividly for improving the human rights situation, even though the local government is an authorized agent to legislate specific matters by laws. Meanwhile, there are various emerging matters related to human rights to be dealt with by local regulations, especially in the social demands for welfare of the residents, and in the changing situation such as the advent of the aging society and globalization.

For example, the numbers of migrant workers and wives of international marriage have increased rapidly in recent years. Elderly people and children have faced neglect in the changing environment with the transformation of the traditional family pattern. In addition, the increasing numbers of divorce cases bring about the disintegration of family relations. Most of these people are vulnerable to human rights in practice, and these potential victims of abuse and violations of human rights should be protected by laws and policies at the national as well as local levels. These unprecedented phenomena have required local regulations or ordinances for improving human rights more than ever.

All of these elements, as mentioned above, for constituting a social mechanism for the collective guarantee of human rights, should inevitably have close interaction with each other and should be consistent with other elements. This means the multilateral approaches would be efficient to improve human rights conditions at the local level. As a consequence, these elements become determi-



**Diagram 1.** Model for the Implementation of Human Rights in the Local Community

*Source:* Kim (2001: 43)

nant factors for developing human rights in the local community as drawn in a model below.

Cases, whether successful or not, for the introduction of local ordinances show that these multiple approaches could contribute to the development of the human rights situation in local communities. Ansan city, Gyeonggi Province, where there are vast numbers of migrant workers, successfully promulgated its local ordinance on human rights for migrant workers in 2009 (Mun, 2009). The leaders of the local government wanted to cope with social problems regarding human rights violations of migrant workers, so they launched a human rights ordinance for migrant workers in cooperation with the National Commission of Human Rights of Korea. Another successful case can be found in Gwangju Metropolitan City, where local activists and scholars and councilors of the local council prepared the draft of a local ordinance for human rights (Cho, 2008). They researched their social background for the ordinance by looking at their history of people's uprisings for democratization in 1980 and were successful in establishing the human rights ordinance of Gwangju City in 2009 named the Ordinance on the Promotion in the City for Democracy, Peace and Human Rights. This case shows that the deliberate cooperation among leaders of the local government and activists of NGOs in creating the ordinance became one of the main factors to make it successful. In contrast, it is worth noting that there is an unsuccessful case in Jinju where some leaders of the local community sought the reasons and the background of local human rights ordinances in reflecting on the successful history of Korea in the 1920s. Some local people are proud of the historical foundation of the Hyongpyongsa in Jinju in the early 1920s that aimed to proclaim equality for all human beings and the liberation of the *paekjong*, the outcasts during the Choseon period, from their conventional bondage. Despite collective attempts to introduce the human rights ordinance along with the promotion of historical pride, the leaders of the local government and council who possess the power to legislate the ordinance were reluctant to pass legal regulations on human rights matters. Supposedly, they are unfavorable to implementing human rights in the community with an ordinance that includes some concrete requirements for the mayor and constituents of the community to carry out their duties for the protection and promotion of human rights for all members of Jinju city (Kim, 2009). This case shows that it is very important for local leaders to understand the notion of human rights and also to play their role in the development of human rights in the community.

Even though there are differences in these cases, they provide us with some evidence that the elements discussed above for the collective guarantee of human rights become crucial to implement human rights in the local commu-



nity. Regardless of whether the outcome is successful or not, their collective efforts do influence the dissemination of human rights. Such evidence could be found in the case of Gyeongnam Province, where the human rights ordinance was proclaimed in March 2010 with the obvious influence of the unsuccessful example of Jinju city (*Gyeongnam Daily News*, March 12, 2010).

## Conclusion

This paper attempts to show the significance of the implementation of human rights in the local community. Along with the international and national schemes for the collective guarantee of human rights, it is necessary for the constituents of the community to carry out concrete and coordinated efforts to protect and promote human rights in practice at the level of the local community. The ultimate goal of their initiatives for human rights is to establish social systems for the collective guarantee of human rights for all members of the local community. Under the system, individual human beings enjoy his/her human rights on a daily basis as a member of the community.

Multiple approaches for the implementation of human rights for improving the human rights situation at the local level are suggested. One of the elements is to spread a human rights culture in the community. This paper suggests the development of human rights education in local schools for children and workplaces for adults who have not had any opportunities to understand human rights. For the efficient implementation of human rights at the local level, it is also necessary to introduce local regulations for human rights such as declarations or rules. Based on the regulations, the local government should apply human rights sensitive measures to all policies. Finally, governmental and non-governmental organizations in the local community need to join collective efforts for implementing human rights through a cooperation committee or council. That would lead to the establishment of a local governance working toward the development of human rights. These multiple approaches aim to establish the collective guarantee of human rights at the local community. However, this suggestion is still open to further research in the local communities.

## References

- Buergenthal, Thomas. 1997. "The Normative and Institutional Evolution of International Human Rights." *Human Rights Quarterly* 19: pp. 703-723.
- \_\_\_\_\_. 2000. "International Human Rights in an Historical Perspective." In Janusz Symonides, ed., *Human Rights: Concept and Standards*, Dartmouth: Ashgate, UNESCO Publishing: pp. 3-30.
- Cho, Sankyun. 2008. "The Current Situation of Human Rights Ordinance in Kwangju Metropolitan City." *The Review of Human Rights Law* (Chonnam National University) 2: pp. 187-205.
- Donnelly, Jack. 1989. *Universal Human Rights in Theory and Practice*. New York: Cornell University Press.
- Etzioni, Amitai. 1995. "Old Chestnuts and New Spurs." In Amitai Etzioni, ed., *New Communitarian Thinking: Persons, Virtues, Institutions, and Communities*, London: University Press of Virginia. pp. 16-34.
- Evans, Tony. 1998. ed. *Human Rights Fifty Years on: A Reappraisal*. Manchester: Manchester University Press.
- Falk, Richard A. 2000. *Human Rights Horizons: The Pursuit of Justice in a Globalizing World*. London: Routledge.
- Howard, Rhoda E. 1995. *Human Rights and the Search for Community*. Oxford: Westview Press.
- Ishay, Micheline R. 2004. *The History of Human Rights: From Ancient Times to the Globalization Era*. trans., Hyo-Je Cho. Seoul: Gill Publishers.
- Kim, Joong-Seop. 2001. "Social Recognition on Human Rights and Its Practice." In Joong-Seop Kim, ed., *Human Rights in Local Community: the Case of Jinju*, Seoul: Orum Publishers. pp. 15-48.
- \_\_\_\_\_. 2004. "The Developments of Civil Society and Human Rights in Korean." In Joong-Seop Kim and Tomonaga Kenzo, eds., *Globalization and the Development of Human Rights*, Seoul: Orum Publishers. pp. 159-189.
- \_\_\_\_\_. 2006a. "The Development of Human Rights Movements in Jinju: Its Origins and Strategy." *Journal of Social Sciences* (Gyeongsang National University) 24(1): pp. 7-40.
- \_\_\_\_\_. 2006b. "Local Community and Human Rights: Toward the Implementation of Human Rights." *Journal of Humanities and Social Sciences* 30(4): pp. 131-153.
- \_\_\_\_\_. 2007. "The Development of Human Rights in Local Community and the Establishment of Human Rights Ordinance: the Case of Jinju City." *Journal of Humanities and Social Sciences* 31(4): pp. 33-56.
- \_\_\_\_\_. 2009. "Social and Legal Foundations of Human Rights Ordinances: Focusing on the Case of Jinju City." *Journal of Humanities and Social Sciences* 33(4): pp. 117-137.
- Mun, Eunhyun. 2009. "The Situation of the Establishment of Human Rights Ordinance:

- the Human Rights Ordinance for the Foreign Residents in Ansan City.” *The Review of Human Rights Law* (Chonnam National University) 4: pp. 169-183.
- Robertson, A. H., and J. G. Merrills. 1993. *Human Rights in Europe: A Study of the European Convention on Human Rights*. 3<sup>rd</sup> ed. Manchester: Manchester University Press.
- \_\_\_\_\_. 1996. *Human Rights in the World*. 4<sup>th</sup> ed. Manchester: Manchester University Press.
- U.N. General Assembly. 1993. “Vienna Declaration and Programme of Action.” *World Conference on Human Rights*. July 12. <http://www2.ohchr.org/english/law/pdf/vienna.pdf> (Accessed Oct. 20, 2009).

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