

Speaking note for Commissioner Baroness Jane Campbell

BIHR Conference - Human rights visions of equality

It is such an honour to share a platform today with Justice Albie Sachs, who has done so much both within South Africa and internationally to advance the human rights of disabled people.

So much so that I am going to begin by quoting him:

‘No one gives us rights, we win them in struggle. They exist in our hearts before they exist on paper’

As someone who and learns and acts intuitively i.e. I have to feel it before I can understand it. A Human Rights approach to the way we behave as individuals and develop our communities has always “felt” natural and right.

Because of this, I feel horror and bewilderment when I read that someone with a learning difficulty has been tied to a chair all day and given the cold shower before bed as punishment for soiling their clothes. This is not a matter for better training for an inappropriate response, but a proportional criminal offence punishment for a human rights abuse.

In Britain we are in the peculiar position of having human rights on paper, but few people feel it in their heart.

And that is why I would like to also begin by congratulating the British Institute of Human Rights for organising today’s conference.

We need to win hearts and minds by engaging and inspiring people about all the possibilities human rights offers.

The prize we seek is a human rights culture, where the values you have heard about today do not simply act as restraints upon public authorities, but where they shape positive action.

Where they exist beyond individual relationships with the State and also shape the way we perceive and conduct our relationships with one another.

The CEHR, and under my leadership its Disability Committee, will play a central role, acting as a catalyst for change, but so must each and every one of you here today.

For perhaps the best motto for the human rights cause is 'all for one and one for all'.

And I believe getting people to hear and buy into that basic idea is perhaps our greatest challenge.

If we want a culture of human rights and equality which is not simply a culture of litigation, then we need I believe to achieve something else:

We need to find the way both to reach into and to expand what has been called people's 'universe of moral obligation' - those people and things which we each see it as our responsibility to protect.

This idea, and indeed the essence of human rights, is perhaps most famously captured in the poem which begins 'First they came for the Jews, and I did not speak out because I am not a Jew' and ends 'then they came for me and there was no one left to speak out for me'.

I wonder whether in seeking to do so we might learn from the environmental movement and appropriate the slogan 'think global, act local'.

Because the existence of our human rights in practice are made up of millions of independent actions.

We need to think about how to empower individual citizens in their own communities to promote a human rights culture, in a relationship of co-production with public authorities and civic society.

We need to be able say not just what an individual can do to claim their rights, but what they can do to uphold the rights of others.

And that is where the role both of public institutions and voluntary and community bodies can come to the fore in providing both a focus and a vehicle through which such an aspiration might be realised.

If we want a human rights culture, we have to think how to rebuild the social ties which bind people into a relationship of mutual respect and collective action.

Which is why promoting good relations between individuals and communities is so critical to the creation of a human rights culture, just as creating a human rights culture is so critical to the promotion and maintenance of good relations.

Regarding the relationship between equality and human rights.

Equality is a human right because human rights are founded upon the notion that we are each equal in worth and equal before the law.

A society at ease with all aspects of its diversity begins with a society which accepts that, in the words of my friend the disability activist Micheline Mason, we are all 'incurably human'.

But in understanding how human rights can enrich our thinking and approach to equality, human difference is critically important.

In the words of Patrizia Longo, 'as long as we pay no attention to difference, we will never overcome the inequalities that difference has been used to justify'

The importance of difference was captured well in the theme of this year's Holocaust memorial day: 'the dignity of difference' - a phrase I believe was coined by the Chief Rabbi Jonathon Sacks.

This notion of dignity, when applied to the pursuit of equality allows us to move on from the idea simply of 'treating everybody in the same way'.

Instead we are encouraged to recognise and respond to difference and in doing so to address the root causes of inequality (MAY WANT TO SAY SOMETHING ABOUT THE DLR HERE).

That is why I am pleased the CEHR will take forward the 'capabilities approach' as proposed in the Equalities Review, because it focuses our attention onto differential access to freedoms and opportunities.

What might this look like in practice?

It would mean in ending child poverty we focus less on families achieving an equal level of income, and more on what families and children are able to do with their lives.

It would mean greater personalisation of public services, and a renewed emphasis on empowerment and control - for example through investment and reform of social care to promote independent living.

It would focus attention onto the specific causes of health inequalities asking why it is that the average life expectancy of men in the city of Glasgow is over 10 years less than men in East Dorset.

It would mean seeing all forms of violence as abuses of human rights, whether domestic abuse against women, abuse of older and disabled people in institutions, or racist, religious or homophobic hate crime.

And we would recognise fully the role of violence, as an abuse of power, in producing inequalities.

If we position human rights as the remedy for these sorts of issues then I believe people will come to value human rights as a vehicle for building a more socially cohesive and prosperous society.

And through doing so we will expand everyone's universe of moral obligation to build the human rights culture we seek.

A society at ease with all aspects of its diversity, built on fairness and respect for all, with human rights in its heart.

I look forward to working with you, my fellow humans, to achieve it.