

Towards the Application of Universal Human Rights Declaration to Cultures and Religions

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Abstract

Among the various human rights stipulated, culture and religion are some of the most sensitive topics that cause difficulties in addressing other forms of rights; the difficulty associated with it is such that it affects a vast majority of other rights. In this article, we shall focus on the universality of human rights with special attention to the Universal Declaration of Human Rights. The coercive and the democratic test for the universality of human rights are the major arguments presented for the justification of the human rights as a document that transcends regional, cultural and religious sentiments. Human dignity is identified as the ultimate implication of UDHR with specific reference to intercultural and inter-religious dialogue it enhances. The assessment of these arguments through analytical method is further supported by the optimistic approach that would focus on the mutual guarantee on the part of religious and cultural groups in order to enhance a peaceful coexistence that the universal declaration of human rights envisaged.

Keywords: *Universality, Religion, Culture, Individuality, Collectivity, Human dignity.*

Introduction

The idea of universality of human rights predates the Universal Declaration Human Rights (UDHR), the reaffirmation of fundamental human rights as one of the purposes of the declaration is a confirmation of the existence of those rights prior to their official declaration. We shall admit with several reasons and analysis why the UDHR is universal and prove that culture and religion do not in way contradict the declaration. In the final analysis, the pivotal position of human dignity in applying human rights would be identified with the conclusion that universality is not tantamount to conformity or enforcement and that rights and duties are like Siamese twin.

The idea of the universality of human rights

Broadly viewed, the idea of human rights has a long history and it is at times equated with the history of civilizations, however its universality has been argued for and affirmed by reference to ancient philosophers. One of such is Cicero who held that "man is born for justice and ... law and equity have not been established by opinion, but by nature."ⁱ What defines the universality of human rights in this argument is the nature of man that is the substance that made man who he is, which is common to all men regardless of their race or gender. There is an ancient Confucian thought "according to which all men

born naturally free."ⁱⁱ The existence of such thoughts from different cultural and historical backgrounds around the world abounds and as such offer notable support to the view that the core idea of human rights are universally shared.

One of the famous ancient precursors that stipulates cultural and religious rights closer to the contents of the UDHR is the decree issued by Cyrus in 539 BC the king of the then Persian empire. The countries that originate from this empire transcends the western world and encompasses different countries of the various continents. The Cyrus decree contain a declaration by the king to respect the traditions, customs and religions of the nations of his empire, a declaration of freedom to accept or reject the Cyrus' leadership without aggression, freedom to own property without the king's interference, workers' rights and the host of other rights which he declared saying; "Today, I announce that everyone is free to choose a religion. People are free to live in all regions and take up a job provided that they never violate other's rights. No one should be penalized for his or her relatives' faults. I prohibit exchanging men and women as slaves..."ⁱⁱⁱ

The origin of human rights idea lies in the moral nature of human being, its legal foundation originate from natural law (also called natural rights) as presented by Aristotle and elaborated by Thomas Aquinas who opined that;

There is in man an inclination to good, according to the nature of his reason, which nature is proper to him:

thus man has a natural inclination to know the truth about God, and to live in society: and in this respect, whatever pertains to this inclination belongs to the natural law; for instance to shun ignorance, to avoid offending those among whom one has to live, and other such things regarding the above inclination.^{iv}

The said inclination have been described as “predisposition of human beings to preserve themselves, which, in turn, is the source of the right to life and, as corollaries, of most of the other rights and (implicitly) freedoms determining the modern structure of international human rights law.”^v The foundation of idea of natural law as defining that universality of human rights are based on the conception of such rights as an immutable innate prerogative of the human person. These ideas are reflected in the works of philosophers like Thomas Hobbes, John Locke, Immanuel Kant and the host of others. All these ideas may be regarded as precursors to universal human rights declaration pursuant to the fact that “all concepts of equality, fairness and human dignity can somehow be approached as human rights.”^{vi} The prominence of western scholars on discussion concerning equality, fairness and human dignity that underlies universal human rights has made some scholars to regard the idea of universal human rights as a western tool for dominance but going by the oldest precursor of human rights declaration (Cyrus Decree) and other facts on human rights from different regions of the world such arguments are flawed.

Primarily the contemporary model of universal human rights derived from the San Francisco Charter of the United Nations proclaimed in 1945. The Charter affirmed its faith in fundamental human rights for all people and declared repugnancy for discrimination on the grounds of sex, religion, and race. Traditional rights, cultural liberties, economic and social freedoms were proclaimed in the United Nations Declaration of Human Rights (UDHR) that followed in 1948. The wide notoriety of the document have been affirmed by the Guinness World Record “for having collected, translated and disseminated the Universal Declaration of Human Rights into more than 300 languages”^{vii} which indicates the document as the most translated and most universal in the world.

Concerning the arguments for and against the universality of human rights, four major schools of thought have been identified by Marie-Bénédicte Dembour, these are the natural scholars, the deliberative scholars, the protest scholars and the discourse scholars.^{viii} In accordance with the categorization of the arguments for the universality of human rights, the above views of human rights universality are primarily based on the natural law scholars. However the protest scholars do not focus on the universality of human rights on the basis of a given nature common to all but as a common objection against injustice that does not necessarily originate from human nature. A protest scholar would likely defend the universality of UN Declarations of Human Rights strongly on the basis of the historical

scenario (Second World War) before the declarations and also as a means of averting injustice to establish the status quo inherent in the declarations. To a protest scholar, the universality of human right is primarily a product of fight or protest.

One of deliberative scholars’ argument for the universality of human rights with regards to the UDHR is primarily based on the participation of the different countries from different regions of the world that participated in the drafting of the UDHR. “Deliberative scholars would like to see human rights become universal... they understand that this will happen only when and if everybody around the globe becomes convinced that human rights are the best possible legal and political standards that can rule society and therefore, should be adopted.”^{ix} On the basis of this position, the UDHR is regarded as one of the major agreements and convictions undergoing gradualism for its realization.

Contrary to the above positions in support of the universality of human rights, the discourse scholars do not affirm the existence of human rights but regard it as a topic of discussion devoid of quintessence which is targeted at establishing individualism and imperialism. To scholars that uphold this view, human rights universality does not constitute a solution to the ills of the world but only a prominent political jargon.

In view of the discourse scholars position against the universality of human right, there is an irrefutable test for the universality of human rights. It is a test that could require a statistical research but its contents is simple that one can easily regard the basic questions for such statistics as rhetorical questions. If one wants to affirm the universality of human rights, “just ask any human being: would you like to live or be killed? Would you like to be tortured or enslaved? Would you like to live freely or in bondage? Would you like to have a say in how you are governed? If there is any critic of universality who would argue that an individual would choose execution to life, and bondage or serfdom to freedom, let him or her come forth.”^x This test is regarded as the democratic test of universality of human rights and is an unequivocal affirmation of the existence of human rights universality. Any objections to this test would likely be with the ulterior motive of establishing authoritarianism for the purpose of violation human rights to sustain authoritarian leaders in power. Kofi Annan’s view that “it was never the people who complained of the universality of human rights, nor did the people consider human rights as a Western or Northern imposition. It was often their leaders who did so”^{xi} is in consonant with this argument because once a leader is interested in manifesting authoritarian motives, rejection of the universality of human rights is one of the arguments to present in order to avoid non-interference by any country or organization out to defend human rights.

Universal declaration of human rights

The UDHR is made up of 30 different articles that stipulate political, economic, social, religious and cultural

rights that we are all entitled to on the basis of being born human. Jeff Haynes described UDHR as an intricate document expressed at three separate levels; the first level stipulates the basic principles every government should satisfy, the second stipulate the principles into the language of rights and list different kinds of rights and the third lays out which institutions and practices that can guarantee and safeguard these rights. Based on this grouping, the second and the third have preference for liberal democracy. In all, the general philosophy of the declaration has two dimensions;

The first groups a number of principle, both liberal and culturally specific, including a declaration that marriages should be rooted in 'free and full consent' of the putative partners there is also mention of a right to freedom of expression and the importance of private property. The second group relates to vital human interest, said be objectively valued in all societies, regardless of culture, including respect for human life and dignity, equality before the law, equal protection of the law, fair trial and, less certainty, the protection of minorities.^{xii}

There are three major characteristics of UDHR; first the inalienability of the rights it stipulates which are bond to the very nature of man and cannot be disregarded because of the fact of one's existence. Secondly these rights are indivisible, interdependent and interrelated; which means they ought not to be viewed in isolation. Thirdly, these rights are universal; their applications are equal to people everywhere in the world with no limit to time, space, race, sex, sexual orientation, disability, political affiliation, religion or culture. It is worthy of note that the universality ascribed to the human rights is not tantamount to uniformity therefore it does not threaten cultural diversity owing to the inclusion of cultural rights in the content of UDHR.

The claim to universality of UDHR is on the premise that the basic concerns inherent in the declaration are core themes of the world's great religions that are practiced by the west and non-western societies. Nonetheless, "it is essentially with the UDHR that the doctrine of universality as a crucial component of human rights was born...yet this does not mean the universality of human rights, in the sense of worldwide applicability and all-inclusiveness, was acquired in 1948."^{xiii} The function of this affirmation of equal human rights for all regardless of race, nationality, sex and their likes remain a theoretical breakthrough that prefigured the gradual practical delight of human rights at different levels

The universality question of UDHR

In answering the question of the universality of the UDHR, it is deemed fit to consider the praises and the criticism associated with it. Pope John Paul II described UDHR as "one of the highest expressions of human conscience of our time."^{xiv} On December 10, 2003, European Union described the UDHR as "...a remarkable

document, full of idealism but also of determination to learn lessons from the past and not to repeat the same mistakes. Most importantly, it placed human rights at the center of the framework of principles and obligations shaping relations within the international community."^{xv} The former US President Ronald Reagan described UDHR as "a global testament of humanity, a standard by which any humble person on Earth can stand in judgment of any government on Earth."^{xvi} There are other affirmations of the universality of the UDHR but despite these affirmations contrary views and opinions exist among scholars on the universality of UDHR.

In the face of the above all encompassing praises of UDHR, Saladin Meckled-García and Başak Çali argued that "there is no single consensus on the justification of human rights"^{xvii} because they are of the opinion that normative human rights theory and human rights law do not represent homogeneous and univocal doctrine. In accordance with the lack of consensus justification of human rights, the democratic test of the universality of human rights is further affirmed by the view that people are likely to agree that it is wrong to kill or starve people to death without justification, but argued on the contrary the extent the declaration of states guarantying citizens a place to live, paid holidays, and potable water could be regarded as rights; they are only desirable and not necessary rights. In this regard, critics often are of the view that the UDHR is costly for developing countries hence democratic approach for development that can guarantee the desirable contents of the declarations is bureaucratic, they therefore advocate for authoritarianism as a more potent means for growth and development which they perceived lies beneath the UDHR to an extent. "Authoritarianism, they argue, is more efficient in promoting development and economic growth. This is the premise behind the so-called Asian values case, which attributes the economic growth of Southeast Asia to the Confucian virtues of obedience, order, and respect for authority."^{xviii} To the critics of UDHR, these virtues transcend rights in all ramification therefore these virtues demand sacrifice of the few for the benefit of all. The high reverence for these virtues is associated with preference for authoritarianism over democracy, collectivism over individualism. The climax of this argument is encapsulated in the view that UDHR is a tool of Western imperial rule which now "...masks its own will to power in the impartial, universalizing language of human rights and seeks to impose its own narrow agenda on a plethora of world cultures that do not actually share the West's conception of individuality, self-hood, agency, or freedom"^{xix}

The above arguments could be termed right in a way because of the Western societies' emphasis on individual rights in opposition to the communal rights emphasized by non-Western world societies. However by reference to the UDHR claim to universality appropriate to all culture can be demonstrated in the following three different ways:

First, many non-Western government subsequently signed the 1948 Declaration, Second, When newly postcolonial Asian and African countries joined the UN they demanded changes to the UDHR, which were finally accepted in 1966... Third, since the promulgation of the UDHR, people have constantly appealed to its principles in their struggles against authoritarian governments.^{xx}

The reference to UDHR in struggle against authoritarian governments remain one of the major justifications of the universality of human rights declarations. Also, this reference is also a further prove of the fact that in the midst of the differences between cultures, tradition, religion and others, there is a common denominator termed the human dignity.

UDHR and its application to culture

Often cited in many arguments against UDHR is cultural diversity which presupposes cultural relativism. The cultural relativism argument against UDHR was put forward in 1947 when the American Anthropological Association prepared a statement opposing the Universal Declaration of Human Rights stating: "How can the proposed Declaration be applicable to all human beings, and not be a statement of rights conceived only in terms of the values prevalent in the countries of Western Europe and America?"^{xxi} The major objection to UDHR on the ground of culture is therefore based on the dynamism of the different cultures of the world which are not likely to be fully embedded in a single document as a representation of every single person in the world. The recognition of Cultural diversity of this argument is based on the idea that the cultural differences ought not to be ignored in cognizance of the dynamic nature of different cultures of the world. The standpoint of the current American Anthropological Association is quite different from the previous one given during the process of drafting. The difference is seen in the existence of a Committee on Human Rights whose "objectives include promoting and protecting human rights and developing an anthropological perspective on human rights."^{xxii} In doing this, they still give cultural differences its due cognizance by supporting and protecting vulnerable cultures.

Cultural relativism remains an obstacle to the application of the UDHR in other cultures of the world as it is in Africa. In East and Southeast Asian countries there are diverse political cultures and economic systems with religio-ethnic diversities. Their diversities are converged in their preference for collectivity over individuality. The political regions of this area include Singapore, Malaysia, Burma, Vietnam, China, Indonesia, and South and North Korea. The wealthy economy and sociopolitical system of Singapore has high level of social control in favour of the collective society over the individual limited by their legal entities. The emphasis on collective society in these areas is based on the perceived Asian Values which is regarded as incompatible with the UDHR, therefore such declarations cannot be upheld. The Asian Values to which

they uphold are criticized for being authoritarian.

The compatibility of cultural diversity with UDHR is based on the idea that every culture has the right to operate within its ambient provided it does not infringe on the rights of individual who exist within that culture. Furthermore, the UN human rights experts on the occasion of World Day Cultural Diversity for Dialogue and Development, on 21 May 2010 have stated that "cultural diversity can only thrive in an environment that safeguards fundamental freedom and human rights... They stressed defending diversity goes hand in hand with the respect for the dignity of the individual."^{xxiii} Thus, the emphasis on the individual rights is part of the effort of the declaration to transcend cultural bias in order to be relevant to all without sentimental attachment to any cultural background. Ignatieff contends, "this individualism renders human rights attractive to non-Western peoples and explains why the fight for those rights has become a global movement."^{xxiv} He further described the human rights as the only universally available moral vernacular in the midst of cultures that authenticates the claims of women and children against the oppression they experience in patriarchal and tribal societies; it is the only vernacular that enables dependent persons to perceive themselves as and as moral agents and to act against practices - arranged marriages, purdah, civic disenfranchisement, genital mutilation, domestic slavery, and so on - that are ratified by the weight and authority of their cultures. These agents seek out human rights protection precisely because it legitimizes their protests against oppression.^{xxv} In this view, the universality of the UDHR is affirmed and its widest notoriety defines its universality above every other regional declarations.

In Africa for example, many of their leaders have pledged their commitment to respecting human rights by consenting to the contents of UDHR in the drafting of their various constitutions. However,

African cultures have rightfully being criticized for not respecting the rights of women, mostly because of harmful practices which negate gender equality. Many campaigns have been launched against these practices, which include female genital mutilation/cutting, and early marriage. National laws and policies have been passed to combat such practices and to end discrimination against women.^{xxvi}

In applying the UDHR in Africa, women's level of participation in politics has increased over the years and most of the heinous cultures like the killing of the twins, female circumcision and early marriage have been highly reduced to a large extent. The sets targets of Millennium Development Goals are also parts of these applications in Africa. In all, the issue of cultural relativity remains a problem in the general applications of the contents of UDHR. In preserving the dynamism of African cultures, Organization of African Unity (now called African Union) adopted African Cultural Charter in 1976 which entails economic, social and cultural rights.

In all the arguments against the application of UDHR, the democratic test for the universality of the declaration is one of the strongest arguments against the use of culture as a means of violating human rights as enshrined in the UDHR. Also another strong argument related to the democratic test for the universality and applicability of human rights is the coercion test as presented by Shashi Tharoor as follows: "How many teenage girls who have had their genitalia mutilated would have agreed to undergo circumcision if they had the human right to refuse to permit it? For me, the standard is simple: where coercion exists, rights are violated, and these violations must be condemned whatever the traditional justification."^{xxvii} In all, it is not culture that ought to be the test of the applicability or universality of UDHR but the democratic test and the coercion test because these standard have to a large extent a stable standard compare to culture that has perpetual evolving character. If countries which were under the ancient Persian empire are rejecting UDHR on the basis of cultures, they ought to understand that the contents of UDHR was once proclaimed as the status quo in these territory therefore such rejection is an aberration of their cultures, also any evolution of culture that does not regard the dignity of the human person is not worth its salt.

Universal human rights and religion

We shall avoid the complexity of the definition of religion by adopting Sorokin's definition of religion as "a set of ultimate values expressed in a credo, objectified by vehicles of a cult, and socialized by conduct complying with religious norms that unite members into one religious group."^{xxviii} The historical development of different religious groups has one time or the other resisted fundamental human rights. The focus of religious leaders are often geared towards the preservation of their religious values which has made them to be primarily concerned with enforcement of their authority within the ambient of their religion rather than the right of their followers. Consequently religious traditions are often used to deny followers of their fundamental rights, support for human rights were more consistent from secular and cultural movements than from religious groups. The fundamental human rights applications were alien to religion to certain extent in ancient time.

In considering human rights applications to religion, we shall focus on the pessimistic perspective associated with ancient human society and even certain religions in contemporary human society and the optimistic perspective of human rights which does not contradicts UDHR. However absolute applications of the declaration do not exist to a large extent because there is an extension of cultural relativism in this area of human rights applications because of the dichotomy created by religious groups between religion and secularism.

From the pessimistic perspective, the UDHR's declaration of freedom of conscience and religious choice

as right which is contrary to religious rejection of certain choices like atheism, apostasy and other forms of choices that contradict codes of religious conduct. On the UDHR declaration of equality and nondiscrimination, "religions, in contrast, have accepted – indeed mandated – distinctions on the basis of religion, permitting (requiring) distinctions between one religion and other religions, between faithful and infidel."^{xxix} Religious groups upholding this stand after the UDHR reject such rights as being secular on the basis of supposed divine mandate to reject secularism.

Major religions of the World have accord men with higher dignity than women in contradiction of UDHR. The application of these rights is problematic ranging from different levels of acceptance by different religions. "For human rights idea and its ideology, on the other hand, many gender distinctions are unacceptable relics of an earlier social context and are inconsistent with human dignity today"^{xxx} The inconsistency with UDHR implies the non-application of such rights:

Religions have not had confidence in an ideology that does not claim divine origin or inspiration and has no essential place for the Deity. Spokesmen for religion have declared secular foundations for human rights to be weak, unstable, and doomed to fail and pass away. Some religions resist what they see as the concentration on, indeed the apotheosis of, the individual and the exaltation of individual autonomy and freedom^{xxxi}

From the optimistic perspective, the participation of representatives from countries like Egypt, Pakistan and other countries that could be termed Islamic and the positive opinion of different religious leaders on UDHR, it is evident that the application of human rights to religion is not ambiguous. In the human rights applications, religion has played its part right from the start in two ways: "First, freedom of worship (or non-worship) is one of the fundamental human freedoms. Strikingly, realization of this freedom is particularly problematic in a multi-religious context as absolutism easily permeates organized Faith. Secondly, religion, with all that belongs to it, i.e. beliefs as well as institutions, also falls under the universal norms of the UNDHR."^{xxxii} Contrary to the view that Sharia Law is incompatible with UDHR, it has been affirmed that a progressive approach to the Sharia Law does not contradict UDHR.

The support of religious groups like the Jews, Christian and Muslims shared to an extent the view that UDHR is implied in their duties enshrined in their various revealed scriptures. Freedom which is one of the major components of the UDHR is not only an attribute of the Western faiths, it is vastly cherished in Buddhism and in different aspects of Hinduism and Islam to an extent. Hindus whose religion does not believe in a creator derived rights from religious, cultural and social duties. Buddhists conception of rights is derived from their obligation to be aware of the interconnectedness of the whole reality and as such declare the existence of animal and human rights altogether. In all, the major problem of

the applicability of the UDHR by different religions lies in the attitude of the faithful to a large extent; the former secretary general of U. N. Kofi Annan rightly held that “the problem is usually not with the faith, but with the faithful”^{xxxiii} The onus lies in the ability of religious leaders of the world to reexamine the conditions for the acceptance of the various faiths they are proclaiming.

The contents of the UDHR is strong enough to establish world peace and security, however most of the major religions of the world have mandates to convert the world based on their convictions that there would be world peace only if the whole world is subjected to one religion. The earlier the world religious leaders realize that this mission of world conversion is not feasible the easier it would be for the application UDHR. Hans Küng rightly opined, “No peace between nations without peace between religions; no peace between religions without dialogue between religions. No dialogue between religions without search for the foundations.”^{xxxiv} The proposed search would likely be the basis for acceptance and applicability of the rights stipulated in UDHR. In accordance with the natural scholars’ view of human rights which established the rights of every human being on the basis of the common human dignity with a common source, it is therefore convincing for the various religions to cling to this common source of human dignity as given by the supreme being they regard and worship. Taking this stand with UDHR in view would likely yield peace between religions; mutual guarantee remains one of the major means of preserving the human dignity proclaimed in various religions.

The implications of applying UDHR to cultures and religions

Despite the diversities and the relativity embedded in the religious and cultural applications of the UDHR, there is one fundamental aspect of these religions and cultures that the custodians seek to preserve and protect; that is the dignity of their religions and cultures which hinges on the dignity of the human person. The human dignity is the common denominator of all cultures and religions for attaining the common standard of achievement envisioned in UDHR. Human dignity underlies the individuality and collectivity perspective of human rights arguments.

Understanding of the implication of universal application is dualistic; normatively UDHR is universal because it applies to all human beings by *ratione personae*, it is the descriptive dimension which entails its application by *raione loci* that forms the basis of its rejection on the grounds of cultures and religions. In all its dimensions human dignity is the overall purpose of its application and its non-application depending on how biased one decided to be by focusing on either religion or culture, but it goes beyond these elements to encompassing, race, gender, colour, sex, language, political or other opinion, national or social, property,

birth or other status. When human dignity is in view the application of UDHR cannot be termed a western agenda but a global agenda of a world which the dignity of institutions, individuals and collectives are preserved and enhanced for the satisfaction of secured international protection in all ramifications. Hence, “human rights discourse has rooted itself in human dignity and finds its complete justification in that idea. The content of human rights is defined by what is required by human dignity – nothing less, perhaps nothing more.”^{xxxv} Whether we are conscious of our human dignity or not, it remains a universal attribute of humanity in whatever dimension.

Human dignity inheres in all human beings qua human beings. Human rights constitute one expression of it. Human dignity is a quality which is always present in but is also more than and above its various expressions...The external recognition of this dignity by another constitutes the basis of human rights. Respecting them then devolves on the other party as its duty.^{xxxvi}

The aspect of duty as a Siamese twin of rights ought to be emphasized in the same dimension rights are emphasized, human dignity also necessitates the fulfilment of our duties as individual, collectives or institutions.

From the cultural perspective, UDHR implies cultures are made by men therefore cultures that entails the violation of human rights can be changed; man can recreate his culture because cultures are not static but always evolving. The evolution of culture ought to be subjected to human dignity which is not an evolving attribute of man. On the basis of this implication, UDHR further implies intercultural dialogue and competence. The intercultural competence that UDHR embodies is called ‘We All Here and There’ it entails influence that is not focused on cultural imperialism but on cultural synergy having in view the dignity of the human person as the fulcrum for the synergy. To this end, cultural sensitivity defined as “the motivation to accept and respect intercultural differences”^{xxxvii} is of higher importance to this aspect the UDHR implies.

From the religious perspective, UDHR implies the application of the tenets of one’s religion provided it infringes not on the dignity of the human person. This application entails the right to change one’s religion and share the precepts of such religious beliefs without limitations. Ostracizing those who choose religion that is absolutely different from the state or the majority religion is a practice that restricts the dignity of the human person to a limited realm and a contradiction to human dignity based on *ratione personae*. As such, inter-religious dialogue and the realizations that the mandate to take over the world by any particular religion enshrine in the tenets of the major religions of the world is an impossible mandate therefore religious tolerance devoid of use of psychological techniques or coercion to convert others remains an aberration to human dignity that UDHR implies.

Conclusion

The universality of human rights is based on the rights we have as human being, the application or non-application does not in any way invalidate these rights; it is all about universal possession which is not tantamount to universal enforcement nor conformity. Many of the rights proclaimed by the UDHR have been enshrined in different constitutions and the use of states to stifle the application remains a major problem in the discussions on the universality of human rights.

Despite the differences in religious and cultural backgrounds, "the member states of the United Nations have accepted human rights in both an ethical and a legal sense, and that there is no fundamental incompatibility between such rights and the leading philosophical, ethical and religious traditions."^{xxxviii} In the final analysis, supposition that UDHR is basically individualistic in its approach is faulted by the fact that human rights goes hand in hand with man's duties to his community as sources of development of his personality.

In all, religion and culture do not necessarily contradict the UDHR, negligence of duties on the part of the countries and organizations that tried to see themselves as watchdog for the application of these rights is a problem that needs to be addressed. Religion or culture could be a source of enhancement for the application of the UDHR if the focus is on the optimistic perspective and mutual guarantee is taken serious on the part of representatives of cultural and religious leaders. Mutual guarantee required can be achieved through intercultural dialogue and inter-religious dialogue which has human dignity as its fulcrum that the UDHR ultimately implies. Hence, Peace, unity and mutual understanding would be achieved on global scale as UDHR remains a rich source of peace, security and unity amongst the various religions and cultures of the world. To this end, universality is not tantamount to conformity or enforcement because rights and duties are like Siamese twin and whenever there are negligence of duties, human rights applications are endangered.

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