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HUMAN ISSUES AND ACCESS TO JUSTICE

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INTRODUCTION

Based on Wikipedia, human issues are defined as problem that human beings face every single day in their daily lives that they have to overcome and solve. There are a variety of human issues such as human rights, discrimination, abortion, police brutality and a lot more that people face in their lives. There are a lot of reasons why most human issues are still occurring since the beginning of humanity and still haven't been abolished. Human issues take years, decades and even centuries for human beings to finally get rid of it completely from the society. Even then, there are still people out there who does these things in secret or just haven't been given attention yet. This is because these human issues have been going on for so long so it is ingrained in the mindset of the society and it is a challenge to change the views of the society that has always been the norm. The thirst and satisfaction of having power is also a factor of why human issues are happening as most human issues are people abusing their power and exerting dominance to the weaker side of the chain. It is undeniable that possessing such authority and power can be addicting and that is why people cannot stop themselves from abolishing some issues.

The lower side of the hierarchy or can also be known as the victims of the human issues try their utter best to protest and regain their justice without giving up. The people especially our ancestors have fought to death and endured so much pain and hurt so that the next generation will not suffer the way they have suffered. A lot of change in the law has been made since the start of times so that humans will be treated more fairly and no one will have to suffer anymore such as the abolishment in slavery. Law is the foundation of a country so when people want to assess to justice, people will make every effort to make sure that the law can back up the weaker chain of the hierarchy as it is the only way for them to secure their rights and safety.

TYPES OF HUMAN ISSUES

Human issues are very vast as there are a lot of problems that people face in their daily lives and this problem has been ongoing since the start of time. With that, there are a lot of different human issues that is being faced by humans that has affected their lives and gave them negative impacts such as affecting the mental health of an individual. Based on Wikipedia, there are thirteen different categories and twelve various subcategories for human issues such as abortion, discrimination, feminism, human rights and so much more.

HUMAN RIGHTS

Human rights are the rights that humans have simply by existing regardless of their gender, race, ethnicity, skin colour, language and nationality that they possess. Human rights exist to protect all the people from severe abuse from every aspect such as from the political, legal and also social aspect. These rights range from the most basic things in life such as the rights to education, work, food, health, freedom of speech and so much more that is fundamental to our life. Human rights can be applied everywhere at any time as it is a universal and also entitled to humans without any discrimination. It is also absolute where the rights for every human being cannot be robbed and taken away as they are entitled for it. However, it can be omitted in certain situations. For example, the rights to freedom will be provoked and restricted if a person is found guilty of a crime in court. In these kinds of situations, we need to abide the law as it is not applicable to prioritize the criminals' rights as it will affect the safety of the citizens in the country.

The most common earliest human issues related to a person's rights is slavery where unprivileged people succumb themselves into being a person's slave as they don't hold any power and money in their hands. Slavery has existed since the first century where poor people waste the entirety of their lives away under their master's thumb as they don't have the liberty to live their own lives the way they want to. It is quite common for the owner of the slaves to abuse their power over their slaves physically or mentally which affects the slave's mentality and physical health since they were overworked and some were even tortured.

In the late seventeenth century, The Bight of Benin was catching the eyes of the world as it became infamous for being the dominant supplier of slaves for the plantation of the New World. This business of slave trading has made the rulers and merchants of the kingdom of Danhomè more powerful and wealthier and this went on for centuries as the kingdom were still wealthier than ever in the beginning of the twentieth century. For two centuries, there were about two million slaves who were exported from The Bight of Benin and the number of slaves that were exported gradually increased steadily starting from the year 1670 which had helped the kingdom a lot in the aspect of the marketing from agricultural produce. The demand of slaves began in the 1630s when the Brazilian plantations were expanding. Starting from there, English and French merchants quickly follow the lead of the Portuguese and Dutch slave merchants in the 1650s. With that, the kingdom of Danhomè or also known as Dahomey made

their decision to develop an institution to export slaves after years of pondering such decision. This whole slave-labor production eventually evolved in the eighteenth century as the royalties have bought a lot of slaves to support and manage their life such as cooking, washing their laundry and other basic minor things.

A lot of the slaves lived a tragic and awful life as most of their owners looked down upon their status as slaves are at the bottom of the hierarchy. The way slaves were treated was not humane as they were treated like dirt and they can't even defend themselves and fight back as it will only backfire them if they ever step out of line since it can even lead them to their deaths if they dare do so. With that, slaves did not have any say in their lives and they didn't have any rights for their freedom to live their life.

DISCRIMINATION

Discrimination is the act of treating people or a group of people in different and unfair way compared to others. People of different categories are being treated in an unjust way because of the difference in nationality, language, skin colour and abilities. However, Wouter Vandenhoe has stated that he finds "there are no universally accepted definition of discrimination" (2005: 33) in his review of the international treaties that outlaw discrimination. In the documents of the core of human rights, there were no definite definition for discrimination and there were only lists of grounds where discrimination is to be prohibited. In this corrupted world and society of ours, there are a lot of types of discrimination that can be seen nowadays such as religious discrimination, sexual discrimination, race discrimination and disability discrimination.

In a moralized sense, there are different types of discrimination that people do which are direct discrimination, indirect discrimination and organizational, institutional, and structural discrimination. Firstly, direct discrimination is where people state their hatred and disgust in public without a second thought. However, acts of direct discrimination may also be unintentional as some people lack knowledge or sense of detecting their actions as something discriminative and are unaware of the discriminative motive behind such actions. This could be the one of the major reasons why the act of discrimination is still ongoing until this day and age as the unconscious prejudice is still embedded in the mentality of our society. An example

of direct discrimination can be seen in the case that happened in a Romanian town in the year 2002 where several men of Roma descent were refused serviced when they entered a bar. The waiter of said bar showed his defiance of serving the men by pointing out a sign that said “We do not serve Roma”. This case has been ruled by the tribunal of the Romanian people that the men of the Roma descent had been a victim of unlawful direct discrimination (Schiek, Waddington, & Bell 2007: 185).

For indirect discrimination, it is an act of inflicting an unjust treatment to certain people of a group even though they do not have the intention to hurt and give unfair treatments towards them such as showing indifference or showing bias to a certain people. This type of discrimination is also known as disparate impact discrimination in the language of American doctrine. These types of discrimination can mainly be found in a workplace environment. For example, if a company is guilty of doing disparate treatment and disparate impact on their workers, that company can be sued. Disparate treatment is where the employee is discriminated because the employer does not like their age, gender and race while disparate impact is where the policies and regulations of the company are discriminatory (Kapur & Kleiner, 2000). This can be shown in the modelling and airline industry as flight attendants and models have to be in certain heights and weights. Looks are also one of the factors that plays a huge role in becoming a flight attendant and model.

Lastly, there are organizational, institutional and structural discrimination. Organizational discrimination can usually be found in universities, the government agencies, corporations and many more. People are usually confused as some people believe that these kind of agencies does not have an ulterior motive but they are wrong. These organizations have a delicate and detailed plan and intentions and those intentions act as a function to know who the person in charge of the organization are and also for the said person to manipulate their power and authority. For example, the Board of Trustees of a university votes to deliberately excluding certain ethnics or race because of their prejudice and biased thinking. Structural discrimination or can also be known as institutional discrimination (Ture and Hamilton 1992 [1967]: 4) is different than organizational discrimination as it concerns the major sectors and fundamental of life such as family relations, political power, property ownership and so much more (Pogge 2008: 37). The idea of structural discrimination is an attempt to seize a wrong distinct from direct discrimination. With that, Fred Pincus have written that “The key element in structural discrimination is not the intent but the effect of keeping minority groups in a subordinate position” (1994:84).

With that, it shows that discrimination has been happening everywhere for the past centuries and it is still one of the major human issues that is still ongoing. Millions of people from different range of age, nationalities and genders suffer discrimination for years and people need to realize the depth of this situation as it can become worse than it originally is.

Police Brutality

Police brutality is an act where a person who is associate with the law enforcement duties use an excessive or needless force when capturing and dealing with suspects and civilians. This act of police brutality is implying of misuse and abuse of power that was given. Police brutality is usually implied when a person is unnecessarily harmed and injured. However, psychological harm towards suspects and civilians such as intimidating them by using tactics that is far beyond the scope of the usual tactics can also be considered as police brutality.

Police brutality is an obstacle that every nation and country are currently facing especially in the United States of America. One of the cases that has happened was during early August in the year 1997 where reports were made about police brutality that happened in New York City. Abner Louima who was a Haitian immigrant was arrested on August 9, 1997 and was brought to one of the police stations in New York City that was located at the 70th Precinct. The New York Police Department (NYPD) took Louima into the bathroom and tortured him by beating him up severely and even sodomized him with the handle of a plunger. This case was all over the newspaper across the country. However, it was reported by Amnesty International who had done a recent study that there was an alarming pattern of excessive force that was done by the NYPD officers but the local authorities refused to acknowledge that the Louima case was something more than an isolated occurrence (Marshall Miller, 1998-1999).

A feeling of outrage, disgust and sadness has burst among the people across the globe as such tragedy is happening all around the world where the civilians cannot even trust their safety to the police as fear rakes inside their body at the possibility of being one of the victims for police brutality. It is wrong for people to fear the person who they should have no problem trusting as police are the ones who has the job to protect the civilians from danger.

ACCESS TO JUSTICE

“Equal justice under law” is one of America’s most embedded but also highly violated legal principles. However, this principle is nowhere close to describing the justice system in America as there are millions of Americans that is lacking any access to the system (Deborah L. Rhode, 2004) such as their human rights to education and such, let alone being treated as equals. This is also implied to other countries since the injustice does not only happen in America but it happens throughout the whole globe. We are living in a deceitful system where people care more about money and power over merit as people have a thirst for the ecstasy of being powerful and invincible. With that, a lot has happened throughout the centuries where many people have made sacrifices to overcome the bigotry, prejudices, torture and so much more due to the problems and troubles of the human issues.

People have fought with their blood, sweat and tears to be able to gain even a little bit of justice that the old generations could not even imagine of having. One of the acts that has been done by our ancestors to achieve justice was in the late 1970s where the contemporary women’s movement began as acts of sexual assault and violence towards woman that has occurred ever since the beginning of time wasn’t considered as serious and definitely considered as normal. Even though men were sometimes arrested for doing said actions, it doesn’t get the attention it deserves making it seem as if it is not important when people should be in outrage. Sexual violence is usually ignored by legal policymakers and the media also doesn’t give it much mind and attention as it was set inside their mindset that rape and sexual assault was something that just happened (Allison & Wrightsman, 1993) and isn’t considered as something serious. As the movement began in the late 1970s, it has made a huge difference as more people became aware of the gravity of the situation as the movement focuses on rape and sexual assaults as serious crimes that should not be taken lightly and as manifestations of women’s inequalities. With this movement, the public views have slowly begun to change and legal policymakers started to give this situation more attention.

The impact of this movement can clearly be seen in today’s society as there are a lot of laws that protects women that goes through this situation and also laws that protects women from going through this situation. The movement has not only made the women live in a world where their safety can be guaranteed compared to before but this movement has also managed to make women be seen as someone capable. Before the movement, women were treated unfairly and had the image and prejudice of being weak and incapable of doing work except

for doing housework such as cooking, cleaning the house and taking care of the children. Women were not given the chance to prove themselves that they are capable and were barely given a chance to explore and achieve their dreams as the mindset of our ancestors were really narrow-minded where they think only men have the strength and abilities to do different things. This movement gave little girls hope to achieve their dreams as they are now given the right to education as our ancestors never had the privilege to study and go to school. With that, it is a norm to see not only men but also women achieving and discovering great things.

The most recent act of justice that has been done was the protest of police brutality. It all started on May 25th where George Floyd had died due to the white police officer who had knelt on George's neck which had suffocated him and eventually killing him during an arrest (Linda Poon and Marie Patino, 2020, August 29). This incident is not uncommon in America but it still brings an innate fury that unchecked police brutality towards African Americans is still a problem till this day. The incident has spread around the internet and people all around the world were upset, disappointed and furious when they saw the injustice that George Floyd have been a victim to just because of the difference in skin colour. People saw the differences of treatment when the suspect or civilian has light or dark skin and it was clear that darker skin people were treated harsher than the light skin people.

In this modern world where technology dominates the society, a lot of people did protest by signing petitions so that this injustice can be abolished. Social media were filled with videos where people spread the gravity of the situation that the African-Americans face everyday in their daily life and spread information so people all around the world can help to bring them justice as they live in fear, knowing that they could be in danger in any moment. Other than people signing up petitions online and spreading information online to get the attention it deserved, many people have gone outside and protest peacefully to raise awareness about the level of public violence that the communities experience and the protest have also exposed the amount of money that has been spent on police forces and weapons and also exposed the amount of brutality which was said by a professor of African American history at Georgetown University, Marcia Chatelein. A lot of celebrities were seen during the protests and this has helped a lot in raising the awareness of police brutality that is faced by the African Americans citizens. With that, more people were aware of the discrimination and the brutality that some Americans faced and more people try to support and give their hands to bring justice to the African-Americans as they deserve the rights to be treated equally like the white people.

CONCLUSION

In conclusion, there are still so many problems that humans still haven't been able to solve even though people have been trying their best to overcome these obstacles for decades and even centuries. This is because of the mindset of some people who has a narrow-minded way of thinking which may be caused by their environment as there are still a lot of bigotry and biased prejudice that are still ingrained in the society. These issues can cause a lot of damage to our society as it can affect the peace and stability of our country. The human issues have inflicted a lot of pain and hurt towards the society especially to the people who has to face unjust treatment in their daily lives.

With the help and sacrifices of our ancestors, we have managed to abolish some of the problems such as slavery from happening in today's society. There is still more hurdle that we have to go and overcome so we have to hold hands and put our heads together so that justice can be found and all the problems will be abolished one by one in the near future so a peaceful and happy environment can exist in the society.

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