Human Rights Discourse as an Approach to Study Political Regime Change in the Middle East

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Abstract

Enormous researches have focused on human rights discourse in the Middle East developments and provided evidence that the revolutionaries came into conflict with the ruling government affected by the principles and values of human rights. In the present research, to achieve a theoretical framework we deal with questions as how human rights was formed as a discourse? More importantly, how this discourse can be used as an approach in analyzing political system change in the Middle East countries? This study focuses on this problem to provide a convenient theoretical framework in this field. It seems that human rights issues have reached discourse stage both in terms of internal and external factors. Thus, on the one hand a series of internal factors such as economic, cultural, technological and political globalization has made communities ready to perceive and understand human rights and human rights has become a robust and integral part of international law that has universal application, as a series of enforcement mechanisms have emerged to support it. Such conditions are interpreted so that in case rights to be violated, the conscience of the world and supervisory and executive bodies on human rights will reflect effective and preventive feedbacks.

Keywords: discourse, human rights, political system change, globalization.
Introduction

Human rights discourse in the intellectual and philosophical field has a long history in the context of communities as well as in public opinion and politics. However, in the present epoch, human rights extended in all aspects of life and increasingly its place has grown. The situation is even so that influence Middle East region in a way that some analyze political developments in the region in the 2010s in Tunisia, Egypt and Libya from the perspective of human rights causal approach. In this regard, Atul Anja while evaluating Middle East revaluations, believes human rights discourse as an effective factor and states that all protesters in the Middle East revolutions pursued democracy, rule of law and access to citizenship rights and respect for human rights (Anja 2011). Similarly, Anderson, put a side stereotypes about the Middle East and believes that all three countries Tunisia, Egypt and Libya were involved in human rights discourse, with a difference that main issues for Egypt and Tunisia were related to democracy and fundamental problem for Libya was government building (Anderson 2011). In this regard Daheshiar believes that the government's performance in the domestic areas, was led to poverty, misery, humiliation and loss of dignity of the people and in foreign domain it distorted identity and a sense of pride, by destruction of the personality and dignity of society, principles and values of human rights discourse in society, such as freedom, justice, equality, dignity were risen against the political system and for this revolted group in Tahrir Square chanted "bread," freedom "and" human dignity " (Daheshiar, 2012: 439).

In another study on "the development of global discourse on human rights and democracy and liberalism has been emphasized as one of the reasons for the crisis of legitimacy in the current Middle Eastern regimes and it is claimed that this discourse more than anything else focuses on human dignity and citizenship and has deep roots in the "natural rights" and "Islam" (Vaezi, 2013: 294). Some consider this discourse limited to the middle class and claim that unemployed groups that while poverty and frustration had reached an important cultural capital by understanding their rights as compared to the rest of the world were awaken and in this respect they more than other classes of society, were enchanted to globalization discourse, human rights and with other classes in Egypt were combated to political system and calling for change, freedom and justice (Hajj Nasseri, Assadi, 2012: 214). What comes up from the general aforementioned research indicates spread of the human rights discourse in the region. In the present research, to achieve a theoretical framework we deal with questions as how human rights was formed as a discourse? More importantly, how this discourse can be used as an approach in analyzing political system change in the Middle East countries? This study focuses on this problem to provide a convenient theoretical framework in this field. It seems that human rights issues have reached discourse stage both in terms of internal and external factors. Thus, on the one hand a series of internal factors such as economic, cultural, technological and political globalization has made communities ready to perceive and understand human rights and human rights has become a robust and integral part of international law that has universal application, as a series of enforcement mechanisms have emerged to support it. To answer this question we deal with two levels as one of the causes of human rights discourse and changing internal structure the discourse of human right. Innovation of this research is process of discourse formation.
1. Formation of human rights discourse process

Human rights as a discourse is an integral part of international law that has universal application, so that some enforcement mechanisms to support. However, discourse situation stabilized when people around the world become aware of their rights as human rights so that everything was seen in terms of human rights and "the conscience of the world is so sensitive that in case of violation of the rights and violation of human rights, the conscience is hurted and reacts (Katozian, 2007: 127). But formation of this discourse is result of economic, political, social and cultural interaction worldwide (Kerkudal and Ferbrader 2002 100). Aside from the various global processes, a series of issues such as racial discrimination, privilege, freedom of thought, opinion and expression in the form of slavery and the buying and selling of human and blind religious prejudice throughout history have suffered humanity providing underlying data and documents human rights standards "(Sharifi, 2009: 293). In addition to the historical accumulation of stuff that was all to the detriment of humanity, modern crises of the twentieth century as World Wars I and II that such a disgrace on the forehead of the Cold War remained in the history of mankind, has led the international community to take shape and some the government even under the pretext of human rights in the face of each block. This wave was intensified after the end of the Cold War and many European nations sought liberation from the tyranny of communism, have the opportunity to embark democratic transition process. In addition, international efforts to promote human rights watchdog, debilitating ideological and political slogans of past have escaped. These developments have enabled the United Nations to be increasingly centered on the barriers to human rights (Bauer Jntal, 2000: 99).

In total, according to Richard Falk, globalization by help external and internal forces of from above and from below paved the way for the formation of a culture of human rights. Globalization from above relates to the activities of transnational corporations, international organizations, economic and investment cooperation between governments and big agencies and so on. On the contrary, globalization from the bottom includes public participation at the local level, civil societies and NGOs to increase as part of the "Strengthening organizational forms and activities over time is associated with global civil society" (Kazemi, 2004: 259). The human rights discourse under the auspices of the United Nations, and affected by other processes of globalization such as "economic", "technology", "culture" and "political" were extended to the whole world. Following, in a theoretical framework and to achieve theoretical model initially processes are mentioned and the evolution of the global human rights discourse processes should be studied.

1.1. globalization process

In the process of globalization various factors involve in form of different aspects. Such dimensions in the form of "political, economic, cultural and social, events are increasingly linked and ingrained (Baylis and Smith, 2004: 33- 34). These aspects of globalization in addition to being influenced by each other, each serves as a cause of human rights discourse with active role but emergence of this relationship is bidirectional. In the same way that the human rights discourse has no identity apart from such dimensions it subsequently affect all these dimensions. Despite the intertwining of this dimension, economic dimension, the first dimension of globalization theoretically and operational and theorized was published in other domains (KraŠner, 1998: 28). By any definition of economic globalization, even though the
words "Scott Lash" and "Yuri" as "advanced capitalism" know (Sazmand, 2005: 55), state power is limited and, more importantly, economic growth plan, rights promote human will. Whether economic growth through increased employment and income, whether through improving and extending the possibilities for more people to increase access to health care, food, clothing and shelter (Kerkudal and Ferbrader: 2002: 101). In addition, global economic institutions usually before investing, there are some demanding situations such as the rule of law, transparent and clear measures, and international disputes are resolved. Conversely, if the government in the face of globalization and reductionist weak, then it cannot be influenced by political, social and economic affairs to adjust. As a result, the public services, the gap, exacerbated injustice and inequality can do and this situation, the discourse of human rights revolution. The situation becomes dangerous when the government communication technology is disseminated. Communication technologies are one of dimensions linked to the economic domain in the context of globalization. In this regard, Castells believes that "new world" was emerged because of the symmetry of the three independent process, and the information technology revolution, the economic crisis of capitalism and the state of democracy, prosperity, socio-cultural movements at the end of the second millennium in turn has manifested "network society (Sinaee- Ebrahim Abadi 2004: 199). In the network society, international relations and global communications increases so that with the creation of internet and virtual networks, some spatial and temporal changes occur leading to "time compression"(Toffler, 2002: 68). One possible outcome of this process is "the arrival of new actors in the international arena", "reduction of state monopoly in the field of information and limit its sovereignty" (Taheri, 2002: 36), "raise political awareness" and "change society's socialization ". In this framework, information on human rights abuses in the worlds faster and human rights advocates with information and support in the face of oppression, besides the ability of governments to secrecy about human rights violations is reduced. In addition, communication technology changes nature and cause of people's lives to change and enforces world solidarity against injustice. Cultural globalization is somehow a ground of human rights globalization as well. In the context of Robertson cultural definition on globalization, economic globalization occurs not by theory but by global interdependence and consciousness of the world as a unified (Sazmand, 2005: 55). Of course, in this process, a culture of reaction unit does not necessarily reflects integration of different reactions, such as "assimilation", "particularism" and "cultural synthesis". In all these cases, especially in the narrative of universal culture, global culture of liberal democracy and common human values such as human rights, the fight against organized violence is prominent (Golmohammadi, 2004: 156). Fundamental changes in traditional society's cause's culture of obedience and patrimonial submissiveness be substitute with demanding mood. In this process, culture is provided to keep track of individual and social rights. This process of reproduction authoritarian power structure puts me in a prior relationship with the government to change the society. The last dimension of globalization in an authoritarian states the policy. In the field of global politics, global civil society forces having communication channels, your wishes to transfer the grassroots level in many communities and increased awareness and people's expectations. If governments fail to meet the expectations of accountability and legitimacy are in crisis and subsequent wave of pro-democracy spreads. Therefore, during this process, "the components of good governance such as accountability, transparency, rule of law, participation, resources, justice, accountability is of great importance (Schulte, 2003: 183). If the political system is incapable of understanding the changes or refusal of democratic reform, it cannot await a promising fate.
2.1. The constitutes of global discourse on human rights

In the development of human rights discourse exogenous factors or bottom-up factors of society and state are not enough but there are urgent needs to pay special attention to the interactions of structural human rights discourse. To study formation of the human rights discourse concerning the evolution of structures in three areas of "theoretical - philosophical", "Legal - normative" and "executive -political" is required to be addressed.

Philosophical or theoretical constructs or micro-discourse has been a series of principles. The most important principles are the principle of "dignity and human dignity", "freedom", "equality" and "justice". Although these principles rooted in human nature but binding nature of is rooted in human rights documents as well. Article 1 of the Universal Declaration emphasizes that "all human beings are born free and are equal in dignity and rights. All human have wisdom and conscience and should act towards one another in a spirit of brotherhood. "Such attention also in the form of natural law has been proposed by philosophers and philosopher's theoretical performance as the philosophical basis of human rights is natural rights of man. The importance of natural law in the formation of human rights in a way that is acknowledged in the definition of human rights Human rights law sets based on the theory of natural rights of human beings are identical to natural law and natural and integral part of human existence and legal entities (domestic and international) must defend it (Ashouri, 2015). This sub-discourse will be fruitful in light of the human rights discourse.

Normative - legal sub-discourse were formed substantially after World War II quickly affected by war devastation. The international community with the United Nations Charter (1945) and the Universal Declaration of Human Rights (1948) advocated Human Rights and by subsequent international treaties and conventions numerous legal situation requires states to respect these rights. Including texts influence on the development of normative human rights and rule of law commitments made legally binding, International Covenant on Civil and Political Rights, which include the right to life, political participation, freedom of speech, liberty and security of person, freedom of belief and religion. Such rights will be binding for the states and must be implemented without discrimination. The other text include International Covenant on Economic, Social and Cultural Rights (second generation) that identifies the right to livelihood, housing, health, family, employment, social security, enjoyment of education, labor and strike assembly (leucine Zahedi, 2009: 222). This discourse (normative), is formed when that "in the light of political discourse executive, international mechanisms affecting the internal mechanism comes into question" (Sharifi, 2011: 9). Executive discourse, not only to limits the scope of government control and influence and even control but inflation problem goes away norm in the normative discourse. At this stage, will guarantee legal norms imposed. Therefore, human rights and the establishment of appropriate mechanisms of structure while extending its normative, including matters of national attention in recent decades and international organizations were located (Naghibi Mofrad, 2010: 69). This situation is conducted through a number of administrative and regulatory system such as the United Nations, international non-governmental organizations and civil society institutions as the International Criminal Court, the General Assembly, "the Economic Council and the Security Council, International Court of Justice."
Figure 1: Theoretical-based conceptual model
Concluding remarks

As it was mentioned, complex processes of globalization and intellectual developments and legal conditions have paved way for understanding a cultural world and based on human rights in such a way that human rights principles and supporting institutions has become a accepted principle and has become indispensable in the global arena. Behind these developments and complex processes of globalization, the horizons of the new conditions were found in the area of human rights that in as window for humans and can be used as "moral- spiritual assets, which belongs to all mankind. They are at the top of any hierarchy of rights and are often used to challenge other rights claimers (Ons, 2010, 203). Thus the various processes of globalization removes government out the governance and at the same time sensitize society benefiting of growth and development in economic, socio-cultural and technological field compared to the values and principles of human rights such as freedom, justice , equality, dignity sensitive and therefore normative demands and rights in civil, political, social, cultural and economic fields. This means that society on the one hand demand political rights - such as freedom of expression and political participation and on the other hand economic rights, social and cultural rights as well, and benefit from education ... to demand the right to form families. At the same time the situation is affected by intellectual devices and structures of human rights covenants and treaties such as the development of normative and operational international channels and it may be argued that both of these factors plays a fundamental role in shaping human rights discourse and are complementary.

In the end, it seems, according to what is stated in the formulation of the question to design and development of theory and theoretical models obtained can act as a management approach. this is simultaneously the practical aspects of the Middle East is faced with waves of globalization, communities were more or less aware of their rights and Governments refused to accept the changes done and why traditional authority has been challenged them. Therefore, the development of human rights, in turn, created a political atmosphere in which the protection of human rights is one of instructions for major international issues that involved governments, intergovernmental organizations and non-governmental organizations.

In this issue of globalization and its impact on the human rights dimensions of the achievement of universal human rights discourse was three in the discourse theoretical, normative and operational human rights in a connected process were analyzed in detail. Looking at this in discourses focused on a theoretical model to describe the following was extracted from the analysis of political developments in the region in the Middle East.
References


Ashouri, D., (2015), Political encyclopedia, glossaries and political institutions.


Jntal Bauer, Thomas, (2000), Structural transformation and norms in international human rights law, strategy, eighteenth numbers.


Schulte, Ian Arlt, (2003), Scrutiny to globalization, translation M. Karbassian, scientific and cultural publications.


Taheri, A., (2002), Information and communication technology, globalization and its political implications, legal research and policy, (8).

Toffler, Alvin, (1992), The Third Wave, translation Shahindokht Khwarizmi, a new publication, Tehran.

Vaezi, Mahmoud, (2013), Political crises and social movements in the Middle East, theories and trends, administer the publication of the Ministry of Foreign Affairs.

Zahady Lucien, raha, (2009), Generations of human rights, the key concepts of international human rights law, compiled by Zakerian Mahdi, the legal foundation.