

# Reflections on Social Work and Human Rights

*Dr Sara Ashencaen Crabtree & Prof Jonathan Parker*

The workshop from which these notes were taken was presented to social and community development workers, members of the Malaysian Association of Social Workers and non-governmental organisations at the Methodist College, Kuala Lumpur on March 28, 2014. It was delivered in two parts comprising theory and thought, and the examination of practice implications with case studies from our current work with the Jakun Orang Asli communities in Tasik Chini, Pahang, Malaysia.

## **Social Work and Human Rights: Theory and thought**

This part of the seminar focused on what social workers do and what guides them in respect of human rights-based work. The discussions took the lead from the internationally accepted work of the International Federation of Social Workers (IFSW),<sup>1</sup> whilst acknowledging some of the problems and controversies that arise when considering global thought. Diverse cultural perspectives were recognised but these were problematised. The development of human rights theory and thought was briefly considered.

The session ended by exploring some of the implications of the Regional Global Observatory for social work that captures a number of the rights-based practices across the world complying with the Global Agenda for Social Work under IFSW.

### *Social workers, human rights and what guides them*

Most of the discussions were based on the core principle that human rights are considered central to social work. It is unlikely that anyone would argue against this as an ethic for building and developing practice. We suggested, however, that the concept of human rights was more problematic than it seems on the surface. It can sometimes be construed to imply absolute values to which all must subscribe. Such an interpretation usually posits a particular perspective and may therefore potentially exclude and deny the importance of alternative and diverse thoughts and practices. Although a more morally relative position also raises problems, as we discovered when looking at cultural diversity issues.

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<sup>1</sup> <http://ifsw.org/resources/publications/human-rights/>.

Social workers adopt a human rights approach by:

- Meeting and balancing needs, risks and human rights in everyday practice
- Undertaking professional social work tasks with individuals, families and groups by helping people achieve change and helping them to undertake a social analysis of their current status.
- Operating as social catalysts to encourage the process of change via building trust and social relationships with the people they work with.

The IFSW position, which states that social work is a human rights profession, is accepted but has raised considerable debate.<sup>2</sup>

A critical appreciation of this through a variety of perspectives which help us to understand some of the uncertainties demanding professional engagement and judgment from social workers is provided by Healy.<sup>3</sup>

In the UK, Williams<sup>4</sup> explored the impact of the 1998 Human Rights Act on social work practices. This law made the European Convention on Human Rights directly enforceable by the English courts and tribunals. In itself, this represented a major constitutional change and Williams discusses the many implications for social work policy makers, managers and practitioners. The law makes the Convention on Human Rights the heart of social work practices.

However, we discussed the ambiguous position of social work as currently organised and practised in the UK where the majority of qualified social workers are employed by local government and therefore owe duties towards their employers as well as to those with whom they work. This situation results in potential conflicts which demand an ethic that can legitimately ensure that professional social work practice follows a rights-based approach rather than one diminished by its local government employee status.

The IFSW has an overarching Statement of Ethical Principles and demands that each member association internationally develops its own, which requires the recognition of Human Rights in social work practice and states how these will guide practice. This provides a degree of cultural relevance and specificity that helps to move us away from an absolutist position. The IFSW statement is based on international human rights conventions and ethical codes.

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2 Ife, 2001.

3 Healy, 2008.

4 Williams, 2001.

### *Diverse cultural perspectives*

Human rights perspectives acknowledge that individuals are born into specific, diverse and powerful cultures and cultural values. Culture is not static but constantly changing. It is also pluralistic and in our increasingly mobile world is something that shifts as individuals make life choices. This demands that social workers carefully assess each situation on its own merits for cultural and human rights implications as they are bound to differ.

The United Nations' concept of human rights is closely tied to the belief that a person's culture is precious and central to their identity. The rituals associated with the birth, way of life and death of human beings give meaning to lives shaped by cultural understandings. Therefore, removing or denying one's cultural heritage is tantamount to denying the legitimacy of their identity.

The United Nations' position adopted by IFSW is that everyone can benefit from the experience of other cultures as it allows for sharing, growth and understanding of differences. The Universal Declaration of Human Rights says "everyone has the right freely to participate in the cultural life of the community" and by implication IFSW suggests that it also means that no one has the right to dominate, direct or eradicate that culture or impose theirs on others.<sup>5</sup>

This position, however, can cause problems in setting the concept of culture as inalienable, which in itself can lead to oppressive and abusive acts against others.

### *Problematic concepts for theorising human rights*

The IFSW stresses that culture must never be used as an excuse to commit human rights violations or deprive certain groups of their rights in defense of "maintaining traditional values". Unfortunately, in the UK we have seen the consequences of this where social workers do not intervene for fear of being challenged as not respecting culture or being 'racist'. This inaction was evident in some of the practices which failed to take action in preventing the abuse and eventual death of Victoria Climbié, the African child who was in the care of her abusive aunt and her partner.<sup>6</sup>

Further examples include a recent discussion in the International Association of Schools of Social Work concerning the death penalty for homosexuality in Uganda. Sewpaul<sup>7</sup> recently reported on a challenge to social work support for the death penalty for homosexuals in Uganda in being criticized as denying the cultural and traditional values of Ugandans and therefore illegitimate.

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5 [www.ohchr.org/EN/UDHR/Pages/CrossCuttingThemes.aspx](http://www.ohchr.org/EN/UDHR/Pages/CrossCuttingThemes.aspx).

6 Laming, 2003.

7 Sewpaul, 2014.

The IFSW webpages use the example of female genital mutilation quoting Article 5 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which calls for countries that have ratified the Convention to:

“Modify the social and cultural patterns of conduct of men and women with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.”<sup>8</sup>

Female genital mutilation is assumed to affect an estimated 100 to 140 million girls and women worldwide and represents a significant problem reflecting gender power relations.<sup>9</sup> Whilst it is argued that this reflects traditional cultural practices and should therefore be permitted it omits a gender power relations analysis based on a critique of patriarchal hegemony. It therefore fails to consider human rights in an intersecting ‘deep’ manner. Rather it stays at the ‘surface’ level which sees only one perspective.

What these examples – local and global – indicate is that although we cannot suggest absolute values to which all *must* subscribe, culture and identity should be respected. We suggest instead, common and universally applicable values which we would expect social workers to hold. This would enable them to state that something is right or wrong, rather than hiding behind cultural relativity to justify inaction. The examples also indicate that it is important to recognise that human rights issues are complex and involve intersecting aspects which require a judgement to be made on available evidence in the light of social work ethical codes.

### *Development of human rights*

It has often been suggested that human rights has developed as a Western concept. The development of human rights has often been traced back to the eighteenth century during the waning influence of the monarchy and growing power of the ordinary citizen. This promotes the idea that human rights are based on individual rights to life, liberty and personal freedoms and security. This may be different for different peoples and cultures.

However, this reflects a degree of culturally assumed arrogance that fails to recognise the plurality of ethical and rights-based developments throughout the world. As the IFSW points out, many central elements of human rights have also been present in non-Western societies from the global South to the global North throughout history.

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8 CEDAW, [www.ohchr.org](http://www.ohchr.org).

9 [www.who.int/mediacentre/factsheets/fs241/en/](http://www.who.int/mediacentre/factsheets/fs241/en/).

The manner in which human rights perspectives develop is interesting. The concern for civil and political rights represents the first wave of human rights; the second wave concerns the demand for economic, social and cultural rights – and currently a third wave of rights is recognised– the right to peace, development and environmental protection. It is this last set of rights that is increasingly important for social workers and something that we are only just beginning to come to appreciate. We have worked in conflict resolution and in arenas of conflict throughout the 20th century. Social workers have also been instrumental in development throughout the world but the concern for environmental protection takes this element of rights-based approaches further. It is something that is particularly important to our work with the Orang Asli of Tasik Chini.

The IFSW indicates that social workers across the world promote and protect human rights through programmes and policy development, administration of socially just programmes and advocacy. However, this represents an ideal situation. It is not something that is apparent in all the practices and theorisations of practice in contemporary social work. It is something for us to strive towards.

### *Global agenda*

The key international organisations working together to develop a global understanding and repository of social work are: IFSW,<sup>10</sup> IASSW<sup>11</sup> and ICSW.<sup>12</sup> These organisations strive for:

- *Dignity and worth*
- *Environmental sustainability*
- *Importance of human relationships*

And underlying all of the above:

- *Creating professional education and effective and ethical working environments*

The Global Agenda is closely linked to the UN Millennium Development Goals, which seeks to:

- Eradicate extreme poverty and hunger
- Achieve universal primary education
- Promote gender equality and empower women

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10 [www.ifsw.org](http://www.ifsw.org).

11 [www.iassw.org](http://www.iassw.org).

12 [www.icsw.org](http://www.icsw.org).

- Reduce child mortality
- Improve maternal health
- Combat HIV/AIDS, malaria and other diseases
- Ensure environmental sustainability
- Develop a global partnership for development

The current remit and theme for the Global Agenda concerns “*promoting social and economic equalities*”. Findings from across the globe regarding institutional social work compliance with the Global Agenda will be reported at the Social Work Congress in Melbourne, July 2014. At Bournemouth University, UK we have contributed three submissions to the exercise:

1. Malaysian international placements with Universiti Sains Malaysia and Universiti Sarawak Malaysia.<sup>13</sup>
2. WAVE - Working with adults who are vulnerable – a comparison of curricula, policies and constructions.<sup>14</sup>
3. *Ubuntu*, a UK-South African comparative study of kinship care.<sup>15</sup>

### **Social Work and Human Rights - Practice implications**

The second part of the seminar focused on practice issues arising from human rights based approaches to social work and covered the following areas:

- Problematising the concept for practice
- Examples from previous research
- Case study – Orang Asli at Tasik Chini

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13 Ashencaen Crabtree et al, 2012 Baba et al., 2010; Parker et al., 2012; forthcoming.

14 Parker et al, 2012.

15 Davey et al, forthcoming.



Photograph of the Orang Asli at Tasik Chini some 60 plus years ago.

### *Problematic concepts for practice*

Empowerment is an over-used term still employed in an uncritical way. The question is: what right do we have as social workers to empower other people. The implication is that we have power. If this is the case we need to acknowledge and critique the power and deconstruct where it comes from. It implies that we are part of the political infrastructure in societies that is legitimised and therefore accorded power. Problems arise, however, when resisting government policy and practice. Our work is concerned more with giving people voice and of finding ways to assist them in speaking “truths to power”. This relies more on our guiding values and our skills. It also leads us to consider the following issues:

- *International social work - what are we trying to achieve in international social work?*

There are various points of view, such as gaining international knowledge and experience to deal more competently with local heterogeneous populations within our own cultures. Or a comparative global perspective that informs our understanding of social policy and practices. Or pragmatically, global mobility and marketability – the ability to practice internationally.

- *Definitional disagreements of global social work.*  
This has generated interesting international debates with reference to achieving consensus, where some definitions may be interpreted as aiming for wide-scale social harmony or viewed as suppression of difference or of dissenting voices.
- *Social work as individualistic or communal, case working or community development.* This tends towards rehearsing cultural stereotypes such as, so-called 'Western' social work prioritises individual casework. While it is true that community development approaches have been regrettably deprioritised in the UK compared to Malaysia, for example, this is a tradition that fortunately continues to thrive in other Northern European countries.
- While social work needs to be carried out at micro, meso and macro levels, the profession recognises that *participatory approaches* contribute to a healthy, democratic society by challenging top-down imposition of policy and practice, which insufficiently recognises the importance of grassroots development, local knowledge and solution identification.

### *Examples from previous research*

In considering the topic of human rights and social work, the following examples of two main theses from research literature were offered for reflection:

- **Main thesis:** rise of intolerance for religious diversity and different cultural forms. This threatens the multicultural agenda of Malaysia, its social cohesion, profile and competitiveness – and ultimately its international standing.<sup>16</sup>
- **Main thesis:** Islam is fully compatible with a human rights discourse under the following circumstances: acknowledgement of children's and women's rights; respect for diversity; freedom of apostasy without penalty.<sup>17</sup>

### *Case study Tasik Chini: social and economic inequalities*

The people here earn a precarious living off the land as subsistence farmers with the majority below the Malaysian poverty line. Below, far left in the picture, is Ah Moi at home. Her mother is Orang Asli and father Chinese. Her father was crippled after a tiger attacked and bit off his leg. Ah Moi is a very intelligent girl who did well at school and should have gone to university. However, she earns a

<sup>16</sup> Hew Cheng Sim & Ashencaen Crabtree, S, 2012.

<sup>17</sup> Alean Al-Krenawi, 2012.



living as a rubber tapper and acts as a grassroots social activist on behalf of her people to challenge the devastation of the local environment and appropriation of traditional, native land.



## Findings

Our work has been a short ethnography of the people and their struggles with modernisation of the area. Mining and logging have caused increased pollution of their lake and associated problems with living from the land. We have found the following in our work:

- Assimilation rather than integration being promoted, and a slow destruction of the people's lifestyles.
- Struggles for recognition and voice and hence nowhere to have their grievances heard.
- Dispossession of lands and traditional lifestyles, leading to poverty traps and welfare dependency through the provision of oil palm land and remuneration for it without working the land.
- Anger, loss and grief that has led to a 'learned helplessness' because nothing they say or do changes the situation they find themselves in.
- Betrayal and loss of trust feeds the above.

- Grassroots social activism is present.
- Capitalism and commoditisation changes their cooperative styles of working creating independent competition within communities.
- The rhetoric of 'DEVELOPMENT' used as a means of requiring compliance.
- Fear of repercussions should the people protest.
- Non-consensual (by the people) 'representivity' rather than real representation being secured leading to the people staying voiceless.

### *Conclusions*

Social work as part of the 'mainstream' occupies an ambivalent position. It could seek to empower the marginalised but tend to reflect governmental positions which have led to current situations, together with the enacting of legislation, rather than working alongside people at the margins of societies. Such contradictions in the profession have yet to be resolved except in a democratic society grassroots, participatory approaches work towards recalibrating a top-heavy balance of power.

Accordingly social work has a responsibility to hear the stories of people who are marginalised by social and political change, whether that change is benign or otherwise. It is by hearing these voices and campaigning alongside peoples that social workers can promote human rights. Thus raising the profile of social work as a profession fundamentally and conspicuously concerned with ethical and moral positioning in society.

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