

## Human Rights in Global Politics

There is a stark contradiction between the theory of universal human rights and the everyday practice of human wrongs. This timely volume investigates whether human rights abuses are a result of the failure of governments to live up to a universal human rights standard, or whether the search for moral universals is a fundamentally flawed enterprise which distracts us from the task of developing rights in the context of particular ethical communities. In the first part of the book, chapters by Ken Booth, Jack Donnelly, Chris Brown, Bhikhu Parekh and Mary Midgley explore the philosophical basis of claims to universal human rights. In the second part, Richard Falk, Mary Kaldor, Martin Shaw, Gil Loescher, Georgina Ashworth, Andrew Hurrell, Ken Booth and Tim Dunne reflect on the role of the media, global civil society, states, migration, non-governmental organisations, capitalism, and schools and universities in developing a global human rights culture.

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# Contents

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<i>List of contributors</i>	<i>page</i> vii
<i>Preface and acknowledgements</i>	ix
Introduction: human rights and the fifty years' crisis TIM DUNNE AND NICHOLAS J. WHEELER	1
<b>I Theories of human rights</b>	29
1 Three tyrannies KEN BOOTH	31
2 The social construction of international human rights JACK DONNELLY	71
3 Universal human rights: a critique CHRIS BROWN	103
4 Non-ethnocentric universalism BHIKHU PAREKH	128
5 Towards an ethic of global responsibility MARY MIDGLEY	160
<b>II The practices of human wrongs</b>	175
6 The challenge of genocide and genocidal politics in an era of globalisation RICHARD FALK	177
7 Transnational civil society MARY KALDOR	195
8 Global voices: civil society and the media in global crises MARTIN SHAW	214

9	Refugees: a global human rights and security crisis GIL LOESCHER	233
10	The silencing of women GEORGINA ASHWORTH	259
11	Power, principles and prudence: protecting human rights in a deeply divided world ANDREW HURRELL	277
12	Learning beyond frontiers KEN BOOTH AND TIM DUNNE	303
	<i>Index</i>	329

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## Preface and acknowledgements

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*Human Rights in Global Politics* developed out of a conference which brought together some of the leading theorists and activists working on human rights. We asked them to reflect on the growing disparity between the almost globally accepted standard for the protection of universal human rights and the daily denial of those basic rights to millions of people.

The Department of International Politics at Aberystwyth was an appropriate venue for the conference. After all, the first ever endowed chair in the field was instituted to advance ‘a truer understanding of civilisations other than our own’, a theme which recurs in this volume. We wanted to harness this normative ambition to new thinking in international theory. Our guide in this respect was an earlier conference entitled ‘After Positivism’ – later published by Cambridge as *International Theory: Positivism and Beyond* and edited by Steve Smith, Ken Booth and Marysia Zalewski – held in Aberystwyth seventy-five years after the birth of the discipline. We are delighted that Cambridge University Press is publishing the revised proceedings of this second in a series of conferences. Throughout the preparation of the volume, John Haslam has been a very encouraging commissioning editor. He attended the original conference and has stood by the project from the outset.

Our aim to gather together some of the most influential scholars in the world was made possible in large measure by the Cadogan Research Initiative of the Higher Education Funding Council for Wales. Generous financial support from the University also enabled us to extend the scope of the conference beyond the contributors to include a number of distinguished guests: Hayward Alker, James Der Derian, Michael Freeman, Andrew Linklater, James Mayall, Radmilla Nakarada, Margo Picken, Hidemi Suganami, Ann Tickner and R. B. J. Walker. We recorded the conversations generated by the panels and have drawn from them in the course of producing this book.

As ever in a project of this kind, we have benefited enormously from the support of colleagues in the Department. In particular, we owe a

special thank you to Steve Smith for his guidance during the planning stages, his overall contribution to the occasion and his constant probing of our assumptions about the metatheoretical foundations of the human rights discourse. We would also like to thank Michael Cox for the characteristically discerning advice he provided during the completion of the book. Our other two debts can also be traced back to the history of this Department since both of the individuals in question were 'Inter Pol' students in the early 1960s.

R. J. Vincent's book on *Human Rights and International Relations* has had a profound influence on our thinking on this subject. In this and in his later work, Vincent combined a cosmopolitan moral awareness with a keen sense that political power is concentrated at the level of states. We have often expressed our personal regret that his tragic and premature death denied us the opportunity of hearing his reflections on human rights in global politics some ten years after his *magnum opus*. As a mark of our admiration for his work, we dedicate this book to his memory.

John Vincent's contribution to the 'academy', as he liked to call it, is celebrated annually in the form of a memorial lecture given at Keele University. Ken Booth gave the second R. J. Vincent Memorial Lecture on 'Human Wrongs and International Relations'. Although an admirer of Vincent's contribution to the discipline, Booth expressed disquiet about the capacity of sovereign states to enhance human rights. The difference between Booth and Vincent can be framed in terms of whether international society is a civilising or a corrupting force. Our introduction to *Human Rights in Global Politics* examines whether it is possible to steer a course between these two positions. Additionally, it provides a sustained discussion of the unifying themes of the volume.

Not only has Ken Booth been one of the foremost influences on the eventual shape and content of the book, he has also been typically generous with his time despite the clamour of other commitments. Both of us would like to thank Ken warmly for his unstinting support and for demonstrating that, when it comes to human rights, the professional is the personal.

Descending from the summit of the intellectual influences that have guided our thinking on the subject, we would like to acknowledge all those who have assisted in the publication of the book. The anonymous referees provided very important comments and constructive criticisms, as did Marysia Zalewski on chapter 10. A special thank you to Elaine Lowe, whose patience and technical skill are apparently limitless. In addition, Pauline Ewan provided us with valuable assistance in the final production of the manuscript. Lastly, the other members of the

Department provide an environment in which research is prized and ideas matter. Tim would also like to thank Caroline for not allowing academic matters to get in the way of life.

At the outset, we took the view that the royalties from the book should find an appropriate destination. All the contributors agreed to our suggestion that we should donate the money to Sight Savers International, a non-governmental organisation committed to the elimination of blindness and visual impairment. With this, it is our hope that reading human rights may in a small way be eliminating human wrongs.

TIM DUNNE AND NICHOLAS J. WHEELER  
*Aberystwyth, June 1998*



*Part I*

Theories of human rights



# 1 Three tyrannies

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*Ken Booth*

Another race is only an other, strolling  
on the far side of our skin, badged with his weather

Carol Rumens

A few weeks after the conference which led to this book I was in Cracow, south-east Poland, unable to sleep. My insomnia had less to do with how I thought I would feel in the morning – as a day-tourist in Auschwitz – than with the noise being made by a succession of student revellers in the street below. By a strange coincidence, one of the books I picked up to pass the time contained the poem ‘Outside Oswiecim’ by Carol Rumens, two of whose lines are quoted above.<sup>1</sup> In a few words she gives poetic legitimisation to the point of my paper at the conference from which this chapter is derived. In her rejection of the fashionable definite article and capitalisation (*The Other*) in favour of the lower case and indefinite article (*an other*), Rumens is rejecting the politics of the concentration camp in favour of a common humanity ontology, *an other* regarding politics. It is an inclusivist rather than an exclusivist view of being human, human being. *The Other* is an alien: *an other* is all of us. Words – even small words like definite and indefinite articles – can be tyrants; they can both kill and set free. Who we are and what we might become is in a word. Whether one was inside or outside Auschwitz at a certain period, permanently, was in a word.

The purpose of this chapter is to discuss the language of human rights, and in particular three tyrannies in the way we conceive, approach and talk about human rights. The discourse of human rights is potentially crucial to human history because it is part of the language of the human species’ self-creating emancipation from natural and societal threats. There are well-known difficulties in according rights such centrality in the human story. They are neither a panacea for overcoming injustice nor do they exhaust ethical possibilities; duty and responsibility also have a place.<sup>2</sup> Nevertheless, I believe that the self-interest inherent in the idea of entitlements is better calculated to encourage reciprocity

Table 1. *The three tyrannies*

Tyranny	Danger	Escape
The present tense ('presentism')	Common sense	Sociality theory
Cultural essentialism ('culturalism')	Traditionalism	Emancipation
Scientific objectivity ('positivism')	Relativism	Universality

and the extension of moral obligation, especially across borders, than appeals to duty and responsibility at this stage of global history.

I will label the three tyrannies around which the chapter is organised the tyranny of the present tense ('presentism'), the tyranny of cultural essentialism ('culturalism') and the tyranny of scientific objectivity ('positivism'). Together, these constitute sets of attitudes, almost an ideology, which imprison human rights potentialities in a static, particularist and regressive discourse, reproducing prevailing patterns of power rather than the reinvention of the politics of human possibility. In place of this negative ideology – whose proponents, ironically, tend to have a self-image of sense, sensitivity and sophistication – I want to argue for a discourse of human rights embedded in the potentialities of human sociality, a politics of emancipation, and a philosophy of universality. The framework for the chapter is summarised in table 1.

### **The tyranny of the present tense**

In this section I want specifically to address the historical implication of the 'common sense' view that human rights are reflections of what is often seen as the so-called human condition – a world made up of people(s) with essentially 'tribal souls'.<sup>3</sup> Human rights from this perspective derive from communitarian values; not only is this so, but it must be the case, for rights can only develop on the bedrock of the values of distinct ethical communities. This view attacks the very heart of the idea of universal human rights, asserting that – because we do not have a 'universal ethical community' we cannot have 'universal human rights'. One counter is sociality theory. Sociality exposes and emphasises the openness of human social potential; it challenges the assertive *is*, with its implications both of a full knowledge of the world ('we describe the world as it is') and of timelessness ('this is how it is').

The provocation to think of the present tense as a *tyranny* when discussing International Relations came from reading Michael Carrithers' book, *Why Humans Have Cultures. Explaining Anthropology and Social Diversity*.<sup>4</sup> He describes the problems in anthropological work caused



by phrasing disclosures about societies in the present tense (what he calls the 'ethnographic present'). This tendency, which became well established before the Second World War, came to be called 'presentist', and was associated with the adoption of ahistorical perspectives on societies and cultures. It was subsequently criticised for underestimating the complexity of the social world, for producing unfruitful generalisations, for disregarding the historical character of social experience, and for reducing the understanding of human relatedness across the globe. I want to argue that presentism has had a similar impact on human rights thinking, and that it should be criticised for a similar range of reasons.<sup>5</sup>

Running through Carrithers' argument is his belief that anthropologists have thought too much in terms of humans as animals with cultures, and not enough as animals with history.<sup>6</sup> This has revealed itself in the tendency of anthropologists to represent cultures in the present tense, as was evident, for example, in the study of his own special interest, the ancient Hindu sect of the Jains. 'Jains do this and Jains do that', he reports some anthropologists as saying, a formulation which easily leads to the belief that Jains have always done this and have always done that. Carrithers' own work has shown that this has not necessarily been the case. We can see exactly the same tendency in the way some people talk about human rights: they look around, and observe that humans do this and humans do that – usually focusing on the nastier side of human behaviour – which then quickly leads them to the conclusion that humans have always done this and have always done that – and always will.

The tyranny of presentism, which produces and reproduces ahistorical perspectives in both Anthropology and human rights, can be countered by adopting a macro-historical approach. The latter underlines the persistence of change. Historical anthropology shows that each society reproduces itself, but not as an exact copy. We inherit scripts, but we have scope – more or less depending on who, when and where we are – to revise them. The result, in Carrithers' words, is that:

We had thought that humans were just animals with cultures . . . intelligent, plastic, teachable animals, passive and comfortable to the weight of tradition. Now we see that humans are also active, they are also animals with history. They are inventive and profoundly social animals, living in and through their relations with each other and acting and reacting upon each other to make new relations and new forms of life.<sup>7</sup>

These brief points emphasise the mutability of human experience – plasticity, change, temporality, metamorphosis, interactivity – all related to the sociality wired into the consciousness of the human animal. It is

from this perspective, thinking of humans as ‘animals with history’ rather than from the perspective of temporal parochialism as well as ethnocentrism, that we should contemplate the question: ‘Are human rights universal?’

The best response to such a question is to refuse to start from here (this place, this time). How do we know whether human rights are universal? It is too soon in history to say. Once we start thinking along these lines, future history becomes more open; if at the same time we begin to recognise how open it was in the past – and not allow our knowledge of the historical outcome to dominate our understanding of the possibilities at the beginning – then our perspective on human rights should alter radically. The key move is to anthropologise and historicise human rights, and to see the culture of human rights as one aspect of our species’ cultural evolution. To do otherwise is to be oppressed by presentism, and its twin, ethnocentrism, and so miss the potential open-endedness of politics and the freedom inherent in human consciousness.

But there is yet a more fundamental counter than macro-history to the problems of presentism and that is sociality theory. At the very beginning of his book Carrithers puts together two questions. The first is that of Socrates: ‘How should one live?’ The second is that of the anthropologist: ‘How do we live together?’<sup>8</sup> Underlying one’s answers to these questions must be one’s assumptions about the capability of humans to make history, including human rights. For physical anthropologists a century ago it was race that lay at what Gananath Obeyesekere called the ‘muddy bottom’ of human nature.<sup>9</sup> Then came culture. My own preference is what Carrithers calls a ‘mutualist’ view of what makes our history, which stresses sociality, defined as ‘a capacity for complex social behaviour’. From this perspective, sociality trumps culture, civilisations, race and other candidates for being at the ‘muddy bottom’ of social behaviour.

The record of the past 2.5 million years, since the early hominids began to invent responses to the world rather than act solely through biological instinct, confirms in myriad ways that complex social behaviour is so basic as to be definable as natural. And because it is so basic, change has been an inevitable consequence. So we must agree with Carrithers that we should place ‘change, not permanence, at the centre of our vision’.

Presentism produces conservatism by constraining our political imaginations, and by encouraging us to generalise from an historical moment. If, as students of International Relations, we lift our eyes above the traditional skyline of our subject (‘International Relations Since

1945' or, at best, 'International Politics in the Twentieth Century') and instead look at the evolution of life on earth, what becomes immediately striking is 'the incessant mutability of human experience [and] the temporality woven into all human institutions and relationships'.<sup>10</sup> Macro-history should teach us to expect radical surprises. Scholars in feudal Europe did not conceive a world organised around the political identity of nationhood, and peasants in the Age of the Divine Rights of Kings could not dream that one day they would help choose their ruler by marking an X on a ballot paper. Politically speaking, one generation's truth becomes a not-very-distant relative's historical curiosity. The rise and spread of nations, democracy and sovereignty illustrates the mutability of human experience and the temporality of institutions.

The human race, in evolutionary time, has only just begun. To try and predict whether human rights will universally strike deep roots in practice as well as theory is the equivalent of predicting who will win a race, just after its start. Furthermore, in this case, the answer must depend on the weight of future responses given to the normative question of Socrates: how should we live – in this case globally? For the past fifty years a struggle for hegemony has taken place between communitarian common sense, with its conservative power, and proponents of universalist conceptions of human rights.<sup>11</sup> Since 1945 the hegemonic ideology in the discipline of International Relations has been political realism, which of course has not been comfortable with the idea of human rights, while the hegemonic idea in global power politics, since recorded time, has been communitarian not cosmopolitan.<sup>12</sup> Together, these forces have created the context in which human rights get thought about and practised.

The preceding discussion about presentism is not meant to lead to any teleological conclusion about history, such as the triumph of universal human rights. It has been a ground-clearing argument, to try to establish several points before we can talk more sensibly about human rights on a global scale. The argument has tried to show that change is the only constant in human society; that humans are capable of enormous social diversity; and that the political and intellectual hegemony to date has favoured communitarian rather than cosmopolitan versions of politics. The argument is not that a strong universal rights culture will happen, only that there are no grounds – historically or anthropologically – for saying that it will not. Sociality theory demonstrates the human potentiality for complex social relations, and it remains to be seen what this might mean, worldwide, under conditions of globalisation and the radically different material conditions of the decades ahead. Presentism is the tyranny of an ahistorical, indeed anti-historical human

rights discourse, which serves traditionalist values and power structures by promoting communitarian common sense. From the perspective of historical humanity we are not destined, as a species, to be what we are; rather, we might be what we strive to become. Race is not the muddy bottom of the human story; 'human nature' is not a clinching argument about how we might live; 'tribal souls' are social constructs; communitarian philosophies are only snapshots; and cultures are the means not the mover, and so cannot be allowed to have the last word. Nevertheless, the tyranny of the present tense continues to produce the kind of communitarian common sense which can be expressed by adapting an equation of Yehezkel Dror from Strategic Studies, namely: *Is equals Was equals Will Be*.<sup>13</sup> Snapshots are turned into timeless definitions of the human condition. I want to argue that the futures made possible by sociality will always trump the temporality of any communitarian political theory. Political and communitarian common sense comes and goes; sociality is the only permanent 'is'.

### **The tyranny of cultures**

The tyranny of cultures expresses itself as culturalism, by which I mean the reduction of social and political explanations to culture and to the black-boxing of cultures as exclusivist identity-referents. There have been many factors contributing to this tendency, in the worlds of politics and academic inquiry. With regard to the latter, Anthropology has historically positioned itself against the idea of universal values by its methodological localism – what Richard Wilson calls its 'prolonged love affair with local culture' and Jack Donnelly calls a 'radical cultural relativism' in which 'culture' becomes the supreme ethical value and 'sole source of the validity of a moral right or rule'.<sup>14</sup> There is an obvious comparison between this culture-centric outlook and state-centric perspectives in orthodox International Relations. Culturalism is a strong form of the interrelated approaches of cultural essentialism (or reductionism), cultural determinism and cultural relativism. It turns culture – or cultures – into the trump card in any debate about human rights, or indeed world politics.

What is emphasised by culturalism is the uniqueness and exclusivity of each culture. Cultures are (more or less) carefully studied from a holistic perspective, in terms of their particular social logics, cultural rhythms and world-view. As a counter to ethnocentric generalisations, cultural relativism represented progress in Anthropology. A powerful argument developed that the particularity of each culture was such that 'its' values and ways of behaving (the quotation marks signify how

easily we are drawn into reifying cultures) can and should be interpreted only in terms of the particular values, beliefs and rationalities of the culture concerned. The aim was to try and understand each culture 'from the inside', so that those who belong to particular cultures are seen as they see themselves, or wish to be seen (or, invariably, how the most powerful in particular cultures see themselves). Cultural relativism argues that each culture or society possesses its own rationality, coherence and set of values, and it is in these terms only that one can properly interpret the organisation, customs and beliefs (including ideas about human rights) of that culture or society.

In terms of the anthropology of human rights – and so the wider project of developing a human rights culture – there are three main problems with culturalism. First, it takes away the basis for comparison between cultures and societies, which has philosophical and ethical implications. Secondly, it exaggerates the self-contained nature of societies – especially modern societies and cultures – in which their unique social and ethical values are supposed to be embedded. And thirdly, it privileges traditionalism, which is often a means by which elites maintain their privileges. I will address the latter two points here, leaving the first for the final section.

Culturalism, by giving a totalising picture of specific cultures, produces a false view of the world. Inventing and black-boxing units of analysis has been a problem to which both International Relations specialists and anthropologists have been prone. Historical sociologists have tried to show International Relations specialists that the 'state' is a historical construct, not the ready made textbook unit many assume. Likewise, many anthropologists have tended to see and describe societies as 'unchanging and traditional', making assumptions about the past that have turned out to be false.<sup>15</sup> Carrithers argues that we must 'reassemble' our pictures of human society 'without the sharp boundaries or the unalterable tradition'. Humans are 'conformable' to the weight of tradition, but as 'animals with history' they are 'inventive and profoundly social animals, living in and through their relations with each other and acting and reacting upon each other to make new relations and new forms of life'.<sup>16</sup> If this is the case, what constitutes the 'cultural authenticity' to which all values, including human rights, should be relative? Culturalism is tempting – as is state-centric International Relations – because it simplifies, and makes complexity easier to handle. Instead of getting into the bureaucratic politics, for example, behind a phrase such as 'France decided . . .', we take a short-cut instead, and make France some-one-thing. Such short-cuts are even less defensible when we come to 'cultures', for nobody speaks for cultures in the way

governments presume to do for states, and cultures in the modern world are interpenetrated. We hear about 'the Islamic position' or 'Asian values', but who speaks for Islam, or Asia? Nobody does: yet at the same time many people, organisations and states do. Invariably, when it comes to cultures, it is the loudest, the most powerful or the most fundamentalist who speak, and claim authenticity. Authenticity becomes not simply a cultural matter: it becomes profoundly political.

Cultural authenticity is an important prize over which to fight, for being seen to possess it might help in any struggle for political and social power, including helping to determine whose interpretation of human rights will dominate within particular cultural regimes. Culturalism assumes there is an objective reality to cultural authenticity, but it can be shown in practice that these ostensible Archimedean points are invariably contested from *within*. If authentic cultural traditions and outlooks are disputed *within*, and human rights are supposed to be *relative* to the traditions and outlooks of particular cultures, to what, or whom, within that disputed culture are human rights supposed to be relative? This argument is a fundamental challenge to those who criticise universality in human rights theories and practices.

Political programmes should not be built on the basis of cultural reductionism, for what is defined as authentic in a culture is more an expression of the prevailing balance of forces, rather than the discovery of an Archimedean point.<sup>17</sup> How much importance should we attach to *culture* as the defining referent (as opposed to nation, gender, class or other identity) when British Anglicans are split over the authenticity of women being ordained as ministers of religion? Or when Muslims disagree over the *fatwa* issued legitimising the murder of Salman Rushdie? Or when the British Jewish community argues over the validity of the concept of 'Jewish sperm'? Or when the Taliban in Afghanistan seem to believe that Shi'ites in Iran are dangerous liberals and modernisers? Or when some believe that were Confucius alive today – a key figure in the development of Chinese cultural traditions – he might well be jailed as a dissident? Or, when the idea of a 'Muslim woman' means different things in terms of status, role and contribution across Africa, Asia and the Middle East – not to mention Europe? Or when Malaysia extends Islamic compassion to white believers from Bosnia, but not black believers from Bangladesh? Or when Jews in Israel argue over Zionism? Or when Muslims in Egypt disagree over whether female genital mutilation is an 'Islamic practice'? Or when Islamic feminists in Iran attack a film endorsing multiple marriages (for men)? Or when Arafat and other Islamic leaders tried to gag Palestinian women criticising domestic violence and the unequal treatment of women under local laws at the

Beijing Women's Conference? Or when Afghan feminists challenge the Taliban decrees against women working? Or when some Japanese, looking back, rethink their code of honour with regard to the way they treated prisoners of war in the Second World War? Or when republican opposition to the Windsor family is seen as perfectly compatible with Britishness? Or when, in Sierra Leone, women clash over whether female genital mutilation is essential for the initiation into womanhood and so its defenders are upholders of important traditions, or whether it is brutalising and its critics are agents of the West? In all these cases the question is the same: what is doing the important work? Is it class, gender, nation, society, generation or culture? For some reason, these days, culture is privileged above all, and especially when human rights is the subject. Against those who assert that human rights must be embedded in an ethical community, I would say: which 'ethical community' – that of culture (which usually means traditionalism) or that of class, gender, nation, generation, or some other category such as the 'poor', 'the hungry', 'the oppressed' – the victims? To whom or what has human rights relativism to be relative?

The main problem with culturalism is traditionalism, the propagating of traditions to serve (conservative) power interests; this often includes special reverence for practices based in a society's religion (though we often find that revered religious traditions have even more distant pre-religious roots). Traditionalism holds that knowledge – and indeed Truth – is derived from past revelations – be they divine or otherwise – and are transmitted by tradition. Culturalism produces, or more accurately re-produces, traditionalism, and this can have several regressive consequences for the theory and practice of human rights. But to reject traditionalism is not to reject traditions. Indeed, traditionalism can be seen as the enemy of positive traditions and culture in some senses. Traditions are obviously important; they help cement societies, and they are sometimes all the wretched have to give their lives any meaning.

What concerns us are the functions that cultural practices – many of them 'invented' relatively recently but now seen as primordial – serve in society. Some of these are relatively benign, as in the narrowly 'cultural' forms of social cement discussed by Hobsbawm, such as the *gorsedd* of druids in Wales.<sup>18</sup> On the other hand, some can be profoundly threatening. Traditionalist practices, for example, invariably translate into masculinist values hostile to women, thereby legitimising domestic violence, *suttee* and all those practices of patriarchal society that led Yoko Ono to describe woman as 'the nigger of the world'. Traditionalism can equally serve class interests, through the spreading of the idea that birth is destiny, that people should know their place, and that the meek shall

inherit the earth. A blatant example of class interest served by enshrining traditionalism has been the perpetuation of the caste system in India.<sup>19</sup> Traditionalism was evident in the way Nazi Germany romanticised history to try and create an image of a continuous racial and national spirit, running through the heroes of the past to the Hitler regime. In a less malignant form, there was also the Major Government's 'Back to Basics' campaign in the early 1990s which aimed to create an image whereby that insecure government became seen as the true inheritor of all that had put the great in Great Britain. In such ways traditionalism is a means by which a particular political group, class, elite, gender or government seeks to achieve and maintain ascendancy. Not surprisingly, the fundamentalists of any political or religious persuasion are drawn to traditionalism as a lever in the political process. As Robert Cox said about theory, all traditionalism is *for* somebody or *for* some purpose.<sup>20</sup>

Culturalism must not be allowed to tyrannise human rights – to trump all other arguments and control the agenda – for culturalism and traditionalism perpetuate certain values and power structures. At this point in history they are regressive in human rights terms, because the values and structures they perpetuate are those of patriarchy, class, religious traditionalism, ethnic values and so on. Inevitably, therefore, huge numbers of people are marginalised, both locally and globally. Against these regressive human rights forces I want now to argue the case for emancipation as the preferred discourse for human rights. This concept is controversial, and raises as many questions as it settles, but these are not good reasons for rejecting it. For one thing, such is the destiny of all our most important human concepts, such as justice or love. For another, it would be surprising if there were no controversy about what can be conceived as the politics of inventing humanity.

In a formal sense, emancipation is concerned with freedom from restraint: in Latin *emancipare* meant 'to release from slavery or tutelage'. Expressed more fully, it might be defined as the freeing of people as individuals and groups from those physical and human constraints which stop them carrying out what they would freely choose to do; this means identifying and struggling against oppressive structures or power, and creating new structures and power relationships that promise to enhance human potentialities. Originally, as implied in the Latin roots of the term, emancipation was more concerned with struggling *against*; historically, this meant against legal and other constraints, notably slavery and religious oppression. In the twentieth century, emancipation became not only struggle *against* oppression but also, more coherently, struggle *for* new visions of society. In this way it became more closely identified with 'Left' politics and with the creation of a different social, human,



political and international order. Emancipatory politics have been evident in the ebb and flow of historical transformation, which has involved expanding the potential for what Guy Bois called ‘individual realisation’.<sup>21</sup> This focus on the individual does not mean, as critics assert, that what is envisaged is an ‘atomised’ liberal human being. On the contrary, individual realisation is not possible except in the context of society – that is, with others. Otherwise, individuality is psychotic.

Before trying to explain what emancipation is, it is useful to stress what it is not. Here it is useful to make a distinction between ‘true’ and ‘false’ emancipation. First, true emancipation cannot be defined in some timeless fashion, as some-one-thing at the end-point of the human story; secondly, true emancipation cannot be at somebody else’s expense (except, that is, at the expense of the beneficiaries of oppression, and even here I would argue that to be freed of being an oppressor is a step on the road to becoming more humane, and therefore is emancipatory);<sup>22</sup> and thirdly, true emancipation cannot be considered to be synonymous with Western ways of thinking and behaving (though neither are ‘Western’ ways necessarily antithetical to emancipation). If emancipation is seen as timeless, at the expense of others, or simply a cloak for Westernisation, it is *false* emancipation.

*Emancipation is not a static concept*

True emancipation is not a fixed idea of what the world would be like – some distant end-point Utopia. A properly historicised conception of emancipation recognises that every emancipation creates a new margin, just as every major technological fix creates new problems (such as the new ethical problems raised by medical breakthroughs). Emancipation contains a theory of progress, but also recognises that life is one thing after another. Because emancipation must be continuously contextual, because material and other conditions change, it has to be an open and flexible vision. In terms of practical politics it is better to use the adjective, as in *emancipatory* policies, which implies movement, rather than the noun, *emancipation*, which implies a static state. The reality of emancipation is best likened to a political horizon: something to aim for, something that establishes perspective, but something that by definition can never be reached. Emancipation is not a state of being; it is the condition of becoming.

*Emancipation must not be at the expense of others*

We must always be sensitive to the question ‘Whose emancipation?’, for any step that is at somebody’s expense would constitute false

emancipation. True emancipation is based on the belief that ‘I cannot be emancipated until you are’ – whoever the I. In practice this raises complex political calculations and trade-offs. Clearly, all oppression cannot be abolished at the same time. Different parts of the human convoy must perforce move at different speeds, but the important thing is that they are moving in the same direction, towards human flourishing and away from oppression. Thus, contingent politics have to determine the lines of advance because emancipation cannot proceed at the same speed in all settings. So, for example, it is justifiable for women’s emancipation to be sought in the West, even while the West (including the emancipating woman) benefits from a world capitalist system in which there are gross and unjustifiable inequalities. Likewise, the emancipation of South Africa from apartheid cannot be criticised on the grounds that it took the attention of anti-racists away from other struggles. Emancipation *before others* is not in itself the same as emancipation *at the expense of others*, as long as those who are emancipated use that privilege to help secure the emancipation of others (a theme developed in the final chapter).

*Emancipation is not synonymous with Westernisation*

The conception of emancipation advanced here recognises many contributions made within ‘the West’ in the development of ideas about human flourishing, including human rights. But we need also to recognise the dark side, and therefore eschew the idea that emancipation should simply be equated with Westernisation. Such a conclusion would be contrary to the spirit of emancipation. We may have been living through several centuries in which Western ideas about emancipation have flourished, but that does not make it an historical imperative, or politically desirable. But neither does it mean that some ideas are not to be preferred over others, even ‘Western’ ones. The spirit of emancipation is that there are no final answers and that nobody has a monopoly of ultimate truth (even if we conceive an omniscient god, who taught her all she knows?). There is no reason to suppose that what is taken as Western society today represents the best of all possible worlds, not least because that society does not attain its own best standards, is full of hypocrisy, and in relation to the rest of the world, many of its citizens flourish without questions in the midst of injustice.

The three points above have criticised false emancipation – as finite, exclusivist and particularist. In this next stage I want to identify the three roles of true emancipation.

*Emancipation as a philosophical anchorage*

We all need some grounding for knowledge, though the term 'grounding' implies very demanding requirements. My preference is for 'anchorages'. The idea of conceiving emancipation as an anchorage means that we can talk about what constitutes valid knowledge in terms of emancipatory potential. This is the view that there is no ultimate truth in the social world, only a pragmatic truth, created intersubjectively. The concept of emancipation gives us a point of reference from which we can assess and criticise where we have come from (locally and globally) and from which we can contemplate the future of the human story – convinced that 'we do not have to live like this'.<sup>23</sup>

The metaphor of an anchorage implies a resting point in a dynamic process. As such it gives space for Critical Theory's concept of immanent critique, that is, the attempt to recognise better possibilities inherent in an existing situation; and it also suggests a crossover point in a dialectic, as humans struggle from one anchorage to another, buffeted by all the material and other changes that history throws up. Without a concept of betterment, one cannot have any critical distance to assess one's existing position – or indeed think about the different ways of getting to a better state of affairs. One arrives at a notion of betterment through theorising – even fantasising – and in this way the next step is taken. The story of politics, in a sentence, has evolved from a small group considering the advantages of moving from one environment to another, perhaps from one cave to another, to the issue of the management of the global environment for the whole species. Over time, emancipation has become deeply imprinted into human consciousness. The biological instinct for survival evolved over time into a culture of reason, which in turn became the politics of emancipation.

Emancipation is therefore an historically contingent idea around which people can begin to discuss what to do next in politics. It is a basis for saying whether something is 'true' – whether claims to knowledge should be taken seriously. In this first global age, human rights constitute a crucial aspect of this discussion, for they are concerned with ideas about creating space for the self-realisation of individuals, and the invention of a more inclusive and loving humanity as a whole.

*Emancipation as a strategic process*

By strategic process I underline the point made earlier that emancipation is to be considered not as a static end-point, but rather as a dynamic concept. A very useful distinction here is that of Joseph Nye, between

‘end-point utopias’ and ‘process utopias’.<sup>24</sup> This distinction emphasises the desirability of dynamic rather than static conceptions of the future. Instead of blueprints (a worked-out model of world government for the twenty-second century, for example) when history would come to an end, the argument is that politics is about travelling hopefully. It is futile to try and overmanage the future, because of possibly radical changes in the material conditions. Consequently, the best way ahead is through benign and reformist steps calculated to make a better world somewhat more probable for future generations. As Albert Camus argued, the means one uses today shape the ends one might perhaps reach tomorrow.<sup>25</sup>

As a strategic process, some would criticise the idea of emancipation, and say that the concept of progress is flawed, particularly when it comes to making judgements about the lives of others. This argument will be discussed more fully in the final section; here I want to argue that there is always one position that is more emancipatory than another – though in particular circumstances it might not be clear at the time. The transcultural judgement of history – a portentous term, but useful here – is stronger than the relativist argument. Peter Singer gives various examples of the debates about human betterment that history has judged: the struggle against slavery; the unionising of workers against terrible working conditions; the giving to women the right to vote, be educated, hold property; the fight against Hitler; the civil rights movement in the United States in the 1960s.<sup>26</sup> If we take a sufficiently long-term perspective, Singer argues, ‘it is not difficult to see that on many issues, there *has* been a right side’. He calls it, after Henry Sidgwick, ‘the point of view of the universe’,<sup>27</sup> and gives as examples of being on the ‘right side’ today: helping the poorest in developing countries; promoting the peaceful resolution of conflicts; extending ethical concern beyond our species; and protecting the environment.<sup>28</sup>

The idea of progress is not fashionable in some circles, but there is positive and negative evidence suggesting that the great mass of people in the world think differently. Positively, there is the evidence of what might be called the spirit of 1989. By this I mean the global responsiveness and solidarity in relation to the savagery in Tiananmen Square (and particularly the image of the lone individual standing against a column of tanks), the ending of the Cold War (and particularly the image of ordinary people standing on the Berlin Wall, while at the same time destroying it with picks and hammers) and the surrender of apartheid in South Africa (and particularly the image of the dignified and inspirational Mandela emerging from prison and calling for reconciliation). Negatively, ‘progress’ is legitimised because nobody is calling for

the return of mutilating cultural practices (such as foot-binding in China) or the freedom of not being able to read.

At times, critics of emancipation are not arguing against the principle so much as against Westernisation. As a reality check, we should look at what they stand for in practice, on issues such as slavery and racism. Scratch a Western relativist, and one always finds a closet believer in progress underneath. In other parts of the world what is underneath is likely to be a supporter of a local tyranny.

### *Emancipation as a tactical goal*

In the previous two points, emancipation has been identified as a philosophical anchorage and a strategic process; but politics require policies, and emancipatory ideas need to be turned into effective action. Emancipation is intimately concerned with praxis, and not simply critique: it must be attentive to real people in real places, seeking to better their conditions while at the same time changing world politics in structural ways which help improve local conditions. For a guiding idea, we can usefully turn to Critical Theory and its aim to build ‘concrete utopias’ out of possibilities which are immanent in particular situations.<sup>29</sup> This is process utopias in action – ‘pushing the peanut forward’ as Singer describes it. On what basis can we decide what constitutes a concrete utopia? There are two clusters of ideas that may help. One is to advance on as many fronts as possible, with policies informed by the World Order goals and principles advanced so powerfully over the years by Richard Falk and others: non-violence, humane governance, economic justice, human rights and environmental sustainability.<sup>30</sup> A second set of ideas for thinking about concrete utopias is Etienne Balibar’s notion of *égaliberté*, which recognises equality and liberty as mutually constitutive conditions for human emancipation. For Balibar *égaliberté* is therefore a ‘formula for permanent revolution, for the continuous radicalisation of the Enlightenment’.<sup>31</sup> This, I believe, is the spirit of true emancipation. Tactical goals based on World Order values and the principle of *égaliberté* are positive guides for emancipatory advances, locally and globally. But principles can only help so far: turning abstract concepts into concrete utopias under specific historical conditions is another matter. Emancipation also needs clever and committed human agency.

In conclusion we can see that the answer to the question ‘What is emancipation?’ is both easy and difficult. Emancipation is easy because we know what it is not; it is difficult because we do not know with the same confidence what it looks like in terms of specific struggles. But the

three functions of emancipation, just discussed, show that when compared with culturalism and traditionalism, it offers a theory of progress for politics, it provides a politics of hope, and it gives guidance to a politics of resistance. Emancipation is the theory and practice of inventing humanity. It is the discourse of human self-creation, and the politics of trying to bring it about. At this stage of human history, marked by the interplay of globalisation, patriarchy, world capitalism, industrialisation, population densification, environmental stress, widening disparities between haves and have-nots and so on, the growth of a universal human rights culture must be central to emancipatory policies. If sociality is the only permanent 'is', emancipation is the only permanent hope of becoming.

The first section of this chapter argued that the ability to make complex social relations lies at the muddy bottom of the human rights story, and that this sociality is the only permanent 'is'. In the present section it has been argued that emancipation should be the guiding idea for escaping the regressive human rights implications of culturalism and traditionalism: human becoming is the only permanent form of being, and emancipation is the politics of that reality. In the final section, discussing the tyranny of objectivity, it will be argued that in this first truly global age, human rights is an essential aspect of that becoming, and that the only intelligible perspective to adopt is universalist.

### **The tyranny of scientific objectivity**

The argument in this section of the chapter has two main steps. The first is to explain the attraction that scientific objectivity has had for students of Anthropology and the Social Sciences in general, and the resultant danger of positivism; in particular how the latter manifests itself in ways that strengthen the problems of culturalism by reifying what is essentially porous and changeable, and by strengthening cultural and ethical relativism – all of which impact adversely on human rights. Secondly, a defence of universality will be mounted. I want to criticise the cultural relativist perspective on universality, and defend the latter as the only true way of thinking about human rights, by showing that such an approach is possible, desirable and logical, can avoid all the relativist criticisms, and can be based on the secure but sad fact of universal human wrongs.

Objectivity has been the gold standard of modernist Social Science. It opens up not only issues of epistemology but also controversial questions about the proper role of the academic and of how – if at all – value-laden subjects such as human rights should be approached. Just

as the natural scientist is supposed to look objectively down the microscope at some specimen, and describe it with scholarly detachment, so social scientists are supposed to look down their microscopes at aspects of the human world, and describe them with comparable scientific detachment. Many students of International Relations now believe this approach, loosely called positivism, to be faulty: for one thing, 'objectivity' in the sense intended is thought to be unattainable, for values infuse the mind of the observer looking down the microscope at human social practices (the observer can never escape the set of theories which he or she believes); secondly, what is observed on the specimen slide – humans – are self-aware in a way natural objects are not, and so can add another dimension to the observer/observed problem; and finally, a value-free approach would not leave students of International Relations with much to discuss (we might count voting patterns in the General Assembly on human rights issues, but would leave all the most interesting political and philosophical issues aside). Positivism expresses the naturalist fallacy in the social sciences<sup>32</sup> and this expresses itself in the reproduction of the hygienic order of neo-realist International Relations.<sup>33</sup> One problem of objectivity is the way that it separates the-attempting-knower and that-which-is-to-be-known in such a way as to endow the-attempting-knower with distinct authority deriving from science. But as Gaston Blanchard has put it: 'We have only to speak of an object to think that we are being objective. But, because we chose it in the first place, the object reveals more about us than we do about it.'<sup>34</sup>

So, the stakes are high, as Steve Smith has argued so forcefully, in the debate about epistemology and method. Positivism has been important, he argues, because of its role 'in determining, in the name of science, just what counts as the subject matter of international relations.'<sup>35</sup> This in turn is important because it helps determine what counts as knowledge in the subject, who are the serious players in the discipline, and, because of the relationship between theory and practice, how things might get done in the 'real world' of international affairs.<sup>36</sup> In short, the epistemology of human rights is a political as much as it is a philosophical issue. The ideal of objectivity, and of positivism, can therefore be threatening to human rights in a variety of ways. What purports to be value-free/objective/apolitical/positivist analysis can merely be a cloak for status quo thinking (and therefore values). This can be seen most clearly in the relationship between positivism and crude realism, which together purported, unselfconsciously, to describe the world 'as it is' for nearly half a century after the Second World War, yet all the time did so through the ethnocentric lenses of Anglo-American, masculinist, capitalist and nationalist mind-sets (but

such mind-sets were not the only ones attracted to positivism: much of the first generation of Peace Research was also heavily positivist). However, for the most part positivism has tended to be closely identified with the disciplinary dominance of realism in academic International Relations. What is of most concern here is the role positivism has played in Anthropology, and so has fed how many think about the cultural dimensions of International Relations.

McGrane has argued provocatively, but persuasively, that the rise and history of what we now call Anthropology has been grounded in 'the positivistic faith'. By this he means 'the belief that the criterion of truth and the historical progress and perfection of our scientific theories lies in their ever closer approximation to an autonomous reality'.<sup>37</sup> This autonomous reality has come in the twentieth century to be identified with cultures (and particularly 'primitive cultures'). By definition, this categorisation produces units that are 'relative' to each other, constituting a global ordering of one-among-many.<sup>38</sup> McGrane sees this move as 'a supreme manifestation of the Western tradition', namely the tendency of 'the Western mind to identify itself as separate from what it perceives as external to itself'. Leaving aside McGrane's unhelpful reification of 'the Western mind' – how could he as a Westerner make his critique if the Western mind were so totalising? – the key argument is that culture has been *invented* as necessary for the *praxis* of Anthropology. (The 'prior and autonomous existence' of culture was necessary for modern Anthropology, we might argue, just as the prior and autonomous existence of textbook states were for realist International Relations. The disciplines of Anthropology and International Relations have therefore both shared an interest in maintaining the conditions of their own possibility, namely autonomous units of analysis – cultures and states.) 'Culture' does not emerge, in McGrane's argument, as a 'decisive and almost inescapable part of our world' until the twentieth century.<sup>39</sup> Only then did difference between Europe and the non-European 'Other', between the familiar and the alien, come to be seen for the first time in terms of cultural difference/diversity. Anthropologists became identified as 'purveyors of exotica'. In the nineteenth century, McGrane argues, difference/diversity had been defined in terms of evolutionary development through progressive stages of civilisation; in the Enlightenment it had been seen in terms of the modalities of science and ignorance; and in the Renaissance it had been between the Christian and the infernal. This argument opens up many significant issues for students of human rights, notably the relatively short time that 'culture' has been a key referent, the significance of the view that the conceptualisation of difference tells us more about ourselves than the



subject conceptualised, the interest of Anthropology in the 'external' world rather than in examining its own theories, the role of academic 'disciplines' as discourses of domination, and the invention of culture as a relative concept. Anthropology invented culture for the social sciences, and in so doing played a part in what Rhoda Howard has called the 'romantic communitarianism'<sup>40</sup> which now affects so many dimensions of global life and confronts students of human rights with so many problems.

Cultural relativism, as defined earlier, consists of the attempt to interpret another culture in its own terms, by careful and thorough investigation from the inside, eschewing one's own ethnocentric bias. Cultural relativism can be seen as both a by-product and characteristic error of positivism: an attempt is made to achieve objectivity by stepping outside one's own culture, but in so doing one then stands firmly inside another. At the heart of both positivism and cultural relativism is the ideal of 'scientific detachment'. It has a number of analytical uses, as suggested earlier. It is crucial, if one is to try to understand a culture and see it from inside to any meaningful degree, to try and transcend or eliminate ethnocentric bias for the period of observation. However, there are at least two major criticisms of cultural relativism which are significant in terms of human rights.

*Cultural relativism is empirically falsifying*

Cultural relativism tends to posit self-contained socio-cultural entities, which have developed their own unique thoughtways and systems and which are coherent and unchanging. Here is a case where an epistemological assumption – the culturalist one – has enormous ontological consequences.<sup>41</sup> One of the themes of this chapter has been to challenge the hygienic order of culturalism on empirical as well as normative grounds. It is in terms of the former that William McNeill, among others, has criticised Huntington's billiard-ball model of civilisations. McNeill argues that when local habits and customs have been threatened, 'withdrawal and reaffirmation' have been the first and most elemental reactions; however, history shows that borrowing 'foreign ideas and practices' and adapting them to local use has been far more important. In his opinion, 'the net effect of successful borrowing and adaptation was to increase human wealth and power by enlarging our niche in the ecosystem. This, in fact is, and has always been, the central phenomenon of human history.' When the 'bunker mentality' dominates, McNeill argues that the result is for a people to be 'disastrously left behind'; even

a civilisation as vast and successful as that of China had to face up to this fact in the last century, and has yet to recover its self-esteem.<sup>42</sup>

If the very notion of ‘cultures’ is as problematical as the earlier argument suggests, there is a strong case for abandoning ‘culture’ as a political referent and instead regarding cultures as dangerous political myths, like the term ‘race’. The similarity in the terms is worth elaborating, for racial classifications are as various and vague as are the referents used in discussions about human rights: to what is relativism in human rights to be relative to – states, nations, cultures, societies, civilisations, communities (national or subnational) or what? Cultures, like race, have more political purchase than scientific validity. Some scientists have identified five racial sub-species, others fifty, while yet others have argued that the concept of race has no scientific validity whatever, pointing out that the human species in genetic terms is remarkably homogeneous compared with other animals, that there is more genetic variation within one human ‘race’ than between that race and another, that genetic variation from one individual to another of the same race ‘swamps’ the average differences between racial groupings, that human diversity within Africa in terms of DNA is nearly three times that of Europe, and that ‘black’ races contain as much genetic variation as the rest of humanity put together. Race, then, is an idea that is the product of history and politics. Racial groupings, in the words of Chris Stringer, ‘are simply the end points of old trade routes’.<sup>43</sup> The fact that both race and culture are contestable terms – but not contested enough – does not prevent them from being powerful political myths – useful for some, and consequential for all.

*Cultural relativism is ethically flawed*

Cultural relativism is a parent of ethical relativism. The latter, which derives from what in one sense is a laudable attempt to judge cultures in their own terms, denies the appropriateness of anyone from one culture making meaningful moral judgements about behaviour or attitudes in another – whatever the oppression, exploitation, discrimination or subordination. The relativist position is flawed when it comes to thinking about human rights for three main reasons: first, because of the radical uncertainty of the appropriate referent to which particular values are supposed to be relative – the point argued earlier; secondly, because there are no sensible lines which we can draw when faced by suffering and say ‘this is nothing to do with me’ – an argument to be elaborated later; and thirdly, because relativism would take away the ability to condemn human wrongs. The relativist position is confused,

and also infused with moral nihilism.<sup>44</sup> From an ethical relativist perspective one could not easily describe some traditional practices as ‘torture not culture’,<sup>45</sup> or argue that beheading, amputation or prolonged stays on ‘death row’ are not civilised ways of dealing with criminals. Relativism, taken to its ultimate asks one not to intervene, and to leave judgement to those on the inside, who (ostensibly!) share the same values and thought-worlds. It is a form of what Callinicos calls ‘ethnocentric blindness’.<sup>46</sup> Power corrupts, and cultural relativism helps; no wonder tyrants dislike the light shone by monitoring groups, inside and outside, committed to universal standards of human rights.

The corollary of the argument that cultural relativism is ethically flawed is not that the West is Best. Western liberal triumphalists need to recognise the continuing relevance of Gandhi’s comment, when asked what he thought about Western civilisation: ‘I think it would be a good idea’. Some in the West are in a position to criticise certain practices in other parts of the world, but what is taken to be the West in a political sense can rarely preach to the rest of the world, because while there are things that the West has got right – the abolition of hunger, the rule of law, democracy and so on – there is also plenty that is wrong, from possessive individualism to the selfish exploitation by the West of the world’s resources, and many of its people. Cultural relativism is flawed, but so is the idea that any single political power knows best about everything.

Cultural relativism is flawed as an approach to politics, but cultural sensitivity must inform all we do, including how we think about universal perspectives on human rights. In the following five points I will synthesise a range of critical views about universality, from cultural relativists, post-structuralists and realists.

*Universalism is based on an essentialist view of human nature*

This criticism is based on the widespread view that those who advocate universality do so because they believe that humans share a common nature, which is identifiable. One such universalist view, often criticised, is the natural law tradition. This posits that there is a *natural law* which exists independently of the positive laws of politics, to which all humans are subject, and which derives from nature – or god. This set of laws is discernible through reason. Such a tradition rests on an essentialist argument, as does the definition of human rights which states that human rights are the rights one has simply because one is a human. Both these views are tautologous. I want to argue that we should have

human rights not because we are human, but to make us human. The only element of essentialism in this argument is that these rights should apply to our biological species.

The defence of universality here is akin to Philip Allott's social idealism, which seeks to open up the human future,<sup>47</sup> free of humanly constructed 'essentialisms' and 'false necessities'.<sup>48</sup> Allott's social idealism regards human society as self-constituting. Societies change, or not, as do the people who are made in them, as a result of the historical interplay of particular social, economic, political and other theories in precise settings. The key is human consciousness, and human evolution is the evolution of human consciousness. The point is that humans are not essentially born, they are socially made, and that human rights are part of what might make them at this stage of world history. We have human rights not because we are human, but because we want the species to become human.

*The universality of human rights is an ideology which is a cover for the imposition of Western values*

It is not surprising at the end of the twentieth century that universalist or cosmopolitan thinking about human rights appears to be the smuggling in of Westernism. Part of the strength of relativism comes from sensitivity about the success and excess of Western imperialism. It is important to remember this history, but we should not allow guilt about historical injustices (for which we had no direct responsibility) and anxieties about cultural insensitivity, to lead us into bad arguments and worse politics – which might add yet further to the sum of human misery.

The most trivial point anybody can make about human rights is that they come from 'somewhere'. Of course they do. Are we to take from the values-from-somewhere position that geography is therefore destiny? If so, where do we stop? How local should we go? If, for example, there is a clash between the values of the family and the values of one's religion, or between the values of the state and the values of one's ethnic culture, which values-from-somewhere should be privileged? Once again, the problem of the multiple and uncertain referent rears its head. So-called cultures and communities may seem bounded, but they are not gagged, and some values travel rather well. All groups, I believe, have a concept of hospitality. Hospitality is not rejected because it originated, somewhere, in a faraway cave about which we know nothing. Love, in its many varieties, also finds a place in all societies and cultures; though its precise expressions vary, we all know it when we

see it, or should do. We do not reject love, just because it was invented 'somewhere', in humankind's evolutionary struggles. Indeed, most people celebrate love in its varied forms, as the highest purpose in life. Equally, torture was also invented, 'somewhere', and is now – though it was not always – almost as universally condemned as love is valued.<sup>49</sup> That a world of love is better than no love, and love is better than torture, are cultural universals. How these are expressed are details, arising from time and space. To say that human rights come from somewhere – and the West is not the only geographical expression claiming to be a parent<sup>50</sup> – should never be allowed to be the end of the story: it is only a starting point for discussion of how we should live, as humans, on a global scale.

Cultural relativism has been a powerful idea in International Relations since the late 1980s as a result of the influence of a strange mix of bedfellows comprising postmodernists, liberals trying to adopt a culturally sensitive position on human rights, and civilisation *realpolitikers* who argue that the world has slid seamlessly from a Cold War to a 'clash of civilisations'. The effect has been a tendency to naturalise or even valorise the relationship between cultural space, ethical communities and values. One of the problems with the communitarian perspective is that it emphasises the territoriality of values, as with geopolitical human rights blocs.<sup>51</sup> This is a profoundly conservative move, embedded in ideas about sovereign space. If we adopt this perspective, the chessboard of international relations – and hence the politics of human rights – will be entirely synonymous with the geography of meaning. Spatial relationships are undoubtedly of fundamental importance in human society, but geography is not destiny. Spatial 'realities' are frequently altered by changes in technology and sociology. A river might be impassable in one era but bridgeable in another; it might be a line that divides people or a resource that brings together an economy. The ideology that the geography of meaning is more important, more consequential, than history is redolent of the spurious ideology of geopolitics in the 1930s.

Behind the criticism of universality is concern about the relationship between the spread of ideas and associated material and political power.<sup>52</sup> Expressed crudely, and adopting Mao's famous line, the assumption seems to be that cultural power grows out of the barrel of a gun. If this argument is accepted, and 'power' is seen to be doing all the work, then the real choice is not between power (external) and culture (local) but simply between different sites of power, local or external. It is not always obvious why local power is necessarily to be preferred, in terms of the values it imposes on those it can reach. Clearly, there is often a direct

relationship between the spread of values and the gradient of political power: the Bible followed the flag. But material and political power are not always decisive. The history of religions points elsewhere, and suggests that some ideas *become* powerful as a result of the power of the idea, as opposed to the material and political power of the holder. That is, power may be immanent in the idea, rather than the idea being immanent in the power. Ideas can become powerful 'when their time has come'. Christianity spread in the Roman Empire because the powerless believed it. Likewise, Islam grew because it spoke to the poor. The cries of *Liberté, Egalité, Fraternité* did not sweep France as a result of the material and political power of the sansculottes. And the idea of the equality of the sexes did not grow out of the barrel of a gun. In all these cases, whatever their subsequent history, the moral commitment of powerless people, rather than the material power of states or elites, was the decisive factor. In the beginning it was the power in the idea that moved people, not the material power pushing the idea.

The spread of a human rights culture, I believe, cannot simply be explained in power political terms – by the domination of the West. Human rights speak to the age of industrialisation, dislocation and globalisation in some fundamental sense, as being right, as other life-enhancing ideas have spoken to other people at other times. The twentieth century may have represented a period of history when for the West there seemed no limits to growth, including the spread of liberalism. Some were led to trumpet The 'end of history'.<sup>53</sup> In the next century the growth of limits may be much more evident. And it may be that under the pressure of population growth, environmental decay and Asian power that the idea of individual freedom, so central now, will seem irresponsible. Human rights as now conceived in the West are by no means set to head the agenda through the rest of history. There are also ideas whose time has passed.

The argument that universal human rights are simply a continuation of Western imperialism by other means can be turned on its head. Peter Baehr, for example, has argued that the *failure* to think of applying human rights to non-Western societies reflects a 'rather paternalistic way of thinking'.<sup>54</sup> Baehr writes that those who say that people in the 'developing world' are not ready for, or would not appreciate, political freedoms are not only being patronising but are also playing into the hands of repressive regimes who want to deny civil and political rights as long as there is economic underdevelopment. This view ignores the victims of repression (who rarely argue for the right of their government to repress them), and fails to recognise that the denial of such rights might also be dysfunctional in terms of achieving economic and social development.

Western opinion, and governments, often regard themselves as exemplars of human rights. In practice the West has no grounds for complacency or self-satisfaction. Not only has the job not been completed at home, but there are major hypocrisies and silences. Structuralist theorists, for example, argue that the power of the North depends upon the weakness of the South, that Northern wealth depends on the South's poverty, and that the enjoyment of its rights depends on the wrongs it inflicts. Worthies of previous eras enjoyed and trumpeted their good life while living more or less comfortably on the backs of slaves: we are no different. In this circumstance Western complacency and hypocrisy is overwhelming. There are some ethnocentric (originally Western) values for which we should not apologise, but there are plenty for which we should.

*Universality would produce an unhealthy sameness*

Universalism sets standards, but that need not be the same as sameness or cultural homogeneity. Just because an examination sets standards (for example, requiring certain minimum levels of grammar, logic and knowledge) it does not mean that every essay on Shakespeare has to be identical. As far as values are concerned, arguments are usually framed in the form of negative injunctions – 'Thou shall not . . .'. A whole series of such injunctions still allows considerable freedom in which people can express themselves. There is scope for diversity within standards. This is the nature of democracy, for example.

Furthermore, universal standards may indeed sustain diversity rather than the opposite. The spread of feminism and gay rights breaks up the universal transcultural presence of patriarchy, and without universal principles, it is difficult to see how indigenous peoples have any chance of surviving. Here, the work of Western (universalist) organisations such as Survival, for example, is important. If left to sovereign governments, the future of indigenous peoples and their land would look even bleaker than it does today. Universal feminism allowed women's rights to develop in different countries more quickly than if there had been no transnational and transcultural feminist solidarity. And if a debate still goes on within feminism about the meaning of 'woman', this is surely of far less urgency than the daily abuses of women (a word postmodern feminists cannot avoid). The anxieties of some Western academics about 'sameness' seems a trivial and patronising concern when compared with the anxieties of women in desperate circumstances, needing a hand. If left exclusively to local patriarchal power-brokers, that hand will be the traditional fist.

The politics of cultural relativism can be expressed as ‘the tolerance of diversity’. Few would oppose diversity in principle – except those, perhaps, who believe that a Disney theme park represents the best of all possible worlds. But the key question is: how much diversity should be tolerated? Even if we understand all, does it mean that we have to forgive all? Cultural relativists and postmodernists will argue against universal ideas – ‘metanarratives’ – while valuing tolerance as a universal. Clearly, there are no non-universalists. Even the total rejection of universal human rights is a universalist position on human rights. If we accept the argument that ideas and values are culturally specific, then presumably postmodern ideas will not travel beyond their urban Western privileged origins – or is the argument another of postmodernism’s smuggled-in metanarratives? In any case, their ideas are not seen as relevant by the victims of world politics, who often look for salvation to universalist ideas such as human rights. In circumstances when there may simply be no final philosophical argument for settling whether particular universals are regressive or emancipatory, a good place to start thinking about politics is to ask the victims. Generally, the victims see universal solidarity as more of a promise than they see sameness as a threat. As a Westerner, I believe that the risk of being thought to be an imperialist in some circumstances is justified in the face of local fascism. Commenting on recent Indonesian history, Baehr has written that: ‘The acceptance of the universality of human rights standards is a notion that may be uncomfortable to oppressive governments. It is, however, generally adhered to by their victims.’<sup>55</sup> A general commitment to the tolerance of diversity must therefore be tempered, in order to overcome human wrongs, by a diversity of tolerance in application.

Universalist ideas, like emancipation, are sometimes criticised for denying ‘the other’s otherness’. If homogenisation is the fear, the record suggests that we should worry about it locally before universally. Why is the eradication of difference in the face of (local) communitarian power less worth struggling for than any eradication of difference as a result of external ‘imperialism’? Genocide, for example, is a human wrong which is more likely to take place within a sovereign entity than between sovereign entities. An approach to world politics dominated by imperial local conceptions of ‘us’ and *The Other* (a dominant nation in a multination state, for example) erodes diversity in the name of sovereignty. It is my belief that it is only by recognising our human sameness in *an other* regarding universal solidarity that we will actually protect human diversity and reduce human wrongs.



*Any idea aiming at universality is Utopian, totalitarian and dangerous*

All human ideas have their dark side, and universality is no exception; but universality is not necessarily negative in its consequences, and human rights is a shining example. An important distinction here, as with emancipation, is between 'true' and 'false' universality. False universality can appear to be Utopian (in the sense that it aims to produce a better world) but can end up being totalitarian and dangerous. Local politics can also be the latter with more likelihood of achieving success, as the history of the twentieth century attests. These warnings are important for those aspiring to universal standards, but equally the warning is for those who believe that small is always beautiful. The lesson to be drawn in both cases is the desirability of democracy within and between countries – as captured in the notion of 'cosmopolitan democracy'.<sup>56</sup> Cosmopolitan democracy, if operationalised, would be a stronger safeguard against totalitarian and dangerous sameness than the ideals of Westphalia.

It is not therefore primarily a matter of trying to settle once and for all the philosophical argument between relativism and universalism in a globally satisfying way. This is probably impossible; rather, the task is to operationalise cosmopolitan democracy. This is the idea which at the present stage of history is best calculated to produce a politics of true universalism – an inclusive multicomunity 'multilogue', aimed as standard-setting in ways that will reduce human wrongs, and balance a tolerance of diversity with a diversity of tolerance.

The differences between pro- and anti- universalists are often less than it appears – unless, of course, the anti- is a local regime using cultural relativist arguments as part of a 'Keep Out' campaign. Few people would stand aside *in extremis* and say they are not willing to make universal judgements when some gross human wrong is being committed. Similarly, there are limits on the numbers of those in the West who would want to impose the Western way of life universally, though the triumphalism of Western liberalism at the end of the Cold War, and of global capitalism, might suggest otherwise. For the moment, true universalism is best tested by listening to victims and trying not to offend global civil society, the nearest we have to a conscience of world society. The task is to work out a politics of true universalism, which obviously cannot simply be a Western project. It is one aspect of false universalism to believe that there is one answer, and a final answer.

To celebrate a world of difference, literally, is Utopian, totalitarian and dangerous. James Der Derian has endorsed a Nietzschean perspective

on 'the very necessity of difference', looking towards a 'practical strategy to celebrate, rather than exacerbate, the anxiety, insecurity and fear of a new world order where radical otherness is ubiquitous and indomitable'.<sup>57</sup> Celebrating anxiety, insecurity and fear, from the comfort of Western academe, on behalf of those anxious about being beaten up or worse, insecure about having any cash to feed their children, or fearing their total dependence on the next rainfall, strikes me as deeply patronising, immoral and unthinking. In the mid-1990s, on a visit to Britain, the new president of South Africa, Nelson Mandela, celebrated human solidarity (based on a politicised metanarrative against racism) in the cause of liberating his own country and other achievements. He said: 'One of the striking features of modern times is the number of men and women all over the globe, in all continents, who fight oppression of human rights'. In the case of South Africa the international process made an enormous difference. It created historical facts, as Mandela put it, 'in which the ordinary folk throughout the world have participated and shaped'.<sup>58</sup> If this is the choice which postmodern perspectives give us, then I have no doubt at all whose politics are best calculated to lead to human security, dignity and flourishing, and I have no doubt whose spirit I would prefer to have on my side if my back was pushed to the wall: it would not be the spirit and politics of Nietzsche, but of Mandela.

*Universality in human rights is a flawed position because there are no universal values*

As mentioned earlier one of the most powerful criticisms of universal human rights is the argument that ideas about rights derive from, and must be embedded in, particular ethical communities; and since there is no universal ethical community, the idea of universal human rights must be an ethnocentric assertion, a drive to make the local into the global. The conclusion usually derived from this argument is either that the search for human dignity has to adopt a different route to that of rights, or that universalism must be conceived very thinly, allowing local cultures considerable space in which to interpret rights in their own ways. I want to make five arguments rebutting some of these points – and I especially want to reject the conclusion.

First, the critique of universality ignores the degree of actually existing universality in terms of human rights. Donnelly, for example, has argued persuasively that there are various sorts of universality – what he calls 'international normative universality'.<sup>59</sup> All states regularly proclaim their acceptance of and adherence to international human rights norms

– notably the 1948 Universal Declaration of Human Rights – and charges of human rights violations are among the strongest that can be made in international relations. Even abusers of human rights feel the need to defend themselves in the currency of the human rights discourse; they do not reject it.

Secondly, the critique of universality ignores the degree of value commensurability that exists between communities. Many writers – cultural anthropologists, psychologists, sociologists of religion, social scientists and philosophers – have argued, with increasing empirical support and epistemological confidence, that human beings, ‘whatever their cultural contexts, tend to have many similar conceptions regarding rectitude, civility, right and wrong behaviour and duties and obligations towards other people’. What this tends to suggest, according to Donald Puchala, is that ‘at a fundamental level, moral behaviour is not a cultural trait but a human predilection’.<sup>60</sup> It has come as a surprise to many that sociobiology, so long identified with the social spirit of the selfish gene, now has advocates who see ‘the origins of virtue’ in our biological characters.<sup>61</sup> It is less surprising that a neo-Aristotelian philosopher, Martha Nussbaum, argues that humans are entitled to be allowed to flourish in a human way, and to help one another to flourish equally.<sup>62</sup> Her requirements and entitlements for such flourishing closely match the Universal Declaration of Human Rights and the definition of ‘human security’ agreed upon by the UN Development Programme.<sup>63</sup> Whatever the origins of human moral behaviour – nature, god, right reason, or whatever – the important point is that actual social practices suggest a considerably higher degree of value commensurability across cultures than relativists would allow.

As a general rule, culture can indeed speak unto culture. There are exceptions, of course, and some of these might utterly reject some of the premises of human rights discourse – for example, the political agents and cultural value system which sustain the caste system in India. Sometimes regressive ideas have to be opposed, as were slavery and the burning of heretics. These ideas were once respectable, supported by their political communities and cultural value systems. It is a preposterous political position to argue that the idea of universal human rights is flawed because some groups cannot conceive the notion of rights. Are victims always to be left hostage to the selfish politics of the powerful? If we had to wait until everyone was persuaded before taking any step in life, we would still be in the Dark Ages. Progress in promoting liberty, equality and fraternity cannot be held hostage by those who support, for example, a caste system with a concept of ‘untouchables’. Outsiders can best help by going with the grain of history, by helping

those who want to resist to bring about reform rather than by imposing change. But *in extremis*, when gross abuse is taking place, and people are shouting for help, urgent choices have to be made, and sometimes the force of better argument has to be replaced by the argument of better force.

Thirdly, the critics of universality (and cosmopolitan perspectives) ignore a powerful alternative view of world politics, one that has thought in terms of a potential world community rather than particularisms. But history is written by the winners, and in this case the winners have been communitarians. This leads us inevitably back to history – the ‘future of the human past’ as Philip Allott has put it, in a different context.<sup>64</sup> It is only by looking at the human past, and rethinking it, that we can fully appreciate the potentiality for human becoming, rather than merely human being. This can be shown quite simply. Humans start learning about politics, including world politics, almost from the moment they are born. We are genderised, and then we are nationalised. We are taught, and learn, and discover politics from messages and images that are all around. (The implication of this is that what we learn we can also unlearn.) We are socialised by signs and stories telling us who is insider and who is outsider – the us and them. As a result of generations of nationalised upbringing, the great mass of people on earth believe that the national is natural, that we have tribal souls, that statist divisions are commonsensical and that concepts such as common humanity are naïvely utopian. But giving ultimate loyalty to nations and states, and accepting their ultimate decision-making power, is not a primordial condition. In reality, the international system in which we now live is a recent invention. The 350-year-old states system associated with Westphalia has been in existence for only about sixteen of the 5,000 generations of tool-making humans, while the nation-state identified with the French Revolution has only been around for about eight generations. The point I am stressing is that the now powerful world political stories we have learned to live by – nations and states – are very recent inventions in historical time. They are neither natural nor primordial. This warns against drawing sweeping conclusions about what human rights ‘are’ or ‘are not’ from historical snapshots and culturalist stories.

Nationalism and state sovereignty are powerful universal ideas. One idea that has never been universally powerful, politically, but which has been influential for far longer than the modern idea of nations and states, is the story that our main identity should be common humanity rather than some part of it. Few children are cosmopolitanised as they grow up. Nevertheless, contemporary cosmopolitans can look back

twenty-five centuries for intellectual and moral sustenance. The idea of a cosmic *polis* – the idea that we are all (potential) citizens of a universal city – can be traced in the Stoic philosophers of Greek times, the medieval idea of a united Christendom, the ideas of Dante and other writers about a worldwide empire, the Islamic vision of one *umma* or world community, the peace plans of the rationalist philosophers of the eighteenth and nineteenth centuries, the Enlightenment commitment to universal reason, the universalist ideals of *liberté*, *égalité* and *fraternité* released by the French Revolution, the schemes of World Federalists, imaginings of global Utopias and the rest.<sup>65</sup> However, some universalist ideas, those of a totalitarian nature, have not been inclusive or humanistic and I would reject these as false cosmopolitanism or universalism. Non-inclusive ‘universalisms’ privilege power over people. The rise and spread, particularly since the Second World War, of a universal human rights culture, feeds into the long tradition of ideas about a true politics of common humanity.

Fourthly, contrary to the argument that there is not a universal ethical community on which to base human rights universally, I would emphasise that there are indeed universal ethical communities; these derive from the fact that everyone on earth has multiple identities (deriving from gender, work, family position, political status and so on). Why should ‘culture’ have primacy? If the best answer to this is not the geography of meaning – cultural geopolitics – then we have to weigh culture alongside other identities when asking the question: to whom or to what are ethical values to be relative in any given case? And this means, surely, that an individual has the right to refuse a cultural or ethnic (or gender or whatever) identity?<sup>66</sup> Should women in Afghanistan, whose life-choices have been constrained by the Taliban, identify first with the views of the Taliban or with how they think and feel as women? Should ‘untouchables’ in India submit to the local elite or identify with oppressed groups elsewhere? Universal human rights are supposed to be invalid because there is no universal ethical community. But there is: the ethical community of oppressed women, the ethical community of under-classes; the ethical community of those suffering from racial prejudice; the ethical community of prisoners of conscience; the universal ethical community of the hungry . . . and on and on. Universal human rights are solidly embedded in multiple networks of cross-cutting universal ethical communities. The fundamental weakness of the critics of universality is that they take too territorial a view of the idea of human community, human political solidarity and human social affinity. Their perspective is conservative, overdisciplined by constructed notions of states and cultures.

Finally, in addition to the social, philosophical and political arguments just levelled against the critics of universalism, there is a further one, this time powerfully made by a writer who is best known for adopting anti-foundationalist positions, Richard Rorty.<sup>67</sup> This is an argument that stresses the universality that derives from our common experiences as human beings. Rejecting foundationalist arguments on which to base human rights, Rorty writes that a ‘better sort of answer is the sort of long, sad, sentimental story which begins “Because this is what it is like to be in her situation – to be far from home, among strangers,” or “Because she might become your daughter-in-law” or “Because her mother would grieve for her.”’<sup>68</sup> Such stories, he argues, are as good as it gets in terms of developing transcultural solidarities. There is indeed scope for ‘sentimental education’, what Annette Baier calls ‘a progress of sentiments’.<sup>69</sup> Many people *can* understand the stories of faraway people in faraway places. Indeed, many regard such explorations not as an alien activity, but as a way of opening up their own mental landscapes, and so knowing themselves. It is important to recognise the universality of human sentiments, but it is hardly a strong enough position on which to base an entire theory and practice of world politics. It can only be a part. As Wilson has written, in criticising Rorty’s position,

Yet one can only construct a very weak defence of actions by relying on emotions and courage alone, and eschewing all recourse to rational forms of argumentation. Rights without a metanarrative are like a car without seat-belts; on hitting the first moral bump with ontological implications, the passenger’s safety is jeopardised.<sup>70</sup>

The conclusion of this defence of universality is that when faced by a human wrong, there is no sensible place to draw a line and say: ‘This is no concern of mine.’ The very multiplicity of identities that humans share destroys the assumption of black-boxed communities of value which the anti-universalist critique depends upon. We are connected, universally, to multiple networks of ethical communities. Against this, relativism asserts a single referent, constructed by traditional territorial power structures and a totalised conception of culture. Universality is therefore possible (ethical and other communities are universal), desirable (resistance to oppression requires universal ethics, and this position is more defensible than the alternatives) and logical (there is no other sensible place to draw lines). What finally binds all this together and gives a firm anchorage for universal human rights is the universality of human wrongs. Human wrongs are everywhere; all societies find it easier to recognise and agree upon what constitute wrongs elsewhere than they do rights; wrongs are universal in a way rights are not; and a

concentration on wrongs shifts subjectivity to the victims by emphasising a bottom-up conception of world politics. This has the crucial effect of humanising the powerless. In the early 1990s Rorty was much troubled by the dehumanisation taking place in the Balkan wars. Some Serbs saw Muslims as uncircumcised dogs, and some Muslims made distinctions between humans (themselves) and blue-eyed devils (their enemies). When such dehumanisation occurs it becomes possible for groups simultaneously to believe in human rights but also carry out unspeakable atrocities, because they do not think *human* rights are being violated when what they target is an uncircumcised dog or a devil.<sup>71</sup> As ever, the relativist perspective concedes too much to local power, in this case that of the dehumanisers. A universalist perspective favouring the bottom-up perspective of human wrongs gets over this and allows the victim to assert and define his or her humanity, with the help of solidarist groups elsewhere. The invention of humanity and the definition of who is human cannot be allowed to be in the hands of particularist prejudices.

In the post-positivist phase of academic International Relations it is more common to contest the simple distinction between ‘facts’ and ‘values’ than was once the case. It has been more common in philosophy, and I want to endorse, with Mary Midgley, Geoffrey Warnock’s argument: ‘That it is a bad thing to be tortured and starved, humiliated or hurt is not an opinion: it is a fact. That it is better for people to be loved and attended to, rather than hated or neglected, is again a plain fact, not a matter of opinion.’<sup>72</sup> Expressing it differently, Wilson states that: ‘Whereas human happiness is noted for its variety, human misery is relatively uniform, leading to a notion of human frailty as the universal feature of human existence.’<sup>73</sup> From these statements – which I believe represent universal social facts – I believe that universal human rights are possible, logical and desirable. They derive from our animal nature (the need for food and shelter) and from our social character and potentiality. The *is* of wrongs demands the *should* of emancipation.

We have therefore no firm grounds for saying, when confronted by gross human rights abuses – human wrongs – that ‘This is no concern of mine.’ On the contrary, our multiple identities give us grounds for involvement, whether one speaks as a parent, family member, neighbour, citizen, member of the human species or whatever category one can imagine. One might argue in a particular case that there is nothing one can do, or that one’s priorities have to be with one’s nearest and dearest, or that one’s own nation must come first – or whatever – but the important point is that when faced with a human wrong – if one choose not to act – it is necessary to justify non-involvement. Kant is becoming right. He said that a ‘transgression of rights in *one* place in

the world is felt *everywhere*'.<sup>74</sup> With the help of the media, to some degree, and global civil society, even more, people are increasingly confronted by concern, if only to the extent of having to justify non-intervention.

In sum, the argument for a universalist approach to human rights rests on the universality of human wrongs; the latter are universal social facts that derive from our animal nature and social character to date. This argument is then strengthened by two others: the existence of a universality of ethical communities – and especially those of victims – and the fact that when one is faced by a human wrong – be it a hungry child, a prisoner of conscience, a battered person in the street, a victim of torture, starvation, humiliation or hurt – there is no intelligible reason for saying 'this is not my concern'. Confronted by all our multiple identities, relativism, particularism, and forms of communitarianism are ultimately not coherent. Even if there are contingent reasons for not acting, there are none for feeling and being uninvolved.

### **Conclusion: 1948/1648**

This chapter, long as it is, leaves many loose ends. But so it must, for there is a point in the human rights issue beyond which words cannot go. Philosophising can only go so far; the conclusion is in the doing; the outcome is in local struggles and individual efforts. For people wearing academic hats it might mean doing empirical studies of particular countries or particular human rights abuses, or investigating the workings of police and legal systems; for those with the role of activists, some of whom will also be academics, it means making choices and having the 'courage of their confusions'. This chapter has tried to give a comprehensive approach to taking such steps, based on the belief that human rights have a central role in the process of emancipation, which itself is central to human self-creation. Together, they speak to the predicament of living in the modern world, with all that this means: a situation in which human wrongs are universal, and a time when one of the great issues of the day is the task of mediating between the local and the global, when the meaning of each is in flux, as well as the relationship between them. Human rights is at the crux of all these matters, being concerned with what it is to be a human being, being human.

The Universal Declaration of Human Rights in 1948 can be seen as one of the steps towards the beginning of the end for a period of triumphant statism in world history, a period identified with the Westphalian system which had been formally inaugurated exactly 300 years earlier.



Westphalia, in its time, had represented a sort of anchorage, after the ravaging wars of religion. But the grammar of the system of state sovereignty and statism constructed from the seventeenth to the twentieth century led inexorably to the Holocaust and atomic warfare. These outcomes, evident to all in 1945, were not accidental factors in history, but the logical culminating points of an international system based on the idea that the sovereign state should represent the supreme locus of decision-making power and the highest focus of loyalty. Anarchy might be what states make of it, but humanity has not been. In the killing fields at the apogee of Westphalia – Dachau and Hiroshima – ‘Hell was here.’<sup>75</sup>

In 1948, with the Universal Declaration of Human Rights, the individual was potentially brought back to the centre. A building block was constructed for the possible development of a cosmopolitan democracy in a world of post-sovereign states, in ways that promised – but certainly did not guarantee – to reconcile particular and universal conceptions of humanity in universally – if not totally – satisfying ways. 1948, and what the Universal Declaration symbolises, gives us cause for hope, though not optimism, that the next 300 years will offer more space for the creation of humanity on a global scale than the past 300 years, a period of limited emancipations and unlimited violences. If 1948 does not let us revise the grammar of 1648, so much the worse for the world – the human and the non-human. Successful revision of statist grammar requires many things, of which a culture of human rights is one. This in turn requires an escape from the three tyrannies discussed earlier, so that we can think, talk and act with respect to human rights free of the regressive grip of common sense, traditionalism and relativism. We have no better language at present to set us free, to mediate between the local and the global and to overcome territorial conservatism in the interests of the construction of true universalism. The development of a human rights culture is crucial, because it is one of the ways by which physical humans can try and invent social humans in ways appropriate for our dislocated, statist, industrialised and globalising age. Each person on earth has several identities – chosen and/or ascribed. The truly emancipatory moment will be when the universal ‘I’ totally embraces the universal ‘an other’. Human rights can educate here, because an individual’s entitlement implies an other’s duty, and because there is no more efficient way of learning how the world works than by identifying with the wrongs others suffer. If enough people can come to think and feel beyond their skins, we can continue the work begun in 1948. This is the hope of progressively leaving behind the politics of the concentration camp – the ultimate sovereign space – for a cosmopolitan democracy

aimed at reinventing global human being – being human globally – based on the politics of the-I-that-is-an-other, and badged with common humanity.

### Notes

- 1 Carol Rumens, *Thinking of Skins. New and Selected Poems* (Newcastle upon Tyne: Bloodaxe Books, 1993), pp. 87–90.
- 2 Jack Donnelly distinguishes between the Western conception of human rights and some non-Western traditions. Examples are Islamic *sharia* and Chinese traditional law which are concerned with ideas of dignity and limitations on arbitrary power rather than rights as such. They are rules constituted between rulers and divine authorities rather than entitlements deriving from being human. Jack Donnelly *Universal Human Rights in Theory and Practice* (Ithaca: Cornell University Press, 1989), esp. ch. 3.
- 3 For a critique of static conceptions of the so-called human condition, see Philip Allott, ‘The future of the human past’, in Ken Booth (ed.), *Security and Statecraft. The Cold War and After* (Cambridge University Press, 1998).
- 4 Michael Carrithers, *Why Humans Have Cultures. Explaining Anthropology and Social Diversity* (Oxford University Press, 1992), pp. 12–13.
- 5 In addition to stumbling across the poem by Carol Rumens, I was greatly encouraged by seeing the attack on what he called the ‘ecstasy of is-sentences’ in the 1995 British International Studies Association Plenary Lecture by Philip Allott. See Allott, ‘Kant or won’t: theory and moral responsibility’, *Review of International Studies* 23 (1997): 339–57.
- 6 Carrithers, *Why Humans Have Cultures*, esp. pp. 4–11.
- 7 *Ibid.*, pp. 32–3.
- 8 *Ibid.*, p. 1.
- 9 *Ibid.*, p. 34.
- 10 *Ibid.*, p. 36.
- 11 C. Brown, *International Relations: New Normative Approaches* (Hemel Hempstead: Harvester Wheatsheaf, 1992), uses the communitarian/cosmopolitan distinction as the framework to discuss the whole history of normative thought about international relations.
- 12 See, for example, Derek Heater, *World Citizenship and Government. Cosmopolitan Ideas in the History of Western Political Thought* (Basingstoke: Macmillan, 1996).
- 13 Yehezkel Dror, *Crazy States. A Counter Conventional Strategic Problem* (Lexington, Mass.: Heath-Lexington Books, 1971), pp. 4–5. Dror’s formulation started with ‘was’: ‘Was Equals Is Equals Will Be’.
- 14 Richard A. Wilson, (ed.), *Human Rights, Culture and Context. Anthropological Perspectives* (London: Pluto, 1987), p. 1. Donnelly, *Universal Human Rights*, p. 109.
- 15 Carrithers, *Why Humans Have Cultures*, p. 8.
- 16 *Ibid.*, pp. 32–3.

- 17 The problem of authenticity is discussed in Ken Booth, 'Human wrongs and international relations', *International Affairs* 71 (1995): 112–17. Discussion of some of the cases in the rest of the paragraph can be found in the following: Jay Rayner, 'There is no such thing as Jewish sperm', *Guardian*, 29 January 1994. Ian Black, 'In the footsteps of the Ayatollah', *Guardian*, 9 October 1996 (the Taliban and the Shi'ites); Sin-Ming Shaw, 'Values true and false', *Time*, 15 December 1997 (the argument that Confucius would be a dissident); Herbert L. Bodman, and Nayereh E. Tohidi (eds.), *Women in Muslim Societies: Diversity Within Unity* (Boulder: Rienner, 1998); Shabbir Akhtar, 'Meaning in a silent universe', *Times Higher Education Supplement*, 21 March 1997; Geoffrey Wheatcroft, *The Controversy of Zion* (London: Sinclair-Stevenson, 1996); 'Egypt bans female genital mutilation', *Amnesty*, March/April 1998, p. 8; Douglas Jehl, 'A second wife to make a son: the film story all Iran is talking about', *The Observer*, 21 December 1997; Andrew Higgins, 'Free speech curbed at forum: Arafat and Muslim leader try to gag Palestinians', *Guardian*, 30 August 1995; Maggie O'Kane 'A holy betrayal', *Guardian Weekend*, 29 November 1997, 'The big story,' Granada TV, 27 July 1995 (the story of the meeting between British POWs and Japanese Officers); Marcus Mabry and David Hecht, 'Fighting for their rights. A local reaction to attacks on female circumcision', *Time*, 14 October 1996.
- 18 Eric Hobsbawm and Terence Ranger (eds.), *The Invention of Tradition* (Cambridge University Press, 1983).
- 19 Donnelly, *Universal Human Rights*, ch. 7 discusses caste in India.
- 20 Robert W. Cox, 'Social forces, states and world orders: beyond international relations theory', *Millennium* 10 (1981): 126–55.
- 21 Quoted in Alex Callinicos, *Theories and Narratives. Reflections on the Philosophy of History* (Cambridge: Polity Press, 1995), p. 190.
- 22 This is a similar argument to Aristotle's view that we become virtuous by practising virtue, the theme of Peter Singer, *How Are We To Live? Ethics in an Age of Self-Interest* (Oxford University Press, 1997).
- 23 This is discussed more fully in Ken Booth, 'Dare not to know: international relations theory versus the future', in Ken Booth and Steve Smith (eds.), *International Relations Theory Today* (Cambridge: Polity Press, 1995), pp. 347–8 and Booth, 'Security and anarchy: utopian realism in theory and practice', *International Affairs* 67(1991): 527–45.
- 24 Joseph Nye, 'The long-term future of deterrence', in Roman Kolkowicz (ed.), *The Logic of Nuclear Terror* (Boston: Allen & Unwin, 1987), pp. 245–7.
- 25 See Stanley Hoffmann, *Duties Beyond Borders: On the Limits of Possibilities of Ethical International Politics* (Syracuse University Press, 1981), p. 197.
- 26 Singer, *How Are We To Live?*, p. 265.
- 27 *Ibid.*, p. 263.
- 28 *Ibid.*, p. 265.
- 29 An account of praxis in Critical Theory is discussed in Richard Wyn Jones, 'Security, strategy, and Critical Theory', PhD thesis, University of Wales, Aberystwyth (1997), esp. pp. 52–8, 86–8, 163–83, 290–324. A shorter version will be published by Rienner (forthcoming).
- 30 The phrase 'World Order' is deliberately capitalised to indicate the association of the phrase with the ideas of the so-called World Order approach to

- world politics. See, for example, Richard A. Falk, *A Study of Future Worlds* (New York: Free Press, 1975) and Falk, *The Promise of World Order* (Philadelphia: Temple University Press, 1987).
- 31 Quoted in Callinicos, *Theories and Narratives*, pp. 193–5.
- 32 Martin Hollis, 'The last post?', in Steve Smith *et al.* (eds.), *International Theory: Positivism and Beyond* (Cambridge University Press, 1996), pp. 301–8.
- 33 Booth, 'Human wrongs,' 105.
- 34 Quoted in Bernard McGrane, *Beyond Anthropology: Society and the Other* (New York: Columbia University Press, 1989), pp. ix, 113.
- 35 Steve Smith, 'Positivism and beyond', in Smith *et al.*, (eds.) *International Theory: Positivism and Beyond*, p. 38.
- 36 *Ibid.*, esp. pp. 11–13.
- 37 McGrane, *Beyond Anthropology*, pp. 4–5.
- 38 *Ibid.*, p. 117.
- 39 *Ibid.*, p. 113.
- 40 Quoted in Wilson (ed.), *Human Rights, Culture and Context*, p. 3. One sinister version of this romanticisation has been the defence of 'cultural weapons' by the Inkatha Freedom Party: sanctioned by Zulu tradition, *assegais* and *pangas* were used in ferocious attacks on political opponents. See Callinicos, *Theories and Narratives*, p. 198.
- 41 Smith, 'Positivism and beyond', p. 37.
- 42 William H. McNeill, 'Decline of the West?', *New York Review of Books*, 9 January 1997, p. 21.
- 43 Chris Stringer, 'The myth of race', *The Observer*, 27 April 1997; Kenan Malik, *The Meaning of Race: Race, History and Culture in Western Society* (London: Macmillan, 1996).
- 44 Wilson (ed.), *Human Rights, Culture and Context*, p. 8.
- 45 A. Robson, 'Torture not culture', *AIBS Journal* 63 (September/October 1993): 8–9.
- 46 Callinicos, *Theories and Narratives*, p. 198. A telling illustration is given of the way 'my culture' (Susan Sontag's phrase) obscures moral judgement and empirical reality.
- 47 Philip Allott, *Eunomia. New Order for a New World* (Oxford University Press, 1990).
- 48 Roberto Mangabeira Unger, *False Necessities: Anti-Necessitarian Social Theory in the Service of Radical Democracy* (Cambridge University Press, 1987).
- 49 On how so 'normal' an instrument of power, historically, became a 'scandal', see Michael Ignatieff, 'Torture's dead simplicity', *New Statesman*, 20 September 1985. On the fact that torture is not dead, see Antonio Cassese, *Inhuman States: Imprisonment, Detention and Torture in Europe Today* (Cambridge: Polity Press, 1996). On the problem of the meaning of torture, see Talal Asad, 'On torture, or cruel, inhuman and degrading treatment', in Wilson (ed.), *Human Rights, Culture and Context*, pp. 111–33.
- 50 Booth, 'Human wrongs', 114.
- 51 John Vincent, 'Modernity and universal human rights', in Anthony G. McGrew *et al.* (eds.), *Global Politics: Globalization and the Nation State* (Cambridge: Polity Press, 1992), pp. 269–92, at p. 271.

- 52 On rights as an aspect of power, see Wilson (ed.), *Human Rights, Culture and Context*, pp. 17–18.
- 53 Francis Fukuyama, *The End of History and the Last Man* (London: Hamish Hamilton, 1992).
- 54 Peter R. Baehr, ‘The universality of human rights’, paper presented at the Annual Conference of the International Studies Association, Chicago, 21–25 February 1995.
- 55 *Ibid.*, pp. 10–11. The practical engagement of the local with the global via the Internet in the rebellion in Chiapas in southern Mexico – the first ‘cyberspace insurrection’ – is a further development of this general point: see Wilson (ed.), *Human Rights, Culture and Context*, p. 11.
- 56 A preliminary contribution to this ambitious project is Danielle Archibugi and David Held (eds.), *Cosmopolitan Democracy. An Agenda for a New World Order* (Cambridge: Polity Press, 1995).
- 57 James Der Derian, ‘The value of security: Hobbes, Marx, Nietzsche and Baudrillard’, in Ronnie D. Lipschutz (ed.), *On Security* (New York: Columbia University Press, 1995), p. 42.
- 58 ‘Change the world’, (Editorial), *Guardian*, 13 July 1996.
- 59 Donnelly, *Universal Human Rights*, pp. 1–5, 23–5. See also Baehr, ‘Universality’, p. 8, and Wilson (ed.), *Human Rights, Culture and Context*, p. 9.
- 60 Donald J. Puchala, ‘The United Nations and the myth of unity of mankind’, in Young Seek Choue and Jae Shik Sohn (eds.), *Peace Strategies for Global Community and the Role of the UN in the 21<sup>st</sup> Century* (Seoul: Institute of International Peace Studies, 1997), p. 175. This point is reinforced from a variety of different perspectives; for example: Singer, *How Are We To Live?*, p. 273 (‘the golden rule’); Wilson (ed.), *Human Rights, Culture and Context*, p. 7 (‘cross-cultural universals’); George Silberbouer, ‘Ethics in small-scale communities’, in Peter Singer (ed.), *A Companion to Ethics* (Oxford: Blackwell, 1994), pp. 14–28 (‘characteristics common to all moralities’).
- 61 Matt Ridley, *The Origins of Virtue* (London: Viking, 1996).
- 62 Martha Nussbaum, ‘Human functioning and social justice: in defense of Aristotelian essentialism’, *Political Theory* 20 (1992): 222.
- 63 Puchala, ‘The United Nations’, p. 177.
- 64 Allott, ‘The future of the human past’, *passim*.
- 65 Heater, ‘World citizenship’, *passim*; Booth, ‘Human wrongs’, 119.
- 66 See Thomas Hylland Erikson, ‘Multiculturalism, individualism and human rights: Romanticism, the Enlightenment and lessons from Mauritius’, in Wilson (ed.), *Human Rights, Culture and Context*, pp. 49–69. See also p. 19.
- 67 Richard Rorty, ‘Human rights, rationality and sentimentality’, in Stephen Shute and Susan Hurley (eds.), *On Human Rights: The Oxford Amnesty Lectures* (New York: Basic Books, 1993), pp. 111–34.
- 68 *Ibid.*, pp. 133–4.
- 69 Quoted in *ibid.*, p. 129.
- 70 Wilson (ed.), *Human Rights, Culture and Context*, p. 8.
- 71 Rorty, ‘Human rights’, pp. 112–14.
- 72 Geoffrey Warnock, *Contemporary Moral Philosophy* (London: Macmillan, 1967), p. 60; Mary Midgley, *Wisdom, Information and Wonder: What is Knowledge For?* (London: Routledge, 1989), pp. 154–63.

- 73 Wilson (ed.), *Human Rights, Culture and Context*, p. 5.
- 74 L. W. Beck (ed.), 'Perpetual peace', in *Kant Selections* (New York: Macmillan, 1988), p. 440.
- 75 Roy Bainton, 'Hell was here', *New Statesman & Society*, 28 April 1995. This is an account of a visit to Dachau, by an 'Englishman' with 'German' grandparents. At the end he concluded: 'Humanity should be stateless. The alternative leads here . . . To hell with "roots".'