

The Globalization of Human Rights

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Should anthropologists try to answer this question: Are human rights universal? Yes, and in doing so anthropologists need to make critical analytic connections between imperial legacies, contemporary global processes and hegemony, as well as think about the relationships between difference and universalism and the ways they have been used to adjudicate intellectual, political and moral dilemmas of modern Western social thought.



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Imperial Legacies

Early anthropological approaches to understanding human societies were often based on studying groups and cultural practices seen as self-contained and organized within primitive social organizations. This was intended to be a corrective to Western schemas of progress that grounded both social theories and cultural attitudes and tended to deem non-Western societies as either chaotic or despotic and incapable of progress or modernity. Such explanations, motivated by cultural relativism in the US or cultural translation in the UK, questioned schemas founded on universalism.

COMMENTARY

Anthropology was even more obscured by the colonial experience for it played a significant role in rapidly transforming local knowledge into imperial refractions. Perhaps more than during colonial periods, events during the mid-20th to the early 21st centuries have resulted in profoundly altered social worlds. In the midst of globalization, anthropological inquiry is radically shifting to address the reemergence of the universality of various ideologies and practices, including international human rights movements.

Understood in this context, the production of human rights univer-

sals represents the development of particular forms of local knowledge that emerged from European and American cultural histories that are rapidly circulating across vast regions. Today, like the earlier Enlightenment movement of the 17th century, in which a modern form of universalism was introduced, contemporary human rights movements use universal principles as tools for the eradication of hierarchies of human difference.

Despite this shared vision of sameness, today human rights universals are aligned within different historical and political trajectories. Some of these trajectories have taken place in the context of the French and American Rights Revolutions, Western suffrage and American civil rights movements, as well as a range of post-World War I and II agreements, conventions and various international governance initiatives and new mechanisms for the internationalization of human rights ideas set up to end genocide, military coups, and a general regard for democracy and its rights-bearing principles.

With the drafting of the Universal Declaration of Human Rights (UDHR) at the end of World War II and its acceptance by the UN General Assembly in 1948, a shared "standard of achievement for all peoples and all nations" was established through the assertion that "All human beings are born free and equal in dignity and rights. . . ." and are entitled to those rights. This declaration highlighted the universality of humanity and the centrality of achieving individual freedom as the ultimate goal of the new rights movement.

Subsequent international declarations of human rights, international conventions and regional agreements—ranging from the International Covenant on Social and Cultural Rights, the Covenant on Civil and Political Rights, and the Convention on the Elimination of All Forms of Discrimination Against Women—followed the adoption of the UDHR. Alongside these treaties and covenants are on-

going rule of law imperatives and economic linkage requirements in which national states everywhere are being required by international lending institutions, such as the International Monetary Fund and the World Bank, to become aligned with such human rights imperatives represented as universal in structure, form and purpose.

Global Processes

Today's global infrastructure of human rights institutions is thus being propelled by mass institutional changes, ones leading to the insistence that human rights protections be available to all, regardless of various cultural beliefs, norms and practices, and sometimes without regard

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to how localities may address justice differently. And yet, regardless of this differentiation, people in different cultural arenas are developing newly relevant conceptions of rights that both incorporate hegemonic human rights norms, while also rearticulating them in different terms.

The key question then shifts from whether human rights are or are not universal to how international human rights movements are producing universality out of cultural differentiation. Our understanding and practice of human rights have in large part been developed in tandem to discussions about the force of the statecraft, the military, and other economic imperatives and trade regulations, propelled by a particular, and expanding, neoliberal political economy and set of covenants and laws.

Universalism and Diversity

Though human rights work continues to be an important ideal in the achievement of global rights and protections we not only need to do it better, but we need to understand how universalism might challenge other forms of cultural diversity and

innovation. As anthropology shows, such diversity is vast, ranging from differences in the rights and duties of the individual versus individual obligations and duties to ethnic, cultural, religious or family groups, as seen in the African Charter for People and Human Rights, to differences in obligations in various Islamic contexts that involve a duty to God first and to the state and its international institutions second, to differences in the perceived appropriateness of punishment in China and Singapore.

Given this diversity, anthropologists should be asking whether the growing expansion of particular human rights norms provides a new language by which people can defend the persecuted or unrepresented that is not already available

to societies. Is there a way that human rights movements can provide support for local discourses of human rights? We should be questioning whether human rights movements colonize existing cultural expressions of justice by replacing them with new norms or whether there are particular appropriations of human rights discourses that are strategic and innovative that shed light on the far-reaching uses of human rights institutions globally.

Anthropologists can play a critical role in articulating more precisely the meaning and enactment of justice in local contexts as it relates to how people understand justice and rights differently, and explore how, in the context of the globalization of human rights, these circulating understandings overlay and contradict others, which produce, through the rule of law, a particular and hegemonic uniformity. ■

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