

From the Center to the Margins: The Radicalization of Human Rights in the United States

AFTERWARD BY LAURA H. ROSKOS

What can human rights tell us about power?

Throughout the winter of 2002–03, women in the United States participated with women around the globe in a multitude of mobilizations, virtual and embodied, that attempted to avert the U.S. military assault on Iraq. Shortly after the invasion began, NEWSA's conference provided an opportunity to bring together community educators, organizers, activists, and law professors versed in everyday use and explication of human rights. This was not a non-sequitur. Rather it clarified the question we had wanted to ask all along: can human rights help us restore a healthy balance of power in the world? Does it have some special leverage for transforming a multitude of mobilizations and projects into a sustainable "other" world? Because NEWSA has been explicitly addressing concerns of racism and classism in the academy and in New England society at large since its inception, we wondered if the tools of human rights—so many of which have been created by people of the global south—might help us move forward in some sort of cobbled commonality.

While there has existed for some time a lively feminist criticism, primarily among political philosophers and legal scholars, contributing theoretically to the elaboration and refinement of human rights, what have been rarer are narratives coming out of practice such as those collected here. These alert us not so much to the potential pitfalls of working with the human rights framework but to its possibilities for "infusing the spaces we are already in with citizen participation" (Bhattacharjee, in this volume). Aside from a case study of San Francisco's CEDAW ordinance (Waldorf 1999), the stories of local transformation that have been most available have tended to come from abroad, reinforcing the false sense that "civil rights applies to 'us' and human rights to 'them'" (Thomas and Dharmaraj 2000). From the applications described above, it seems clear

that improvisation and innovation in the interpretation of human rights law can and does happen *whenever* new constituencies—battered moms, the homeless, women of color with HIV/AIDS, genocide survivors—appropriate and inhabit the texts of human rights.

Addressing this human rights imperative to attend to the local, Charlotte Bunch wrote in the fall of 2002 that “Often what American feminists must do to help women elsewhere is not to focus on their governments but to work to change ours so that U.S. policies and corporate forces based here stop harming women elsewhere.” When women meet in international forums, talk often turns to the necessity for taking local responsibility for holding one’s own government accountable, as Leslie Hill reports above happened for South African women working as anti-apartheid activists. This is true even in those international meetings that acknowledge that governments are making “fewer and fewer decisions with respect to critical issues for women” (Symington 2002, 3).

Responding to the imperative to act locally, human rights movements, as Barbara Schulman states here, have “spawned an elaborate system of legal tools and monitoring bodies designed to enable ordinary people to hold our governments accountable for respecting, protecting and fulfilling” these rights. In the United States, during the summer of 2003, state and local, perhaps even the federal, governments are on their way to fiscal bankruptcy—yet human rights demands that they do more. The positive feedback loop facilitated by a human rights framework suggests one possible way of working ourselves out of this zero-sum bind by building a public agenda focused on promoting “the inherent human dignity” of all persons through the realization of Franklin Roosevelt’s famous four freedoms: freedom of belief and speech; freedom from want and fear (Glendon 2001, xviii).

When a community adopts and refines a human rights analysis of the harms they have suffered, Andrea Smith asserts above that it creates spaces for collective and connected healing. This is because human rights repositions “victims” in the community not as “survivors” but as “citizens”—citizens with multiple, intersecting identities and interests. As these citizens reclaim their stake in government, they contribute to building the capacity and legitimacy of that government and take co-responsibility for enabling that government to redress its failure to protect and provide for all. The universality and indivisibility of human rights are integral to their healing power.

The limits of intersectionality

Intersectionality is an analytic technique for surfacing complexity and embeddedness, but attentiveness to human rights—its practice—provides a map for performing the understanding yielded by intersectionality in daily life. In her plenary address to the conference, Krishanti Dhamaraj, executive director of WILD for Human Rights, stressed that “to engage in the practice of fundamental human rights is different from the articulation of such rights.” I took her to mean that what is often temporarily suspended in the articulation is the exquisite balance, the indivisibility and universality of human rights, which cannot be held in a single thought or linear exposition. Human rights offers a system and a framework for understanding human dignity because, as several of the conference speakers pointed out, it engages both our oppression and our privilege. It’s not a panacea, but a powerful heuristic that might help us move from a discourse of feminism, fractured into identity feminisms and single-issue coalitions, to a political movement that transcends identities without disregarding any of them. Krishanti was clear that this is a shift that must occur in the register of practice and she suggested that we in the audience will be adept at this, in part because “from the time we get up in the morning, we play different roles till the time we go to bed, and every role is equally valid.” The selections here illustrate women connecting in various ways, working not only our identity, in the sense of identity politics, but also our identities in all their multiplicity, and changing in the process. Leslie Hill underscores this dynamic when she emphasizes the embeddedness of the various South African constituencies contributing to building a new South Africa.

By attending to the full, indivisible range of human rights, not sequentially but synchronically, we begin to create human security, a concept that has been gaining consensus in foreign policy circles for the past ten to fifteen years (Human Security Commission 2003). Human security addresses:

. . . how human beings can find security around the basic day-to-day activities they perform to create a peaceful and prosperous life for themselves. . . . When people talk about social exclusion, a presumption is made that “social exclusion” pertains to minority constituencies of citizens. But if we unpack that a little, if we have to name those constituencies, we find that we are in fact talking about the majority of the

world's citizens: women, older persons, conventionally socially excluded peoples, such as people living with disabilities or indigenous people, for example. Then we see that we are living in a world where a large number of people do not have a sense of security about their lives, a sense of security about their space. (Afkhani 2002, 659)

But the challenges of trying to institutionalize human security in foreign policy involve rethinking military and defense expenditures, putting the brakes on the international but largely private arms trade, and fulfilling the basic material needs of a domestic population. Thus, states “do not always guarantee human security. Where states are externally aggressive, internally repressive or too weak to govern effectively, people’s security is undermined” (Canadian Dept. of Foreign Affairs 2003). The policy changes required to move toward a condition of human security depend on the existence of transparent and effective governance structures at the local as well as the national levels supported by a ubiquitous, and robustly participatory, civil society. However, the potential for either of these prerequisites seems quite compromised in the United States at this moment in history. By releasing the creative problem-solving and community-building energies of people living within a jurisdiction, the practice of human rights might contribute to building the capacity of government in a context of civic participation.

Human rights begins in small places, close to home

Countries, including the United States, that endorse the Universal Declaration of Human Rights have committed themselves, at least on paper, to promoting “universal respect for and observance of human rights and fundamental freedoms” and to strengthening understanding of these through their educational institutions (UDHR preamble and art. 26.2), yet few U.S. residents are unintimidated by the vocabulary of human rights treaties or the organizational structure of the United Nations. However, active participation in human rights movement building does require a certain baseline human rights literacy. As the experiences of community educator Dazón Dixon Diallo and of Mary Bricker-Jenkins in KWRU’s economic human rights campaign demonstrate, these skills can be learned in a variety of contexts.

Human rights training in the academy needs to migrate out of our law

schools and into the undergraduate curriculum. Human rights instruments, the human rights accountability structures, and public policies rooted in human rights perspectives are not topics amenable to study within the disciplinary structure of higher education. However, because human rights have been developed “topically,” as a means for understanding and addressing human needs grounded in material conditions, these subjects are all well suited for inclusion in the women’s studies curriculum. Several conference attendees were excited by the possibilities for engaging students in participatory research or internships linked to the activist projects presented at the conference. Equally important are the steps taken within the classroom. Classroom projects can draw on the techniques of community organizers by presenting the human rights system as a “work-in-progress,” undergoing continual refinement and open to local adaptations. The treaty documents can be included in syllabi for introductory courses wherever the topic of equality is featured. Research courses could include exercises designed to lead students through the extensive electronic archives organized by the UN Office of the High Commissioner of Human Rights (<http://www.unhchr.ch/html>) and the University of Minnesota (<http://www1.umn.edu/humanrts>). Capstone courses can be organized around the Beijing Platform for Action, examining each area in turn, and including in-depth discussions of the prep-con negotiations and outcomes of national commitments made at the conference. In each instance, such innovations in the direction of internationalizing women’s studies will be bound by a coherent conceptual framework that de-centers the experience of U.S. women, which is still too often taken as the yardstick against which other women’s movements are measured.

Our contributors by no means resolve the tensions that the human rights framework holds in its balance: the tension between the desire for a “higher authority” and the desire for self-determination, the need to stop perpetrators of violence while increasing the non-violence of society as a whole, the tendency to form affiliative communities of interest while maintaining identification with the whole of humanity. They do, however, speak unanimously to the urgency of claiming more local spaces where these impulses can be played out in the register of the social, in real life.

NOTES

1. Amy Agigian is Assistant Professor of Sociology and Director of the Center for Women’s Health and Human Rights at Suffolk University. NEWSA would also

like to take this opportunity to acknowledge the creative contributions of conference committee members Sarah Avery Sullivan and Dominica Lord Wood without whom this conference would not have been possible.

2. The text of each treaty, as well as other UN human rights documents, can be found at several sites including: the UN Web site of Office of the High Commissioner for Human Rights at <<http://www.unhchr.ch>>; the University of Minnesota <<http://www1.umn.edu/humanrts>>; and Bayefsky.com <<http://www.bayefsky.com/introduction.php>>.
3. Extensive documentation of San Francisco's implementation process can be found on the Web site of the San Francisco Commission on the Status of Women, <<http://www.ci.sf.ca.us/cosw/cedaw>>. A guide to replicating the San Francisco initiative is available from WILD for Human Rights, <<http://www.wildforhumanrights.org>>.

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