

10-12-2011

# Progress or Unfulfilled Promises? Reaffirming Rights, Reinventing Society

Zehra F. Kabasakal Arat

*Purchase College*, zehra.arat@purchase.edu

Follow this and additional works at: [http://digitalcommons.uconn.edu/hri\\_papers](http://digitalcommons.uconn.edu/hri_papers)

---

## Recommended Citation

Kabasakal Arat, Zehra F, "Progress or Unfulfilled Promises? Reaffirming Rights, Reinventing Society" (2011). *Research Papers*. 9.  
[http://digitalcommons.uconn.edu/hri\\_papers/9](http://digitalcommons.uconn.edu/hri_papers/9)

# **PROGRESS OR UNFULFILLED PROMISES? REAFFIRMING RIGHTS, REINVENTING SOCIETY**

**Zehra F. Kabasakal Arat<sup>1</sup>**

**Marsha Lilien Gladstein Lecture, University of Connecticut-Storrs, October 12, 2012**

I will start by sharing something rather personal.

A few years ago, I had a dream. They were selling human rights on the Internet. This dream may point to a disturbed psyche that needs years of psychotherapy. Knowing that Carl Jung treated something as simple as entering a room in a dream as a symbol of sexual intercourse, I am afraid to ask what human rights or Internet may stand for!

I did not seek the help of a Jungian therapist. Nor did I laugh at the absurdity of the idea and put it aside -- as a sane person would do. Instead, I asked: "What if it were true?" Since Internet means easy access, people would acquire their rights directly and quickly. But, then who has access to the Internet?

[At the time, a study on the digital divide reported that Finland had more users than in all of Latin America, and the number of users in London exceeded the number for the entire continent of Africa (Larson, 2002)]

---

<sup>1</sup> This delightful occasion was enabled by many. I would like to thank

- the Gladstein family for establishing the visiting professorship and making all of this possible;
- the selection committee for inviting me to assume the visiting professor position;
- my chair and colleagues at Purchase College for supporting my leave for the semester;
- the Director and staff of the Human Rights Institute for their generous efforts to make this visit a great experience -- which they are succeeding!
- the Political Science department for joining the effort as a co-host and welcoming me;
- the UConn faculty from various departments and staff from various offices for being friendly and ready to assist at every step;

Last, but not least I would like to thank

- Gabriela Tafoya for being a fabulous graduate assistant and for collecting the data and producing the beautiful graphs that constitute the core of the PowerPoint slides; and
- my husband Serdar, who regrettably cannot be here today, for adding color to the slides, as well as to my life for over thirty years.

Even if people had access to the Internet, would they have enough money to purchase their human rights? Who would be selling them? What would be the profit margin? Would some rights be more expensive than others? Would some people speculate or hoard them? These endless questions, which could drive one insane, led to a non-Jungian, and a much more literal interpretation of the dream. It was clearly the dream of a human rights scholar and advocate who spends too much time on the Internet, and often to look up information on human rights. It reflected her deep dissatisfaction with the development of the Internet and human rights – that they both promised more than what they delivered. It also spoke to her anxiety about the commercialization of our lives and the commercial manipulation of everything, including our values.

Disappointment is a common malaise among human rights advocates and scholars. Since the *Universal Declaration of Human Rights*, human rights norms advanced rapidly, the UN and regional human rights regimes issued many declarations and treaties, a significant majority of states ratified most of these conventions, states established human rights agencies, advocacy organizations proliferated, the perpetrators of some gross violators were brought to justice, people and activists increasingly articulate their issues by employing a language of human rights, and very few people would have the nerve to admit that they are against human rights. Then, we look around and see all kinds of violations and discrimination going on as always, if not increasing.

Of course, there are some analysts who accentuate the positive. They note that conditions are not equally bad everywhere. In addition to cheering the accomplishments of western liberal democracies, they would point out that some indicators show global progress. Reminding that human rights are expected to be realized gradually, they would call for patience. Since the

human rights norms are advanced and accepted by many, their full implementation would be a matter of time.

But what do these indicators of progress, which are usually some aggregate statistics, tell us? If they mark progress, has the progress noted so far been steady? Can it be sustained?

Today, I will question the validity of the measures of progress we tend to use. I start with the argument that “universalist” human rights advocacy, which seeks the enjoyment of human rights by all human beings, should be seen as a power struggle, and progress should be assessed in terms of their impact on power relations. I define power struggle as a zero-sum game – when I am empowered or gain any power, those who used to have power over me and others will have less of it. If we consider the universalism of human rights as being about the dispersion of power, then the fulfillment of human rights for all would require a number of steps:

- acknowledging power differentials;
- identifying the structural foundations of power;
- creating redistributive mechanisms that would disperse power on all dimensions of power – economic, political, and social;<sup>2</sup> and
- transforming or replacing hierarchal structures.

#### Beneficiaries and Advocates of Human Rights

We should remember that human rights have not always been advanced by the marginalized or on their behalf. For example, the *Magna Carta*, a document from early 13<sup>th</sup> century England, is often presented as the first legal protection of rights against the encroachment by the state. The *Magna Carta* was also the product of a power struggle. Devised

---

<sup>2</sup> Zehra F. Kabasakal Arat. “Human Rights Ideology and Dimensions of Power: The State, Property, and Discrimination,” *Human Rights Quarterly* 30:4 (November 2008): 906-932.

to protect the property rights of the noblemen against the increasing power of the monarch, it was a settlement among the members of the same class and served the interests of those who were already in power.

Similarly, the *Bill of Rights* enacted after the Glorious Revolution in England, was mainly about the rights of the members of the parliament who were nothing but landowning aristocracy. The philosophical justification of the “new” right-based regime of the post-revolution England of the 18<sup>th</sup> century was offered in the writings of John Locke, who, while advancing the idea of representative government, limited the right to participate in government to the estate holders. The three inalienable rights, “life, liberty and estate,” promoted a notion of individual freedom that rested on property ownership. The American *Declaration of Independence* and *Constitution* also subscribed to the Lockean notions. The other famous 18<sup>th</sup> century human rights document, the French *Declaration of the Rights of Man and Citizen* also promoted property rights and certain freedoms, without addressing the material basis of “égalité.”

But the post-World War II notion of human rights, as articulated in the International Bill of Rights – that is the *Universal Declaration of Human Rights* and the two international covenants – is significantly different from what is promoted by these earlier “liberal,” “natural right,” or “social contract” philosophies and documents, as well as what prevailed in other parts of the world, in terms of inclusiveness. In addition to including a broader scope of rights, it is stronger and more explicit on universalist and egalitarian principles. Human rights belong to all, regardless of “race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status” (e.g., UDHR, Art. 2; ICESCR Art. 2(2); ICCPR Art. 2(1)). Moreover, as spelled out in the preamble and the first Article of the *UDHR*, human rights are put

under protection because “human beings are born free and *equal* in dignity and rights” (UDHR, Article 1, emphasis added).

The emphasis on equality in dignity, in a world of unequals, also calls for the conceptualization of *all* rights as *positive* rights, rather than *negative* rights. Conceptualized as negative rights – which can be translated as “let them be, let them enjoy what they have” – would protect the privileged. But promoting human rights for *all* to enjoy regardless of their status would mean removing obstacles and taking positive action. It is an approach that brings those who are currently lacking rights to the forefront as the primary subjects of rights. What makes human rights appealing to the disadvantaged is precisely this trust in equality in dignity and its promise to have an equalizing impact on the enjoyment of human rights.

Referring to these radical notions, a friend once described the *Universal Declaration of Human Rights* as “the best utopian document after the Communist Manifesto,” with a tacit cynicism stemming from his disillusion with various 20<sup>th</sup> century attempts to put socialist ideals into practice, some of which turned into horrific dystopia. In a similar vein, in his recent book, Sam Moyn refers to human rights as “the last utopia” and includes the failure of other emancipatory internationalist ideologies, such as anticolonialist nationalism, communism or “Marxist humanism,” among the factors that account “for the relevance of human rights in the last three decades” (2010, 213).

Across the Atlantic, Costas Douzinas notes that “Human rights have become the principle of liberation from oppression and domination, the rallying cry of the homeless and the dispossessed, the political programme of revolutionaries and dissidents” (2000,1). At the same time, he adds that the appeal of human rights “is not confined to the wretched of the earth.” Noting that “the owner of Harrods, the former managing director of Guinness Plc as well as the

former King of Greece have all glossed their claims in the language of human rights,” (2000, 1), he declares :“Human rights have won the ideological battles of modernity” (2000, 2).

While the popularity itself can be taken as an indicator of progress, if the left and right, weak and powerful, oppressor and oppressed, all invoke human rights, this popularity becomes a cause for alarm. Indeed, a vocal critic of human rights, Gary Teeple, considers human rights as a product of capitalism and the rights articulated in the *Universal Declaration* as deceptive – “their possession does not mean that everyone is actually equal or can in fact exercise or benefit from those rights” (Teeple 2005,4). “The fact,” he notes, “[that] those on both the left and right on the political spectrum often find themselves promoting causes in the name of human rights requires explanation” (2005, 6).

This is a point that needs careful consideration. One does not need to share the main premises of Teeple’s theory nor my friend’s cynicism, in order to be concerned about human rights’ emancipatory aspects being hijacked. Most critics of the current phase of globalization complain that the powerful actors, the key players (such as the WTO, IMF, US and major TNCs) *undermine* human rights in their decision-making (e.g., Evans 2011). However, others, including me, are also concerned when these powerful actors claim to be human rights advocates. In fact the 18<sup>th</sup> century notions of human rights are revived by Fredrick Hayek and his followers, and they are alive in the neoliberal economic programs and constitutionalism that cloth sorts of property rights with individual freedom and public interest.

Since the subversion of the emancipatory promise of human rights is not hypothetical, the growth of an amorphous chorus of human rights engenders suspicion. Thus, according to some, such as Conor Gearty, “the human rights tent should not be so broad that everybody can be squeezed into it” (Gearty 2006, 144).

### Gradual Fulfillment of Human Rights

Human rights violations are typically seen as a problem in developing countries. Autocratic and other forms of repressive governments, corruption and lack of development, as well as traditional culture are commonly identified as sources of the problem. Indeed, our correlation studies show that development and democracy have positive relationships with human rights. But, let's look at what is going on in advanced democratic countries. We tend to define development of a country by its wealth and measure it by its gross domestic product per capita. (There are many problems with equating wealth with development, but that is not a topic that I will address here.)

According to recent statistical reports, some figures for the US are:

Gross domestic product per capita (2009): <sup>3</sup>	\$ 41,101
Median household income (2008): <sup>4</sup>	\$ 50,303
Poverty threshold for a family of four (2011): <sup>5</sup>	\$ 22,350

The latter figure is an amount that would be just enough to pay for decent housing, utilities and public transportation costs where I live, which is a working class suburb of New York City. Thus, it is not surprising to have the percent of population living in poverty (2009) to reach 15.1 (2009)<sup>6</sup> and find 14.5 percent of population facing food insecurities (2010).<sup>7</sup>

---

<sup>3</sup> Penn World Tables 7.0 Alan Heston, Robert Summers and Bettina Aten, Center for International Comparisons of Production, Income and Prices at the University of Pennsylvania, May 2011.

[http://pwt.econ.upenn.edu/php\\_site/pwt\\_index.php](http://pwt.econ.upenn.edu/php_site/pwt_index.php) (Accessed September 20, 2011).

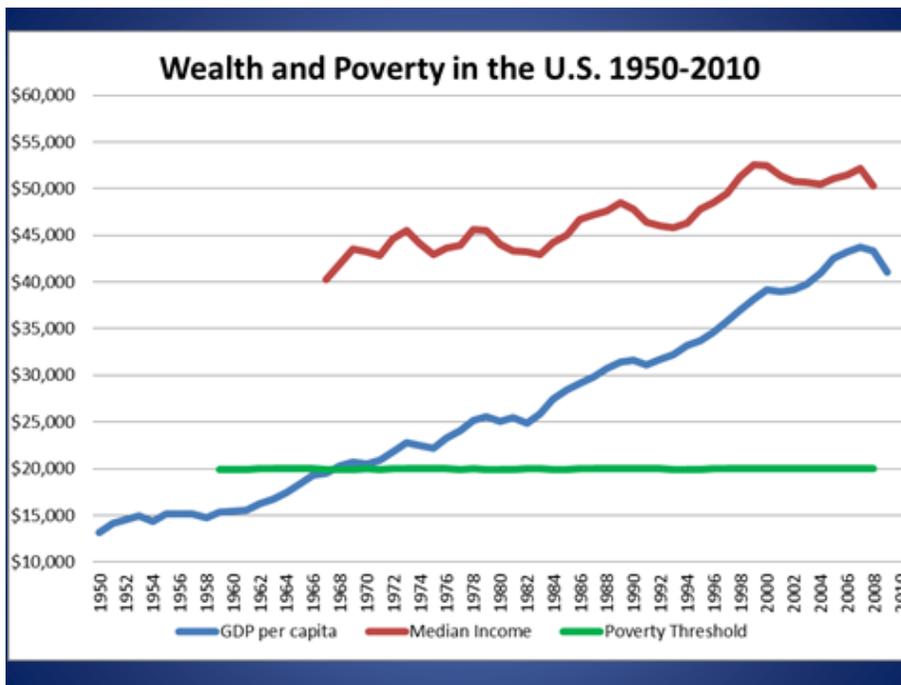
<sup>4</sup> U.S. Bureau of the Census, 2011 Statistical Abstract, Current Population Surveys. <http://www.census.gov/compendia/statab/> (Accessed September 20, 2011).

<sup>5</sup> U.S. Bureau of the Census. 2011 Statistical Abstract. Income, Expenditures, Poverty, & Wealth: Poverty. Table 710. [http://www.census.gov/compendia/statab/cats/income\\_expenditures\\_poverty\\_wealth/poverty.html](http://www.census.gov/compendia/statab/cats/income_expenditures_poverty_wealth/poverty.html) (Accessed September 20, 2011).

<sup>6</sup> U.S. Bureau of the Census, Current Population Survey, Annual Social and Economic Supplements, Table 4. <http://www.census.gov/hhes/www/poverty/data/incpovhlth/2009/table4.pdf> (Accessed September 20, 2011).

In the middle of a severe recession, these figures may be attributed to the unusual downturn of the economy. But, the picture is equally bleak, if we examine the trend in 2005 or 2008 prices. As seen in Graph 1, since the 1960s, the GDP/capita grew at a rate of about 200 percent, but the median household income grew only by 25 percent. The poverty threshold level practically stayed constant at around \$19,000 – the fluctuations being within a few hundred dollars, they are not captured in this line graph.

Graph 1: Wealth and Poverty in the U.S.



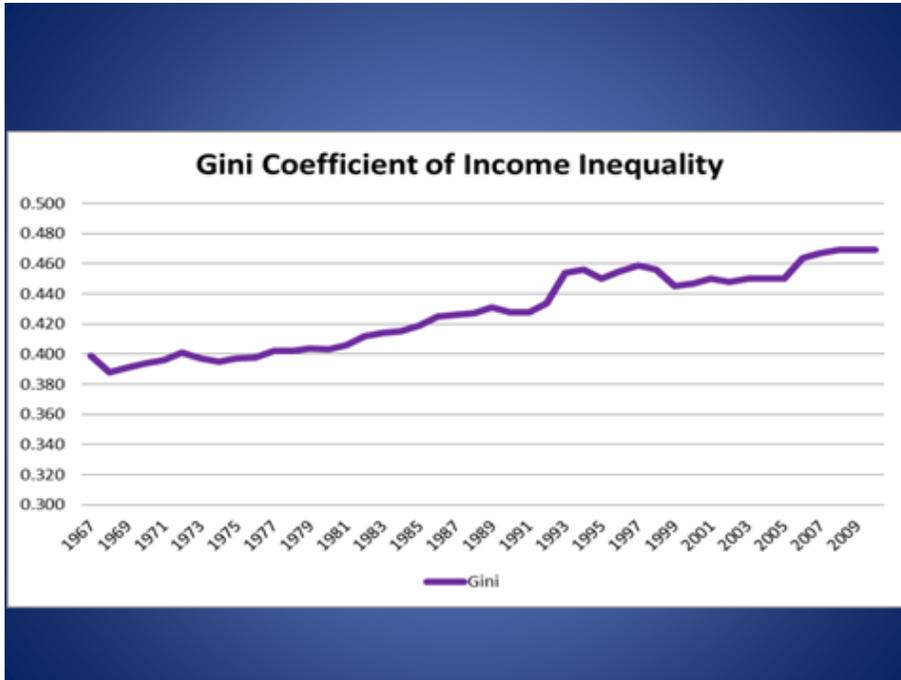
Note: GDP per capita is measured in 2005 chained dollars; Median income is measured in 2008 constant dollars; Poverty threshold is measured at PPP 2005 dollars.

Sources: Penn World Tables 7.0: Alan Heston, Robert Summers and Bettina Aten, Penn World Table Version 7.0, Center for International Comparisons of Production, Income and Prices at the University of Pennsylvania, May 2011 [http://pwt.econ.upenn.edu/php\\_site/pwt\\_index.php](http://pwt.econ.upenn.edu/php_site/pwt_index.php); US Census Bureau – The 2011 Statistical Abstract, Current Population Surveys. <http://www.census.gov/compendia/statab/> (Accessed September 20, 2011).

<sup>7</sup> U.S. Department of Agriculture. “Household Food Security in the United States 2010” Economic Research Service, Economic Research Report 125. <http://www.ers.usda.gov/Publications/ERR125/> (Accessed September 20, 2011).

The trends in Graph1 indicate that despite economic development (as measured by GDP per capita), people did not benefit from it equally and inequalities increased. In fact, the GINI coefficient for income inequality grew from .40 to .47, between 1967 and 2010. (See Graph 2).

Graph 2: GINI Coefficient of Income Inequality in the U.S. (1967-2009)



Source: U.S. Census Bureau, Current Population Survey, 1968 to 2011 Annual Social and Economic Supplements. Table A-3. <http://www.census.gov/hhes/www/income/data/historical/inequality/IE-1.pdf> (Accessed September 20, 2011).

A comprehensive research would involve the trend analysis of access to health care, and other economic and social rights indicators, as well as those for civil and political rights. But my point in showing these line graphs is quite simple. First, I want to stress that income gaps are important in a society in which access to many items that fall under human rights is determined by one's purchasing power. Second, I would like to show that income gaps exist and grow

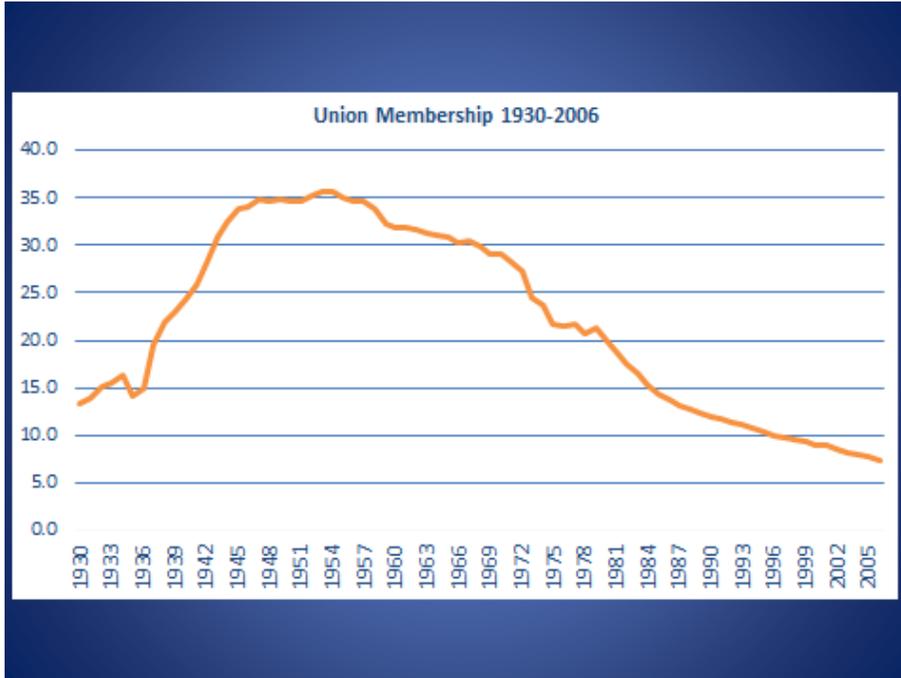
despite economic growth, and expectations about the gradual progress in human rights are not empirically grounded (when we examine longitudinal data instead of relying on cross-national data). Most important, the problem is not scarcity but distribution.

These fluctuations not only demand search for causal factors other than development/growth, but also imply that without shifts in structural foundations, human rights progress is likely to be not only limited but also temporary.

The tentative progress and the possibility of “reversals” manifested in the most blatant fashion in case of labor rights, the protection of which was attempted through international conventions that predated the UN and the *Universal Declaration*. The ILO, established immediately after the First World War, has become an important forum for the promotion of labor rights. The ILO conventions and working class activism resulted in some significant progress over the years: Unionization increased, work hours and conditions improved, child labor and industrial accidents of the 19<sup>th</sup> century laissez-faire capitalism became rare occurrences in advanced industrial countries. [Of course the progress was not even. Main beneficiaries were industrial workers and professionals. Agricultural sector and unskilled laborers in the service sector were left out. And most of the developing world did not get to enjoy these labor rights.]

During the last three decades, however, unionization rates have been declining all around the world, including the United States. In fact, the United States has never recorded unionization rates of 50-80 percent, the levels that were common in other industrial countries. As seen in Graph 3, the unionization rate in the US reached the peak at 35.7 percent in 1953 and has been declining ever since. Currently, only 12 percent of the US workforce is unionized.

Graph 3: Unionization Rate in the United States, 1930-2006



Source: Barry T. Hirsch, “Sluggish Institutions in a Dynamic World: Can Unions and Industrial Competition Coexist?” *Journal of Economic Perspectives* 22:1 (Winter 2008): 153-176, Accompanying Data Appendix. <http://www.unionstats.com> (Accessed September 20, 2011).

Parallel to unionization, collective bargaining rights have been on the decline and under attack. Where it is practiced, collective bargaining has become a device through which the workers would negotiate which of their “gained rights” should be compromised. Real wages declined, despite the increased labor productivity and profit margins in many industries. Informal economies, which remain outside the labor law, started to grow. Along with them came sweat shops, human trafficking and “new/modern day slavery” (Bales 2004). Industrial accidents that result in death and dismembering may not reach the 19<sup>th</sup> century scales, but these catastrophes have been replaced by different “post-industrial” health problems such as stress, chronic pain of different kinds, depression and a range of ailments that are related to environmental pollution.

Even if Progress is Steady, What Lies Behind the Aggregate Figures?

Right to work is a human right, and those who are unemployed are denied this right.

Would a decline in the unemployment statistics mean that we are getting closer to realizing the right to work? The answer would depend on what is behind those numbers. Do people settle for part-time jobs or full-time jobs with meager wages, unhealthy work conditions, and no benefits?

Monitoring the implementation of the UN *Convention against All Forms of Discrimination against Women*, I look for indicators of parity between men and women. I note that progress has been made, if women's rate of participation in the work force shows an increase. But, that piece of aggregate data does not reveal the conditions under which women have entered the work force. What kind of jobs are they getting? Are they paid livable wages? When a woman joins the work force, does she do so willingly or is she forced into it? Even if it is her choice, is it a voluntary step toward fulfilling her capacity, or a desperate effort to contribute to the shrinking family budget, which only adds to her household responsibilities and overburdens her? Is her right to work fulfilled, or the right to rest and leisure violated?

How does the progress look from different standpoints?

Human rights advocacy that focuses on anti-discrimination tends to devote attention to the extent to which policies and institutions discriminate against particular segments of society. The effort is geared toward eliminating discrimination in recruitment, promotion, etc., and making institutions more inclusive and open to people from different segments of society. The function or the hierarchical structure of institutions is not questioned. Again, at the aggregate level, the increased representation of women, ethnic/racial minorities or gays in the military, corporate management, religious institutions can be taken as an indicator of progress. However,

what does the replacement of a male CEO with a female one look like from the standpoint of the workers who continue to have long work hours, unsafe conditions, pitiful wages, and no benefits?

### Current Tools and Focus of Human Rights Advocacy

How do we try to achieve the meaningful enjoyment of human rights by all human beings? Currently, human rights advocacy work largely relies upon a few mechanisms:

- The shaming game, that is, monitoring and exposing human rights violations by states and corporate entities;
- Sanctions on states;
- Litigation; and
- Consumer protests.

These mechanisms do not question the underlying causes of human rights violations. They are geared toward identifying the offensive parties and holding them accountable. In other words, the attention is given to the agency not to the structure. Thus, they are limited in their effectiveness and impact.

Some strategies may also turn counterproductive. For example, sanctions, which are typically imposed on violating states, have been criticized not only for their selective political use (thus undermine the confidence in the human rights regimes' fairness) but also for punishing the people living within the borders of the state more than its faulty government.

Consumer protests, by definition, enfranchise those who have consumer power. Although they may stop some violations, they are difficult to sustain as a continuous and focused strategy. They may also do more harm than good. A well-known example is the *Child Labor Deterrence Act*, a bill drafted by the U.S. Senator Harkin in the early 1990s and intended to ban the import of goods produced by child labor. The threat of the bill led the garment

manufacturers in Bangladesh to lay off 50,000 child workers. But, a follow-up study by UNICEF found these “freed” children, who lack education and skills, pushed into making a living through activities such as “stone-crushing, street hustling and prostitution,” which are “more hazardous and exploitative than garment production” (UNICEF 1997, 60).

Moreover, the reach of consumer protests is short. In case of child labor, for example, it is noted that only a fraction of child labor is employed in export industries (ILO, 1998). Consumers are completely powerless if the entire industry, say the oil industry, operates with disregard to human rights.

A common shortcoming of these approaches is their ex-post factor character; they respond to violations after the fact. They are expected to have preventive impact through deterrence, but this expectation is yet to be fulfilled. Finally, they involve very little redistribution, if any.

A redistributive ethical model is proposed by Philosopher Peter Singer, who makes a compelling case for charitable contributions. He contends that middle class Americans have incomes that go beyond meeting their needs and they spend them on luxury goods. Instead of spending their money on such goods, they should send it to charitable organizations that can save the lives of starving children. He argues that a few hundred dollars, which would be enough to save the life of a child in an impoverished country, when spent on unnecessary items, such as a new TV, would be the same as handing the child to some killers. He tries to motivate people to be more charitable by prodding their feeling of guilt. Some of his analogies stress human beings’ compassionate and caring instincts. In order to save the life of a drowning child, he says, most people would not hesitate to walk into a dirty pond in their very expensive clothes and shoes. Thus, they should give up buying such items in the first place and give the money to

charity. If everyone, or a significant number of the well-to-do, acted generously, the poverty problem would be significantly reduced, if not solved.

His analogies are powerful. Indeed the proposed voluntary redistribution would help some, but up to a certain point. How far would people go in their charitable acts and make lifestyle changes? He suggests giving up all that is beyond immediate need, but where do we draw the line of need? Curbing extreme consumerism may be a good idea, but a full application of Singer's proposal may also mean a Spartan life without any art, music, or entertainment, which can be considered non-essential. More important, a majority of people, even in the wealthy US, face insecurities, living from pay check to pay check, and they are afraid of falling into poverty themselves.

Singer is oblivious to the demands of competitive economies and flexible labor markets that push many people in the industrial world to sacrifice their labor rights, become willing to take a job at Wal-Mart, or the like, and sell goods produced by workers who work and live in conditions much worse than theirs. His analogies ignore the *structures* that promote consumerism and sustain inequalities, low wages, or joblessness. Redistribution without structural change, however, would continue reproducing haves and have-nots, where the haves would call the shots and decide how much to give and to whom. Singer identifies the duty holder and petitions his/her moral values, but without recognizing the recipient as the subject of rights. Since charity as a redistributive mechanism does not touch the power differentials, framing such a proposal as a human rights strategy would mean depoliticizing human rights.

One may claim that feudal lords in Western Europe did pretty much what Singer proposed. The morals of the time (which we call tradition) would put the feudal lord in charge of the welfare of his subjects. His protective obligations would not allow him to kick out the

sick, disabled, or elderly serfs, who could not work anymore. They would remain on the manor and continue receiving food, shelter, and other basic needs. Although poverty existed, except in times of famine, war or plague, starvation and homelessness were not prevalent in rural Europe until the commercialization of agriculture. In fact, that is why the Tory Radicals – aristocrats who belonged to the Conservative Party in England – were among the first advocates of the urban poor and industrial workers who were working not for the “charitable” noblemen, but for the profit maximizing bourgeoisie, whom they chastised for being greedy.

Despite these charitable acts, we do not romanticize feudalism. We know that the feudal lord could be as generous and kind as he wanted and still acknowledge the power differentials between the lord and the serf. This acknowledgement is evident also in the *Universal Declaration* and subsequent treaties that call for freedom from both slavery and servitude. (See, Article 4 of UDHR and Article 8 of ICCPR).

#### Short-term Remedies versus. Structural Change

As limited and problematic as the prevailing advocacy approaches may be, we can only welcome whenever a prisoner of consciousness is released, the educational gap between men and women are narrowed, gays feel freer and secure enough to claim their identity, poverty declines, and a big time dictator is toppled and brought to justice. In 1998, I was so delighted by the news of General Pinochet’s arrest in London; I fixed a special breakfast to celebrate the event with my family.

In many ways, as human rights advocates, we are like the young man on the beach who tries to save the starfish. For those who do not know Loren Eiseley’s old story, entitled “The Starfish Thrower” and frequently told with some variations, here is a short version:

A man walking along the beach notices a human figure moving like a dancer. As he gets closer, he notices a boy picking something up and gently throwing it into the ocean. Approaching the boy, he says: "Good morning. May I ask what you are doing?" The boy pauses and replies: "Throwing starfish back into the ocean. The sun is up and the tide is going out. If I don't throw them in, they'll die." "Son," the man says, "don't you realize, there are miles and miles of beach and there are starfish all along every mile? You can't possibly make a difference!" After listening politely, the boy bents down, picks up another starfish, and throws it back into the ocean. As it meets the water, he says, "It made a difference for that one."<sup>8</sup>

Subversive forces aside, human rights advocacy today is like returning the starfish to the ocean, one at a time, while thousands are dying on the shore. But are we limited to the options of "saving a few" and "doing nothing"? Is there anything that we can do to manage the currents and tides?

In case of human rights, if choices are between leaving the family to starve and allowing sweatshops or child labor, the answer is a no brainer. But we have to ask the question: Why do we think these are the only alternatives? Is there a common cause of unemployment, low wages, unhealthy work environments, and child labor?

Intervening to change the structural causes of violations is, of course, more difficult than dealing with the symptoms and providing some relief. The difficulty involved makes human rights advocates seek "the art of the possible." Kenneth Roth, Director of Human Rights Watch, has been pretty frank about this. Facing criticisms about Human Rights Watch's choice of focusing on civil and political rights, he defends the organization's approach for being cost

---

<sup>8</sup> For a longer version, see [http://www.starthrower.com/star\\_thrower\\_story\\_script.htm](http://www.starthrower.com/star_thrower_story_script.htm). (Accessed October 2, 2011).

effective and notes that the strategy of shaming governments would not work in the case of economic and social rights violations, where the responsibility is likely to be diffused and the remedy is costly. In order “to embarrass a government to change its strategy,” he says, “clarity is needed about three issues: violation, violator, and remedy. That is, we must be able to show persuasively that a particular state’s affairs amounts to a violation of human rights standards, that a particular violator is principally or significantly responsible, and that there is a widely accepted remedy for the violation” (Roth 2007, 173).

The pitfall in this approach is focusing on the agency (the violators) and “acceptable” remedies. Limiting action to the easier and relatively palatable course of action poses the danger of being stuck in a system that allows redressing some violations but continues to reproduce the conditions that would permit, if not encourage, violations. Since each human rights violation is one too many, we cannot give up on short-term “individual” or “partial” improvements, but I contend that they should be carried out with an eye on the larger prize.

Establishing equality in dignity and enjoyment of human rights by all human beings is a revolutionary idea that does not necessarily call for a revolution but demands a revolutionary approach that would look at the root causes of violations and remove oppressive and hierarchical structures. That means politicizing human rights advocacy and developing a progressive program of political action. In academia, our research needs to be “scientific” beyond the methodologies employed. It should search for the structural causes of violations, or potential violations, and identify the effective mechanisms and strategies that would transform or reinvent society.

\* \* \*

I started by talking about dreams and would like to end my talk with another reference to dreams. But, first I would like to share a photograph that depicts reality. Every day, hundreds of poor families arrive in Mumbai, with the hope of finding good jobs. But unable to accommodate the vast population it attracts, the city lets people build makeshift shelters on the sidewalks and live on the streets. (See Photograph 1)

Photograph 1 – Roadside settlements in Mumbai



Note: Photograph by Z.F.K. Arat

Some years ago, I visited a public junior high school in Mumbai, where students had been asked to draw pictures of their dreams. The young artist of the picture here (Photograph 2) depicts herself as dreaming a dream in her sleep, but one can tell that her dream is an “awake” one.

Photograph 2 – Student Artwork from Mumbai City Middle School



Note: Photograph by Z.F.K. Arat

I, too, have a “day” dream like hers. As she erects a beautiful house that would enable her to enjoy the right to shelter, privacy, clean water, sanitation, and healthy environment, I dream of a society that is based on structures that are not hierarchal, exclusive or exploitative, and that allows all to enjoy human rights.

Thank you.

## REFERENCES

- Arat, Zehra F. Kabasakal. "Human Rights Ideology and Dimensions of Power: The State, Property, and Discrimination," *Human Rights Quarterly* 30:4 (November 2008): 906-932.
- Bales, Kevin. *Disposable People: New Slavery in the Global Economy*. 2<sup>nd</sup> ed. Berkeley: University of California Press, 2004.
- Douzinas, Costas. *The End of Human Rights*. Oxford: Hart Publishing, 2000.
- Evans, Tony. *Human Rights in the Global Political Economy: Critical Processes*. Boulder, CO: Lynne Rienner Publishers, 2011.
- Gearty, Conor. 2006 *Can Human Rights Survive?* Cambridge: Cambridge University Press, 2006.
- Hirsch, Barry T. "Sluggish Institutions in a Dynamic World: Can Unions and Industrial Competition Coexist?" *Journal of Economic Perspectives* 22:1 (Winter 2008): 153-176, Accompanying Data Appendix. <http://www.unionstats.com> (Accessed September 20, 2011).
- ILO. *Child Labor: Targeting the Intolerable*. Report IV of the International Labor Conference, 86<sup>th</sup> Session, Geneva, 1998.
- Larson, Eugenie. "Overcoming the Digital Divide," *Rights News*. Columbia University, Center for the Study of Human Rights. 24:1 (Fall 2002): 6, 16.
- Moyn, Samuel. *The Last Utopia: Human Rights in History*. Cambridge, MA: Harvard University Press, 2010.
- Penn World Tables 7.0 Alan Heston, Robert Summers and Bettina Aten, Center for International Comparisons of Production, Income and Prices at the University of Pennsylvania, May 2011. [http://pwt.econ.upenn.edu/php\\_site/pwt\\_index.php](http://pwt.econ.upenn.edu/php_site/pwt_index.php) (Accessed September 20, 2011).
- Roth, Kenneth. "Defending Economic, Social, and Cultural Rights: Practical Issues Faced by and International Human Rights Organization." In *Ethics in Action: The Ethical Challenges of International Human Rights Nongovernmental Organizations*, edited by Daniel A. Bell and Jean-Marc Coicaud, pp. 169-180. New York: Cambridge University Press, 2007.
- Teeple, Gary. *The Riddle of Human Rights*. Amherst, NY: Humanity Books, 2005.
- UNICEF. *The State of World's Children 1997*. New York: Oxford University Press, 1997.

- U.S. Bureau of the Census, 2011 Statistical Abstract, Current Population Surveys.  
<http://www.census.gov/compendia/statab/> (Accessed September 20, 2011).
- U.S. Bureau of the Census. 2011 Statistical Abstract. Income, Expenditures, Poverty, & Wealth: Poverty. Table 710.  
[http://www.census.gov/compendia/statab/cats/income\\_expenditures\\_poverty\\_wealth/poverty.html](http://www.census.gov/compendia/statab/cats/income_expenditures_poverty_wealth/poverty.html) (Accessed September 20, 2011).
- U.S. Bureau of the Census, Current Population Survey, Annual Social and Economic Supplements, Table 4.  
<http://www.census.gov/hhes/www/poverty/data/incpovhlth/2009/table4.pdf> (Accessed September 20, 2011).
- U.S. Census Bureau, Current Population Survey, 1968 to 2011 Annual Social and Economic Supplements. Table A-3.  
<http://www.census.gov/hhes/www/income/data/historical/inequality/IE-1.pdf> (Accessed September 20, 2011).
- U.S. Department of Agriculture. “*Household Food Security in the United States 2010*” Economic Research Service, Economic Research Report 125.  
<http://www.ers.usda.gov/Publications/ERR125/> (Accessed September 20, 2011).