

**"Expanding the Concept of Human Rights:
Social & Economic Rights in the Era of Global Restructuring"**

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It is both a pleasure and an inspiration to be a part of this anniversary celebration, which commemorates the life and martyrdom of Tommaso Crudeli as well as the principles for which he lived and died. I would like to thank those responsible for organizing the 15th ICAES and the pre-congress program of which this celebration is a part. I thank them and their counterparts here in Poppi for inviting me to speak on this historic occasion. It is an honor and a privilege to have this platform.

The notion of liberty is central to the historical development of democracy. Democracy as a form of political community is still being developed and that process of development is not at all smooth or linear without zig zags and out-of-the-way detours along the path. This is certainly true in much of the developing world, but it is also the case in the Northern Hemisphere where democracy as we know it was born. It was born in the struggles of ordinary men and women for individual and collective liberties that were once denied by monarchies and aristocracies that monopolized formal power in ways that dehumanized their subjects, in ways that seriously compromised the quality of their lives and their chances to actualize their capacity to be full citizens with the right to participate in public domains of decision making, where the very parameters and contours of civil society and political life were defined.

Liberty, equality, fraternity were the cornerstones of the historic French Revolution in

which the struggles for liberties were dramatized most clearly in 18th century Europe. But that social and political drama was also enacted in many other places in different ways. The case of Tommaso Crudeli was an earlier instance of dramatic actions that contested the legitimacy of established relations of domination in Italy, and his case stretched the limits imposed on liberty at that time. However, the 18th century was a historic moment of transition in more ways than one. It also was a period of great social and economic transition with England becoming the epicenter of the specific transformations that gave rise to the Industrial Revolution. The Industrial Revolution has long been represented as a central event in Western history, but we now know that it had ramifications throughout the world. The late anthropologist Eric Wolf (1982), in his now classic *Europe and the People Without History*, explained how the revolutionary capitalist mode of production set the stage for world-wide economic developments, interdependencies, and inequalities with their accompanying flows of capital, commodities, and labor.

While Eric Wolf's anthropological history, drawing on insights from several earlier scholars, elucidates the international scope of Western Europe's transition from feudalism to capitalism, well before him, Trinidadian historian Eric Williams' (1944) classic history of the origins of the Industrial Revolution underscored its connections with transatlantic slavery and the plantation systems that it enabled throughout the Americas but specifically in the Caribbean. He revised the traditional historical narrative with his argument that the value coercively transferred from the captive, enslaved labor of sugar-producing Africans and their descendants provided invaluable inputs into the economic and technological conditions that led to the Revolution. The nexus of relations that *Capitalism and Slavery* so provocatively illuminated pointed to the necessity of situating historical events in Europe in webs of connection that inextricably link them to processes that occurred in far-off places in the world. Especially central to our understanding of economic and political developments in Europe was the world of colonial expansion, where European interests and agendas came to restructure the everyday lives and redefine the futures of the diverse people who came to be redefined as slaves, as contract laborers, as "coolies," as members of artificially defined states, as colonial subjects, and as "natives."

We are beginning to understand now how the civil and political liberties that were struggled for and to a great extent eventually achieved in many European settings were grossly denied to the majority of the world's peoples. That denial of liberties and rights cannot be fully understood if we limit our analysis to the constraints intrinsic to local, traditional cultures and polities. To a considerable extent the *unfreedoms* experienced in the South have had something to do with the workings of the international division of labor and the positions to which Third World people were relegated in colonially ordered– and later neocolonially-ordered– systems of power and political economy. In those systems, the many subjects of anthropological studies were often denied their full humanity by myth-making regimes of truth that naturalized exploitation and inequality in terms that hierarchically structured the relations between civilizations and primitive societies, high and low cultures, and the West and its non-Western Other.

A variant of this binary opposition with its symbolic and practical dimensions was the opposition between the free and the enslaved, a relation of power against which the people of Saint Domingue fought to win their emancipation– their liberty, equality, and fraternity. Were not the values and goals of the French Revolution applicable to them? Their answer resounded in the Haitian Revolution, in which men and women mobilized against a regime that denied them their basic humanity; it denied them their human rights in every sense of the concept. Nearly 200 years later in Durban, South Africa at the United Nation's World Conference against Racism, transatlantic slavery was finally declared a crime against humanity, a catastrophic and unjustifiable abuse of human rights. It took two centuries for that formal acknowledgment to be offered.

Through the experience of the struggle against plantation society and its unprecedented racialized slavery, the meanings of liberty, equality, and fraternity were broadened and nuanced in ways that the adherents of the French Revolution had not envisioned. The struggle for freedom from enslavement also played an important role in articulating a vision for human rights in countries like the United States of America, where human rights consciousness has long had a relationship with the struggle against racism. The National Center for Human Rights Education points out that: “The use of the words ‘Human Rights’ in the U.S. dates back to 1858 when the

great abolitionist Frederick Douglass protested the lynching, the extrajudicial execution of an African-American man as a human rights violation” (2000:4). Although awareness of human rights dates back to the 19th century, human rights consciousness in the U.S. is embarrassingly underdeveloped. A 1997 survey “revealed that 92% of the American public had never heard of the Universal Declaration of Human Rights” (NCHRE 2000:3).

The principles enshrined in the Universal Declaration of Human Rights (UDHR) have provided the philosophical and ethical framework for many years of dialogue, consciousness raising, and debate over how to interpret and implement the standards articulated within the historic document, which along with The International Covenant on Civil and Political Rights and The International Covenant on Economic, Social and Cultural Rights, which are treaties, forms the International Bill of Rights. These three documents delineate our human rights, or “the liberties to which every human being is entitled to enjoy and to have protected, regardless of class, race, gender, age, ability, sexual orientation, nationality, ethnicity, religion, place of birth, or citizenship... Human rights are the basic standards without which we cannot live in freedom and with dignity” (NCHR 200-2). They are “the reasonable demands for personal security and basic well-being that all individuals can make on the rest of humanity by virtue of being members of the species *Homo Sapiens*” (Messer 1993:222, quoted in Harrison 2002a).

The International Bill of Rights – and the additional conventions on torture, women, racial discrimination, and children that elaborate on specific principles – have been developed out of a history of heated international exchanges that have clarified the implications of the original document in response to queries and inputs based on the diverse political orientations and cultural sensibilities of the world. This proliferation of declarations, covenants, conventions, and world conference platforms for action have developed over four basic “generations.”

The first generation produced the UDHR, which was drafted mainly by Western nations in the wake of WWII. Informed by Western cultural interpretations of freedom, this important document emphasizes the individualized political and civil rights that are the cornerstone of human rights in the West. Political and civil rights are obviously important and applicable all over the world; however, they are necessary but not sufficient, because “legal equality does not necessarily guarantee justice. In an unjust system, everyone may be treated equally badly, and

simple legal equality only promises the right to be treated equally badly. To achieve full justice, we must have all of our human rights protected” (NCHRE 2000:5).

The second generation, very much influenced by socialist and welfare state oriented nations, responded to the ideological biases of the first. It shifted attention to social, cultural, and economic rights. The preamble of the International Covenant on Economic, Social and Cultural Rights makes the following statement: “Recognizing that, in accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as his civil and political rights” (http://www.unhchr.ch/html/menu3/b/a_cescr.htm, downloaded on July 1, 2003).

The third generation centered around solidarity and development rights. Third World nations intervened in human rights debates and insisted that international standards should encompass the rights to peace, a more equitable socioeconomic order, and a sustainable environment. The statements that came out of these dialogues situated the individual rights so central to Western thinking within collective contexts as they exist in a world system of uneven and unequal development. The thrust of this intervention has been to encourage the rethinking of individual and collective rights as mutually reinforcing rather than as mutually exclusive and competing.

We are in the midst of the fourth human rights generation. The concerns being addressed now, in discussions that will probably result in another set of documents, relate to the rights of indigenous people, whose self-determination and control over socioeconomic resources are threatened within the established state-centered framework..

This brief history shows how ideas about and standards for human rights have evolved since the historic 1948 UDHR. Over the past several decades our understanding of the scope and content of human rights has expanded to include populations (e.g., women, racially oppressed people, indigenous peoples) and contexts (e.g., environmental injustices, development) that were previously overlooked or neglected. It is important to point out that anthropologists have played an important role in broadening the international discourse so that it now includes collective and indigenous rights, and it delineates more specific content for social, economic, and cultural

rights. Anthropological research has provided important input into formulations of human rights by clarifying how human beings are conceived within a cross-cultural framework that transcends the limitations of Western notions of rights. Anthropological knowledge has enhanced our understanding of human rights by documenting patterns of abuse or compliance and providing data, interpretation, and contextualization which have been instrumental to developing human rights principles that reflect the cultural, political, and economic complexity of the world beyond the West. (Harrison 2002a:109).

Although human rights language now is elaborate enough to transcend the limits of Western biases, the realm of practice, enforcement, and implementation is altogether another matter. While the International Covenant on Economic, Social and Cultural Rights may lend legitimacy to those rights, and although international conferences such as the Porto Alegre Social Forum may reiterate them, in reality socioeconomic rights are being repudiated within the “New World Order” that is promoted and buttressed by U.S. foreign policy, the IMF, World Bank, the WTO, and the entire regime of undemocratic development privileging the power of transnational corporations and deregulated markets over the basic needs of the majority of the human race. The right to profit and to accumulate capital within the free market is more highly valued than the rights of ordinary human beings, whose vulnerability to impoverishment, hunger, ill health, and declining life expectancy is deepening, and whose participation in decision making about the direction of economic restructuring, environmental planning, and the quality of everyday life is seriously blocked. Despite the rhetoric and euphemisms, there is very little substantive participatory development, there is very little structural adjustment “with a human face,” and the freedom in neoliberal marketization refers to the prerogatives of transnational elites rather than the liberties that the majority of women, working people, and culturally subjugated peoples should enjoy in a world where, in increasing numbers, they are hungry, at risk for epidemic and pandemic diseases, and targets of structural violence and pathologies of power that organize access to wealth, health, and life expectancy in grossly unequal ways and in ways marked by growing disparities that are so serious, so urgent that theorists and activists both are describing these troubling trends as a form of global apartheid.

The traditional idea within the international human rights community is that states are the

principal culprits of human rights violations and, therefore, the principal agents of compliance and redress. This view is inadequate at a historical moment when the authority of states, at least most states, is seriously circumscribed by the growing power of transnational units of structural power and economic decision making—namely multinational or inter-governmental institutions like the IMF, World Bank, WTO, and transnational firms. The reigning ideology of competitive markets -- neoliberalism-- valorizes assumptions that the primary role of the state is to “enable the free exchange of goods and services” and that individuals should be independent (of state support) and able to maximize competitively (Kingfisher and Goldsmith 2001:716). Whereas Adam Smith’s neoclassical economic and “liberal” perspective was that the market was the means to “the wealth of nations,” serving the public good, neoliberalism reverses that ethic by making the life of “nations, people, and [the] environment...the means of profit” (McMurtry 1998:321). In other words, “all that exists is...a servant of corporations competing against one another in the global market...Life has become the instrument of private capital expansion, rather than...capital being a means to enable human life” (Ibid.). Philosopher and ethicist John McMurtry warns that this logic is pathological and destructive.

As a consequence of following neoliberal directives, which are the commonly mandated strings attached to loans and other aid, the often fragile, debt-ridden economies of the Global South are being integrated into the global market at the cost of social and economic justice. The role of governments has been redefined “to protect private investments, not people” (NCHRE 2002:6). When profits and not people are the focus of government, “emphasis is placed on the use of the military or police to maintain social control” (Ibid.) after downsizing the public sector and slashing the safety net—drastically reducing or, at worst, eliminating social and health services, educational supports, and subsidies and price controls on food. Because of the growing power of corporations and the restructuring of states, the cards are being stacked against both political and socioeconomic rights.

A statist or state-centered view of human rights violations and redress is analytically inadequate, because a focus on local or national dynamics alone obscures from view the salience of broader structures of “power and transnational connections” that provide the context for, and set limits on, the action of local/domestic political actors (Farmer 2003:13). These connections

and the context within they are embedded is related to the patterns of structural violence that, ultimately, create the conditions for local human rights violations. Structural violence, which is usually as much transnational as it is local, “includes a host of offensives [or assaults] against human dignity: extreme and relative poverty, social inequalities ranging from racism to gender inequality, and the more spectacular forms of violence that are uncontestedly human rights abuses, some of them punishment for efforts to escape structural violence” (Ibid.:8). The renowned Indian economist Amartya Sen calls these destructive forces “unfreedoms” and notes that most of their victims have nominal political freedoms at least on paper (Ibid.). Anthropologist and “physician without borders” Paul Farmer points out that unfortunately “the right to vote ... has not protected the poor from dying premature deaths...” (9). He argues that “civil rights cannot really be defended if social and economic rights are not”(ibid.). In other words, “[t]he absence of social and economic power empties political rights of their substance” (16-17).

The deprivation of social and economic rights is intensifying worldwide, and this intensification of rights violation and conflict is taking place within the context of neoliberal global restructuring. Within this context, disparities of wealth, health, and life expectancy are widening. Farmer posits that: “[s]ocial inequalities based on race or ethnicity, gender, religious creed, and—above all—social class are the motor force behind most human rights violations. In other words, violence against individuals is usually embedded in entrenched structural violence” (2003:219).

The empirical trends and patterns correlated with, or resulting from, globalization include the following, which social scientists, including anthropologists, are carefully documenting:

- \$ the acceleration of global integration with the explosion of computer technology, the dismantling of trade barriers, and the expanding political and economic power of transnational corporations
- \$ accelerated transnational flows of capital, labor, commodities, communications, and culture
- \$ Post-Cold War realignments and restructuring engendering economic and political destabilization as well as the wakening and volatility of national identities

- \$ The militarization of ethnonational conflicts
- \$ The globalization of the arms race
- \$ The increasing multiculturalization and racialization of the North in the wake of immigrant and refugee resettlement and the formation of postcolonial diasporas (The Empire Strikes Back!)
- \$ Demographic shifts worldwide leading to the increasing internationalization of work forces and societies
- \$ A decline in subsistence security and environmental sustainability for the broad masses of humanity
- \$ A dramatic reconcentration of wealth in the hands of a small minority of human beings, a transnational elite
- \$ The decline of state, especially peripheral state, sovereignty under the influence of transnationalism and neoliberalism with their emphases on deregulation, privatization, and free trade
- \$ The crisis of social welfare, resulting from the demise of the social contract due to the imposition of structural adjustment policies by the IMF, World Bank, and development agencies
- \$ The instability and decline of international markets in export/primary commodities, especially those around which monocultural, extroverted economies are organized
- \$ The elaboration of primordialized identities based on notions of cultural alterity and cultural fundamentalism

The confluence of these interrelated factors sets the broader context for the heightening of human rights abuse that social researchers and advocates are trying to understand (Harrison 2002b:64-65).

Since so much human rights discourse is focused on the problems of the South, I want to underscore that human rights abuse is a serious problem in the Global North as well. Policy shifts there are having profound consequences for human rights. “Welfare reform, [cutbacks in health and social services and in educational benefits, the trend toward gentrification rather than the expansion of the market in affordable housing,] environmental deregulation, and immigration

restrictions for those fleeing the poverty and wars exacerbated by neoliberal foreign policies are examples of” human rights violations (NCHRE 2000:3) that are rationalized in terms of balancing budgets, making poor women honest and giving them dignity by putting them to work for less than living wages, and xenophobic depictions of strangers invading our shores and taking our jobs.

In the U.S. social and economic rights are a hotly contested notion. Basically these rights are not officially recognized, as the welfare reform we have undergone and the struggles over living wages that are building momentum signal. There is a belief in meritocratic individualism or individual meritocracy, the notion of individuals operating on a level playing field and it being up to them “to pull themselves up by their own bootstraps” without help from the state. According to the American Dream, everyone can achieve middle-class, if not upper-class, status, everyone can become educated with hard work, everyone can live the American Dream, and if individuals are not successful, then it is their own fault. According to this logic, those who are not successful just do not work hard enough. They are not motivated enough, and they lacked the necessary family values, the Protestant Work Ethic, and the innate intelligence that the authors of the controversial *The Bell Curve* (Herrnstein and Murray 1994) insist is the variable, closely entangled with race, that determines capacity, success, and position within society. If racial minorities are stuck at the bottom of the social pyramid, it is because of their intellectual and cultural deficits rather than the effects of still existing discrimination and bigotry. If racial minorities are disproportionately incarcerated and subject to the discipline and punishment of privatized work programs that profit from prison labor, virtually enslaved labor, then it is because the incarcerated are the scum of the earth whose criminality derives from either their moral underdevelopment or their genetic inclination. As the story goes, the onus is always on the individual to secure her own social/economic mobility. And if she does not, she becomes a burden, a parasite that cannot legitimately make claims on any preferential treatment or “special rights.”

The picture that this story paints, however, is full of blind spots. The history of white, and particularly white male, privilege and the state interventions and subsidies that made it possible for them to own lands that were originally indigenous territories, to enter higher

education with support from the GI Bill (legislation subsidizing military veterans) in the wake of World War II, to own homes in suburbs thanks to government subsidized mortgage arrangements, and to climb occupational ladders without having to compete with women and people of color is completely erased. The denial of civil rights to African Americans in the Southern region until the late 1960s, a whole century after emancipation, is also silenced in this narrative or fairy tale that has become the common sense of so many Americans who have come to feel that redress for racial and gender discrimination is tantamount to reverse discrimination against them. Individual liberties grounded on an unequal socioeconomic playing field are not accessible to all. But the optical illusion that's authorized as accurate 20-20 vision gives a distorted impression.

Since September 11, 2001 social and economic rights are not the only category of human rights that is being denied in the U.S. In the "war against terrorism," civil liberties guaranteed in the nation's Bill of Rights are being pared down due to the extenuating circumstances that national security is claimed to present. The USA Patriot Act, signed into law in October 2001, "grants law enforcement authorities sweeping new surveillance [and detention] powers that are not limited to terrorism investigations but also apply to criminal and intelligence operations" (Ann Harrison 2001, AlterNet: Behind the USA Patriot Act, Nov. 5, 2001). Dubbed the "Bill of Wrongs" by critics and advocates of civil liberties, the Patriot Act marks a troubling turn of events that undermines democracy in a society that has symbolized democratic ideals since the American Revolution.

Increasingly, human rights activists around the world are rethinking and expanding the concept of human rights to include economic and social rights as complements to civil and political rights, which are essential but not exhaustive of the rights at stake. Some are also pressing for an "all rights guaranteed, all actors accountable" framework that challenges the impunity with which inter-state and non-state actors, such as corporations, banks, and investment funds violate the rights of individuals. There is an organic relationship between the civil and political rights that traditional human rights advocates emphasize and the economic and social rights being advanced by many of the new social movements of today. These two categories of rights are "interdependent, because the full realization of one area of human rights is dependent

on the respect and enforcement of all other areas” (NCHRE 2000:2). As Paul Farmer (2003) adamantly insists, there is a relationship between poverty, a form of socioeconomic structural violence, and the political violence of repression: when poor people rebel, governments and private actors respond with repression, violating human rights. When international economic actors, including the IMF, World Bank, WTO and Northern hemisphere government aid programs implement neoliberal policies that reduce the role of governments in protecting rights to health, education, housing, a healthy environment and basic work standards, they are violating the social and economic rights protected in the International Bill of Rights (Harrison 2002a:116).

Growing numbers of grassroots activists have begun to use the language and instruments of international human rights to advance their struggles for political and economic justice, for more just access to and control over natural resources, and for more democratic, participatory, and sustainable forms of development. Anthropological studies are documenting that all over the world women are appearing in the forefront of these movements. As the subsistence security and environmental settings of their households, families, and communities are being diminished by the encroachments of neoliberal globalization, notably structural adjustment policies and the sovereignty of the unregulated market, more and more women are standing up for their rights (Harrison 1997). They are speaking truth to power in voices that before now have not been heard. Their sense of agency and empowerment is prompted by both their outrage at the increased levels of social suffering in their communities and the inspiration and support they receive from the international women’s movement, which has blossomed in good part because of the UN Decade for Women and its subsequent conferences and activities. This new trend has raised consciousness about women’s rights as human rights and reconfigured the landscape so that issues of gender, race, class, and culture can be addressed at the grassroots as well as in supranational contexts of plurinational organizing and transnational feminist solidarities.

Women’s activism and leadership are expanding the meanings and stretching the limits of politics, environmentalism, and human rights for everyone. They are blurring the boundaries between public and private, home and workplace, humankind and nature. Against great odds, they are redefining who they are and what roles they can play in clearing the ground for envisioning and enacting alternative strategies of global restructuring, strategies that represent

more democratic and justice-centered modes of development. At this juncture in the early 21st century, these female activists and their male allies are making claims to liberty, equality, and a metaphoric kinship or family of resemblance, in terms that recall earlier generations but at the same time that go well beyond them with a more holistic vision of rights and responsibilities.

The movement that is being characterized as a “globalization from below” may be an important source of alternative models for rethinking the merits of neoliberalism and reintegrating or reconstructing community, civil society, and political-economic life along the lines of more participatory, democratic practices that value liberty, equality, and brotherly/sisterly solidarity— especially as these principles can be applied to achieve justice in social, political, and economic domains.

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