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COMMEMORATIVE ISSUE
HUMAN RIGHTS IN MOTION

CONECTAS
HUMAN RIGHTS

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Human Rights in Motion

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HUMAN RIGHTS IN MOTION: A MAP TO A MOVEMENT'S FUTURE

Lucia Nader (Executive Director, Conectas)
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Sur Journal was created ten years ago as a vehicle to deepen and strengthen bonds between academics and activists from the Global South concerned with human rights, in order to magnify their voices and their participation before international organizations and academia. Our main motivation was the fact that, particularly in the Southern hemisphere, academics were working alone and there was very little exchange between researchers from different countries. The journal's aim has been to provide individuals and organizations working to defend human rights with research, analyses and case studies that combine academic rigor and practical interest. In many ways, these lofty ambitions have been met with success: in the past decade, we have published articles from dozens of countries on issues as diverse as health and access to treatment, transitional justice, regional mechanisms and information and human rights, to name a few. Published in three languages and available online and in print for free, our project also remains unique in terms of geographical reach, critical perspective and its Southern 'accent'. In honour of the founding editor of this journal, **Pedro Paulo Poppovic**, the 20th issue opens with a biography (by João Paulo Charleaux) of this sociologist who has been one of the main contributors to this publication's success.

This past decade has also been, in many ways, a successful one for the human rights movement as a whole. The Universal Declaration of Human Rights has recently turned 60, new international treaties have been adopted and the old but good global and regional monitoring systems are in full operation, despite criticisms regarding their effectiveness and attempts by States to curb their authority. From a strategic perspective, we continue to use, with more or less success, advocacy, litigation and naming-and-shaming as our main tools for change. In addition, we continue to nurture partnerships between what we categorize as local, national and international organizations within our movement.

Nevertheless, the **political and geographic coordinates** under which the global human rights movement has operated have undergone profound changes. Over the past decade, we have witnessed hundreds of thousands of people take to the streets to protest against social and political injustices. We have also seen emerging powers from the South play an increasingly influential

role in the definition of the global human rights agenda. Additionally, the past ten years have seen the rapid growth of social networks as a tool of mobilization and as a privileged forum for sharing political information between users. In other words, the journal is publishing its 20th issue against a backdrop that is very different from that of ten years ago. The protests that recently filled the streets of many countries around the globe, for example, were not organized by traditional social movements nor by unions or human rights NGOs, and people's grievances, more often than not, were expressed in terms of social justice and not as rights. Does this mean that human rights are no longer seen as an effective language for producing social change? Or that human rights organizations have lost some of their ability to represent wronged citizens? Emerging powers themselves, despite their newly-acquired international influence, have hardly been able – or willing – to assume stances departing greatly from those of "traditional" powers. How and where can human rights organizations advocate for change? Are Southern-based NGOs in a privileged position to do this? Are NGOs from emerging powers also gaining influence in international forums?

It was precisely to reflect upon these and other pressing issues that, for this 20th issue, SUR's editors decided to enlist the help of over 50 leading human rights activists and academics from 18 countries, from Ecuador to Nepal, from China to the US. We asked them to ponder on what we saw as some of the most urgent and relevant questions facing the global human rights movement today: 1. Who do we represent? 2. How do we combine urgent issues with long-term impacts? 3. Are human rights still an effective language for producing social change? 4. How have new information and communication technologies influenced activism? 5. What are the challenges of working internationally from the South?

The result, which you now hold in your hands, is a **roadmap for the global human rights movement** in the 21st century – it offers a vantage point from which it is possible to observe where the movement stands today and where it is heading. The first stop is a reflection on these issues by the founding directors of Conectas Human Rights, **Oscar Vilhena Vieira and Malak El-Chichini Poppovic**. The roadmap then goes on to include **interviews** and **articles**, both providing in-depth analyses of human rights issues, as well as **notes from the field**, more personalized accounts of experiences working with human rights, which we have organized into **six categories**, although most of them could arguably be allocated to more than one category:

Language. In this section, we have included articles that ponder the question of whether human rights – as a utopia, as norms and as institutions – are still effective for producing social change. Here, the contributions range from analyses on human rights as a language for change (**Stephen Hopgood** and **Paulo Sérgio Pinheiro**), empirical research on the use of the language of human rights for articulating grievances in recent mass protests (**Sara Burke**), to reflections on the standard-setting role and effectiveness of international human rights institutions (**Raquel Rolnik, Vinodh Jaichand** and **Emílio Álvarez Icaza**). It also includes studies on the movement's global trends (**David Petrasek**), challenges to the movement's emphasis on protecting the rule of law (**Kumi Naidoo**), and strategic proposals to better ensure a compromise between utopianism and realism in relation to human rights (**Samuel Moyn**).

Themes. Here we have included contributions that address specific human rights topics from an original and critical standpoint. Four themes were analysed: economic power and corporate accountability for human rights violations (**Phil Bloomer, Janet Love** and **Gonzalo Berrón**); sexual politics and LGBTI rights (**Sonia Corrêa, Gloria Careaga Pérez** and **Arvind Narrain**); migration (**Diego Lorente Pérez de Eulate**); and, finally, transitional justice (**Clara Sandoval**).

Perspectives. This section encompasses country-specific accounts, mostly field notes from human rights activists on the ground. Those contributions come from places as diverse as Angola (**Maria Lúcia da Silveira**), Brazil (**Ana Valéria Araújo**), Cuba (**María-Ileana Faguaga Iglesias**), Indonesia (**Haris Azhar**), Mozambique (**Salvador Nkamate**) and Nepal (**Mandira Sharma**). But they all share a critical perspective on human rights, including

for instance a sceptical perspective on the relation between litigation and public opinion in Southern Africa (**Nicole Fritz**), a provocative view of the democratic future of China and its relation to labour rights (**Han Dongfang**), and a thoughtful analysis of the North-South duality from Northern Ireland (**Maggie Beirne**).

Voices. Here the articles go to the core of the question of whom the global human rights movement represents. **Adrian Gurza Lavalle** and **Juana Kweitel** take note of the pluralisation of representation and innovative forms of accountability adopted by human rights NGOs. Others study the pressure for more representation or a louder voice in international human rights mechanisms (such as in the Inter-American system, as reported by **Mario Melo**) and in representative institutions such as national legislatures (as analysed by **Pedro Abramovay and Heloisa Griggs**). Finally, **Chris Grove,** as well as **James Ron, David Crow and Shannon Golden** emphasize, in their contributions, the need for a link between human rights NGOs and grassroots groups, including economically disadvantaged populations. As a counter-argument, **Fateh Azzam** questions the need of human rights activists to represent anyone, taking issue with the critique of NGOs as being overly dependent on donors. Finally, **Mary Lawlor and Andrew Anderson** provide an account of a Northern organization's efforts to attend to the needs of local human rights defenders as they, and only they, define them.

Tools. In this section, the editors included contributions that focus on the instruments used by the global human rights movement to do its work. This includes a debate on the role of technology in promoting change (**Mallika Dutt and Nadia Rasul**, as well as **Sopheap Chak** and **Miguel Pulido Jiménez**) and perspectives on the challenges of human rights campaigning, analysed provocatively by **Martin Kirk** and **Fernand Alphen** in their respective contributions. Other articles point to the need of organizations to be more grounded in local contexts, as noted by **Ana Paula Hernández** in relation to Mexico, by **Louis Bickford** in what he sees as a convergence towards the global middle, and finally by **Rochelle Jones, Sarah Rosenhek and Anna Turley** in their movement-support model. In addition, it is noted by **Mary Kaldor** that NGOs are not the same as civil society, properly understood. Furthermore, litigation and international work are cast in a critical light by **Sandra Carvalho and Eduardo Baker** in relation to the dilemma between long and short term strategies in the Inter-American system. Finally, **Gastón Chillier and Pétalla Brandão Timo** analyse South-South cooperation from the viewpoint of a national human rights NGO in Argentina.

Multipolarity. Here, the articles challenge our ways of thinking about power in the multipolar world we currently live in, with contributions from the heads of some of the world's largest international human rights organizations based in the North (**Kenneth Roth** and **Salil Shetty**) and in the South (**Lucia Nader**, **César Rodríguez-Garavito**, **Dhananjayan Sriskandarajah** and **Mandeep Tiwana**). This section also debates what multipolarity means in relation to States (**Emilie M. Hafner-Burton**), international organizations and civil society (**Louise Arbour**) and businesses (**Mark Malloch-Brown**).

Conectas hopes this issue will foster debate on the future of the global human rights movement in the 21st century, enabling it to reinvent itself as necessary to offer better protection of human rights on the ground.

Conectas Human Rights is especially grateful for the collaboration of the authors and support of Conectas' team, in special Laura Daudén, João Brito and Laura Waisbich. We would also like to extend our appreciation for the work of Maria Brant and Manoela Miklos for conceiving this Issue and for conducting most of the interviews, and for Thiago Amparo for joining the editorial team and making this Issue possible. Last, but not least, we are also immensely thankful for Luz González's relentless work editing the contributions received, and for Ana Cernov for coordinating the overall editorial. Thanks to all!

LUCIA NADER

Lucia Nader has been the Executive Director of Conectas Human Rights since April, 2011. She has worked within the organisation since 2003 as Networking Coordinator (2003-2005) and International Relations Coordinator (2006-2011). During the latter, she created the Foreign Policy and Human Rights program and served as the Secretary of the Brazilian Foreign Policy and Human Rights Committee. She has a post-graduate degree in International Organizations and Development from the Paris Sciences-Po (Institute of Political Studies) and a bachelor degree in International Relations from the PUC-SP (Roman Catholic University of São Paulo). Lucia was named a Social Entrepreneur by Ashoka (2009) and is the author of several articles, including "Mismatch: why are human rights NGOs in emerging powers not emerging?" (*Open Democracy*, 2013), and "Reflections on Human Rights in the Foreign Policy of the Lula Government" (Heinrich Böll Foundation, 2011).

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ABSTRACT

In view of the recent worldwide wave of street protests challenging current modes of democratic representation, and drawing on the author's years of experience leading the NGO Conectas Human Rights, along with conversations held with partners in Brazil and other countries, this article mulls over human rights organisations' stance and role in the 21st century. Such street mobilisations point to the diversification of actors and struggles, mistrust in public institutions, and the empowerment of the individual as a political actor. In this article, the author briefly discusses: (i) the context of multiple struggles, interlocutors, and levels of action to be engaged in by human rights organisations; (ii) how these organisations are related to the crises of representation and effectiveness of State institutions; and (iii) how they interact with and strengthen individuals as activists and political actors. By drawing on the distinctions between organisational activism and selfactivism, it points to the need for human rights organisations to strike a balance between their solid presence with long-term mindset, and fluidity to adapt and take advantage of the opportunities that contemporary society provides.

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KEYWORDS

Street protests – Bauman – Selfactivism – Representation – Human rights organizations

ESSAY

SOLID ORGANISATIONS IN A LIQUID WORLD

Lucia Nader

> *(…) Change is the only permanence, and uncertainty the only certainty. A hundred years ago, 'to be modern' meant to chase 'the final state of perfection' – now it means an infinity of improvements, with no 'final state' in sight and none desired.*
>
> (Zygmunt Bauman, Liquid Modernity, 2012)

"You people are the before and the after of the streets." That was the response I got from Bruno Torturra, the journalist now well-known for transmitting live, from his mobile phone, the Brazilian protests that mobilised millions, as of June 2013. We had been talking about the future of human rights organisations – solid, professional – that seemed to have become dispensable overnight. A similar conversation was taking place at the table beside ours, among people who seemed to belong to political parties, trade unions or other civil society entities. We were asking ourselves about the role of organisations that seek social transformation in this increasingly agitated landscape.

I have no doubt that the struggle for rights is the best way to transform the world we live in and that continuous and persevering efforts from structured organisations are fundamental in this aim. The protests that recently spread across the world – from Cairo to Istanbul, from Madrid to Santiago, from Tunis to São Paulo and Bangkok – showed that hundreds of millions of people seek more just, dignified and humane societies. An analysis of recent protests in 90 countries demonstrates that "real democracy" is the major theme of those who took to the streets to demand change.[1]

It would be naïve to believe that the protests' infinite demands are all directly related to human rights and to minority rights. Nor do I believe that the fervent cries 'from the streets' signify a definitive break with the current forms of social organisation and their institutions. But what remains undeniable is that the recent mobilisations unlocked features ever more prevalent in contemporary society: the diversification of actors and struggles, unrest owing to certain aspects

Notes to this text start on page 489.

of public institutions and the empowerment of the individual as a political actor. Reflections on similar concerns have been commonplace in human rights organisations for at least a decade and have started to have significant impact on the goals, strategies and structures of these organisations.

Thus, in my mind, to reflect on the international human rights movement's perspectives in the 21st century, the subject of this anniversary edition of *Sur Journal*, means to analyse **three central issues:** (i) the context of multiple struggles, interlocutors, and levels of action to be engaged in by human rights organisations; (ii) how these organisations are related to the crises of representation and effectiveness of State institutions; and (iii) how these organisations interact with and strengthen individuals as activists and political actors. These issues are related to other questions for the present *Sur* issue, such as who we, as human rights organisations, represent; how to combine immediate concerns with long-term impacts; how new information and communication technologies influence activism; and whether the language of human rights is still effective for social change.

Any ambition of reaching conclusive answers would be, at the very least, premature. From the perspective of my experience as the head of Conectas Human Rights, I would only venture preliminary comments, anchored in the Brazilian reality and enriched by productive talks with partners from other countries.[2] The hope is to spur the debate in order to strengthen the impact of organisations who have been, and continue to be, essential in the construction of a more just world.

1 Multiplicity

Human rights organisations face a wide variety of options on which paths to follow and decisions to make. Flows of communication and information have, in unprecedented ways, accelerated our encounters with this multiplicity of struggles, interlocutors and levels of action.

Now, in addition to the traditional agenda of human rights organisations, such as freedom of expression and combating torture and discrimination, there is the need to defend 'new' rights. The right to the city is one example, which includes mobility and urban policies, or the right to privacy in the digital world and in relation to new technologies. The multiplicity of subjects and violations which organisations are called to act upon and which they can impact is enormous. Meanwhile, despite worthy successes in some areas, many of our historical struggles haven't been overcome, while our agendas grow increasingly broad and diversified every day.

This diversification occurs in relation to our interlocutors as well, who now include more than just the State. For instance, human rights organisations now have to deal with private business. For a long time we have known that commercial and financial interests are the source of abuses and violations. But the notion that private entities have obligations derived directly from international human rights norms is still an emerging debate (BILCHITZ, 2010). Added to this is the growing difficulty, often due to companies' transnational nature, of

finding the precise territory of their violations, in order to litigate if necessary. If a Chinese multinational firm, whose main businesses take place in Europe, uses public funding to commit violations in yet another region – such as the forced displacement of local communities in Angola – who is responsible?

Human rights organisations also face a multiplicity of choices on the scopes where to operate. There is an ever-growing tension between focusing fully and exclusively on national issues or expanding to include regional and international affairs. As with other issues, this isn't an easy choice. In certain cases we see that taking a stance that goes beyond national borders has become increasingly important. Think, just to illustrate, about an organisation that seeks to structurally impact the human rights issues in the 'war on drugs'. It is very likely that it must take into consideration the regional and international dimensions of the issue. That doesn't necessarily mean that it must act directly in different countries, but it will need to stay informed and maintain connections or partnerships. Otherwise it may not achieve the desired impact.

On the one hand, navigating this multiplicity of struggles, interlocutors and levels of action encourages organisations to constantly update, developing innovative strategies and rethinking old issues. On the other, however, it imposes several challenges, such as the difficulty of remaining faithful to the identity and mission of the institution, cultivating expertise and the necessary resources to expand its area of involvement, developing a healthy means of working in partnership with other institutions, combining short- and long-term action, among other issues.

2 Centre of gravity

A growing lack of trust may be felt nowadays as to the State's capacity to assure rights, as well as the difficulty of State institutions in modernising and continuing to serve their strategic roles in the complex societies in which we live (NOGUEIRA, 2014).

The very concept of the nation-state has come under attack, a consequence of the intensification of international movements and the emergence of issues that transcend national borders. Its power also wanes as that of other entities, private and non-governmental, grows.

But perhaps the greatest challenge comes from within these States' very societies, in a reaction to what are perceived as the failings of representative institutions. That is the case of the legislative system, for example, often held hostage by party politics that many citizens do not identify with (THE ECONOMIST, 2014). As the *indignados* in Spain say, "our dreams don't fit in your ballot boxes",[3] making this perceived failing even clearer. There is a wide gap between the promises that legitimate State institutions and that which they are truly capable of delivering.

This disillusionment with States' effectiveness challenges human rights organisations in at least two ways. The first, and most direct, concerns the risk that these organisations be seen by the population with the same distrust

they often have for public institutions, thus affecting their credibility. While serving as a channel of dialogue with a dysfunctional State apparatus, organisations can find their legitimacy compromised. The 2013 Confidence Barometer showed that, in Brazil, NGOs and the government are "less trustworthy" than the media and private corporations, in the opinion of those interviewed (EDELMAN, 2013).

And more importantly, a second challenge relates to the point of reference around which human rights organisations orbit. Rights comprise a grammar built around this logic, with the State as its 'centre of gravity', determining what the State should or not do. When the credibility of State institutions is put in check, human rights organisations feel their centre of gravity weakened.

I'm not saying that the State ought to abandon, or has already abandoned, its role as the main responsible party for guaranteeing rights and, therefore, the central focus of human rights organisations. But I can affirm that organisations can feel somewhat disoriented when the representative character and effectiveness of State institutions to guarantee these rights are severely questioned. Various effects in this sense can already be noted in certain strategies used by organisations, such as strategic litigation, legislative advocacy and the tools for influencing public policies.

3 Selfactivism

Historically, most if not all human rights organisations have sought to represent, or act for the sake of, vulnerable groups with specific interests, therefore constituting a means of participation in political life.

The empowerment of the individual as a central actor in contemporary society defies this logic. Today there is the perception that anyone can be one's own spokesperson and carry out deep social transformations, doing without institutions and their unified campaigns, organised demands and representation of common causes. For some, we live in a time of "hypermodernity" (LIPOVETSKY; CHARLES 2004) or "liquid modernity" (BAUMAN, 2001).

There thus emerges selfactivism – "authorial activism" (SILVA, 2013) or "multi-focused activism" (NOGUEIRA, 2014) – in which each individual simultaneously and ephemerally champions diverse causes. Alliances and relations with organisations are sporadic and intermittent, based on specific causes and not the totality of values and mission of an institution.

Digital activism, through social media and new means of communication, strengthens this phenomenon. "Where activists were once defined by their causes, they are now defined by their tools" (GLADWELL, 2010). On the one hand, this favours access to information and provides constant stimuli for taking positions. On the other, there is a dilution of long lasting or institutional connections that feed the perseverance necessary for long-term social transformation. They are, respectively, weak ties and strong ties (MCADAM, 1990; GLADWELL, 2010).

Creating typologies that define this new activism might seem like a contradiction in terms. The measure of its impact is also no easy task. However,

coming back to prior experiences with public protests and daring to define a certain notion of "ideal types", one might establish the comparisons as in Table 1.

Table 1

Differences between *organisational activism and selfactivism*

	organisational activism	***selfactivism***
Structure and hierarchy	Leadership and governance	No formal leadership
Demands	Indivisibility of rights	Fragmentation of causes
Processes	Planned	Spontaneous
Desired results	Structural changes	Urgent transformation
Network building	Off-line and lasting	On-line and intermittent
Stimuli	Recurring violations	Specific events
Timeframe	Long term	Short term
Representativeness	Collective causes	Individual self-representation
Language	Technical	Different narratives

It seems that human rights organisations today act and try to expand public support for their causes by transiting between organisational and independent activism, as tentatively characterised in the preceding table. In order to navigate this new landscape, it is essential that organisations understand the diverse nature of selfactivism – and I make no value judgement here. In selfactivism, decentralisation, fragmentation, spontaneity, transience, and radicalisation dominate the social change discourse. Individuals, self-represented, and not organizations predominate.

It must be remembered, of course, that the legitimacy of organisations doesn't necessarily derive from whom or how many people they represent, but rather from the right of association and expression and the credibility and impact of their public interest objectives. However, greater public support seems to be more and more vital for organisations, both to increase their impact as well as to be synchronised with the societies in which they act.

4 Final considerations

We find ourselves then with numerous inquiries into the paths that the struggle for rights might follow along and the breadth of the steps needed. In this brief article, three of these issues were analysed: the multiplicity of struggles, interlocutors and levels of actions taken by human rights organisations; the interaction of these organisations with the crises of representation and effectiveness of State institutions; and the impact of the strengthening of the individual as activist and political actor on the actions of these organisations.

History is testament to the numerous successes achieved by human rights defenders and organisations. They have positively impacted the lives of millions, transformed institutions, influenced public policies and contributed to the creation of the norms and values that guide humanity today.

A human rights organisation has responsibilities stemming from its principles and values that advance its mission, its efforts and impact, and the way it operates its activities (INTERNATIONAL COUNCIL ON HUMAN RIGHTS POLICY, 2009). These responsibilities are related to good governance, effectiveness,

quality and independence, and these attributes demand perseverance and organisational solidity.

At present there seems to be a tension between caring and striving for what has been achieved and built, and deconstructing, innovating, reinventing and transforming. But these forces need not necessarily be opposites.

We must be solid enough to persist and have the desired impact and yet "liquid" enough to adapt, take risks and take advantage of the opportunities that contemporary society provides. It is on this difficult balance that the path seems to lead toward the guarantee of rights for human beings – those of flesh and bone. This is the unwavering point of reference for our daily struggle.

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NOTES

1. Friedrich Ebert Stiftung (FES) analysed 843 protests in 90 countries, from 2006 to 2013, and found that the greatest assortment of issues (218 protests) was for real democracy and greater representation. See ORTIZ; BURKE; BERRADA; CORTÉS (2013).

2. Some ideas found herein were discussed with activists worldwide during the 13th International Human Rights Colloquium on "A new global order in human rights? Actors, challenges and opportunities" sponsored by Conectas Human Rights (October, 2013 – São Paulo, Brazil); also at the meeting "Different Moment, Different Movement(s)" held by the Ford Foundation (April, 2014 – Marrakesh, Morocco).

3. See: http://www.movimiento15m.org. Last accessed in July, 2014.

Previous numbers are available at <www.surjournal.org>.

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