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HUMAN RIGHTS IN MOTION

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INTRODUCTION

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

Lucia Nader (Executive Director, Conectas)
Juana Kweitel (Program Director, Conectas)
Marcos Fuchs (Associate Director, Conectas)

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 Nkamat**e) 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.

Finally, we would like to emphasize that this issue of Sur Journal was made possible by the support of the Ford Foundation, Open Society Foundations, the Oak Foundation, the Sigrid Rausing Trust, the International Development Research Centre (IDRC) and the Swedish International Development Cooperation Agency (SIDA). Additionally, Conectas Human Rights is especially grateful for the collaboration of the authors and the hard work of the Journal's editorial team. We are also extremely thankful 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. We are also tremendously thankful for Luz González's tireless work with editing the contributions received, and for Ana Cernov for coordinating the overall editorial process.

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Human Rights in Motion

Tools

GASTÓN CHILLIER AND PÉTALLA BRANDÃO TIMO
The Global Human Rights Movement in the 21st Century: Reflections from the Perspective of a National Human Rights NGO from the South

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INTERVIEW WITH LOUIS BICKFORD
Convergence Towards the Global Middle: "Who Sets the Global Human Rights Agenda and How"

INTERVIEW WITH MARY KALDOR

Mary Kaldor has a long-standing involvement with civil society in the UK and beyond. She is currently Professor of Global Governance at the London School of Economics (LSE) where she is also the Director of the Civil Society and Human Security Research Unit. She has been a key figure in the development of cosmopolitan democracy. She writes on globalisation, international relations and humanitarian intervention, global civil society and global governance.

In an interview with Conectas Human Rights, Kaldor reveals a persistent confidence in the potential of the human rights language and its use by civil society. She notes that "using the language of human rights in relation to social justice is a huge step forward, because it means that you no longer think in statist terms. You talk in terms of individual rights, replacing the collective approach that is often rather repressive".

Nevertheless, Kaldor acknowledges the current challenges that civil society organizations face. She recalls being "particularly struck that, when there were all the demonstrations in the Middle East and elsewhere in 2011, nobody used the term civil society. For them civil society was to do with NGOs and money, and so my question really was: is it still a useful term?" Yet, even in light of those challenges, Kaldor prudently highlights that "recent street protests are much more a sign that people do not feel represented by their members of parliament, who they actually voted for."

So, what is the role of civil society in this scenario? For Kaldor, as she noted elsewhere, "by civil society I mean the medium through which people participate in public affairs outside formal institutions. In a global era, where force and diplomacy are less important in relations between states, the role of civil society in bringing about political change is much more salient." This, combined with digital technology, makes Kaldor think that "we are now in an era of incredible revolutionary change." Read the interview below to understand more about the current role of civil society, the potential of human rights language and who civil society represents.

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Original in English.

Interview conducted in March 2014 by Fabiana Leibl (Conectas Human Rights)

INTERVIEW

"NGOS ARE NOT THE SAME AS CIVIL SOCIETY BUT SOME NGOS CAN PLAY THE ROLE OF FACILITATORS"

Interview with Mary Kaldor

Conectas Human Rights: For the past ten years you've been publishing the Yearbook on Global Civil Society and you have explored different meanings of global civil society. In a 2012 piece for OpenDemocracy you stated that one way in which you chose to interpret civil society is as "the medium through which individuals participate in public affairs". From a historical perspective, we see the human rights movement as having achieved some very interesting steps toward the promotion of justice and especially in standard setting in the international arena. Do you think human rights are still an effective language for civil society organizations to employ in the quest for social transformation and for social justice?

Mary Kaldor: My initial answer is yes. Human rights are very important and I think that there are several aspects to this. One is that human rights take the debate to a global level, just because of the very term *human rights*. People struggled for rights in individual countries but those rights were for the citizens of a particular country. So the very term *human rights* implies that the struggle goes beyond borders. That is the first point to make.

The second point is that human rights struggles have tended to focus on political and civil rights. When it comes to social justice, it's rather interesting that social justice always tends to be discussed much more in collective terms. So the language of the left and of social justice tends not to be the language of human rights, it tends to be the language of class and collectivity. Very often that is linked to statism because people who struggle for social justice see the state as providing welfare. These people generally approach the state, whereas human rights activists tend to see the state as being oppressive.. So there is usually quite a contradiction between those who struggle for social justice and those who struggle for human rights, and certainly during the Cold War period that was rather institutionalized. People in Eastern Europe, and in places like China and the Soviet Union, would say that they have social and economic rights, while in the West there were civil and political rights. I don't think they [those people under Communism] had rights at all because you can't have social and economic rights without human rights.

Using the language of human rights in relation to social justice is a huge step forward, because it means that you no longer think in statist terms. You talk in terms of individual rights, replacing the collective approach that is often rather repressive.

In addition, a lot of human rights activities do not do enough on social justice and likewise people who campaign for social justice do not do enough on political and civil rights. There's much more to be done. The Chinese may say they have economic and social rights but they don't. When economic and social rights are fought for, as they have been in countries like Britain, France or in Western Europe, then it becomes very difficult to overturn or change them.

Conectas: In the Global Civil Society Yearbook 2009, you explored the role of global society in relation to poverty eradication, asking whether "global civil society [is] in practice dominated by the ideas and values of rich countries purveyed by international NGOs and other institutions organised and funded in the Global North?" In this sense, what do you think might be or is already the impact of the greater diversity of voices within the international human rights movement?

M.K.: When we wrote that yearbook on poverty, we kept saying - and this was certainly my idea when we started the project in 2001 - that global civil society is a platform that offers opportunities to previously unheard voices because it's somehow meant to be respectable.

Civil society was the word that East European and Brazilian activists used, and it became a respectable term. So if you said I am a peace activist you were nowhere, but if you said I am a member of civil society you suddenly became an important person. And so I thought civil society was a really good platform, but in reality it has become increasingly associated with international NGOs, and in that sense a term which the Global North has dominated.

Yet, I was particularly struck that, when there were all the demonstrations in the Middle East and elsewhere in 2011, nobody used the term civil society. For them civil society was to do with NGOs and money, and so my question really was: is it still a useful term? I like to use it partly because of its association with my work, but also because it has a long conceptual history which we can engage with.

For all those reasons, I think it is a useful term. But on the other hand, if one wants to reach a broader set of people – we certainly try to do that within the Global Civil Society programme – and if one thinks about something like the World Social Forum, then it becomes very much South-led. The World Social Forum, or transnational peasant movements, or the Zapatistas are really interesting. But would they have called themselves global civil society? I am not sure that they would've done.

This has a double side to it. On the one hand, because civil society is a term that everybody accepts, it gives you an opportunity to talk. For example, does the IMF talk to civil society? Shouldn't they talk to us? I am civil society. On the other hand, and that of course is the contradiction that Gramsci pointed out, civil society is an expression of power relations. Gramsci's point is that civil society was about hegemony rather than domination. So, yes it's about the hegemony of the North, but it is not about the domination of the North, and precisely because it's about hegemony rather than domination it gives people an opportunity to participate.

Conectas: Considering the definition of civil society as the realm and a space for different voices to rise, who do human rights organizations represent? Most organizations – unlike representative governments – are not subject to periodic elections.

M.K.: There is a rather nice piece from 2003 by a writer called Michael Edwards who says "civil society is a voice, not a vote." I don't think civil society organizations represent anybody but themselves, unless they have members, in which case they can say they represent their members. Human rights organizations might campaign on behalf of the Rakhine people in Burma, or other oppressed peoples, in which case the organizations can say they represent the peoples' voice, but not their vote.

Conectas: Do you think it is possible or recommendable that such organizations create mechanisms of participation to define their agendas? Should organizations create channels of dialogue with society to discuss their priorities and strategies?

M.K.: I think that is incredibly important, but it is very difficult to think how to do it. Human rights organizations are typically funded by rich donors from the North and their beneficiaries are oppressed people that don't get to participate in discussing how the money should be spent. When I was on the board of the Westminster Foundation for Democracy, which is a British government foundation for supporting democracy, I kept suggesting that we should hold meetings with the people who are affected, to discuss how we should spend the money. But it's quite difficult to do that, especially if it's voluntary. It's really difficult, I think, unless it is a state, where people pay taxes and expect to get services back. I think the more you can do both through establishing these kinds of mechanisms and through the media and publicity, the better.

Conectas: In relation to that, do you think the recent street protests all over the world are a sign that people do not feel represented by NGOs?

M.K.: I think recent street protests are much more a sign that people do not feel represented by their members of parliament, who they actually voted for. And I think there is a huge crisis of political representation at the moment. I think it has to do with several things, one of them concerns the technology of elections. While all the focus of accountability is on the actual moment when you cast your vote in a ballot, in elections nowadays there is such a technology of focus groups, of going for the middle floating vote. In this sense, parties don't express what people want them to express, they express what they think that a small narrow margin of people in the middle want them to say. And the result is that there isn't a serious public debate and people feel there is no one in parliament who actually represents what they think. And, in addition, it's partially the problem that in the era of globalization some of the key decisions like neoliberal decisions or policies about debt are not taken by the government, anyway. Yet, I still think there is certainly a huge crisis of representation at the moment. But, in general, I would say people tend to trust NGOs more than they trust the governments.

Conectas: And how do you see the role of different NGOs in relation to the street protests? How do you see their contribution to the protests worldwide?

M.K.: I think it depends on the NGO. NGOs are not the same as civil society. Civil society is about participation. One way to understand NGOs is as 'tamed' social movements. They have often evolved from social movements but they have become professionalized and bureaucratized and they compete with each other for funds so their behavior both reflects their past history and their present logic. There are a lot of different NGOs, but I do think some NGOs really play the role of facilitators. I am going to a meeting in Sarajevo in June, and there, the World Social Forum and another NGO, Helsinki Citizens Assembly, are providing a place where many of the protesters can participate.

Conectas: So the mediator role is still very present?

M.K.: Yes, and it is interesting that NGOs do that now. When I was young and participating in protests, labour movements did that, and they still do actually.

Conectas: In the Global Civil Society 2012 report you also argue that civil society means a place where manifestations occur, where people can talk, discuss and act freely - and that the concrete manifestations of civil society – from meetings at coffee shops to Facebook - vary according to time and place. In your opinion, how has new information and communication technologies influenced activism?

M.K.: There are lots of different answers. First of all, it facilitates activism. It is just much easier to mobilize and to organize using social media and twitter. Secondly, I think it has enormously accelerated our awareness of what goes on in other parts of the world, which I think is really important. There is no question that social media, mobile phones and twitter and so on have all been tremendously important.

On the other hand, you can also point to very negative aspects. I think it fosters extremism. It's much easier to be extremist on Facebook than it is face to face. I think it also encourages clicktivism, the idea that you just sign an online petition and you feel that you've done something.

But having said those pros and cons, this is an enormous revolution, as important as printing was. The history of the world should probably be told through the history of communication technologies, from talking to writing. I read something about St. Augustine of Hippo, and somebody comments that he was reading a book sitting by himself and not opening his mouth. It was always assumed before that time, that you were reading aloud. With printing you get vernacular languages, you get the rise of nationalism; with novels, newspapers, you get the rise of secularism. And I think we are now in an era of incredible revolutionary change! And I just don't think we have begun to think, to understand what it's leading us to.

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

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