Human Rights and Democracy

most desirable governance system, many others reject it as an imposition by western nations. The second Iraq War and the associated neoconservative ideology of diffusion of democracy by force may have amplified the latter image. Compared to these other global ideals, human rights seems to enjoy the highest level of consensus and the most fully developed international instruments. The number of international human rights treaties and parties, as well as the growing number of international nongovernmental human rights organizations, serve as evidence for this observation. How did human rights achieve this status? Can and should democracy become such a global ideal?

The Development of Human Rights as an Ideal

Scholars often point to the horror of the Holocaust as the primary impetus for international efforts to establish human rights as the collective concern of international society. Western nations in particular led these efforts, in order to prevent another holocaust from escaping global attention behind the shield of state sovereignty. The Universal Declaration of Human Rights (UDHR), adopted virtually unanimously on December 10, 1948, in the UN General Assembly, became one of the most influential and most frequently cited documents in human history.

The next step was to draft binding international documents that would concretize the ideals of the UDHR into international law. Although Cold War politics delayed the drafting process, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR) were adopted in 1966 and entered into force in 1976. Between the adoptions of the UDHR (1948) and the two covenants (1966), the constellation of actors and advocates supporting global human rights changed dramatically. Western nations that led the early efforts to establish human rights as a global ideal faced serious conflict with the superpowers over the language, but that language also included fundamental freedoms that these countries did not provide to their citizens. As the oppression of authoritarian regimes

Cold War politics paradoxically elevated the status of human rights in international discourse.

The Role of NGOs and Governments

In the post-Cold War world, where global human rights activism has been born, superpower bickering, many of these human rights treaties are making real inroads. Nongovernmental organization actors, who had always played important roles in promoting human rights in international forums, have become ever more active. They provide critical information for treaty-monitoring bodies (which help them hold state representatives accountable) and stage global campaigns to shame violating governments. The economic and political confluence of global legitimacy was possible because (1) the discourse of human rights achievements accountable) and stage global campaigns to shame violating governments by international human rights instruments. Although not all the victims’ voices are heard, and the enforcement mechanisms are still weak, many systematic violations have been addressed by these instruments. For example, many children have moved from sweatshops to classrooms, many indigenous peoples have regained their land and cultural practices, and many women have been freed from oppressive practices such as female genital cutting. These changes are at least partly attributable to pressures exerted on violating governments by international human rights instruments, often with assistance from nongovernmental actors.

To be sure, international human rights treaties could still use much sharper teeth. Naming and shaming is the primary tool for activists, but this approach does not work well with powerful nations such as Russia or China or with sequested regimes such as North Korea or Myanmar. Furthermore, many excuses such as cultural relativism, security concerns, or the war on terror forestall important efforts to advance human rights in international society. These problems notwithstanding, the global legitimacy of human rights is virtually beyond reproach. Few governments would dare to deny the importance of human rights, violating governments typically argue that their conduct does not violate international human rights standards rather than asserting that they do not care about human rights.

Achieving Global Legitimacy

The elevation of human rights to this level of global legitimacy was possible because (1) the discourse of human rights achievements was relatively easy to make since few consequences were anticipated; (2) the broad, somewhat vague, conceptualization of human rights made it palatable to diverse actors; and (3) civil society actors consistently and increasingly
as GLOBAL IDEAL

By Kiyoteru Tsutsui

pressured governments to commit to human rights. As we have seen, it went through twists and turns and in the process gained acceptance by virtually all major actors in world politics. First, western nations led the early efforts, then newly independent nations took over, and then during the Cold War countries in both eastern and western blocs committed to the idea of human rights. By the 1990s, a vast majority of governments had expressed some level of commitment, and human rights had achieved almost universal recognition as a global ideal.

Contrast this situation to the lack of international instruments to promote democracy. When Zim-
babwean citizens suffer from the unwillingness of President Mugabe to accept election results, they do not have an international instrument to which they can appeal. When citizens of Myanmar or North Korea take part in a perfunctory election, they too have no international forum to which they can appeal the absurdity of fake democracy. They can certainly claim human rights violations, but, with the major human rights instruments overwhelmed by many claims, it would be much more effective if there were an international instrument devoted entirely to democracy. The International Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (1984, 1987) serves as a good model. Torture was a part of the UDHR and the ICCPR, but many experts and activists agreed that there should be a separate treaty and monitoring body devoted specifically to the issue of torture. A similarly focused convention is proposed for democracy. If there were sufficient diplomatic will and activist zeal, there is no reason why an international treaty on democracy cannot be adopted at the UN.

We have learned from the history of global human rights that, for a global ideal that could poten-
tially undermine state sovereignty to become institutionalized into international instruments, state commitments and civil society support—even as lip service at the outset—are crucial to implemen-
tation. Looking at the current status of democracy in international society, it is foreseeable that many countries would make discursive commitment to democracy as a global ideal. Procedural democracy, if not substantive democracy, is likely to be acceptable even to dictators, given that many of them do allow perfunctory elections. Thus, if the scope of the international treaty is limited to procedural democracy, the low threshold might draw a majority of states into the treaty system, which eventually could raise the standard. Furthermore, civil society actors have been ready to make their contributions and are already engaged in election monitoring in fragile democracies. In the wake of worldwide criticisms against the unilateral U.S. effort to spread democracy by force, we are at an opportune time to institutionalize democracy as a global ideal.

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What are the implications of this for an anthropol-
yogy of democracy? Anthropology can contribute to such discussions by highlighting and comparing local definitions and practices labeled “democracy” to gain insight into how these modes of political practice are achieving goals as the people define them, rather than assume a universal template for what democracy is or should be.

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On October 19, 2008, Pakistani children take part in a parade to mark the UN’s International Day for the Eradication of Poverty, which commemorated the 60th anniversary of the Universal Declaration of Human Rights. AFF DAIHA/L/AFP/Getty Images

Participants in a democracy-building workshop in Ecuador in 2005, with their model constitution, were assisted by the Norwegian Peacebuilding Institute. KIYOTERU TSUTSUI

On October 19, 2008, Pakistani children take part in a parade to mark the UN’s International Day for the Eradication of Poverty, which commemorated the 60th anniversary of the Universal Declaration of Human Rights. AFF DAIHA/L/AFP/Getty Images

Monks and civilians demonstrate at the Human Rights Esplanade in Paris on May 17, 2008 to express their solidarity with the Myanmar population following the passing of Cyclone Nargis, which claimed around 78,000 lives and 56,000 missing, according to official sources. Demonstrators also lent their support to the country in their fight for democracy. Myanmar junta’s claims of an overwhelming win in a referendum for a new constitution was immediately rejected by Aung San Suu Kyi’s opposition party leader (on poster) THOMAS COEX/AFP/Getty Images

Participatory Democracy in Ecuador

Fifth, in Cotacachi’s particular form of participatory democracy, the assembly is a space for making propos-
als, but it does not have binding control over the mayor. An independent social movement organization can, in principle, exert pressure on politicians. The weaken-
ing of a social movement organization could mean a concentration of power in the mayor. Even within the ambit of the assembly, the social movement organi-
zation has to be strong to be effective. Specifically, to take advantage of the space created by the assembly, members need to be skilled in formulating proposals, prepared in knowing the ins and outs of issues being debated, and able to assert leadership.

Finally, social movement organizations are crucial for longevity of struggles for civil, human, and cultural rights. In the case of Cotacachi, the assembly—the local instance of civil society participation—could potentially be dismantled or radically transformed by a mayor of a different political party or approach to governance. If the process of participatory democracy were to weak-
en a social movement organization, or relegate it not just to a parallel development agency but to a mere constituent of the assembly, and if the assembly were as a result to disappear, the prospects of long-term advancement for social movement organizations and their constituents—the very people meant to be key players in a participatory democracy—could be seri-
ously undermined.

Conclusion

Actors of a wide variety, from international financial organizations to NGOs, governments, and academics interested in civil society and social capital, have set their sights and hopes on the democratic potential of citizen participation, particularly as implemented through local governments. But attention should also be paid to the strength of independent grassroots organizations, which are crucial for the reformulation of democratic practice. For collective actors, the forms political ac-
tion can take—what can be achieved and what kinds of individual and collective subjects are constructed—are crucial questions. This essay suggests that, even in the most successful and highly touted cases, these local participatory democracies have their limits and must be judged in relation to the aspirations and organiza-
tional capacities of social movement organizations.

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yogy of democracy? Anthropology can contribute to such discussions by highlighting and comparing local definitions and practices labeled “democracy” to gain insight into how these modes of political practice are achieving goals as the people define them, rather than assume a universal template for what democracy is or should be.

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