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The spirit of human rights has been transmitted consciously and unconsciously from one generation to another, carrying the scars of its tumultuous past. Today, invoking the United Nations Universal Declaration of Human Rights, adopted by the General Assembly in 1948, one may think of human rights as universal, inalienable and indivisible, as rights shared equally by everyone regardless of sex, race, nationality and economic background. Yet conflicting political traditions across the centuries have elaborated different visions of human rights rooted in past social struggles. That historical legacy and current conflicting meanings of human rights are, despite the admirable efforts of the architects of the declaration, all reflected in the structure and the substance of this important UN document. Using the main keys developed in the declaration, this article engages six core controversies over human rights that have shaped human rights debate and scholarship. It also draws on the historical record in order to identify and to clarify several misconceptions that persist both within and outside the human rights community today.

René Cassin, one of the main drafters of the universal declaration, classified the central tenets of human rights by comparing them to the portico of a temple. Drawing on the battle cry of the French revolution, Cassin identified the four pillars of the declaration as: 'dignity, liberty, equality, and brotherhood'. The 27 articles of the declaration were divided among these four pillars. The pillar supported the roof of the portico (articles 28–30), which stipulated the conditions in which the rights of individuals could be realized within society and the state. Each of the pillars represents a major historical milestone. The first pillar covered in the first two articles of the declaration stands for human dignity shared by all individuals regardless of their religion, creed, ethnicity, religion, or sex; the second, specified in articles 3–19 of the declaration, invokes the first generation of civil liberties and other liberal rights fought for during the Enlightenment; the third, delineated in articles 20–26, addresses the second generation of rights, i.e. those related to political, social and economic equity and championed during the industrial revolution; the fourth (articles 27–28) focuses on the third generation of rights associated with communal and national solidarity, as advocated during the late 19th century and early 20th century and throughout the post-colonial era. In a sense, the sequence of the articles corresponds to the historical appearance of successive generations and visions of universal rights.[1]

Yet throughout history, the human rights projects reflected in the declaration – whether liberal, socialist, or 'third world' in origin – generated internal contradictions concerning both how to promote human rights and who should be endowed with equal human rights. For instance, while the modern nation-state was originally justified by claims that it would promote human rights, the subsequent prevalence of realpolitik and particularism inspired 19th and 20th century efforts to embody universalism in the form of a succession of

international organizations. As it became clear during the 19th century that the masses of ordinary working people had been excluded from the liberal human rights vision of the Enlightenment, a new socialist conception of internationalism laid claim to the universal promise of human rights. At the same time, the contradictory achievements of the liberal and socialist human rights projects contributed to the rise of nationalism and cultural rights. Today, these particularlist perspectives, though directed against universalist promises have become an integral part of the universal declaration, as well as subsequent human rights covenants, and have remained a continuing source of division within the human rights community. What follows is a brief consideration of six controversies that underlie, and animate, contemporary political battles over human rights.

The first controversy concerns the origins of human rights. I argue that despite any temptation – especially after the events of September 11, 2001 – to view religion as antithetical to a secular view of universal rights, each great religion contains important humanistic elements that anticipated our modern conceptions of rights. This does not mean, of course, that all religious contributions were equal or that there is a perfect continuum from ancient to modern thinking about human rights. The second controversy concerns the claim, which I endorse, that our modern conception of rights, wherever in the world it may be voiced, is predominantly European in origin. To say that our current views of universal rights originated in the West, however, should not imply that Western rights are reducible to free-market liberalism. Despite faddish assertions that the end of the Cold War represented liberalism's victory over the socialist challenge to human rights, the human rights vision currently depicted as liberal was in fact indelibly molded by the socialist ideals that grew out of 19th century industrialization. The extent of modern liberalism's indebtedness to socialist thought represents the third controversy over human rights.

The 20th century has witnessed popular assertions that cultural rights are necessary defenses against either liberal or socialist conceptions of human rights, since these latter conceptions presumably represent the oppressive legacy of Western domination of the rest of the world. Reminding the reader that nationalist and culturally focused arguments are also of Western origin, dating back to 19th century Europe, I take the position, in this fourth controversy, that demands for cultural rights must always be informed by and checked against a universalist perspective on human rights. At a time when proclamations of an 'end of history' have been mocked by terrorists who, more dramatically than ever before, reject the very notion of universal rights, and when political realists triumphantly reassert that history is only the dismal repetition of power struggles and wars, it may be questionable, as the fifth controversy considers, whether there is such a thing as historical progress. Here, I will argue in favor of historical progress measurable in terms of important advances in human rights. Moreover, I contend that human rights is not antithetical to realism, but rather complementary to sound realist policies, and that in the post September 11 environment, it is precisely progress in the worldwide implementation of universal rights that will most reliably advance the security goals so cherished by realists. Finally, this article carves a middle position in a sixth controversial debate, which concerns whether globalization is a boon or a threat from a human rights perspective.

The first controversy: the origins of human rights

When embarking on a historical investigation on the origins of human rights, the first question one confronts is: where does that history begin? It is a politically charged question, as difficult to answer as the one addressing the end of history. The question of the end of

history has always implied the triumph of one particular worldview over another: Friederich Hegel's vision of history ending with the birth of the Prussian state celebrated the German liberal and cultural views of his time over others, Karl Marx's prediction that history would end with the withering of the state and the birth of a classless society emerged from a deepening struggle against the abuses of early industrialization, and Francis Fukuyama's declaration of the end of history exemplified liberal euphoria in the immediate aftermath of the Soviet collapse.

Similarly, the question of the beginning of a history tends to privilege a starting point, for a history of human rights can also be perceived as a way either to privilege a specific status quo or value system against possible challengers, or to legitimize the claims of neglected agents of history. It is in this context that one can understand the fight between religious creationists and evolutionary Darwinists in American schools, and the clash between some defenders of the Western canon on the one hand, and some advocates of African and 'third world' studies, on the other. Identifying the origins of human rights will inescapably invite a similar debate. Skeptics over the achievements of Western civilization are correct to point out that current notions of morality cannot be associated solely with European history (Manglapus 1978, Khushalani 1983).

Modern ethics is in fact indebted to a worldwide spectrum of both secular and religious traditions. Thus, the concept of proportionate punishment and justice was first professed by the Hammurabi's Code of ancient Babylon; the Hebrew Bible celebrates the sanctity of life and reciprocal entitlements; the Hindu and Buddhist religions offered the earliest defense of the ecosystem; Confucianism promoted widespread education; the ancient Greeks and Romans endorsed natural laws and the capacity of every individual to reason; Christianity and Islam encouraged human solidarity, just as both considered the problem of moral conduct in wartime.[2]

Yet the idea that religions are at the source of our current human rights tradition is often contested by scholars who regard religious edicts and commandments as the very opposite of rights (Donnelly 1989: 50). Often defined as a variety of injunctions, many religious invocations of moral duties, however, would later correspond closely to secular conceptions of rights. For example, the Biblical injunction 'thou shall not kill' implies the right to secure one's life, just as 'thou shall not steal' implies a right to property.

Few of the drafters of the Universal Declaration and United Nations Education, Scientific and Cultural Organization's respondents disputed that religious humanism and ancient traditions influenced our secular and modern understanding of rights (Maritain 1949). Indeed, drawing from Cassin's invocation of the French revolutionary motto, 'liberty, equality, and fraternity' one can easily show that calls for tolerance, for social and economic entitlements and brotherhood can be found in most ancient religions and secular traditions. While it would be excessive to claim that our current understanding of these concepts is a direct extension of ancient beliefs, it is worth drawing attention to some of the adumbrations of these notions within various traditions, if only to show that these ideas were not born *ex nihilo* during the Enlightenment. Indeed, views represented within the first cluster of universal declaration, such as proportionate punishments, judicial fairness, freedom of conscience, religious toleration, the right to life and the security of persons, among other conceptions one may associate with 'liberty' or toleration, were not unknown in ancient texts.[3]

As for the question of social and economic justice or 'equality', article 22 of the Universal Declaration stipulates that each human possesses 'economic, social, and cultural rights, [as] indispensable for his dignity and the free development of his personality'. While the modern struggle over social and economic rights grew out of the industrial revolution and the subsequent working class movement, it is also true that calls for economic justice originated

in ancient times. Traditions from Hammurabi's Code to early Islamic thought contained perspectives that paralleled either Plato's communist vision of economic redistribution or Aristotle's defense of property, setting the stage for the tempestuous debates and struggles of the past three centuries.[4]

On the issue of 'fraternity', most religious texts incorporated a notion of universal altruism that could apply if not to all individuals, as a contemporary definition would require, then to a substantial portion of humanity. While a human rights perspective conceives of universality in political, economic and social terms, notions of a common enterprise can also be associated with such ancient portrayals of universal brotherly love as one finds in Micah (the Hebrew Bible), Paul (the New Testament), the Buddha and others, and also, in a different way, in the detached universal love professed by Stoics like Epictectus, and advocates like Plato, Aristotle, and Cicero. If the Greek and Roman notions of laws and rights, eclipsed during the Middle Ages, would be reinvoked during the Enlightenment, other non-Western notions of the common good would be reclaimed during the anti-colonial struggles and in our globalized era.

While all religions and secular traditions prior to the Enlightenment may have shared basic views of a common good, not all individuals were perceived as equal under any ancient religious or secular aegis. From Hammurabi's Codes, to the New Testament, to the Qu'ran, one can identify a common disdain toward indentured servants (or slaves), women, and homosexuals – as all were excluded from equal social benefits. While emphasizing a universal moral embrace, all great civilizations have thus tended to rationalize unequal entitlements for the weak or the 'inferior'. Yet, while such commonalities are noteworthy, they should not overshadow one of history's most consequential realities: it has been the influence of the West that has prevailed, including that of Western conceptions of universal rights.

Second controversy: the Enlightenment legacy of human rights

If the civilizations and ethical contributions of China, India and the Muslim world towered over those of medieval Europe, it is equally true that the legacy of the European Enlightenment for our current understanding of human rights supersedes other influences. The necessary conditions for the Enlightenment, which combined to bring an end to the Middle Ages of Europe, included the scientific revolution, the rise of mercantilism, the launching of maritime explorations of the globe, the consolidation of the nation-state, and the emergence of a middle class. These developments stimulated the expansion of Western power, even as they created propitious circumstances for the development of modern conceptions of human rights. They ultimately shattered feudalism and delegitimized appeals by kings to divine rights.

As Europe was plagued by religious wars pitting Catholics and Protestants in a struggle to redefine religious and political structures, human rights visionaries like Hugo Grotius, Samuel Pufendorf, Emmerich de Vattel, and René Descartes constructed a new secular language, affirming a common humanity that transcended religious sectarianism. Over the next two centuries, revolutionaries in England, America, and France would use a similar discourse to fight aristocratic privileges or colonial authority, and to reorganize their societies based on human rights principles. Armed with the scientific confidence of their era, they struggled for the right to life, for freedom of religion and opinion, and for property rights, and ultimately broke the grip of monarchical regimes.

Notwithstanding the incontestable debt of modern conceptions of human rights to the European Enlightenment, the positive legacy of that era remains widely contested. Many

rightly argue that the Enlightenment did not fulfill its universal human rights promises. In the early 19th century, slavery continued in the European colonies and in America. Throughout the European dominated world (with the exception of revolutionary France), women had failed to achieve equal rights with men, propertyless men were denied the right to vote and other political rights, children's rights continued to be usurped, and the right to sexual preference was not even considered. Given those shortcomings, critics have argued that the Enlightenment legacy of human rights represented little more than an imperialist masquerade to subdue the rest of the world to its will under the pretense of universality (Foucault 1984, Ishay 1995a).

While the development of capitalism in Europe contributed to the circumstances necessary for the development of a secular and universal language of human rights, the early European liberal agenda inadvertently taught that very language to its challengers. Thus, the international language of power and the language of resistance were simultaneously born in the cradle of the European Enlightenment. The Enlightenment thinkers, not only invented the language of human rights discourse, they discussed issues that continue to preoccupy current human rights debates.

Now as then, we find ourselves pondering the role of the state – as both the guardian of basic rights and as the behemoth against which one's rights need to be defended. Both during the Enlightenment and today, this dual allegiance to one's state and to universal human rights has contributed to the perpetuation of a double standard of moral behavior, in which various appeals to human rights obligations remain subordinated to the 'the national interest'. Just as the celebrated Declaration of the Rights of Man and the Citizen (1789) was followed by Napoleon's realpolitik during his reign over the European Continental System, Fukuyama's end of history vision predicated on freedom and rights has yielded to the post September 11 national security order.

In addition, we are still embroiled in Enlightenment debates over whether a *laissez-faire* approach to economic activity is the best way to promote democratic institutions and global peace, as such early advocates as Immanuel Kant and Thomas Paine are echoed more than two centuries later by Michael Doyle and Jeffrey Sachs (Doyle 1983, 1986, Russett *et al.* 1995, Johnson 2000). Further, we remained engaged in the Enlightenment argument over when and how one may justly wage war (Grotius 1925). The current forms of these debates, one should add, are not merely a contemporary variant of the early liberal tradition, but have been modified and enriched by the socialist contribution.

The third controversy: the socialist contribution to human rights

The 19th century industrial revolution and the growth of the labor movement opened the gates of freedom to previously marginalized individuals, who challenged the classical liberal economic conception of social justice. Yet, despite the important socialist contribution to the human rights discourse, the human rights legacy of the socialist – and especially the Marxist – tradition is today widely dismissed. Bearing in mind the atrocities that have been committed by communist regimes in the name of human rights, the historical record still needs to show that the struggles for universal suffrage, social justice and worker's rights – principles endorsed in the Universal Declaration of Human Rights (articles 18–21) and by the two 1966 International Covenants – were strongly influenced by socialist thought.

Indeed, the Chartists in England – early socialist precursors – and later the European labor parties played a large role in the campaign for voting and social rights. Disenfranchised from the political process, propertyless workers realized that without a political voice they

would not be able to address the widening economic gap between themselves and the rising industrial capitalists. In other words, the historical struggle for universal suffrage was launched and largely waged by the socialist movement. As Marx put it in the *New York Daily Tribune* of 1850: 'the carrying of universal suffrage in England ... [is] a far more socialistic measure than anything which has been honored with that name on the Continent' (Marx 1977).

While liberals retained their preoccupation with liberty, Chartists and socialists focused on the troubling possibility that economic inequity could make liberty a hollow concept – a belief that resonated powerfully with the burgeoning class of urban workingmen and women. Highlighting this inconsistency the French socialist, Louis Blanc, declared:

> But the poor man, you say, has the *right* to better his position? So! And what difference does it make, if he has not the power to do so? What does the right to be cured matter to a sick man whom no one is curing? Right considered abstractly is the mirage that has kept the people in abused condition since 1789 ... Let us say it then for once and for all: freedom consists, not only in the RIGHTS that have been accorded, but also in the power given men to develop and exercise their faculties, under the reign of justice and the safeguard of law. (Blanc 1848)

In this sense, socialists became legitimate heirs of the Enlightenment, applying the universal promises of '*liberté, égalité, fraternité*' to the political realities of the 19th century.

From the 19th century onwards, radical and reformist socialists alike called for redefining the liberal agenda, to include increased economic equity, the right to trade unions, child welfare, universal suffrage, the restriction of the workday, the right to education, and other social welfare rights. Most of these principles were encapsulated in the UN Covenant of Social, Cultural and Economic Rights. By then, these key elements of the original socialist platform had long since been embraced as mainstream tenets of liberalism. So long as arguments are framed in terms of universal rights, liberal and socialists have shared a key premise that could provide a basis for reasoned debate. In that sense, both visions of rights have often been allied in opposition to the recurrent challenge posed by adherents of cultural relativism.

The fourth controversy: cultural relativism versus universalism

One of the most intense debates within the human rights community is the one pitting universalists against cultural relativists. This debate, however, can be traced to ancient times, when the historian Herodotus argued more than 2,000 years ago that there were no universal ethics. To illustrate his point, he told the story about the Persian king Darius. The king, wrote Herodotus, summoned several Greeks and asked them how much money it would take for them to eat the dead bodies of their fathers. Outraged, they proclaimed their refusal to perform such a gruesome act at any price, adding that cremation of the dead was a sacred obligation. Darius then called upon some Indians, who by custom ate their deceased parents, and asked them if they would consider burning the bodies of their fathers. Insulted, they replied that such an act would be a horrible crime. The lesson, concluded Herodotus, was simply that each nation regards its own customs as superior (Herodotus 1974).

Through the ages, Herodotus's observation seemed an apt characterization of nations claiming their superiority over others as they immersed themselves in war after war. Indeed, in historical reality, each major stride forward toward a universal perspective of human rights, was followed by severe setbacks. The universalism of human rights brandished during

the French revolution was slowly superseded by a nationalist reaction incubated during Napoleon's conquests, just as the internationalist hopes of socialist human rights advocates were drowned in a tidal wave of nationalism at the approach of World War I. The human rights aspirations of the Bolshevik revolution and that of two liberal sister institutions, the League of Nations and the International Labor Organization, were crushed by the rise of fascism and Stalinism during the interwar period; the establishment of the UN and the Universal Declaration of Human Rights was eclipsed by intensifying nationalism in the emerging third world and the global competition between two nuclear armed superpowers. Finally, the triumphant claims after 1989 that human rights would blossom in an unfettered global market economy were soon echoed by cultural nationalism in the former Soviet Union, Africa, the Balkans, the Middle East and beyond.

The central point is that cultural relativism is a recurrent product of a historical failure to promote universal rights discourses in practice, rather than a legitimate alternative to the comprehensive vision offered by a universal stand on justice (Ishay 1995a). For the invocation of cultural rights tends to occur when a specific group feels deprived of political, social and economic rights enjoyed by others. The human rights debate is not sufficiently well informed by this history, and three historical misconceptions continue to confuse this debate. The first is the tendency to lump together second and third generation rights. The second is the effort to collapse first and second generation rights into a single Western perspective. The third is rooted in ignorance of the Western roots of third generation rights.

Fusing socialist and cultural rights views (or second and third generation rights) into one philosophical tradition, as implied by the language of the International Covenant of Social, Cultural and Economic Rights legal document, overlooks important differences that exist between these two traditions of human rights. For instance, second generation socialists have long criticized the third generation conception of group rights to self-determination. Indeed, the notion of the right to self-determination, as defined by various international bills of rights, fails to specify which nationality or group should end up being favored over another when their claims conflict. Given the abuses that have occurred in the name of national and cultural rights since the end of the Cold War, contemporary human rights advocates would profit from familiarity with criteria offered by late 19th and early 20th century socialists for distinguishing between legitimate and illegitimate claims on behalf of groups.

The early socialist critique of the unconditional right to self-determination and culture, while wrongly conflated with the notion of cultural rights, and overlooked in current human rights discourse and legal documents, stands the test of time. If Lenin, and later Woodrow Wilson, provided a useful rationale for brutalized and oppressed nationalities to pursue their right to self-independence from intractable imperialist controls, the socialist revolutionary or the Marxist political activist Rosa Luxemburg warned that most newly formed countries were too weak economically to maintain genuine sovereignty, and cautioned against popular alliances with self-interested nationalist elites or bourgeoisie (Lenin in Ishay 1995b: 229, Wilson and Luxemburg in Ishay 1997: 303–304, 293). Such alliances, Luxemburg believed, would mainly benefit the elite and perpetuate oppression. Moreover, since resources are almost certain to be distributed inequitably within any given territory, the break-up of existing states by nationalist movements is bound to favor one regionally concentrated ethnic group over another, as exemplified in the former Yugoslavia. In such circumstances, the socialist Otto Bauer's vision of a federation of multi-ethnic groups, activated at the grassroots level, and committed to economic and social equity, may provide a better solution than calls for unlimited self-determination in the post-Cold War era (Bauer 2000).

Efforts to fuse liberal and socialist perspectives on rights (first and second generation rights) into one Western philosophical tradition echo the current 'third world' litany against

Western cultural values, or what Samuel Huntington described in terms of 'the West versus the Rest' (Huntington 1993). After centuries of colonialism and an accelerating globalization process dominated by Western media, Western technology, Western values and Western products, arguments favored in terms of defending the alleged uniqueness of non-Western cultural traditions against Western values (or vice-versa), may seem almost farcical. Weren't the great leaders of the anti-colonial national liberation movements, like Jawaharlal Nehru, Leopold Senghor, and Ho-Chi Min, educated in the West, and weren't their agendas clearly indebted to different strands of the Western human rights tradition? Aren't many of the clauses of the International Covenant of Social, Cultural and Economic Rights that extol first and second generation rights traditions of obviously Western origin? What should we make of appeals to national or ethnic solidarity, which completely ignore the Western human rights tradition? There may be, one should note, a questionable motive for selectively insisting on group or cultural rights, since failing to qualify those rights can ultimately provide dominant elites in particular societies opportunities to oppress individuals and other religious and cultural minorities who do not fit their self-serving conceptions of traditional values. At the same time, it is worth noting that a universal human rights agenda insensitive to existing power relations may also serve as a tool to mask the particular national interests of powerful countries (Parekh 1999).

   Antagonism between liberal (first generation) and developing world (or third generation) rights discourses currently plagues the human rights community. That division is based on the assumption that Western values are associated largely with individual civil and political rights, whereas people in developing countries emphasize rights related to the welfare of groups consistent with their cultural and religious traditions (Panikar 1982, Renteln 1988, Donnelly 1989, Howard 1995, Felice 1996). Many defenders of such cultural rights are forgetful or unaware of 19th century European adherence (particularly among Italians and Germans) to the notion of cultural rights, a principle that was employed in the struggle against unqualified individualism and the Enlightenment's conception of universalism. The liberal nationalist writings of Jonathan Gottlieb Fichte, Giuseppe Mazzini, John Stuart Mill, and Theodore Herzl, among other social thinkers of the 19th century, foreshadowed the 20th century's quest to codify the right to self-determination (Ishay 1995b).

Fifth controversy: the tension between security and human rights and the related question of historical progress of human rights

Once again, at the beginning of a new millennium, we find particularism and national-ism undermining universal human rights aspirations, apparently confirming the views of relativists and realists that human rights do not progress, but rather wax and wane along with a cyclical pattern of history. Against that view, it is fair to argue that those human rights themes that survive the tests and contradictions of history provide in the long run a corpus of shared perceptions of universal human rights that transcends class, ethnic and gender distinctions. Indeed, despite various setbacks, the history of human rights shows a clear dimension of progress: slavery has been abolished (even if vestiges, intolerable though they may be, remain), women in most of the world have been granted the right to vote, and workers are endowed with more social and economic protection than ever before. While the victims of one era have sometimes emerged as avenging aggressors in the next, they have been more likely to reappear as powerful human rights crusaders. The claims of the propertyless Fourth Estate of the 18th century would galvanize the revolutionaries of 1848 and 1871, just as 18th century Jacobin women and rebellious slaves would energize the

suffragettes and abolitionists of the 19th century. The marginalization of colonized people of the 19th century gave way to successful anti-colonial struggle following World War II, and so on.

Of course, some realists were eager to point out in the aftermath of September 11 that the seemingly enhanced post-Cold War role for human rights in foreign policy has now been reversed, revealing the true face of a history condemned, like Sisyphus confronting his eternal curse, to the struggle of power against power. Human rights must be seen, according to this view, at best as subordinated to security objectives, at worst as antithetical to security. Indeed, the emergency Patriot Act signed by President George W. Bush six weeks after the World Trade Center and Pentagon attacks shows the vulnerability of such freedoms in times of war, as does increased support for some repressive regimes in the name of the war on terror. One may hope that a more enduring reaction to the fragility of national borders in our era of globalization will be the development of a broader strategy of security founded on human rights and global economic welfare (Ishay 2004a).

Modern history has in fact witnessed progress toward the embrace of that vision of human development, as each historical cycle of world violence created the need to develop stronger mechanisms to protect individual rights within and between nations. If the Enlightenment had introduced into world politics the notion that the state existed to secure the universal rights of its all inhabitants, and by extension to exemplify those rights for all humankind, the industrial revolution had planted the seeds for a more interventionist state and a stronger international organization to promote human rights and prevent conflicts between states. Last, the 20th century was an era in which the establishment of the welfare state presented an improvement over the purely greed-driven capitalist state, and the UN (the Iraq debate notwithstanding) an advance over the impotent League of Nations. In other words, just as the wars and social revolutions of the 18th and 19th century strengthened the capacity of the state, and as the two world wars and the Cold War have institutionalized the domestic welfare state, the mounting potential for violence incubated by globalization might well bring the task of securing global welfare into the realm of practical politics in this historical era.

Thus, today's realists, seeking only security, find themselves drawn toward policies designed to advance human rights: a prescription that even the sole superpower can no longer afford to overlook. US National Security Advisor, Condolezza Rice had argued before September 11 that realism required US foreign policy to avoid humanitarian and human rights efforts. Reversing that view after the calamity of September 11, she now stressed the complementarity of realism and idealism, so that 'to continue to build . . . a balance of power that favors freedom, we must extend as broadly as possible the benefits of liberty and prosperity that we in the developed world enjoy. We have a responsibility to build a world that is not only safer but better' (Rice 2002). Even if the first realist impulse after September 11 was to seal US borders and seek to kill the terrorists in their caves, the second reaction has been the realization that such measures are hopeless if they ignore universal aspirations for justice and rights. As a result, the Bush Administration, rejecting much of the foreign policy platform of candidate George W. Bush, found itself committed to nation building in Afghanistan, to celebrating the rights of Afghan girls to go to school and to increasing sharply the foreign aid budget, all because, as President George W. Bush expressed it: 'hope is the answer to terror'; as the US vowed to become the new Jacobin soldiers of universal rights and democracy.

One may disparage these discourses as merely another step toward a more enlightened imperialism. Noam Chomsky, Antonio Negri, Michael Hardt, and Michael Ignatieff have all argued recently (though from different perspectives) that we have entered a new stage of

globalization orchestrated by American imperialism (Chomsky 1999). For Ignatieff, it is not the imperialism of the past, 'built on colonies, conquest and the white man's burden', but one reveling in a 'global hegemony whose grace notes are free markets, human rights and democracy, enforced by the most awesome military power the world has ever know' (Ignatieff 2003). While imperial greed should always be denounced, the moral evaluations of empires, Ignatieff reminds us, get complicated when the policies of empire might dramatically benefit the Kosovars, Afghanis, Iraqis and others. One can argue that if the American empire is well on its way to shaping the new cartography of international order, human rights may well benefit from exploiting the search for moral legitimacy efforts associated with empire building. Of course, from the Roman Empire to that of the British commonwealth, the extension of empires has inevitably bred local contempt and violent backlashes that grow increasingly unmanageable. Even should the US ultimately follow that familiar path, its current emphasis on legitimizing its global reach still provides important opportunities for a progressive agenda. In short, as foreign policymakers preoccupied with security after September 11 begin to acknowledge the relevance of human rights, the human rights community should be prepared to offer a substantive agenda linking human rights and international security (Ishay 2004b).

Sixth controversy: does globalization advance human rights?

Calling for a human rights oriented security strategy begs, however, a broader question: is globalization promoting or undermining human rights prospects? While there is clear evidence that globalization coincides with a widening gap between the rich and poor within societies, and between rich and poor countries, the information age has also redefined and created new opportunities for human rights.

A revealing exchange between *New York Times* journalist Thomas Friedman and the editor of *Le Monde Diplomatique*, Ignacio Ramonet, highlights conflicting perceptions over these two trends of globalization. For Friedman, globalization provides opportunities for more than just the wealthy. To his French interlocutor, he says: '[a]sk the high tech workers in Bengalore, India and Taiwan or the Bordeaux region of France, or Finland, or coastal China, or Idaho what they think of the opportunities created by Globalization . . . What about all the human rights and environmental organizations that have been empowered by the Internet and globalization, don't they count?'[5] Exasperated, Ramonet replies: 'My dear Friedman, do read the 1999 Human Development Report from the United Nations Development program. It confirms that 1. 3 billion people (or one quarter of humanity) live on less than a dollar a day'. 'The political consequences [of globalization]', Ramonet adds, 'have been ghastly . . . Borders are increasingly contested, and pockets of minorities give rise to dreams of annexation, secession, and ethnic cleansing' (Friedman and Ramonet 1999).[6] Some, as we came to realize on September 11, were even dreaming of the annihilation of the US: the powerhouse of globalization.

Railing at the darkest implications of globalization for human rights is, however, too sweeping a reaction. One should recognize that there are aspects of capitalism that represent dramatic improvement when compared to the feudal arrangements that prevail in much of the global South: its progressive capacity, its formidable power to develop the forces of production, to regenerate new needs and to kindle humans' unlimited possibilities (Marx 1976). That hardly entails an endorsement of neoliberal ideology, which can be held accountable for rules imposed on developing countries by the institutions controlling globalization (e.g. the IMF) that have perpetuated – or even worsened – poverty.

How then could a new human rights approach free globalization from its destructive trends? While such a perspective should always condemn the harsh conditions of workers in sweatshops, it should also acknowledge that the often-romanticized alternative of self-sufficient feudalism may be even worse. In reality, millions of young women beyond the reach of globalization are left with no choice but to be subjugated under patriarchal domination, or under the arbitrary tyranny of local mullahs in one or another remote corner of countries like Pakistan or Nigeria. For women and other destitute people within the most impoverished regions of the world, opportunities for change offered by market-driven economic growth should be welcomed and synchronized with policies that ensure real opportunities to escape poverty and realize democratic aspirations.

While economic growth is vital to rescuing the poor, so are the institutions of the state. In other words, while recognizing the advantage of a market economy, an innovative human rights perspective would call for more state intervention, not less – to develop economic infrastructure, public health and education, and civil institutions. In the same vein, one should call for the implementation of supportive regulatory mechanisms within international financial institutions. Extending the campaign to forgive the debts of third world countries, for instance, could help enable many developing countries to combine economic development with a measure of social justice. Needless to say, keeping people alive, controlling the spread of epidemics and providing clean water cannot be left solely to the work of the 'invisible hand'. In this respect, globalization is not an end, as its proselytes would like to have it, but should be seen as a means to advance political, civil, social and economic rights not merely for the privileged but also for the wretched of the earth.

One cannot relegate the task of building such a global welfare mechanism, bridging security, economic development and human rights concerns, to policymakers or the providential caprices of history. That task belongs to the active intervention of the human rights community, which in the current climate of fear must vigilantly resist narrow and short-sighted security, cultural, and economic pressures. These forces always result in the fragmentation of what should remain the inalienable and indivisible mission of that community, namely its relentless fight for civil, political, social and economic rights for the visible, less visible, and conveniently unnoticeable among us, within and beyond every national border.

In this effort, the human rights community should seek clarity of purpose amidst debates that divide it: recognizing that despite its strong Western influence, its origins are indebted to pre-Western religious and secular traditions; considering that its economic and political impulse toward social justice owes much to the socialist tradition of the 19th century; learning the lessons of failed universalist human rights projects that yielded to particularlist and cultural relativist conceptions of rights; seeking to bridge security and human rights discourses in times of war and external threats, a bridge whose foundation must be the reduction of social inequities in the era of globalization.

Acknowledgements

Notes

1. While articles referring to universal voting rights are often seen in human rights discourses as being linked to the first generation of liberal rights, I show that they should belong to the second generation of socialist rights.

2. For example, Driver and Miles (1956, vol. 1: 65); Exodus 21: 24–25 (all Hebrew Bible excerpts are drawn from *The Jerusalem Bible*, thereafter JB); *The Arthashastra*, edited, translated and introduced by L. N. Rangarajan (1992: 320–322); Confucius (1956, XVI: 9, 140); Cicero (1961: book I) or in Ishay (1997: 23); Thomas of Aquinas, *Summa Theologica* (1947), Saint Augustine, *The City of God* (1994) or in Ishay's *The Human Rights Reader* (1997: 58–65, 37–41, respectively); Surah 2 in Ali (1989) and Mawdudi's (1980), *Human Rights in Islam*: 36–38.
3. Deuteronomy 1: 16–17, JB; *The Arthashastra* 4.9.17, 18, in Rangarajan (1992) 'The awakening of self in Buddhism', in *The Buddha Eye*: 22–33; Confucius (1956), *Analects*, XX: 2, 159–160; Aristotle, *The Politics* (1962, III: xiii, 313); Matthew 5: 20; Surah 2: 256, op. cit.: 106, Surah 2: 257, 107; see also Surah 5: 44–48, 261–262, in Ali's (1989) *The Meaning of the Holy Qu'ran*.
4. Driver and Miles's (1956) *The Babylonian Law*, vol. 1: 112; Exodus: 22: 20–27; *The Arthashastra* 3.9.19.20, 3.16.25–28, in Rangarajan (1992); Thurman (1983); Confucius, *Analects*, XVI: 1, 138–139; Plato (1955), *The Republic*, V: 464, 222; Aristotle, *Politics*, II, v: 1263a8–1263a40, 114–115.
5. Others like Peter Martin have also celebrated the moral and economic benefits of globalization. 'The integration of marginalized societies is the best thing that has happened in the lifetime of the post-war generation' (Martin 1997). Pointing to the success of globalization in Asia, Peter Wolf has also added that the real income per head has risen seven times from 1965 to 1995 (Wolf 1997).
6. Others like Benjamin Barber also see justice and democracy succumbing to the formation of an ever more arrogant consumer society (Barber 1995). What characterized the new globalized era, later deplored Antonio Negri and Michael Hardt (2003), is its capacity to cloak under the rhetoric of universality and human rights its ever more controlling and policing apparatus, used to repress or co-opt protest movements. See their *Empire*.

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