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# Human rights and the culture wars

*Globalization and the universality of human rights*

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**G**lobalization theory is posing a new challenge to the view that human rights are universal in principle and ought to be so in practice. The challenge comes from some of its analyses of global change which reinforce the view that human rights are an important part of the 'culture wars,' a Western cultural imposition on other parts of the world.

Globalization theory focusses on quantitative and qualitative changes in communications, technology, and the market that are creating a new, closer, global world in the twenty-first century. One aspect of this change is purported to be the universalization of (Western) culture and, within it, the universalization of human rights. Some commentators, such as Malcolm Waters, are optimistic that these changes will create a freer and more open world than the nineteenth and twentieth century closed state system.<sup>1</sup> Others such as Paul Kennedy and Benjamin Barber worry that globalization will result in 'Jihad vs McWorld,' a fundamentalist cultural reaction against the spread of Western social norms, including the norms of human rights.<sup>2</sup>

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<sup>1</sup> Malcolm Waters, *Globalization* (New York: Routledge 1995).

<sup>2</sup> Benjamin R. Barber, *Jihad Vs. McWorld: How Globalism and Tribalism are Reshap-*

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There is a real danger that culturalist social movements will have increasing influence in the twenty-first century. They may well join with authoritarian governments of various kinds to suppress the human rights movement as an inauthentic, non-indigenous, 'Western' cultural imposition. To argue this point, it is necessary to review a series of debates about human rights that have been occurring since the 1970s. In discussing these debates, I will refer to culturalist reaction because it is a more descriptive and less polemical term than fundamentalism or Barber's jihad. In the end, the culturalist reaction against the West could be one factor in a 21st-century war.

A standard definition of human rights is that they are rights possessed by all biological human beings, merely by virtue of being human. They are equal for all: all human beings are of equal moral worth and deserve the same protections. Human rights do not depend upon a particular social status (such as male or female, upper or lower caste). They are individual rights, independent of group membership and held primarily against the state. But they are also held against society or even against the family, as in the case of women's and children's rights. Nor do they have to be earned, although they can be limited under certain legally defined circumstances (for example, if the country in which the rights' holder lives is at war). Human rights are a 'trump': they trump any other claims that can be made.

Human rights are often described as belonging to three 'generations.' The first generation includes civil and political rights such as the right to a fair trial or the right to vote. The second generation includes economic, social, and cultural rights, such as the right to work or the right to eat. The third generation is dubbed 'collective' rights and includes, *inter alia*, the right to self-determination and the right to development; both rights, it is thought, that can be enjoyed only by groups, not by individuals.

The three-generation division of rights is dangerously facile. It makes, roughly, the following equivalencies. Civil-political rights are rooted in Western history and are based on claims by the selfish individual against the community. Furthermore, they are 'negative': all they require is state abstinence from certain actions (such as torturing citizens) to be implemented. Economic, social, and cultural rights were

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*ing the World* (New York: Ballantine Books 1995); and Paul Kennedy, *Preparing for the Twenty-First Century* (New York: Vintage Books 1993).

introduced by the socialist world and require positive action to be implemented; for example, the redistribution of food. Collective rights were introduced by the developing world; they also require positive state action. Economic, social, and cultural rights and collective rights both show a respect for the collectivity and community not found in the individualist Western approach to rights.

All of these assumptions are questionable. Civil and political rights do require positive action; for example, to set up fair, effective police forces. Economic rights sometimes require mere abstention by the state: for example, the famine during the so-called Great Leap Forward in China between 1959 and 1961 was caused by ideologically based state interference in agricultural production.<sup>3</sup> Economic rights are a Western as well as a socialist ideal, found in the social democratic tradition of Europe as well as the Owenite and Fabian traditions of the United Kingdom. There is no clear distinction between individual and community or collective; the community as a whole benefits in a society with civil and political rights such as the rule of law, just as individuals benefit from the right to food or health care.

Finally, the three-generation hypothesis implies that the last 'generation,' collective rights, is superior to the first two, which sets a dangerous precedent for states' rights and group rights to be taken as more important than the rights of individual human beings. The present culturalist reaction to so-called Western human rights is one way for authoritarian states to undermine individual human rights in the name of the collectivity.

Much ideological energy is spent rejecting the so-called Western bias of human rights, as if basic rights to life, freedom from torture, procedural justice, and other such matters are mere ephemera. But the right not to be murdered by the state, not to be sent to a concentration camp or slave labour camp, not to be tortured is as pertinent at the turn of the third millennium as it was when human rights were codified in the United Nations system after the horrors of the Second World War. Despite the current world-wide move to democratization, these basic rights remain a preoccupation of countless human rights organizations. For most people, human rights still mean the right to stay alive – not to starve, not to be murdered by the state.

<sup>3</sup> Article 19 Censorship Report, *Starving in Silence: A Report on Famine and Censorship* (London: Article 19, April 1990).

But the postmodernist interpretation of knowledge that has affected much thinking in the last twenty years has rendered suspect the universal ideals of human rights and has conveniently buttressed the propaganda efforts of authoritarian governments that want to dismiss human rights as 'Western,' even though many non-Western governments were involved in their formulation during the 1940s.<sup>4</sup> Postmodernists deny that knowledge has any objective validity and identify each individual's assertions of knowledge with his or her social 'standpoint.' Thus in the culture wars that surround human rights, I am not, as the author of this article, an individual hoping to improve human rights for other individuals. I am not a seeker of universal justice. I am a white Westerner. I must, therefore, be a cultural imperialist. For a citizen of the former imperialist world to criticize the human rights performance of the underdeveloped world is, in some eyes, akin to a German criticizing Israeli human rights performance.

In the developing culture wars that may very well permeate twenty-first century international politics, it is as well for all Western human rights scholars and activists to be aware of the resentment their activities can generate. The human rights debates are increasingly about culture and the battles between cultures. They are also about the politics of identity. To reject human rights as 'Western' in origin or applicability is to assert one's own cultural identity.

#### THE DEBATE OVER ORIGINS OF THE CONCEPT OF HUMAN RIGHTS

There are two critical positions on the origins of the concept of human rights. One is that human rights are Western in origin and therefore apply only to the West. They are not relevant to non-Western cultures, and any attempt to impose them on those cultures is a form of Western cultural imperialism. Or a form of Western hypocrisy, as the poem, 'Justice,' by the great African-American poet Langston Hughes shows: 'That Justice is a blind goddess/Is a thing to which we blacks are

<sup>4</sup> Along with nine Western and Eastern bloc countries, nine 'non-Western' countries were involved in formulating the 1948 Universal Declaration of Human Rights - Chile, China, Egypt, India, Iran, Lebanon, Panama, Philippines, and Uruguay. (Ashild Samnøy, *Human Rights as International Consensus: the Making of the Universal Declaration of Human Rights, 1945-1948* [Bergen: Christian Michelsen Institute, 1993:4, May 1993], 242.)

wise./Her bandage hides two festering sores/That once perhaps were eyes.<sup>5</sup>

The other criticism of 'Western' human rights claims that all cultures have their own concepts of human rights, of which the Western concept is only one – and not a particularly valid one for all parts of the world because it is too individualistic and stresses rights over obligations or duty. Other conceptions of human rights are more suitable for other parts of the world: thus, there is a 'Chinese,' an 'Indian,' an 'African,' an 'Islamic,' and an 'indigenous' conception of human rights. As the Indian philosopher, R. Pannikar, says: 'Human rights are [merely] one window through which one particular culture envisages a just human order for its individuals.'<sup>6</sup>

So human rights are and aren't Western; the West has its own conception, other civilizations have theirs. Either way, when (white) Westerners talk about human rights to (non-white) Others, they impose their values on other societies, and they insult those societies. As one Chinese commentator recently noted quite forthrightly. '[A]ny Asian, if he expresses his doubts about the Western human rights concept, will be derided and considered "defending his government" ... this kind of attitude adopted by the Europeans towards Asians must end ... The West is used to making indiscreet remarks or criticisms of the Asians. Even in front of the new Asia full of vigour and vitality ... it is very difficult for the West to free itself from the old mode of thinking.'<sup>7</sup>

According to these commentators, particular concepts of human rights apply only to those societies that generate them: so Western human rights apply only to the West. This is illogical. We would not assume that no one but Western white males can safely fly in planes invented and constructed by Western white males. Knowledge and ideas can transcend racial, religious, and geographic boundaries.

Moreover, this implies an 'Occidental' view of the West. There is only one Occident, or 'West'; that there are no differences among Westerners in ideologies, religions, or beliefs. There are, of course,

5 Arnold Rampersad and David Roessel, eds, *The Collected Poems of Langston Hughes* (New York: Alfred A. Knopf 1995), 31.

6 R. Pannikar, 'Is the notion of human rights a Western concept?' *Interculture* 17 (January-June 1984), 30.

7 Xin-Chunyang, 'Can the pluralistic world have a unified concept of human rights?', in Peter Baehr, Fried van Hoof, Liu Nantai, and Tao Zhenghua, eds, *Human Rights: Chinese and Dutch Perspectives* (The Hague: Martinus Nijhoff 1996), 46.

many different political, religious, and philosophical views in the 'West.' And the 'West' certainly hasn't supported human rights uniformly since the concept was first devised by Enlightenment philosophers. The West has generated fascism, Nazism, and communism, none of them ideologies compatible with human rights. 'Western' religions – Christianity and Judaism – certainly did not support equal rights for all human beings until the twentieth century.

Human rights do reflect one particular philosophy: liberalism. Liberalism may have originated in the West, but it can be applied elsewhere. And it is increasingly attractive to many people who do not live in the West, including many who, for reasons of cultural pride, simultaneously criticize human rights as Western yet try to find the same principles of justice in their own cultures and religions. To mask the anti-liberal reaction as anti-Western permits a political disagreement to be masked as a nationalist one. Thus the Chinese commentator cited above can hide his country's interest in maintaining an authoritarian political system behind a stance of being insulted by Western cultural arrogance.

Human rights are a particular way of looking at questions of justice that is suitable to the modern world in which everyone everywhere lives, including the most remote tribes in Papua New Guinea or the Amazon rain forest. The philosophy of human rights is suitable in the modern world given the ubiquity of the state, the ubiquity of pressures to conform to social norms or rules, and the near-ubiquity of racism, religious prejudice, patriarchal institutions, and homophobia. Liberalism as it has developed over the twentieth century protects individuals from all forms of rights abuse, and it also – at least in its social democratic variant – focusses heavily on economic and social as well as civil and political rights. The assertion that 'Western' human rights ignore economic rights, or would ignore development, is false.

#### THE DEVELOPMENT – RIGHTS TRADE-OFF

Since about 1970, the majority of United Nations members have been underdeveloped countries, and their most important concerns have been two so-called collective rights: self-determination and economic growth, which they call development. At the beginning of the 1970s, it was commonly believed that individual human rights were a luxury for the rich, developed nations. This belief is exemplified in a famous quotation from one African leader of the period, Julius Nyerere, then

president of Tanzania. 'What freedom has our subsistence farmer? He scratches a bare living from the soil provided the rains do not fail; his children work at his side without schooling, medical care, or even good feeding. Certainly he has freedom to vote and to speak as he wishes. But these freedoms are much less real to him than his freedom to be exploited. Only as his poverty is reduced will his existing political freedom become properly meaningful and his right to human dignity become a fact of human dignity.'<sup>8</sup>

At first glance, it seems there must be some truth in this perspective. Freedom without basic economic security is surely not worth much. Yet even if freedom is not worth much without basic security, we know that freedom preceded economic security in some of the most prosperous societies of the Western world. The freedom of poor men to vote for political parties that promised them bread and to organize trade unions to defend their rights against employers permitted Western democratic societies to evolve. In other words, development may never occur without basic political freedom. In Tanzania under Nyerere, the author of the eloquent quotation cited above, significant development failures occurred in part because peasants, journalists, trade union leaders, or party members were not free to criticize the president's decisions. Denial of freedom to criticize presidential decisions accounted in part for the crop failures attendant on the compulsory 'villagization' policies of the late 1970s. The 'development first-freedom later' tradeoff that many of the poorer countries proposed in the 1970s – and that some countries, especially in Asia, still propose today – meant that political leaders were unaccountable. They could steal vast sums of money from state treasuries or give huge industrial monopolies to their children – as in contemporary Indonesia – without criticism from anyone.

The development first slogan also meant that all human rights violations in non-Western countries could be blamed on the West which controlled international markets, industrial production, and the banking system. Western companies, it was thought, deliberately kept poor countries poor. The most important human right, then, was not an individual but a collective right: the right to development, finally proclaimed by the United Nations in 1986. The weak new countries of Africa were especially anxious to protect this right along with the right to sovereignty.

<sup>8</sup> Julius K. Nyerere, 'Stability and change in Africa,' address to the University of Toronto, 1969, in *Africa Contemporary Record* 2 (1969-70), C30-1.

With regard to the international economy, there is indeed an enormous gap in human rights law, a gap that becomes ever more evident as the processes of globalization multiply. There are no international standards of human rights conduct for transnational (or national) businesses or for the banking system. Except for International Labour Organization codes, the international economy operates completely outside the moral consensus on human rights. The West does have a duty to help those underdeveloped countries that it colonized and exploited for centuries. But none of this lessens the need for individual liberal human rights: rather, it increases that need. The right to development cannot be a substitute for such basic rights as the right to form trade unions or to speak out against an oppressive government.

The 1970s debate over whether there was a right to development introduced the new debate which suggested that collective rights were more important than individual rights. Not only were individual rights temporarily subordinate to the search for collective economic security, they were permanently inappropriate to a collectivist culture. Individual duties to the family, community, and larger society were considered more important than individual rights. As a Nigerian scholar, Olusola Ojo, put it: "The Africans assume harmony, not divergence of interests, competition and conflict and are more inclined to think of their obligations to other members of society rather than their claims against them."<sup>9</sup>

Mary Ellen Turpel, a Cree international lawyer from Canada, has a similar view of the irrelevance of 'Western' or Eurocentric human rights to indigenous peoples. "[T]he "rights" analysis and imagery is a projection of an exclusionary cultural or political self-image ... [T]he idea that rights are necessary to protect one's "rightful" corner of town ... emphasizes a liberal conception of social life where the maximization of wealth and happiness through self-interest is the guiding creed ... [T]here are no narratives among Aboriginal peoples of living together for the purposes of protecting an individual interest in property ... Social life is based upon responsibilities to creation and to the Creator."<sup>10</sup>

<sup>9</sup> Olusola Ojo, 'Understanding human rights in Africa,' in Jan Berting, et al, eds, *Human Rights in a Pluralist World: Individuals and Collectivities* (Westport CT: Meckler 1990), 120.

<sup>10</sup> Mary Ellen Turpel, 'Aboriginal peoples and the Canadian charter: interpretive monopolies, cultural differences,' *Canadian Human Rights Yearbook 1989-90* (Ottawa: Ottawa University Press 1991), 10, 16, 29.



Thus the West's refusal to reorganize the world economy to eliminate exploitation of weak countries was now viewed as a cultural assault by 'the West against the rest.' The West's view of rights sustains a property-based, competitive economic and social individualism. In this view, non-competitive, co-operative cultures without any conception of private property were unsuccessfully pitted against Western capitalist cultures in an unfair economic competition. That this idealized description of non-Western economies ignored reality made no difference. It became a type of cultural insult to point out how village lands in Africa have been transformed into private property or how a class of robber barons similar to those who dominated the American economy in the 18th and early 19th centuries has arisen in Africa and Asia.

The debate over the logistics of development, then, and over the chicken-egg question of development vs freedom, has now become a debate about whether development is a good thing at all. The very notion of development – carrying with it the necessary accompaniments of urbanism, industrialism, and the breakdown of the village community – is a form of cultural imperialism. The economic weakness of underdeveloped countries means that they now turn to culture as their weapon against the West. As Immanuel Wallerstein has noted, culture is 'the assertion of unchanging realities amidst a world that is, in fact, ceaselessly changing ... [T]he very construction of culture becomes a battleground, the key ideological battleground.'<sup>11</sup>

#### CULTURAL INSULTS AND CULTURAL RELATIVITY

Claims of cultural insults should not be taken lightly by Western observers. Relations between the West and the rest are not yet free of the heritage of racism. Consider the following quotation about Africa by Arthur Schlesinger, the noted American historian.

There is surely no reason for Western civilization to have guilt trips laid on it by champions of cultures based on despotism, superstition, tribalism and fanaticism. In this regard the Afrocentrists are especially absurd. The West needs no lectures on the superior virtue of those 'sun people' who sustained slavery until Western imperialism abolished it (and, it is

<sup>11</sup> Immanuel Wallerstein, *Geopolitics and Geoculture: Essays on the Changing World System* (New York: Cambridge University Press 1991), 166.

reported, sustain it to this day in Mauritania and the Sudan), who still keep women in subjection and cut off their clitorises, who carry out racial persecutions not only against Indians and other Asians but against fellow Africans from the wrong tribes, who show themselves either incapable of operating a democracy or ideologically hostile to the democratic idea, and who in their tyrannies and massacres, their Idi Amins and Boukassas, have stamped with utmost brutality on human rights.<sup>12</sup>

This quotation paints Africa at its worst. While everything Schlesinger says about Africa is true, he ignores historical and social context. Western imperialists did indeed abolish slavery in Africa, but only after they had extracted perhaps twelve million slaves for their own purposes. Some African ethnic groups do indeed perform female genital mutilations, but many do not; and as they acquire more education more and more African women and men are attempting to abolish the practice. In some countries people of Asian background have been persecuted, but in others they have not. There are many people in Africa who would like democracy, but such a complicated political system cannot emerge overnight.

In this quotation Schlesinger is reacting to the absurd ideas of Leonard Jeffries, an African-American professor in New York who preaches the superiority of the 'sun people' (blacks) over the 'ice people' (whites). But by not acknowledging the complexity of African social evolution and the very severe constraints under which African society labours, Schlesinger paints Africa as primitive, uncivilized. No wonder, under such circumstances, the culture wars have attained their present intensity, especially in North America.

Like Africans and African-Americans, many Muslims also feel the brunt of cultural insult. Consider the debate in 1992 about the Algerian runner, Hassiba Boulmerka. Boulmerka ran in the Olympics in clothes that, in many Algerian eyes, left her practically naked. Yet without considering how recently Western women had started dressing in this fashion, many Westerners criticized the Algerians for their backward ideas about women's dress.<sup>13</sup>

<sup>12</sup> Arthur M. Schlesinger, Jr, *The Disuniting of America: Reflections on a Multicultural Society* (New York: W.W. Norton 1991), 128.

<sup>13</sup> Kenny Moore, 'A scream and a prayer,' *Sports Illustrated* 77(3 August 1992), 46-61.

In the popular Western eye, it seems, every Muslim man is a male chauvinist and every Muslim woman is too ignorant and weak to liberate herself. Yet in some Muslim eyes, women in the West are treated appallingly, while Islam protects women. Consider the following quotation from an Egyptian religious teacher. 'Islam ... provided the woman with complete civil rights which do not exist in any other religion ... When a woman marries in Europe, she calls herself by her husband's name. She does not have the right to retain her name or her father's or mother's name ... The European thinkers found that the children were forgetting their mothers and failed to protect them, hence they designated one day in the year on which the children should remember their mother. We, however, are celebrating "Mother's Day" at every moment of the year ... In Europe, the son abandons his mother to live in a home for the aged ... Islam, however, has given us the principle of mutual support and solidarity, according to the parents' need.'<sup>14</sup>

This quotation strikes Western readers as absurd; it is a typical example of Orientalism. The 'facts' are inaccurate. They ignore recent changes in the status of women in the West, and they stereotype the Western family. Women are no longer obliged to change their name in the West, children do not treat their mothers disrespectfully 364 days of the year, and very few women end their days in old folks' homes. Yet the culture wars are fuelled by just such stereotyping, historical inaccuracy, and ignoring of context when the Rest encounters the West and when the West encounters the Rest.

This type of cultural insensitivity is one of the chief reasons why human rights are rejected by so many in the non-Western world today. It is not that non-Westerners think that arbitrary arrest, torture, or genocide is acceptable. Non-westerners often know better than Westerners the full horror of such violations of human rights. Yet some of the very people who have fled attacks on their own human rights – who live unhappy lives as refugees in the West – reject as 'Western' the ideals originally meant to protect them.

Another reason for rejection can be found in the movement of human rights 'downward,' as it were, from protection of individuals

<sup>14</sup> Shaykh I-Sha'rawi [Egypt, 1982], quoted in Barbara Freyer Stowasser, 'Religious ideology, women, and the family: the Islamic paradigm,' in Stowasser, ed, *The Islamic Impulse* (London: Croom Helm 1987), 267 and 284.

(and groups) against the state to protection of individuals against their own communities and families. When Westerners insist not only on basic civil and political rights against the state but also on women's rights, children's rights, gay rights, and the rights of religious minorities, blasphemers, and pornographers, they attack the very fabric of non-Western societies. They send a message: everything you do, everything you believe, is wrong. They take away all that is left to very poor societies – their sense of cultural cohesion and moral righteousness.

It is not surprising, then, that group rights have become so attractive in the 1990s. People living in poor societies, with their own customs and traditions, are tired of constant criticism by Westerners who claim to be acting in the interests of 'universal' human rights. So they assert the collective right of their group to preserve their own culture.

Westerners can sympathize with the feeling of being culturally besieged. The danger is that such sympathy might result in the belief that culture should override universal human rights. Cultures are not the highest ethical value; there is no intrinsic moral reason to assume that a cultural practice bears a higher ethical value than, for example, equality between honoured and despised ethnic groups or castes. Cultures can also change, as much through cultural diffusion (voluntarily borrowing a practice) as through cultural compulsion (having a cultural practice forced on you). In any case, a change in one aspect of a culture does not bring down the entire cultural edifice. And there are disputes among individuals within a 'culture' about its meaning and its value. Powerful people can impose customs on others, yet they are the ones usually acting as spokespersons for the culture as a whole.

There are certain criteria that can be used to determine when a practice that violates human rights is cultural: strong popular support for the violation, based in religion or custom; the government does not promote the violation; and the government has tried to eradicate the violation, only to find that there is too much popular support for it to be able to do so. But if it is a gross violation, one might not wish to permit a custom, even if it is rooted in culture. Thus, for example, one might tolerate child betrothal (engaging children to be married) on the grounds that it is an important part of traditional culture not promoted by the state: for example, in a very isolated tribal group in Papua New Guinea or the Amazon rain forest. But one might not wish to permit female genital mutilation, on the grounds that even though it is a cultural practice, it is a gross violation of children's and women's right

to health. It is extremely important to respect the cultures of non-Western peoples, especially given that European imperialists were busy until the 1960s trying to destroy those cultures by imposing 'Christianity, commerce, and civilization.' But it is equally important to remember that all cultures are composed of individuals who often exploit or oppress each other and who often wish for freedom from that oppression.

The conflict between individual and community is at the heart of the debate over the meaning of culture in the less developed world. It is also at the heart of new debates in the Western world, especially in North America, about whether individual rights result in the breakdown of community and whether rights are being claimed without concomitant respect for duties and obligations to others.

#### INDIVIDUAL VS COMMUNITY

In the late 1980s and early 1990s a new debate about the validity of human rights sprung up. This time, the challenge came from the Western world, but it intersected with the concerns the Third World had already brought to the attention of the West. The new concern was, and still is, about the increasingly individualistic nature of Western society. It is expressed by philosophers such as Michael Sandel, legal scholars such as Mary-Ann Glendon, and sociologists such as Amitai Etzioni.<sup>15</sup> These thinkers all worry about North America breeding generations of people concerned only with their own private well-being. Modern North Americans, it seems, assert their 'rights' whenever it suits them but feel no sense of responsibility to anyone else. Children no longer respect adults, adults no longer acknowledge their duty to each other – especially in marriage – and there is no longer a universal moral consensus on the nature of right and wrong. Individual human rights seem to have become selfish individualism, the complete avoidance of duty to family and community.

Western women, especially, appear to have become extremely individualist over the last 25 years. A few years ago, a bank advertisement on Bloor Street in Toronto exemplified this trend. The advertisement,

<sup>15</sup> Michael Sandel, 'The procedural republic and the unencumbered self,' *Political Theory* 12 (February 1984), 81-96; Mary Ann Glendon, *Rights Talk: The Impoverishment of Political Discourse* (New York: Free Press 1991); Amitai Etzioni, *The Spirit of Community: Rights, Responsibilities and the Communitarian Agenda* (New York: Crown 1993).

which pictured a young woman in a red business suit, read something like 'It's time I looked out for number one.' Number one was herself, not her child or her husband. This type of slogan, especially when applied to or used by women, typifies in many critics' eyes the dissolution of modern society. Women now assert their rights even if the cost is the breakdown of the family, neglect of children, and all the social problems that such neglect causes.

Gay rights are an even deeper symptom of the asocial havoc that human rights seem to have caused. Until recently, gays in Western society at least had the courtesy to keep their perversions – as many people thought of their private sexual practices – to themselves. Now, it seems, they flaunt themselves, even to the extent of marching naked in Gay Pride parades. They demand the right to have their unions recognized as equal to heterosexual marriages, and they even demand the right to adopt children.

Just as people in the Third World, besieged by human rights criticism, react by demanding the right to preserve their own cultures, so many people in the West, besieged by demands for rights from previously subordinated groups, react by demanding the right to preserve the most basic social unit in society, the family. The family is (or ought to be) headed by the father, and it is (or ought to be) heterosexual.

Justice Antonin Scalia of the United States Supreme Court recently reacted to demands for gay rights in just this way. The issue facing the Court was the provision in the Colorado constitution that nullified human rights protections for homosexuals and barred the passage of new protections. The Court struck this constitutional provision down, but Scalia was furious. He accused the Court of taking sides in the culture wars and favouring homosexuals, a group he claimed had 'high disposable income,' 'disproportionate political power,' and 'enormous influence in American media and politics.'<sup>16</sup> These accusations, eerily reminiscent of allegations made against Jews by anti-Semites, demonstrate how central the gay rights debate has become to current disputes about human rights and their capacity to undermine previously inviolable social rules.

Somewhat ironically, given the conservative bent of the criticisms of women's and gay rights, some feminists have joined the battle against

<sup>16</sup> Linda Greenhouse, 'Gay rights laws can't be banned, high court rules,' *New York Times* (International edition), 21 May 1996, A1 and C19.

the individualism that human rights seem to imply. Carol Gilligan, a psychologist, argues that women make moral decisions differently than men. It seems that women are less rule-bound and more concerned with the effects of their decisions on the people involved than men. 'When one begins with the study of women ... the moral problem arises from conflicting responsibilities rather than from competing rights and requires for its resolution a mode of thinking that is contextual and narrative rather than formal and abstract. This [female] conception of morality as concerned with the activity of care centres moral development around the understanding of responsibility and relationships, just as the [male] conception of morality as fairness ties moral development to the understanding of rights and rules.'<sup>17</sup> The female, locked into her obligations to children and family, acts not from choice but from concern and a sense of connectedness to others.<sup>18</sup>

So, some Western feminists and Western conservatives join forces in the culture wars. Feminists now speak about a 'women's culture,' more compassionate and connected than rule-bound, individualist male culture. The jury is still out on whether this is an accurate portrayal of the difference between male and female behaviour. At the same time, conservatives such as Justice Scalia worry about the effects of the culture wars. It seems that what was good about American civic culture in the past – a sense of community and obligation to others, respect for the family and those who properly played their roles in it – is giving way to a 'culture war' of feminism, gay rights, multiculturalism, and the assertion of irreconcilable differences among groups.

In part the reaction of traditionalists against the 'culture war' within Western society is a reaction against the political left, which has been reincarnated in North America in the form of identity politics, or what I have elsewhere called 'status radicalism.'<sup>19</sup> Status radicalism implies a radical political stance based upon one's social status, be it female, person of colour, gay, or disabled. Status radicals reject what they consider to be the false formal equality of individuals in liberal society. Indi-

<sup>17</sup> Carol Gilligan, *In a Different Voice: Psychological Theory and Women's Development* (Cambridge: Harvard University Press 1993 [1st ed 1982]), 19.

<sup>18</sup> See also Elizabeth Fox-Genovese, *Feminism Is Not the Story of My Life* (New York: Anchor Books 1996).

<sup>19</sup> Rhoda E. Howard, *Human Rights and the Search for Community* (Boulder CO: Westview 1995).

**Table 1 Forces reacting against liberal individualism**

<b>New political forces</b>	<b>Areas of discontent</b>
Traditionalists (Western conservatives: also Asian, African, Islamic, and Hindu conservatives)	Social individualism; rights for previously subordinated groups (women, children, gays, religious minorities)
Developmentalists	market liberalism, individualism
Status radicals (identity politics)	formal equality of individuals (prefer equality of groups)
Political authoritarians	political liberalism; civil and political rights; individual rights

viduals with a subordinate social status are, in their view, so socially degraded that they are better off organizing themselves into groups, having their rights recognized as group members, and living within their group cultures. Thus, ironically, groups from different ends of the political spectrum and different parts of the world unite in their rejection of individual human rights.

Western and Third World traditionalists both defend their culture and social norms against social individualism. They both are particularly upset by new rights in the social realm, especially as they apply to women, children, and gays. Third World traditionalists are also sometimes upset by rights for religious minorities (as in the Salman Rushdie case), though few, if any, Western conservatives question rights for religious minorities. Left collectivists defend their societies against Western-dominated market liberalism. They also view individualism as a social force that undermines the community orientation which is necessary for local or 'bottom-up' development policies. Status radicals, or those who engage in identity politics, defend their group cultures against formal liberal equality and press for the equality of groups (for example, women and men) rather than individuals: status radicals also call for equality of outcome (as in affirmative action programmes), not merely equality of opportunity. And all are joined by the familiar anti-liberal reaction of political authoritarians. Add these reactions against



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human rights to the rising nationalist resentment against (Westernized) globalization – the jihad of which Barber speaks – and a powerful case can be made that the politicization of human rights could help cause a war in the twenty-first century.

#### UNIVERSAL HUMAN RIGHTS AND THE CLASH OF CIVILIZATIONS

The universalism originally intended by the United Nations Universal Declaration of Human Rights implies that what humanity shares is greater than the cultures that divide humanity into groups. There are universal causes of human rights violations; every society is capable of cruelty. The notion of an unbridgeable gulf between 'us' and 'them,' between the formerly dominant white world and the rising world of the coloured, as promoted especially by postmodernist identity politics, obscures the universality of human suffering. Human suffering becomes localized in a peculiar way: if Westerners notice and criticize human suffering elsewhere they are imperialists, except when they blame their own institutions and policies for that suffering.

In the world of global theory, an attractive new argument exists for ignoring the suffering of others, an argument that reinforces anti-imperialist and postmodernist dismissals of universal human rights. Samuel Huntington, an American political scientist, suggests that in a world of several competing civilizations it is imperative to create a new world order in which different civilizations respect each other and learn to live together. Part of this respect means not interfering in the internal affairs of other civilizations; especially, not trying to impose 'our' values – including human rights values – on others. According to Huntington: 'Western belief in the universality of Western culture suffers three problems; it is false, it is immoral, and it is dangerous.'<sup>20</sup>

If human rights were only an aspect of Western culture, Huntington's words might well be a caution to us. But political, economic, and social evolution in the twentieth century suggests human rights are necessary for everyone everywhere. Indeed, one could turn Huntington's words against him.

It is false to present civilizations as holistic unities, as if they were not inhabited by people with varying views and varying political interests.

<sup>20</sup> Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order* (New York: Simon and Schuster 1996), 310.

The rise of transnational non-governmental organizations and civil society, noted by theorists as a key aspect of globalization, attests to a commonality of interests and opinions across civilizations.

Huntington's approach is immoral because to 'respect' the right of other civilizations to manage their own internal affairs may well be to abandon the individuals living under dictatorial or oppressive 'civilizational' rule. As Michael Ignatieff said in his review of Huntington, 'Genocide is genocide, famine is famine,' wherever and in whatever civilization they occur.<sup>21</sup>

Yet Huntington may be right in that the pursuit of human rights politics in the twenty-first century could be dangerous. Human rights and peace are not necessarily compatible; human rights now signify to many social groups a huge cultural insult, a denigration of all that is left to them in a world of transnational economics and communications. A politics of human rights in a global world of resentment against the West – and, according to Huntington, against a weakened West – could increase the likelihood of war.

In 1993 the Vienna World Conference on Human Rights, convened by the United Nations, reaffirmed the universality and interdependence of all human rights.<sup>22</sup> Thus in diplomatic rhetoric, the issue of whether human rights are a culturally specific phenomenon was at last settled. But in practice, this is far from the case. In July 1997 Mahathir Mohamad, the president of Malaysia, announced that he wanted a review of the Universal Declaration of Human Rights because it was 'formulated by the superpowers, which did not understand the needs of poor countries' and which, by imposing human rights standards, oppressed developing nations.<sup>23</sup>

As they became stronger actors in the global world economy, Asian nations increasingly rejected international human rights standards and turned the tables against the West. In 1992 Indonesia rejected official assistance from the Netherlands because of the latter's 'patronizing'

<sup>21</sup> Michael Ignatieff, 'Fault lines,' *New York Times Book Review*, 1 December 1996, 13.

<sup>22</sup> World Conference on Human Rights, 'Vienna Declaration and Programme of Action,' Vienna, 14-25 June 1993, UN Doc A/CONF.157/23, 12 July 1993.

<sup>23</sup> Michael Richardson, 'Malaysian PM's attack on rights draws fire,' *Globe and Mail* (Toronto), 29 July 1997, A10.

conditionality.<sup>24</sup> In 1997, China rather gleefully issued a report on human rights violations in the United States. The report cited racism, inequality of men and women, lack of constitutional protection for economic rights, and the 'politics of buying power.'<sup>25</sup> In 1997, Canada capitulated to China's growing influence in world trade when, for the first time since 1989, it refused to co-sponsor a Danish resolution in the United Nations Human Rights Commission condemning China's human rights abuses.<sup>26</sup>

The principle of human rights transcends culture and civilizations; it brings together people who might otherwise never meet in a common struggle to live a decent life. This is the positive side of globalization for human rights. But the negative is the cultural wars, the jihadist reaction, that may render obsolete the developing global culture of human rights. Huntington fears that the culture wars may contribute to fighting wars: unfortunately, we cannot ignore his warning.

<sup>24</sup> Adam Schwarz, 'Ncos knocked: Jakarta extends ban on Netherlands aid,' *Far Eastern Economic Review* 155, 14 May 1992, 20.

<sup>25</sup> Seth Faison, 'China turns the tables, faulting US on rights,' *New York Times* (international edition), 5 March 1997, A7.

<sup>26</sup> Jeff Sallot, 'Canada softens position on China: Ottawa won't sign rights resolution,' *Globe and Mail*, 15 April 1997, A1.