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International Human Rights: What is the Evidence for Hope?

INTRODUCTION

Do international human rights systems actually make a difference? Are the origins of this system corrupt, coercive, misled, or imposed by the Global North? If so, how effective is human rights advocacy, and can its continuation be justified? These are among just a few of the questions that I have asked myself during my scholarly interest in international development and human rights. To an undergraduate student emerging in the field, it feels as though academia is flooded with conversations that solely focus on the past failures of human rights activism. Week after week, we study the many methodologies, theories, and approaches to solving inequality and oppression which have all ended in discerning doom or misrepresentation. This is particularly apparent in foundations coursework, which results in the extreme discouragement of many of my colleagues that leaves us to deal with the emotional consequences of such pessimistic perspectives. So, where did this narrative come from? Is it justified? This essay will explain the substantial legitimacy and effectiveness of the international human rights system despite this common narrative, followed by a case-study example of the effects of human rights work in Mexico.

1. IS THE INTERNATIONAL HUMAN RIGHTS SYSTEM LEGITIMATE?

Like many international conglomerates, the International Human Rights system faces mass criticism from a variety of different actors. The question of its legitimacy will change depending on who you ask, but different groups of actors have formulated a single-story about such a system and its validity is hotly debated in academic and activist circles. In *Evidence for*

Hope: Making Human Rights Work in the 21st Century by Kathryn Sikkink, the core literary source for this paper, Sikkink outlines four main actors that contribute to the mixed chronology of human rights work: governments, the general public and politicians, academics, and activists (Sikkink 8). Each of these actors feed into one another to create mixed responses to human rights efforts.

Governments, she explains, may be motivated to delegitimize human rights work due to a fear of accountability for their human rights violations. Academics and activists are both affected by idealism, fear of coercion, and imposter syndrome. Meanwhile, the general public is fed a tumultuous combination of all of these perspectives due to the impact of expert-driven dialogue and industry-based influence (Sikkink 8).

Sikkink explains that human rights legitimacy is related to the total history of human rights and the careful processes of its foundations. For activists and academics alike, Sikkink details the ways in which misinformation has led to feelings of inadequacy and hopelessness (Sikkink 49). For example, one of her key arguments is that many academics from the Global North fear that the origins of the entirety of the international human rights system is rooted in imposed imperialist coercion onto the Global South by the Global North (Sikkink 55). This, however, is appropriately dismissed and deflected by Sikkink's impressive historical re-telling of the foundations of the international human rights system and the critical influence of South-led advocacy on its creation.

Critics of human rights, including many of the assigned texts for my past coursework, fail to acknowledge the integrity and dedication of south-led cooperation in the establishment of an international human rights system. Sikkink details that powerful countries have never been a constant in human rights work, and she outlines the many great achievements of early Latin

American advocacy during the Cold War (Sikkink 30). This includes the vast support for an establishment of the Inter-American Court of Human Rights, and the rise in social awareness in Guatemala following the United Fruit Company intervention (Sikkink 103). However, both of these ideas were halted by anti-communist efforts imposed on Latin America by the United States and others (Sikkink 104). This history is important, not only because it disproves the argument that human rights work is primarily led by the Global North, but also because it shows the ways in which the North actively worked against the promotion of human rights work in Latin America, an ironic reversal of expectations. As another example, Sikkink points out the ways in which anti-apartheid and the decolonization movement in Africa spearheaded Pan-African human rights transnationalism and set an institutional precedent for the region with the foundation of the International Convention on the Elimination of All Forms of Discrimination (CERD) (Sikkink 106). It is clear that not only were these two regions paving the way for international institutionalization, their movements coincided with the global development towards a more structurally accepted human rights system at the time. To summarize, if the legitimacy of the international human rights system lies in the purity and equal opportunity of its foundations, then there is substantial historical evidence to prove these intentions.

Even with a clear history that validates the Global South's critical involvement in the establishment of the international human rights system, many of the loudest voices in human rights advocacy critique it based on a comparison to their subjective ideal. Sikkink explains how this confuses the idealist and can cause them to disassociate empirical evidence that human rights advocacy is working, because it does not live up to their ideal goals of liberation, or as Amartya Sen calls it, the *maximalist approach to justice* (Sikkink 32). It is true that many academics and

activists are visionaries. They dedicate themselves to fighting for a world that doesn't exist yet, and this can cause not only an enhanced level of disillusion among scholars of the same field but a growing feeling of imposter syndrome and lack of validation.

Through these examples and explanations, it can be seen that the perceptive measure of legitimacy in the human rights system is decided based on a variety of reasons— many of which involve guilt and feelings of shame by activists and academics rather than empirical methodology. The true influence of this perception, however, is more detrimental. This narrative affects how the general public and politicians accept the philosophy and decisions of human rights organizations, which can be harmful to real progress and enabling of unaccountability (Sikkink 43). At its core, the perception of legitimacy is a cycle that is perpetuated by those at the forefront of the movement. When they decide illegitimacy, identify the situation as worsening, or call for an arbitrary alternative, it discounts the successful work of advocates from the Global South, ignores complicated geopolitical tensions, and pushes the movement into stagnation. Therefore, the international human rights system is legitimate— as long as we filter it through realistic standards.

2. IS THE INTERNATIONAL HUMAN RIGHTS SYSTEM EFFECTIVE?

Following the discussion of legitimacy, the question still remains: what about effectiveness? Does human rights advocacy actually make real change in reversing international human rights violations? This is important, as the awareness of effectiveness also seems to impact the perception of legitimacy directly. As hopeful advocates, I do believe it is important that students are made aware of the many viewpoints from experts over time and be familiar with the consequences of their possible poor empathetic judgment or a lack of research. However, it is also crucial that we be well versed in what *is* working and have a grasp on the contemporary

efforts that are making real change towards total enjoyment of human rights. Without this perspective, it is overwhelming and impossible to find a starting point.

This is where the measure of effectiveness is crucial to human rights scholarship. Borrowing from Sikkink's research, the perception of effectiveness is heavily influenced by our exposure to information (Sikkink 153). So, like legitimacy, the objective level of effectiveness is reliant on a number of variables.

To solidify her case for empirical evidence, Sikkink sites a series of comparisons that undoubtedly show improving global human rights trends in a diverse range of issues: the refugee crisis, genocide and politicide, capital punishment, famine and malnourishment, infant and child mortality, and women's education (Sikkink 142). These graphs are a refreshing sight to see, and as a student in an international studies education, it is validating to see evidence for hope for such a variety of problems. Additionally, she includes a graph that shows the impressive exponential growth of the number of nongovernmental organizations worldwide— the data is staggering (Sikkink 155).

Another sign of improving conditions, is the great number of countries that have committed to treaties and conventions and have participated in the international organizational structure in one way or another. The criticism for this element coincides with that of the legitimacy of the human rights system, but regardless, the empirical evidence is there. The effectiveness of treaties and NGO practices relate to further research by Kathryn Sikkink and her colleague Thomas Risse, entitled *The Socialization of International Human Rights Norms into Domestic Practices*. According to their analysis, international institutions help to establish human rights norms. These norms have rippling effects in the internalization and acceptance of tangible laws and practice (Risse 12)

Despite all the evidence for substantial effectiveness by the international human rights system, the method of delivering this information to the public is stunted by its very nature, and therefore many are left believing that the world is progressively getting worse. According to Sikkink, when we consume information about the state of human rights, we often are victim to variants of perception biases.

The first kind of perception bias is the number of invisible harms. Invisible harms are threats to human rights which are not outwardly visible or are well hidden, such as domestic violence or extrajudicial killings. It is difficult to come to consensus on the progress of these harms, due to the lack of information on their happenings. Yet, the second kind of perception bias offers a potential answer to this puzzle. Sikkink explains how humans have a negativity bias—our brains evolutionarily direct us towards learning about danger, negativity, and horrible events. This information is constantly available to us through news media that takes advantage of our tendency towards negative stories (Sikkink 168). Sikkink also mentions the availability heuristic, meaning horrible events tend to exist more presently in our minds, and we worry about them more excessively (Sikkink 160).

The prevalence of this information is not only perpetuated by the news, but the hard work of nongovernmental organizations whose core goal is to increase the global awareness of such issues. As mentioned before, the global number of international nongovernmental human rights organizations has increased dramatically in the past one-hundred years, meaning that there are significantly more efforts to bring human rights violations to the focus of everyone's minds. This is referred to as the information paradox (Sikkink 154). The problem here, is that there is now an overwhelming number of issues for the general public and scholars to consume, and this can lead to a feeling of hopelessness.

Lastly, the definition of what is considered a human rights violation is changing constantly. With each new accomplishment milestone, combined with activism and compliance with the Universal Declaration of Human Rights, the bar for perceptive human rights continues to rise and this leaves many questioning the effectiveness of the system with no easy pathway towards viewing empirical data altogether (Sikkink 167).

In summary, effectiveness, although completely justifiable through empirical data, continues to be called into question by academics, activists, and the general public due to changes in perception and availability of data. To answer the question of effectiveness, yes: objectively the international human rights system is effective, but much like the question of legitimacy, it also depends on who you ask and from where they source their information.

CASE STUDY: IS THERE EVIDENCE FOR HOPE IN MEXICO?

Using what we now know about finding proof of legitimacy and effectiveness, it is beneficial to clarify these theories through a case study. Mexico continues to struggle with human rights abuses, including criminal justice, torture, police violence, LGBTQ+ rights, migration, women's rights and more (World). The Human Rights Watch world report outlines these categories for countries every year, and following the aforementioned standard for human rights organizations, these reports consistently stress the negative over the positive. If their core mission is to make injustices more well known, then they are doing their job very well. From viewing their current reporting, however, it is easy to blind oneself to the evidence for hope.

As a member of the Organization of American States (OAS), United Nations, ratifier of six of the regional human rights treaties and nine of the UN human rights treaties, México is an interesting candidate for analysis in the search of hope (Country 1). According to *Our World in Data*, compared to other countries in Latin America, Mexico holds the most human rights

similarity to Brazil as of 2017. The same organization notes that as of 2018, overall compliance to Paris Principles of human rights institutions includes Mexico, while excluding both Brazil and the United States for the Americas (Roser). If involvement in international human rights institutions is an indicator for legitimacy, as established in this paper, then Mexico fits the bill.

As for the effectiveness of human rights work in Mexico, it is difficult to find human rights trends that track over a long amount of time, like the ones displayed in Sikkink's literature. The Human Rights Measurement Initiative (HRMI) compares human rights trends of Mexico to different benchmarks in the Americas or international goals. Many categories, such as the quality of life, safety from the state, and empowerment, are classified as "very bad" for the state of Mexico under these conditions (Mexico). However, how do these categories relate to the historical trends of Mexico? The question of hope will depend on whether, if we peel away the layer of organizational rhetoric, the trends move in a favorable direction.

The same organization, The Human Rights Measurement Initiative, has the foresight to share trends over time for human rights trends in Mexico. For every category listed above as "very bad", the trends over time trend upwards empirically. In overall **quality of life**, the increase is steady but present, whereas the only sub-categories of quality of life that have decreased significantly in recent history are primary school enrolment and contraceptive use. As for **safety from the state**, the same is true over time, with no sub-categories trending downwards. Lastly, **empowerment** over time has an optimistic trend upwards in all sub-categories, with an almost full point increase in the last year (Mexico).

Given the numbers accessed in this paper, there is certainly evidence for hope in Mexico. However, along the same line, there is also significant evidence for hope worldwide. As expressed in Sikkink's research, there are plenty of global human rights calculations trending in

the right direction. To celebrate the 25th anniversary of the Human Development Report, in 2015 the United Nations Development Programme published infographics showing trends over 25 years of human development in developing countries. Despite some outlying ups and downs, the trend is undoubtedly trending upwards (2010).

CONCLUSION

While it is important in terms of human rights normalization and dialogue to acknowledge the ways that states compare to one another, it is also equally important to acknowledge the successes of the work being done. If we uncover the layers of human rights advocacy that rightfully works to stress the importance of injustice, we see that human rights work is a slow but steady process which, when examined from the perspective of an extended amount of time, reveals the substantial rewards of long-term commitment. To conclude, the international human rights system was founded through plenty of legitimate terms by actors fighting for the interest of their future and their enjoyment of essential human rights, and the work of these systems— while complicated and difficult to perceive— is effective in trending the enjoyment of these rights upwards globally. As long as there are good people fighting for the liberation of others, there will always be evidence for hope.

CITATION

“2010: First Long-Term Review of Human Development Progress | Human Development Reports.”

Human Development Report, United Nations Development Programme,

<http://hdr.undp.org/en/content/2010-first-long-term-review-human-development-progress>.

“Country Factsheets: Mexico.” *International Justice Resource Center*, 23 Apr. 2018,

<https://ijrcenter.org/country-factsheets/country-factsheets-americas/>.

“Mexico - HRMI Rights Tracker.” *The Human Rights Measurement Initiative*,

<https://rightstracker.org>.

Risse, Thomas, et al. *Power of Human Rights*. Cambridge University Press, 1999. *Open WorldCat*,

<http://public.ebookcentral.proquest.com/choice/publicfullrecord.aspx?p=4638544>.

Roser, Max. “Human Rights.” *Our World in Data*, June 2016. *ourworldindata.org*,

<https://ourworldindata.org/human-rights>.

Sikkink, Kathryn. *Evidence for Hope: Making Human Rights Work in the 21st Century*. 2019.

“World Report 2020: Rights Trends in Mexico.” *Human Rights Watch*, 9 Dec. 2019,

<https://www.hrw.org/world-report/2020/country-chapters/mexico>.