

PEOPLE NOT PEOPLES:

THE FOCUS OF HUMAN RIGHTS IS INEVITABLY THE PERSON, NOT THE PEOPLE TO WHOM THEY BELONG

This is not so easy an argument for a progressive to make.

The 'person' evokes an image of the isolated individual, separated from the world, identity-less in his or her desiccated, universalised humanity: the sort of libertarian nightmare we all attacked in [the last track](#). In contrast the 'people' to which persons belong – the various 'peoples' which make up the world – sound busy, energetic and richly human by contrast. The idea has history on its side too, and sentiment as well.

Why exclude such a full version of what we are from the umbrella of human rights?

There is no doubt that the 'rights of peoples' is an idea that has done good emancipatory work in the past. We would not be where we are today without it. But ideas come and go – and this one is now ready to be pensioned off.

A LIVELY PAST

It's perfectly true that many of the highlights in the history of human rights have been about the rights of peoples

- The American [Declaration of Independence](#) in 1776 was primarily about the freedom of the colonies from British rule. (Maybe this is why the slaves and native-Americans didn't matter when it came to constitution-building a few years later: liberation was for colonial peoples, not individual persons)
- The Haitian equivalent (here in its [original](#) form, having been recently [rediscovered](#) in the British National Archives) is even more clearly committed to national, not individual liberty
- Through the 19th century the large idea of nationalism competed with that of socialism for the attention of progressive minds everywhere: the heroes of the time were [Garibaldi](#), the [Klepht](#) resisters to Ottoman rule in [Greece](#), even constitutional 'patriots' like Ireland's [Charles Stewart Parnell](#). Human rights – the big idea of the defeated French earlier in the century – drifted into redundancy, surfacing only from time to time and then as part of something else, the liberation of [serfs and slaves](#) for example, or the [then fast emerging idea of humanitarian law](#)
- This concentration on the rights of peoples continued right through the first half of the twentieth century: it was a big part of the US President Wilson's [fourteen point plan](#) which was to play such an important role in founding the [League of Nations](#) after the First World

war. All the talk was of national sovereignty for peoples and then [protecting the rights of minorities within national systems](#)

You might have thought that the Second World War would have dealt a deadly blow to minority rights – indeed to the sovereignty of states themselves – in favour of a new emphasis on human rights. But nothing like this happened in any kind of straightforward way. The background story is at [common track one](#):

- The original idea was for human rights for all and self-determination for the colonies, but as the war came to a close, powerful habits reasserted themselves and the new order that was erected disturbingly mirrored the old

This was evidenced by:

- A reaffirmation of national sovereignty – but *only for states lucky enough already to have it*
- A downgrading of human rights to the realm of the highly ethical but entirely unenforceable, viz the [Universal Declaration of Human Rights](#)
- A dumping of the idea of national or peoples' rights so far as the colonies were concerned

BREAKING FREE

Only the strength of the anti-colonial resistance to this stitch-up prevented its success.

The 1950s through to 1966 was a second great age for the rights of peoples, when the energies of nineteenth century nationalism were rediscovered and played out not on Europe's narrow canvass but on the world stage.

- India and Pakistan were early starters, their [independence](#) assured by 1947
- The states of South-east Asia achieved their freedom from the mid 1940s on, often against the bitter opposition of the colonial powers (Dutch, French, British, and even – if we include the Philippines – the United States). The Portuguese did not leave East Timor until 1975 and Britain Brunei only in 1984.
- Human rights played *no* part in any of these struggles. Its moment had come – and gone – in 1948. These countries had to do it by themselves.

Membership of the United Nations [General Assembly](#) grew as more states came on board. When the chance finally came for a now greatly expanded UN to complete its work on an international bill of rights, in 1966, unfinished business remained to be done. Both the [covenant on civil and political rights](#) and the [economic, social and cultural rights charter](#) contain the same Article One:

1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
2. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

3. The States Parties to the present Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right of self-determination, and shall respect that right, in conformity with the provisions of the Charter of the United Nations.

This is a wrong turning for human rights – entirely understandable (these new states had all been pretty well shafted by the old regime after the war) but a wrong turning nonetheless.

- How can ‘peoples’ have a self? It is hard enough locating what a ‘self’ is in a single individual, much less a gathering of (maybe) millions of them?
- And anyway what is a ‘people’? How can we tell which crowd of people is a ‘people’ and which is not? Is it a matter of who shouts the loudest?
- If this is it, supposing the shouting is accompanied by shooting? Lots of people claim to ‘speak for their people’ – which ones do and which don’t? Is it that the guy with the biggest gun is always going to be the guy with the biggest voice?
- Whoever gets to speak for the ‘people’ right at the start of statehood wins the jackpot – this ‘leader of the people’ is free not only to develop the country in any direction at all but also to ‘determine’ the people’s ‘political status’ – but what does this mean? Is any framework of government at all fine so long as the people’s leader says it is? Can the people counter their ‘leader’ in any way at all, ever?

HUMAN RIGHTS GOES WRONG

This is going to sound very [neo-conservative](#) of me but as I say I think the international community made a disastrous mistake when it allowed the leaders of peoples (and hence states) to take over human rights like this, to claim that they had rights of their own held on behalf of their peoples which they would then be able happily to exercise as they saw fit – but without there being any mechanism for these so-called rights to be tested or challenged for by the world community.

Of course there were extenuating circumstances.

- The UN Charter had itself erected the principle of sovereign power into an absolute of international relations, so these new states were just tapping into something that was already there
- These covenants were signed at the height of the Cold War so from the point of view of the two big blocs what mattered so far as these new leaders were concerned was which side they were on, not how they behaved towards their people
- In 1966 the idea of human rights had drifted right off the international radar into seeming redundancy, so common article one seemed neither here nor there in a couple of covenants expected soon to be forgotten. The human rights movement had yet to begin the revival that has transformed how we see the term (see [common track one](#) again)
- The anti-colonial movement generated heroes in the way that 19th Century nationalism had done – what right had western democracies (which had often fought bitterly against these men and women) now to say ‘we don’t trust you to run your country properly’?

Just because a disaster is excusable does not mean it is not a disaster.

We now know (at a bitter cost of millions of lost lives) what we had chosen to forget, that external domination is not the sole cause of human rights failure.

The evidence is everywhere that appalling human rights violations can and are visited on the 'peoples' of the world by their supposed 'leaders.' These 'voices of the people' mouth platitudes on their behalf while their security apparatus destroys those among the people who dare to resist their oppression.

[Hosni Mubarak](#) is Egyptian just as [Zine al-Abidine Ben Ali](#) is Tunisian. It is decades of deep corruption too late for colonialism to work as an alibi for such indigenous kleptocracy. (President Paul Kagame of Rwanda, discussed in my [response to Track Seventeen](#)) was especially brilliant on this in the question and answer session after [his talk](#) at LSE in October 2007.)

A BETTER MODEL

A true commitment to human rights demands we ditch this old idea of a blank cheque for dictators.

This does not require us to plunge back into isolated individualism.

As this project has been trying (relentlessly !) to show, there are better human rights models to hand:

- Human rights promote the whole person, recognising the importance of the social and so stressing not just the dignity of the individual as such but also how this dignity is made manifest through association with others (speaking; talking; gathering; joining).
- It also grasps that the person is made whole by the full expression of what he or she is – and that this is made up not of the person in isolation but rather the person embedded in his or her place, with an identity, a cultural hinterland, a past (lived by others) that can authentically and rightly be called part of their self, their very 'own'.
- 'Group rights' work where they are part of this identity, where they draw attention to the richness and depth and multi-layered texture of what it is to be this particular person, maybe one with [disabilities](#), or one who draws strength from a long-rooted linkage to a [place](#), or one whose [gender](#) leaves them especially vulnerable to having their potential as a person left unrealised.
- Human rights are concerned with the person, fully embedded in where he or she comes from while being free to go where he or she wants.

The flourishing human is not free of identity or culture, but nor is he or she trapped by them. And no self-styled leader of his or her 'people' can tell him or her what to do. Leadership is earned and re-earned again and again. Human rights activists call this democracy.