

Is The Age of Human Rights Over?

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There is a large consensus that very few modern ideas have been as captivating – or enjoyed such universal success – as human rights. While the philosophical germ of human rights was not new, its emergence as a dominant global phenomenon after WWII was arguably without parallel. Human rights therefore give citizens and the international community the legal and moral fiat to put the state in a straightjacket and demand accountability, transparency, and limits on its power. No other jurisprudence, or legal-political-moral idea before then, had so unequivocally tilted the balance of power towards to the citizen and away from the state. The scheme of rights imposed on the state – and the powers granted to the international community to police compliance – were unprecedented. The idea of human rights spread like bushfire throughout the globe. Even dictators feigned respect for human rights. By the 1990s, human rights ideas had taken a foothold in civil society sectors in virtually every country. Human rights became the ubiquitous language of the last half of the 20th Century. The euphoria was palpable. Even so, the question remains about how deeply embedded human rights have been within the state and cultures around the world. One can make the argument that in spite of these successes, the human rights era has ended.

As the world looks in the rearview mirror of the human rights era, thinkers will have to acknowledge several salient facts. The first is that human rights inspired an era of secular religiosity. It is undeniable that human rights, a distinctly Western construct, was a subtle continuum of the civilizing mission of the West against its former colonial possessions in the global south. Its values and norms penetrated deeply beyond the Occident, and transformed many states and cultures. However, what cannot be denied is that human rights were a Western crusade of the white middle and upper classes in Europe and the United States. The core belief of these classes was no different from that of their colonizing forefathers of yesteryear – like the colonial mission, they thought that human rights would deliver primitive peoples into the Age of Europe. In the view of human rights missionaries, their ideology promised happiness and a glimpse of eternity. This triumphalism has not completely ended.

The second drawback of the human rights movement is that it overpromised, but underperformed, to stem human privation and suffering. While there is little doubt that the human rights movement has been a great success, it would be futile to deny that its large claims and promises – as being the antidote to human catastrophes – have not been borne out. The more recent catastrophes in Syria, North Korea, Central African Republic, and Sudan, to mention but only a few the many desperate cases, point to the inability of the human rights movement to usher in an era of human civility and prosperity. To many in conflict-prone states, the future has never looked bleaker. The bad news is that the world, including the West and the UN, are paralyzed and unable to do anything to change the horrific facts on the ground. It is

this inertia and powerlessness to do anything about mass killings and devastating wars and conflicts that have taken the luster out of human rights. What is more, the West itself, led by the US and Europe, has turned inward and is stoking fascism and racism in official policies in way not witnessed in decades.

I have argued here that the human rights era has ended. However, the end of its era does not necessarily signify the impotence of human rights norms and values. The internationalization - universalization - of human rights principles and tenets is so deeply embedded in the psyches of states and cultures around the world that it is irreversible. The triumph of the liberal constitution - the one indisputable evidence of the ubiquity of human rights - cannot be gainsaid. Concepts of constitutionalism and individual rights, which underpin the modern state, are not going away. These civilizational shifts - including in the global south - are here to stay. The human rights movement drove this new compact between the state and the citizen. The human conscience is today revolted by the most heinous crimes - genocide, war crimes, crimes against humanity, rape, various forms of discrimination, and violations of speech and other rights. These are the successes of the human rights idea. However, it is the deficits - the failure of the human rights movement to change the abusive proclivities of humans and states - that have dimmed the human rights era. However, nothing has replaced human rights as the universal inspirational ideology or philosophy. There is a moral vacuum and the absence of a new language for the powerless to articulate their struggles against domination and marginalization. Power abhors a vacuum. That is why the lacunae left by human rights as a medium for mobilizing moral outrage and a call to action is being filled by toxic and violent ideologies like political Islam, racism, and fascism. The end of the human rights era has left the world with a moral vacuum - and this is the most serious danger the world faces today. It is the paralysis of a new vision and a new language with the power to combat dystopia.