

Boundaries in the Field of Human Rights

Over the course of the last fifty years, the phrase “human rights movement” has often evoked thoughts of lawyers and treaties. The “movement,” in this limited conception, sought to address the violations of international norms as codified in international law. While things were probably always more complicated than that, there is little doubt that today the human rights movement has moved beyond the four squares of its foundational treaties. Human Rights is no longer solely the discipline of lawyers, if it ever was; its boundaries have been pushed back, opened up, and made porous. The movement has expanded to include corporate codes of conduct, agendas for debt relief, and the lobbying of international financial institutions. How do these new platforms for action coexist with older conceptions of human rights advocacy? Should someone working on environmental preservation issues or economic development policy be described as a “human rights activist”? In what ways does traditional human rights discourse serve or disserve those working at or outside the “boundaries” of the field? These are the questions that challenge those trying to conceptualize a more contemporary understanding of human rights advocacy.

Is this expansion a good thing or a bad thing? The expansion of the human rights field could be seen as a triumph and testament to the universal applicability of its foundational norms, a general narrative of progress. It could also indicate that human rights discourse has become a hegemonic discourse of emancipation, forcing advocates for social justice to use it if they are to make their claims heard, whether or not the discourse best serves their cause. Thus, in our fifteenth edition, we return to one of the premises of the formation of this journal: that it be a space to develop a debate about the boundaries and fault lines within the field of human rights. We have sought out people doing “human rights” work under a diverse set of guises. We believe that these individuals are defining the field through their work, and we have asked them to help map its new boundaries.

We have commissioned five short pieces to be written by practitioners and academics working in areas such as development, international financial institutions, refugee law, and labor. Some of these people might identify themselves as “human rights activists,” some will not. Some are lawyers, some are not. We asked them to think about a number of questions in discussing their work: How does the term “human rights” relate to the work that you do? In what ways does it help or shape your advocacy? In what ways might it limit your advocacy or what you can effectively advocate for? Could you do the work you are doing without human rights? How would it change?

Do you see human rights as: a legal framework? a social movement? an organizing strategy? a discourse of power? Is the power rhetorical? normative? moral? financial? How much of Human Rights is about the law? How much does the legal nature of rights constrain possible remedies? Why use rights discourse? Where is its value located? Is it strategic, normative, organizing, concrete?

This part of the journal begins with a provocative piece by David Kennedy, which is republished here for a wider readership because we felt that it helps to pose some of the critical questions implicit in the spread of human rights discourse to new areas of advocacy. We hope this collection will help to promote discussion about the costs and benefits of the seeming elasticity of rights discourse and the ways in which those costs and benefits intersect with advocacy efforts around the world.

—The Editors