

2006

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## Recommended Citation

Moncada & Judith Blau. 2006. "Human Rights and the Roles of Social Scientists." *Societies Without Borders* 1 (1): 113-122.  
Available at: <https://scholarlycommons.law.case.edu/swb/vol1/iss1/7>

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Alberto Moncada and Judith Blau

## **Human Rights and the Roles of Social Scientists**

### **Abstracts**

*Human rights entail an expansive conception of humans that stresses their inherent equalities, their responsibilities in democratic societies, and their rights as individuals and group members. This paper refers to the “human rights revolution,” especially how it is evident in constitutions, and the relationship between human rights and public goods. Also sketched out are some of the ways that social scientists can promote human rights.*

### **Los derechos humanos y el papel de los científicos sociales**

*Los derechos humanos significan un concepto del ser humano que subraya sus cualidades intrínsecas, sus responsabilidades en las sociedades democráticas y sus derechos como individuos y miembros de grupos. Este artículo se refiere a la “Revolución de los derechos humanos”, tal y como se evidencia en las constituciones vigentes y en la relación entre derechos humanos y bienes comunes. También se subrayan algunos de los modos como los científicos sociales pueden promover los derechos humanos.*

### **Les droits humains et les rôles des scientifiques humains**

*Les sociologues qui choisissent de concevoir les sociétés en regard de droits humains, y compris les droits des biens publics,*

découvrent que ce regard épistémologique est très différent du regard des sciences humaines occidentales libérales. Dans cette structure de droits humains et de biens publics il y a une prémisses à la fois humaniste et téléologique que la société éthique pourvoit à l'entretien et à la sécurité de tous ses membres. Cette structure est très différente que celle qui souligne les intérêts personnels et la compétition pour les ressources restreintes. "La révolution de droits humains" a commencé dans les années quatre-vingt-dix, et il se trouve dans les révisions que des plusieurs états ont faites à leurs constitutions. L'affirmation constitutionnelle des droits humains fait aux états s'engager à créer des programmes sociaux qui protègent contre des bouleversements, de l'inégalité, et de la pauvreté. Dans cet article, les auteurs décrivent brièvement l'importance des droits humains et des biens publics et, puis, suggèrent les rôles distingués dont les sociologues peuvent jouer dans cette structure.

## Human Rights and the Roles of Social Scientists

It was not that long ago, in 1948, that the General Assembly adopted the Universal Declaration of Human Rights (UNDR) "as a common standard and achievement for all peoples and all nations." It sets forth "human rights and fundamental freedoms to which all men and women, everywhere in the world, are entitled, without any discrimination." The first article captures its framing principle: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."<sup>1</sup> In detail, the UNDR proclaims the fundamental rights of all people, including political freedoms; equal recognition before the law; the right to travel; the right to education, freedom of thought and opinion; freedom to participate in governance; social security, including the right to an adequate standard of living and the right to work; freedom from discrimination; the right to food security; the rights to housing and medical care; special protections for mothers and children; and the rights to culture.

Over the years, this remarkable document has been elaborated in two Covenants (treaties) pertaining to Political and Civil Rights and Economic, Social, and Cultural Rights, and in treaties protecting the rights of racial and ethnic minorities, children, women, and immigrants. Additionally, there are scores of declarations dealing with indigenous rights, language rights, rights of the disabled, rights to develop, and others, as well as a body of international law detailing the rights of prisoners and combatants, the prohibition of torture,

<sup>1</sup> United Nations 1948.  
<https://scholarlycommons.law.case.edu/swb/vol1/iss1/7>  
 DOI: 101163/18721910677304313

and standards of humanitarian justice regarding refugees, displaced persons, and the protection of civilians in times of combat. The International Labor Organization (ILO) has promulgated its own standards, and the United Nations Educational, Scientific, and Cultural Organization (UNESCO) has as well, most recently with its Declaration on Cultural Diversity, which affirms peoples' rights to their culture, traditions, and language.

With the acceleration of neoliberal economic practices, which has contributed to worsening poverty and insecurities, these treaties, declarations, and standards have taken on new significance for states and their populations. For reasons of sheer economic and political self-interest, and owing to its liberal traditions, which are antithetical to collective endeavors, the United States has remained aloof from this "human rights revolution".<sup>2</sup> However, elsewhere in the world, there is growing eagerness to implement human rights practices. There is a newly shared consciousness that we live in what Peter Singer puts so felicitously, *One World*.<sup>3</sup> This "one-world" consciousness is profound and contagious, rooted in practices that connect people from different locales and different continents, through electronic communications and networked NGOs and INGOs. This consciousness and accompanying practices are, we believe, changing the world from the bottom up, through peasant and indigenous movements, women's groups, health advocates, proponents of fair trade, labor groups, environmentalists, peace activists, and many, many more who find common ground and shared causes. It is important to recognize the universality of peoples' entitlements to rights, which recognize no borders, or privilege or no state's citizens over any others. The affirmation of human rights is the recognition that societies must prevail over and discipline economic markets.

## State Constitutions

As globalization accelerated in the 1990s, posing threats to populations, most states incorporated into their constitutions provisions for human rights. We estimate that out of 165 constitutions,<sup>4</sup> 122 include provisions for socioeconomic

<sup>2</sup> Blau and Moncada 2004.

<sup>3</sup> Singer 2002.

<sup>4</sup> These include all constitutions that have official English language translations, available through University of Richmond, School of Law: [www.confinder.richmond.edu](http://www.confinder.richmond.edu). Published by Case Western Reserve University School of Law Scholarly Commons, 2006

rights (such as the rights to a decent job, housing rights and food security), 134 have adopted provisions for women's rights, 89 have adopted provisions for healthcare rights, and 105 have provisions for minority rights.<sup>5</sup>

This wave of constitutional reform occurred in the context of – and in response to – economic globalization, which accelerated poverty in many countries, fueled migration, destabilized communities, and led to the rapid deterioration of the environment. While it is not the case that all countries are well on their way towards implementing all the human rights provisions in their constitutions, but laws, programs, and practices do evolve from constitutions, and constitutions themselves are like social contracts that bind and obligate governments to protect their citizens and obligate citizens to uphold and advance these new provisions. Additionally, this wave of constitutional reform has come at the time of new democratization movements that engage citizens in civil society and governance.

The U.S. Constitution, in contrast, includes no human rights provisions other than the political and civil liberties that the U.S. adopted, along with France and the Netherlands, around the end of the eighteenth century. In the twentieth century, many European states revised their constitutions to encompass socioeconomic rights, just as many Asian, African, and Latin American states did. Besides, in 1950 the European Union adopted a Convention on Human Rights. In 1981 the Organization of African Unity (now the African Union) adopted the African (Banjul) Charter on Human and Peoples' Rights, which clearly affirms cultural rights and peoples' responsibilities to others and to their communities. In short, the United States has been on the sidelines of the human rights revolution, failing to adopt or endorse rights relating to socioeconomic security, protection of vulnerable populations, and cultural rights. While political and civil liberties protect individuals from the overreach of state power, they do nothing to affirm what Amartya Sen refers to as persons' developmental freedoms, that is, their full freedoms to develop their capabilities and talents to the highest degree possible.<sup>6</sup>

## Protecting the Commons

Around thirty years ago, scientists gave the alarm about global warming and the impending threats to the natural environment and biodiversity. Scientists

<sup>5</sup> Blau and Moncada 2006.

<sup>6</sup> Sen 1999.

and environmentalists proposed specific programs that governments undertake to reduce the use of fossil fuels, and to protect wetlands, the oceans, lakes and other water sources, forests, coral reefs, marshes, and endangered species. Governments were initially slow to respond, but the scientific evidence was overwhelming, and environmental activists helped to educate and mobilize publics, with protests, demonstrations, tree sittings, and blocking of whaling ships. Governments began to act, ratifying the 1987 Montreal Protocol on Ozone Depletion, implementing the 1992 World Solar Program for developing alternative energy sources for sustainable development, and ratifying the Kyoto Protocol that went into force in 2005. While governments slowly began to implement programs, ordinary people were on the front lines, volunteering in large numbers to plant trees, clean lagoons, and start recycling campaigns. The obstacles to implementing large-scale programs for environmental sustainability were nation-states acting as the clients for multinationals, and the leading state promoting the interests of its client multinationals has been the United States. The result has been catastrophic environmental degradation, irreversible loss of species and natural habitats, and, perhaps, irreversible climate change.

Accompanying the emergence of new and expansive conceptions of human rights and the growing recognition of planetary ecosystems is a new understanding of the “Commons”<sup>7</sup> or public goods. No longer can the planet’s ecosystem be considered an exploitable source for private use, but instead as composed of public, collective goods that must be protected for people now living and for future generations. For example, clean air is a global public good that is indivisible, while pollutants and emissions are collective, public “bads.” Newly considering the planet’s ecosystem as public, collective goods, and as part of the Commons, accompanies new thinking about the importance of regulations, and international cooperation to forge and implement environmental policies.

## **Private Property**

Another more fundamental lesson that is being drawn from the human rights and environmental movements is that the rationale for private property and private ownership needs to be reexamined. As the human rights movement

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<sup>7</sup> Kaul, Conceição, Le Goulven, and Mendoza 2003.  
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itself has demonstrated, healthcare, housing, jobs, education, food and water are best considered public, not private, goods, to ensure equitable and fair distribution. One of the most important tenets of human rights is to transfer activities, services, and goods from the market to common, public use. The concentration of great wealth in the hands of the few while others starve is an abominable crime, and with neoliberalism, threatens the entire world's population. An important way of changing this is to transfer private ownership to collective ownership where all benefit, exercise voice, and share the returns. There is some evidence to suggest that capitalism is facing an unprecedented crisis.<sup>8</sup> The indications are ferocious competition for cheap labor, falling profit rates, and increasing reliance on financial over production markets. It is unlikely that capitalists will listen to reasonable proposals to abolish capitalism, but social scientists, policy experts, politicians, and publics should be ready with alternatives if there is a worldwide crisis in global capitalism.

## **Roles for Social Scientists**

### *As Critics*

Western Marxism, feminism, World Systems analysis, critical race theory, and queer theory have provided western social scientists with frameworks for the critique of western institutions and hegemonic power. Yet, these frameworks have their own epistemological blinders, and we speculate briefly about how these blinders constrain contemporary critical social science. First, it is becoming increasingly clear that western perspectives, critical as well as mainstream, are far from universally valid, and what is needed is more collaboration involving western and Third World scholars. Second, as Immanuel Wallerstein suggests, knowledge frameworks entrap us, and in particular, western social science has been strongly affected by the trimodal division of knowledge into the natural sciences, the humanities, and the social sciences.<sup>9</sup> Third, western knowledge traditions draw a tight boundary between praxis and theory, one that is being increasingly transgressed.

To illustrate, although we can say that the right to a decent job is universal, jobs are particularized in every community and every nation-state.

<sup>8</sup> Duménil and Lévy 2004; Harvey 2005.

<sup>9</sup> Wallerstein 2004, pp. 21–27.

Understanding how to ensure peoples' rights to a job is different in Milan than it is in rural parts of Tuscany. The western-trained economist may understand labor markets in Italy, but that economist needs to draw on local knowledge, often found in NGOs, as well as the knowledge of other social scientists and labor union activists. Thus, the understanding and advance of human rights as well as the advance of public goods requires networks and collaboration, encompassing local insiders, academics, policy makers, activists, and with electronic communications, democratic decision-making involving, at the elementary level, entire communities.

### *As Realists*

"Pauperization" is the term used by Samir Amin to describe the rapid decline in the welfare of the world's peasants.<sup>10</sup> He documents the extent to which agricultural capitalism, the lack of access to technology, market liberalization, and WTO policies have contributed to this growing impoverishment. It is necessary, however, to supplement such studies as Amin's with case studies that document how particular peasant communities cope with the forces that swirl about them. Via Campesina, which is a worldwide network of peasant organizations, and FIAN-International, an INGO devoted to food security, have formed such a partnership to document impoverishment in particular peasant communities.<sup>11</sup>

While Amin's analysis best provides us with a systematic understanding of pauperization on a global scale, ethnographic case studies allow us to understand how this process is affecting particular communities and particular people, clarifying the micro-dynamics in order to identify solutions. For example, the case studies conducted and compiled by FIAN and Via Campesina substantiate Amin's analysis, and they do so in human terms, detailing the horrendous abuses afflicted on peasants in particular communities, by particular countries, by given landowners, and by given multinationals. These case studies document the villainous actions of particular actors, whether they are multinationals, provincial governments, or state governments, whereas Amin, using international data, is better able to document the global scale of impoverishment and complicity of international agencies, such as WTO, and

<sup>10</sup> Amin 2003.

<sup>11</sup> Food First Information and Action Network FIAN and Via Campesina 2004. Published by Case Western Reserve University School of Law Scholarly Commons, 2006



how they, along with multinationals gain the upper hand over governments, that, in turn, allow the oppression of peasant populations. Our comparisons here serve to highlight the importance of social scientists' carrying out large-scale studies and comparisons as well as capturing the realities on the ground.

### *Ethics*

If we define "ethics" as the values that give meaning to peoples' lives, social scientists have nothing to say. But if we define ethics to be the principles by which people relate to other people, groups relate to groups, communities to communities, states to states, and the embeddings of these relations, social scientists possess knowledge that is relevant for promoting ethics. Indeed, the recognition and practice of human rights rest on ethical principles and the recognition of human equalities and human differences. Human rights evolved in various societies at different times in history, as part of faith traditions, as political agreements between commoners and noblemen, and in state constitutions, but within the last decades all countries of the world have agreed on certain fundamental principles as constituting core human rights.

To understand principles having to do with, say, the environment, we depend on scientists who monitor changes in, for example air quality and the temperature of the oceans and who can recommend policies to preserve environmental resources. Another principle relates to the world's food supply and each country's ability to supply its population with adequate nutrition. Here, agricultural scientists play a leading role. But when it comes to ethical principles of cooperation and solidarity, individual freedom and autonomy, peace and reconciliation, sociologists can play a useful role. This is not to argue that sociologists take these matters into their own hands, out of the hands of the participants, but rather that sociologists have knowledge that allows us to ask good questions about such matters as cooperation, equitable social relations, and solidarity.

### *As Utopians*

C. Wright Mills' argued that a "sociological imagination" was necessary for understanding large-scale societies.<sup>12</sup> We take this a couple of steps further,

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<sup>12</sup> Mills 1959.  
<https://scholarlycommons.law.case.edu/swb/vol1/iss1/7>  
 DOI: 10.1163/18721910677304313

and argue that in large world-wide alliances people can together use their imaginations to conceive better societies and then, to participate in the realization of their dreams. Learning from the people on the ground, and inspired by engaged publics, such as the participants of the World Social Forums, social scientists are beginning to recognize that global capitalism, militarism, U.S. imperialism, greed, and westerners' myopia threaten the very future of the planet. By instinct and training, social scientists have never been the lapdogs of the elite, but rather the defenders of the oppressed. Yet, this role, as defenders of the oppressed, has largely been small-scale, national at best, and now we will want to use our social science imaginations to think more expansively, and not only about reform, but about large-scale transformations. We – collectively, all the world's peoples – are at a critical juncture in world history.

## Conclusion

It has become amazingly evident in the last decades that there are no "simple societies" and no "simple people" but rather exceedingly rich people who have become unskilled in many ways and alienated from society and exceedingly poor people who have been oppressed by colonial powers, authoritarian regimes, and one or another of the contending Cold War powers. Samir Amin estimates the numbers now experiencing pauperization – including peasants, the indigenous, fishers, nomads, and the urban unemployed – to be more than half the world's population, or more than three billion people.<sup>13</sup> Yet rising literacy and growing access to the internet are rapidly liberating their talents, aspirations, and dreams. These billions of poor, traditionally living on what they grow, find, or catch, possess rare knowledge of how societies function and self-govern – as cooperatives, participatory democracies, collectives – and they are exemplar conservators of natural resources. From them westerners will, we venture, learn more than we can now imagine. For now, the objective must be to sharply veer from the collision course we are headed for – the collision between capitalism and humanity.

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<sup>13</sup> Samir 2003.

## References

- Amin, Samir 2003, "World Poverty, Pauperization and Capital Accumulation," *Monthly Review* 55, 5 (October): <http://www.monthlyreview.org/100/1003amin.htm>
- Blau, Judith and Alberto Moncada 2005, *Human Rights: Beyond the Liberal Tradition*. Lanham, MD: Rowman & Littlefield.
- Blau, Judith and Alberto Moncada 2006, *Justice in the United States: Human Rights and the Constitution*. Lanham, MD: Rowman & Littlefield.
- Duménil, Gérard and Dominique Lévy 2004, *Capital Resurgent: Roots of the Neoliberal Revolution*, Cambridge, Mass: Harvard University Press.
- FoodFirst Information and Action Network FIAN and La Via Campesina 2004, *Violations of Peasants' Human Rights: A Report on Cases and Patterns of Violation 2004*. Heidelberg: FIAN International Secretariat.
- Harvey, David 2005, *A Brief History of Neoliberalism*. Oxford: Oxford University Press.
- Kaul, Inge, Pedro Conceição, Katell Le Goulven, and Ronald U. Mendoza 2003, *Providing Global Public Goods*, New York: United Nations Development Programme.
- Mills, C. Wright 1959, *The Sociological Imagination*. New York: Oxford University Press.
- Sen, Amartya 1999, *Development as Freedom*. New York: Random House.
- Singer, Peter 2002, *One World: The Ethics of Globalization*. New Haven: Yale University Press.
- United Nations 1948, Universal Declaration of Human Rights: <http://www.unhcr.ch/udhr/lang/eng.htm>
- University of Richmond School of Law. Constitution Finder: <http://confinder.richmond.edu/index.php>
- Wallerstein, Immanuel 2004, *The Uncertainties of Knowledge*. Philadelphia: Temple University Press.

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