

THE AMBIGUITY OF HUMAN RIGHTS

By Peter Stork

Abstract

Rising turmoil confronts us with the inconvenient fact that the international human rights system is unable to immunize the world against escalating violence. This paper addresses the question of possible causes with the categories of Girard's theory. Such an approach explains why the nations in their ideological and geopolitical confrontations paid only lip service to the Universal Declaration of Human Rights and misused what was to be the measure of their conduct as a cover for their own complicity with violence. If Girard is correct, the failure of the human rights system must not be sought in shortfalls of implementation but in the collective structures that underlie civilization itself, which, from the perspective of Christian faith, can only be healed by the revelation the Gospel brings into the world.

In the twentieth century, nearly two hundred million people lost their lives in armed conflicts, more than half of them civilians. As we look with horror at rising antagonisms at the beginning of the twenty-first, it would seem rather utopian to suppose that global violence will diminish any time soon.

One of the primary institutions which the international community has devised to keep violence among its members in check is the global human rights system. When the United Nations Organization was founded in 1945, the aim was to ensure that the horrors of the two world wars were never going to be repeated. At that time, the founders were preoccupied with state security in the traditional military sense. Today, sixty years later, the stakes are far higher than hegemonic interests. International terrorism, proliferation of nuclear, chemical and biological weapons, poverty, infectious diseases, environmental degradation, and sectarian violence within states threaten the existence of the entire human race. How to meet these threats in an increasingly fragmented world is another matter. Mistrust undermines consensus building between nations across widening cultural gaps, while international alliances exhibit an all too perilous fragility. At the same time, U.N. member states have consistently failed to live up to their declarations, promises and pledges.¹ In other words, hope in the ability of the nations to respond to these global challenges is dwindling all the while large-scale human rights abuses continue to

inflict untold suffering on the most vulnerable.

In this context, the question why the human rights project fails to make a difference deserves fresh attention. Are we dealing with failures of implementation as Mary Robinson has suggested² or—more provocatively—must we face the unpalatable truth that in the “real world” of international power politics the human rights project has been reduced to a kind of Orwellian parlor game?³

In the following I propose to reflect on certain features of the human rights project from the vantage point of René Girard’s mimetic theory. My thesis is that such a reading will offer fresh insights into the ineffectiveness of the human rights system. After the horrors of World War II, the doctrine of human rights was conceived with the intention to make a positive difference in the post-war world. The Nürnberg trials of 1946 prosecuted for the first time in history “crimes against humanity” setting the human rights discourse on a new trajectory. Politics and law rather than philosophy moved into the forefront of the debate, and have ever since determined what constitutes human rights and why such rights should be attributed to human beings in the first place.

In the decades that followed the adoption of the Universal Declaration of Human Rights (UDHR) the level of awareness of personal rights and freedoms has certainly grown significantly, but so has also the need to protect them as the trauma of their world-wide violation continues to blight human existence. Before I address the question of causes, let me summarize Girard’s theory of desire.

GIRARD’S THEORY

Many scholars regard René Girard as one of the most original and influential thinkers in the field of contemporary cultural theory. He is a member of the Académie Française, which in 2005 bestowed on him the Grand Prix de Philosophie in recognition of his outstanding contribution to philosophical anthropology. Girard found that human desire is triangular. Contrary to the assumptions of the social sciences, he understands desire as arising neither spontaneously, that is, in linear fashion between a subject and an object; nor is desire reducible to the longing of a subject that seeks itself in the object – as if it were a narcissistic mirroring of the self

in the other. Rather, desire is mimetic; it is the desire *of* another. This ‘other’ provides a model whose desiring signals the desirability of an object to the subject. Only as the subject imitates the other, does it come to know what it desires. In this light, mimetic desire is indeterminate and precedes reflection in its primordial orientation and openness to the other. However, desire so understood leads to conflicts as the appropriative urges of individuals or groups converge on the same object. Their mutually imitative interactions result in polarization so that other(s) are spontaneously experienced as rivals. As the conflict escalates, the rising passions of participants blind them to the reality that the desire for the object coincide with the desire to eliminate the rival.

For Girard, the violent structures of acquisitive mimesis are so deeply entrenched in the human unconscious that humanity is unable to extract itself from their powers. Hence his skepticism of the notion that people are capable of sovereignly directing their destiny, rendering the existence of an autonomous will illusionary. What Girard also illuminates are the collective interdependencies in which human beings become so entangled that they can no longer act pacifically and beneficially. As we shall see, the same collective processes also render institutions such as the human rights system powerless in fulfilling their desired function.

When we think of the current crisis, we usually consider ourselves ‘innocent’. Although we all know what it means to beat a rival at his own game, we are quite unconscious of our mimetic impulse and of its potential for rivalry. Yet, this impulse operates in each one of us and also functions as the invisible hand in culture and society. One reason that we remain largely ignorant of its presence is that “mimetic desire” is also the force behind our striving for happiness, equality and recognition. In other words, the imitative nature of human desire and the rivalistic conflicts it generates lock us into an inescapable collective enterprise of never-ending reciprocal demands and the more we try to achieve happiness, equality and recognition, the more conflict-prone we become.⁴ This paradox was already known to de Tocqueville who wrote:

The same equality that allows every citizen to conceive ... these lofty hopes renders all the citizens less able to realize them; it circumscribes their powers on every side, while it gives freer scope to their desires. Not only are they themselves powerless, but they are met at every step by immense

obstacles, which they had not first perceived. [...] The desire of equality always becomes more insatiable in proportion as equality is more complete. Among democratic nations, men easily attain a certain equality of condition, but they can never attain as much as they desire.⁵

This mimeticism also explains why conflictual behaviour increases in formerly oppressed groups following their liberation. The closer they come to the realization of equality, the more they become sensitized to the slightest inequalities, releasing the passion of envy, which in turn increases their readiness to engage in conflict. Since our modern world is driven by competition and unashamedly venerates envy as a means to success, the unleashing of this collective passion in the form of demand for more material and positional goods intensifies the struggle and threatens society with a crisis of “every man against every man”, as Hobbes predicted. Hobbes certainly understood the causal link between competition, envy and war-making. His answer to the threat of a war of all against all was the absolute state. While his solution may be unpalatable today, his analysis remains remarkably relevant for the contemporary crisis. It is also obvious that neither the modern nation state nor the human rights project has solved the mimetic problem. At one level, this struggle is over the distribution of goods; at another it is a metaphysical struggle for recognition by individuals or groups with special interests as rights-bearers and legal subjects. Given our mimetic make-up, as recognition among people increases, not least due to the influence of the global human rights project, the probability also rises that all will desire what others value, be it livelihood, life-style, positional goods or human rights. Wolfgang Palaver sums it up well when he writes,

We live in a world that promises happiness and recognition to everybody, but the more we try to reach these goals, the more we become obstacles to each other causing frustration and resentment leading easily to violence of all sorts.⁶

The foregoing suggests that Girard’s mimetic anthropology may serve as a promising starting point for an inquiry into the causes of the astonishing incapacity of the human rights project despite a proliferation of international norms, a profusion of U.N. agencies and hundreds of NGOs that monitor their implementation.

Let me begin by placing the text of the UDHR into its historical context offering Girardian comments along the way.

THE TEXT OF THE UDHR

For Nobel Prize Laureate Nadine Gordimer, the UDHR is the “essential document, the touchstone, the creed of humanity that surely sums up all other creeds directing human behaviour”.⁷ Elie Wiesel has called it the sacred text of a “world-wide secular religion”.⁸ Eleanor Roosevelt hailed it as the “international Magna Carta of mankind”.⁹ Michael Ignatieff refers to its language as the “lingua franca of global moral thought”.¹⁰

No doubt, the UDHR is held in extraordinary esteem. To view this text, unique as it is in the history of ideas, through the lens of mimetic theory rather than through familiar interpretive habits may well be deemed an act of sacrilege. But rising turmoil calls for fresh approaches.

What arouses suspicion is the quasi-sacred status given to the UDHR. Suppose this venerated text presents a façade of superficial unanimity that hides the nations’ fear-driven reciprocal hostility? Suppose the structuring principle behind the text uncannily conceals under words of peace, justice and brotherhood the deep inner divisions of the world? Does not the very existence of the text testify to a profoundly disrupted relationality? What if this text was not created *for* human rights but as a collective act of a self-righteous expulsion of Nazi evil that made an examination of the nations’ own violence unnecessary? Conversely, if the UDHR is indeed the measuring rod for decency among the nations, should one not expect to find such espousals reflected in their dealings with each other and with their people?

Since we are used to treat the text of the UDHR as a Magna Carta of sorts, we have become accustomed to read it in a certain way and we easily overlook that sixty years on it has become a text severed from its past, even from its origin. Certainly, the crisis that had engulfed the world in the 1940s still lingered during the drafting process. The post-war years were an extremely fluid and complex period. The nations wanted peace, yet they also struggled vociferously for self-identity. They longed for a new world order but could not escape the old. The Western nations asserted ownership of the Enlightenment legacy emphasizing Euro-American individualism, while the Soviet Union was committed to a most dehumanizing form of oppressive state socialism. The bitter battles that ensued over ideology and

hegemony were fought on many fronts, which makes it on the one hand all the more remarkable that a document such as the UDHR should have emerged at all. On the other hand, however, we see the strange mix of similarity and difference that characterizes the gargantuan struggle of mimetic doubles whereby each one is model as well as obstacle at one and the same time, demonizing each other in the process. While the UDHR projects a world order built on the principle of inclusion and the transcendence of boundaries (e.g. the spirit of brotherhood), the superpowers hardened their differences along ideological lines setting in motion a world-wide double bind: imitate me, but don't desire the object of my desire.

If the nations had entertained hopes that a new world order would follow the adoption of the UDHR, the prospects for this were abruptly shattered by the Korean War (1950-53) in which over one million people died and unspeakable atrocities were committed by both sides. Carpet bombing of civilian targets (against the Geneva Convention) by the US Air Force took almost the same tonnage as was used in World War II. At the same time, Stalin's reign of terror oppressed the people of the USSR and Eastern Europe until his death in 1953, only to be continued by his successors.¹¹ The nuclear arms race was keeping the world on a knife edge since 1949 and, even as the U.N. General Assembly met in Paris to adopt the UDHR, the Berlin airlift had begun in response to Stalin's threat to starve the city's two million inhabitants. Yet, the flagship instruments of human rights, the UDHR and the Genocide Convention, proved utterly powerless in changing international attitudes towards genocide or any other form of gross human rights violations, either at that time or during the ensuing fifty years.

One could go on recounting the sorry story of the nations' disregard of their self-avowed human rights norms from Stalin's show trials to massive racial discrimination in the USA; from the torture and disappearance of thousands at the hand of US-backed dictatorships in South America to the violent repression of dissidents under apartheid in South Africa; from the cultural revolution in China that killed over a million people to the Berlin wall where Germans shot Germans who exercised their right of mobility; from Hungary to Prague; from the bombing of Vietnam with Agent Orange and Napalm to Pol Pot's killing fields in Cambodia; from Pinochet's regime of terror in Chile to the massacres of Rwanda, Kosovo,

Sierra Leone, Iraq, Somalia and Sudan. To this we must add the permanent failure of the Human Rights Commission.

But why should all this surprise? Was this conduct not already inherent in the so-called ‘Nürnberg legacy’ on which international law enforcement is based? At the Nürnberg trials, the Allies prosecuted Nazi war criminals who were guilty of crimes against humanity. But this precedence-setting legacy was itself deeply flawed by the hypocrisy of the victors. Stalin’s regime of terror had committed and continued to commit crimes against humanity on a scale well exceeding that of Nazi Germany.¹² Certainly, in Nürnberg the punishment fell on the guilty, but we easily overlook that this precedent in international law enforcement owed its force to a massive outpouring of violence that gave the Allies exclusive access to the means of justice. But whose justice? Neither Stalin nor any of his henchmen were ever indicted or brought to trial sending a not-so-veiled message to the international community that military might still trumped morality, notwithstanding the rhetoric of the UDHR which speaks emphatically of the “outraged conscience of mankind” over the crimes of Nazi Germany. The nations simply papered over the incommensurable truth that the new post-war order was not going to be so new after all as the principles of power politics and with them the inevitable victimization of the weak and unwanted remained in force.

While the drafters of the UDHR were aware that human rights could be realized only in an environment of genuine international cooperation and trust, intense power struggles flared up at almost every turn which rendered such an assumption absurd, even deceptive. Mary O’Rawe writes:

The final Universal Declaration is deceiving, not least because it evinces an apparent consensus on the position of human rights and peace-building in a new world order which clearly did not exist. Instead, this consensus thinly papered over a substantial lack of agreement and merely postponed, until after the adoption of the text, the settlement of all the problems, nuances and concerns that the Universal Declaration was intended to overcome.¹³

Behind this self-deception lurked a common anxiety—the fear of interference with state sovereignty. This fear gave rise to the defensive and moralizing posture that pervaded the manner in which the nations’ conducted human rights business in the fora of the United Nations. It corrupted the relationships among the players including

the nature of the UDHR itself: instead of a code of conduct the nations forged an instrument of mutual accusation. In the ensuing war of blame, victims should become their most potent weapons.

Since the same conflicts are with us today, it is quite obvious that the self-regulation of the states has failed to bring about order and peace. From a Girardian perspective, the global crisis is a crisis of reciprocity. It is rooted in existential anxiety that spawns the politics of fear as conflictual desires keep converging on the one object whose loss the nations fear most: their sovereignty. It brings into play the scapegoat mechanism with its characteristic manifestations of deceit, expulsion and the death of disposable victims. Since these “sacrifices” fail to purge the nations of their own violence and consequently do not deliver the desired unanimity, the nations face what Girard has called a “sacrificial crisis” to which the human rights agenda has no answer. In fact, it frequently added certain conflicts of its own over the scope of the rights themselves.¹⁴

While the nations in their ideological and geopolitical confrontations have paid lip service to the UDHR, they misused what was to be the measure of their conduct as a cover for their own complicity with violence turning human rights language into a language of victimizing power.

To advance the discussion, let us take a closer look at the interactions between the players in the human rights arena.

The Human Rights Market

Many networks and exchanges mobilize, organize and influence the human rights movement. These interactions may be characterized, as Baxi has suggested, in terms of organizational behaviour, even as a “human rights market”. He defines these networks of transactions as serving “the contingent and long-term interests of human rights investors, producers and consumers”.¹⁵

Over the years this market has become so capital-intensive that the protection and promotion of human rights now requires the mobilization of vast resource inputs including funding from government and private sources. In other words, human rights promotion and protection calls for a business-oriented approach. It relies for its

success on management, consumer loyalty, public relations, careful product and portfolio packaging, and the monitoring and influencing of market dynamics.¹⁶

These dynamics, however, modify the conduct of governments and human rights activists as they relate to each other, even altering the very nature of human rights because violators and advocates of victims now get involved in a process of negotiating “tolerable outcomes” which the market dictates in the form of “human rights products”. The “raw material” for their production is provided in the form of human rights abuses. In other words, human suffering becomes a commodity that is sold for what the market will bear.¹⁷ Since the headline potential of human suffering is brief, all players in this arena must keep constantly alert for how best to keep this market supplied with instant news, the competitive diffusion of horror stories.

From a Girardian perspective this producer/consumer behaviour highlights the mimetic interplay of conflicting interests and advances in human rights as NGOs depend for their success on their ability to move the conscience of players and bystanders through “techniques of scandalization”.¹⁸ Under such conditions, mediating the “desirability” of human rights requires more and more resources, especially news about their violation. This implies an inherent inability of the human rights project to transcend conflicted mimetic desire. Not only will NGOs tend to act more like businesses who compete for market share, they are also set to depend for their ongoing existence on a continuation of human rights problems. What drives this market is the victimage mechanism that trades with the symbolic capital of human rights and ‘commodified’ human trauma. I suggest that this unpalatable reality lends its own particular shape to the current crisis where violators, the violated and their advocates are locked into a co-dependent cultural system that is unable to heal itself.

Next, I shall note some effects of globalization which will reinforce the impression already accumulating that the human rights paradigm does not offer immunity against what is operative at the root of human rights violation, the mimetic impulse.

Globalization

That globalization poses significant challenges for the human rights regime is undisputed. It has long been argued that its forces perpetuate and even increase poverty, estrangement and violence.¹⁹ Evans notes that there is case after case where

multi-national corporations are exploiting workers including hundreds of thousands of children in Asia, India and South America in low-paid jobs, while Third World governments, all signatories to the international human rights conventions, follow the principles of self-advantage and ignore their obligations.

At the same time, one cannot deny that the fundamental ideas of the UDHR and the politics of human rights have under the influence of globalization taken on a transnational character. Just as human rights have become a global ideology, so have many networks and transactions of a quasi-political nature come into existence that influence the global system of human rights (World Bank, IMF), which intensify the mediation of their desirability across a wide range of goods, both material and positional. However, as a function of mimesis, this feature also unleashes such passions as resentment and envy so that *abuses* of human rights have paradoxically increased with growing democratization and the *spread* of human rights.

Some have explained this trend as a function of rising nationalism and the politics of ethnic recognition. While convenient, this approach is too simplistic. It divides the world into “good and evil” insinuating a power struggle between these forces whereby one must overthrow the other. Such a dualism can only lead to political self-righteousness which legitimizes the use of violence against the “evil people” on the other side. The Girardian categories of “mimetic desire”, the “monstrous double” and of “the scapegoat” explain more fully than the abstract notions of nationalism and ethnicity such phenomena as the spontaneous formation of lynch mobs under the influence of nationalistic or ethnic propaganda.

One of the underlying causes for increasing inequality and repression in the Third World from globalization is that it favors the élites. In relation to human rights these play, however, a rather subversive role. From studies of African nations, the Rwandan case in particular, Gebrewold writes about elites, “... they are the ones who persecute their own people in the name of state building, national unity and economic development”.²⁰ In Rwanda, their hate propaganda along with a deliberate manipulation of political power for the sake of economic gain was instrumental in unleashing the genocide.

But the dangers of élitism are by no means limited to Third World countries. Growing globalization combined with élite-guided systems in the modern mega-states also degrade human striving into passions of greed, envy and war unless they can be channeled into more legitimate political outlets. Yet, it is these destructive passions which the élites more often than not tend to model in society. Hence, élitism is likely to heighten the danger of mimetic conflict and violence, a constellation that will leave national and international conflicts increasingly unresolved, even irresolvable. From which we may conclude that human rights violations under globalization are attributable to the operation of a modern version of the sacrificial mechanism that leads potentially to a snowballing of violence which the human rights system is incapable of restraining. Space does not permit an examination of such phenomena as international terrorism, the weapons trade, the nations' commitment to maintaining arsenals of annihilation in the form of nuclear and chemical weapons or, for that matter, the indeterminacy of the law in relation to the violence. As I have argued elsewhere, it would yield similar conclusions.²¹

Conclusion

Let me draw the threads of these reflections together. According to Girard, mimetic theory reveals the universal not in violence as such but in the victimary mechanism. Its function, like that of the ancient system of sacrifice, is not primarily religious but anthropological. It saves society from an uncontrollable outbreak of mimetic violence. In modern society the preventive procedure belongs to the judicial system. Like its predecessor it conceals (even as it also reveals) its resemblance to vengeance differing only in that its verdicts punish the truly guilty and that its force discourages reprisals.

In order to oppose successfully “illegitimate” violence, like its ancient predecessor, the judicial system must declare its violence “holy” and legitimate. To be effective, a judicial system must take upon itself a monopoly on the means of vengeance and conceal its dependence on violence as the legitimating power. This exclusive access to violence in turn depends on a firmly established political power which can liberate as well as oppress. In short, violence remains the ultimate means of legitimizing the authority of the law which implies for human rights that its system is subject to a

fundamental ambiguity in relation to it. It seeks to transcend violence as a violation of human rights and dignity, yet depends on violence as legitimating authority.²²

In a world that spends twenty times more on weapons than on the economic development of poor nations for fear that the neighbor might strike first, where human suffering is being turned into bargaining chips for political and economic gain, the players involved are unlikely to change this constellation out of purely moral motives. In any case, it should have become clear that the root cause of the impotence of the human rights project lies in our conflictual mimetic impulse and its victimizing consequences. As Girard has shown, such dynamics defy our best moral intentions so that the widely held assumption that all it takes for the world to get out of this entrapment is to step up to a higher moral commitment is an illusion.

Our exploration leads to the thought that the hope for wholeness to which we aspire must be sought ultimately not in a proliferation of legal norms (as important as they are), but in the liberation of human desire. From this perspective, the words of the UDHR might take on a fresh meaning: no longer to be read as answers, but as mankind's search for a soteriology and as mediating elements of our transcendent desire for a new civilization. However, such a civilization would have to be contingent on an important caveat. It must be the product of a soteriology whose doctrine no longer presumes that human ingenuity can succeed in forging our "salvation", as Glenn Tinder reminds us:

Those who envision man as a potential creator of an ideal order construe human perversity as temporary and relative. In view of the millennia of disorder behind us, and of the human traits most conspicuous in our own age of disorder, that interpretation must be regarded as a daring act of faith rather than a reasonable calculation.²³

Before drawing this exploration to a close, one further point needs to be made. The Holocaust and killing fields of the twentieth century defy the conventional wisdom of the social sciences in explaining human violence. With their philosophical roots in the Enlightenment, which sought to repudiate the Judeo-Christian tradition that gave Western culture its spiritual centre and moral core, familiar categories about humanity as rational beings simply fail in the light of such horrendous acts of collective violence. This failure points to the failure of the Enlightenment project

itself, despite its achievements. Today's massive cultural disarray, world hunger, environmental degradation, proliferation of bloodshed and the threat of nuclear annihilation make the claims that we can govern ourselves, handle political power wisely and exercise benevolent prudence in economic affairs no longer credible despite the words of the UDHR. Faced with a rising tide of human antagonisms not the least caused by envy as a result of the proliferation of desire mediated by a globalization of rights, the peril in which humanity finds itself cannot be overstated.

What then will become of our hope for a better world? The admission that as a race we are incapable of exorcising our own demons may be a good starting point. However, ominous signs notwithstanding, we cannot deny the sense of a persistent hope that humanity is not destined to self-extinction. This hope beckons us to take up the historical challenge all over again. No doubt, the success of the human rights project will be judged by history. Even a provisional verdict must remain untrue if it proceeded only from a theoretical, rhetorical and political viewpoint. To be truthful the human rights project must also take into account the condition of the human heart as well as the views of the victims of abuses. If Girard is correct that mimesis is the mark of our humanity and that we are structured fundamentally towards transcendence, the sociality we long for must be a civilization of a different order. If human society in its present form is the work of the mimetic process disciplined by "the law", perhaps a more distant horizon of our hope ought to encompass a civilization founded on a higher order mimesis that is free from bondage to vengeance and violence. From the foregoing reflections the hypothesis seems reasonable that the fragility of the human rights system is neither accidental nor primarily rooted in failures of implementation which can be remedied by better social engineering, but is the result of subconscious, collective structures that underlie the present state of civilization itself. From the position of Christian faith, these – I submit – can be healed only by the revelation that the Gospel brings into the world.

Notes and Bibliography

¹ United Nations, *A More Secure World: Our Shared Responsibility – Report of the Secretary-General's High Level Panel Report on Threats, Challenges and Change* (New York: United Nations, 2004), 10.

² Mary Robinson, the former U.N. Commissioner for Human Rights, lamented on the eve of the fiftieth anniversary of the UDHR: “Count up the results of 50 years of human rights mechanisms, 30 years of multi-billion dollar development programs and endless high-level rhetoric and the general impact is quite underwhelming ... this is a failure of implementation on a scale that shames us all”, cited in Geoffrey Robertson’s *Crimes Against Humanity* (Allen Lane: Penguin Press, 1999), 32.

³ George Orwell described political language as “designed to make lies sound truthful and murder respectable and to give the appearance of solidity to pure wind”, an apt metaphor of the nations’ conduct in relation to human rights.

⁴ *The Girard Reader*, ed. James Williams (New York: Crossroad, 1996), 266-68.

⁵ Alexis de Tocqueville, *Democracy in America*, ed. P. Bradley (New York: Vintage Books, 1990), 137f.

⁶ Wolfgang Palaver, “Envy or Emulation: A Christian View of Economic Passion” in *COV&R Conference “Passions in Economy, Politics and the Media”*, 23-24 June 2003, Innsbruck University.

⁷ Nadine Gordimer, “Reflections by Nobel Laureates”, in *The Universal Declaration of Human Rights: Fifty Years and Beyond*, ed. Y. Danieli et al. (Amityville, NY: Baywood, 1999), vii.

⁸ Elie Wiesel, “A Tribute to Human Rights,” in *The Universal Declaration of Human Rights: Fifty Years and Beyond*, ed. Y. Danieli et al. (Amityville, NY: Baywood, 1999), 3.

⁹ Geoffrey Robertson, *Crimes against Humanity: the Struggle for Global Justice* (London: Allen Lane, 1999), 30.

¹⁰ Michael Ignatieff, *Human Rights as Politics and Idolatry* (Princeton: Princeton University Press, 2001), 53.

¹¹ Aleksandr I. Solzhenitsyn, *The Gulag Archipelago 1918-1956: An Experiment in Literary Investigation* (New York: Harper & Row, 1974-75); also Zbigniew Brzezinski, *Out of Control: Global Turmoil on the Eve of the Twenty-First Century* (New York: Charles Scribner's Sons, 1993).

¹² Brzezinski has estimated that Hitler caused approx. 15 million deaths, Stalin 20-25 million (Zbigniew Brzezinski, *Out of Control: Global Turmoil on the Eve of the Twenty –First Century* (New York: Charles Scribner’s Sons, 1993), 10-11.

¹³ Mary O’Rawe, “The United Nations: Structure versus Substance”, in *Human Rights: An Agenda for the 21st Century*, ed. Angela Hegarty and Siobhan Leonard (London; Sydney: Cavendish Publishing Company Ltd., 1999), 24.

¹⁴ Peter Cumper writes, “Regrettably ... the unanimity between states in the area of human rights clearly ends when one seeks to define, clarify and prioritize specific

human rights. There is even little agreement over the scope of what constitutes perhaps the most basic of all, the right to life” (Peter Cumper, “History, Development and Classification”, in *Human Rights: An Agenda for the 21st Century* ed. Angela Hegarty and Siobhan Leonard [London; Sydney: Cavendish Publishing Company Ltd. 1999], 1 – 11). This is despite the fact that this right is guaranteed in a number of international human rights instruments, the UDHR in §3; the *International Covenant on Civil and Political Rights* (ICCPR) in §6; the *American Convention on Human Rights* (American CHR) in §4; the *African Convention of Human Rights* (African CHR) in §4.

¹⁵ Upendra Baxi, "Voices of Suffering, Fragmented Universality, and the Future of Human Rights", in *The Future of International Human Rights*, ed. Burns H. Weston and Stephen P. Marks (Ardsley, New York: Transnational Publishers, 1999), 101-56; 144.

¹⁶ *Ibid.*, 145.

¹⁷ *Ibid.*, 146 ff. It is interesting to note that Amnesty International started out as a group of loosely affiliated volunteers who “adopted” individual prisoners of conscience in the 1960s. Since then they have left this grass-roots work largely behind and transformed themselves into a global advocacy organization with a staff of over one thousand who participate at the highest diplomatic level in all fora of the U.N. bureaucracy. Today, AI is the superpower among the NGOs with an annual budget in excess of \$500 million.

¹⁸ *Ibid.*, 149.

¹⁹ Jan Art Scholte, “Towards a Critical Theory of Globalization”, in *Globalization in Theory and Practice*, ed. Eleanor Kofman and Gillian Youngs (London: Printer, 1996), 51.

²⁰ Gebrewold, Belachew. “Passions, Politics and State-Building: the African Case”, in *COV&R Conference*, 23-24 June 2003, Innsbruck University.

²¹ Peter Stork, *Human Rights in Crisis: Is There No Answer to Human Violence? A Cultural Critique in Conversation with René Girard and Raymund Schwager* (Australian Catholic University, PhD Thesis, 2006).

²² Louis E. Wolcher, “The Paradox of Remedies”, in *Human Rights in Philosophy and Practice*, ed. Burton M. Leiser and Tom D. Campbell (Aldershot UK: Ashgate Dartmouth, 2001), 549-586.

²³ Glenn Tinder, “Against Fate”, in *Against Fate: An Essay in Personal Dignity*, Loyola Lecture Series in Political Analysis (Notre Dame: University of Notre Dame Press, 1981), 153.