



Image from: [A man tries to hold back the crowd in Tiananmen... in Encyclopedia of Leadership](#)

Summary Article: **human rights**

From *The Dictionary of Human Geography*

A right is an entitlement that is usually encoded in a legal context (see law). One can distinguish between human rights and citizenship rights. citizenship rights are guaranteed by governments for nationals of a particular territory, whereas human rights are thought to be geographically and politically universal. Hannah Arendt (1973) warned that human rights are the least desirable rights because they imply the absence of protection by a nation-state; the rights of citizens are superior to human rights because they are both applicable and enforceable. Matters are not that simple, however, because rights may be, and in fact often are, legally suspended during a 'state of emergency' (see exception, space of).

The liberal model of rights is derived from seventeenth-century political thought that focuses on the rights accorded to individuals as well as the obligations that individuals owe society and the state (Kofman, 2003). Critics of liberalism question the scale at which rights are borne – in other words, that of the individual – and highlight group or communal rights (Isin and Wood, 1999), or deconstruct political community as pre-given (Mouffe, 1992). Despite the limits of liberalism and rights-based political change, Blomley (1994, p. 410) argues that '[r]ights have not gone away. As such, the dismissal of rights-based struggles as incoherent or counter-progressive seems condescending.' Blomley and Pratt (2001) contend that rights are open to a variety of readings, their meaning indeterminate. Rights can be mobilized effectively at different scales to constructive ends.

Pratt (2004, p. 85) explores the limits and possibilities of human rights discourse, noting that any form of the universal is 'necessarily exclusionary but paradoxically holds within it the means to be challenged by those who are excluded by it'. This paradox is evident in the struggles of the Filipino caregivers who live in their employers' homes and trade their freedom and mobility for paid work. Pratt maps the ways in which rights are mobilized in different spaces: at the scale of the body, between the [private] home and [public] Canadian society, in the context of the Canadian state and on the global commons. Similarly, Bosco (2006, 2007) charts the ways in which human rights have been fought for by the Madres de Plaza de Mayo in Argentina through the mobilization of a series of territorially dispersed social networks.

Practically speaking, human rights have been encoded in United Nations documents and institutions, and in international law, since the Second World War. In 1948, the Universal Declaration of Human Rights was adopted, though it was not legally binding (it was a declaration, not a treaty). In 1966, two legally binding human rights instruments were created to protect civil and political rights, on the one hand, and economic, social and cultural rights on the other. These covenants depend upon the ratification of a sufficient number of states, which they received in 1976.

The provisions of the International Covenant on Civil and Political Rights have been privileged over those of the Covenant on Economic, Social and Cultural Rights. The first ensures respect for citizens regardless of language, religion, sex, political opinion and so on, as well as the right to liberty of movement and freedom. The latter includes provisions that are more applicable to developing countries than to highly industrialized ones, such as the right to food, shelter, work, and basic medical

and educational services. While the first covenant applies to individuals, the second refers to particular groups of people.

Tensions exist between the sovereignty of states to govern and the human rights of their citizens. The slippage in scale between the state with its right to govern and individuals with human rights can be traced to the potentially contradictory terms enshrined in the 1945 UN Charter and the 1948 UN Declaration of Human Rights. While the 'General Assembly shall . . . [assist] in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion' (Article 13 (1b)), its constituent members are states whose sovereignty and security prevail. The UN Charter has mechanisms to ensure the protection and enforcement of peace and international security, but it outlines few obligations for the protection of human rights.

Since the early 1990s, the UN Security Council has extended the meaning of what constitutes a threat to international peace and security in the Charter, and increased the conditionality of sovereignty. Developing countries have expressed concern about this interpretation as potentially interfering in internal affairs. Sovereignty is seen as a last line of defence against the will of the (largely Western) 'international community'. While the UN remains an organization comprised of member states within a framework of liberal rights and freedoms, it has challenged the abuse of sovereignty in places such as northern Iraq, Bosnia-Herzegovina, Somalia and East Timor. Sovereignty is qualified, and the abrogation of people's human rights within a given state is no longer a domestic matter, at least with a UN context.

There are many human rights instruments that have been ratified, including the Convention on the Elimination of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC). The USA has signed neither of these legal instruments, illustrating that unilateralism by the world's superpower can undermine the application and monitoring of basic human rights provisions.

Suggested reading

Full bibliography is available [here](#).

Bosco (2006)

Kobayashi and Proctor (2003)

Koffman (2003).

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