Human(e) Rights and the Cosmopolitan Imagination: Questions of Human Dignity and Cultural Identity

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Abstract
Here I seek to explore the cosmopolitan foundations of the idea of human rights. The argument begins by considering the popularity of the idea of human rights in a globalized and fast-moving commodified and digital culture. At this point I consider whether the idea of human rights might be considered to be a modern utopia similar to the role that art and nature played in the Romantic movements of the 19th century. Further, I defend human rights against those who simply see it as a form of neoliberalism or as largely ineffective against the power of the state. At this point I investigate some of the Durkheimian work within cultural sociology that has sought to investigate human rights as a form of moral community. The main problem with this view is that it has little to say about human freedom. However, viewed through a cultural lens, the global spread of human rights is connected to the idea of human dignity. While there is never likely to be a global consensus on this term, it does retain an important philosophical anchoring in Kantian ideas. More recently this debate has been revived by the critical reception of the work of Agamben and his idea of ‘bare life’. If human rights can indeed be connected to the struggle for a dignified and meaningful life, then the idea of ‘bare life’ remains an important conceptual advance. However, by considering the work and legacy of Du Bois, Gilroy and others, we can also see how the term dignity might take on other meanings in different settings. Finally, I argue that the idea of dignity and human rights could yet provide an important focus for resistance against the imperatives of capital and state in these neoliberal times.

Keywords
bare life, cultural identity, dignity, human rights, neoliberalism, cosmopolitan, cosmopolitanism, humane, Durkheim, Agamben, Du Bois

In our digital age very few of the globalized images around us seem to have much in the way of a presence. The age of information overload has delivered a mass culture where we scan our phones on the way to work or quickly look through newspapers on sites...
online that are just as quickly passed over again. The development of media technology has done a great deal not only to insist on a global cosmopolitan culture of the present, but equally to reduce images, phrases and everyday media chatter to a fleeting presence. As Frederick Jameson (1998: 111) so memorably argued, ‘social space is now completely saturated with the image’. If critical politics at the end of the 19th century could point to both the aesthetic properties of art and also to nature as a means of resistance, these features are no longer with us today. What, then, in an age of globalization, violence and commodification could stand as a critical politics? Our shared sense of global interconnectedness and mobility points towards a radical politics beyond the nation. What indeed do freedom and emancipatory politics now mean in an age of restless consumption and postmodern recycling of the past? Here we should stop to consider the deeply cynical horizons of the present where there is seemingly nothing beyond the market and its rationality. The 2008 financial crisis has been met less by a search for alternatives than it has by the attempt to resurrect the system as it currently stands. The financial crisis that has spread across Europe and the United States has not led to the suspension of the dysfunctional neoliberal model that has brought war, banal consumerism, the withering of the social state and environmental degradation. Here I am concerned to ask what kind of politics might offer a principle of hope and imagination for our own time. Whereas postmodernism offered a politics of the image and deconstruction, here I seek to investigate whether more critical ideas could become associated with human rights and more cosmopolitan socio-political currents.

The radical historian E.P. Thompson (1956) returned to the work of English socialist William Morris to offer a sense of the radical imagination beyond a concern for a more pragmatic politics. The need to re-imagine the world and offer people a sense of hope as to what the world might become is political to the core. If all we have is a sense of freedom as the endless consumption of goods and upward mobility, then critical politics is cancelled. Could human rights then offer a more inspiring, principled and hopeful vision in our increasingly anxious and consumer-orientated society?

The tentative answer I offer to this question is a qualified yes. Here I shall argue that despite the problems and evasions of a politics of human rights (of which there are many), the idea of ‘humane rights’ acts as a modern utopia in a globally interconnected world, in a way that is similar to that of Morris’s concerns for craft, imagination and beauty. The global cosmopolitan task of our time is the cultural conversion of human rights into the rights of the citizen. As Ulrich Beck (2007) argues, despite the problems of an emergent global culture of human rights and associated ideas of human compassion, they still provide a thin moral consensus within the world today. Such an argument has many detractors, from conservatives who maintain that the state should organically evolve over time, to radicals who assert that such rights are unlikely to foster the levels of resistance necessary to slow down the neoliberal project. Indeed many on the contemporary Left have given up on the idea of human rights, given the role it currently plays in legitimizing the dominance of the United States on the world stage.

Others, perhaps more cynically, view human rights as a postmodern utopia where we maintain a gap between the ideal of human rights and a more deformed present (Douzinas, 2000). The work of the historian Samuel Moyn (2010) is significant here, pointing to how human rights have only taken on a utopian significance after the failures of nationalist
liberation movements. Human rights during the Enlightenment period meant not so much rights for all humans but rather the realization of citizenship rights in relation to the national state. It was only after the collapse of faith in socialism, after the 1968 Soviet invasion of Czechoslovakia, and after the murder of Chilean leader Salvador Allende in 1973, that the idea of human rights became a genuinely international movement. Human rights did not so much come of age after the Holocaust, but after the defeat of socialism and national liberation movements. It is not that human rights do not have possibilities, but they are perhaps relatively ‘thin’ when compared to more substantial forms of social critique. Elsewhere, human rights have been more pragmatically addressed as ‘instruments for alleviating human misery’ (Woodiwiss, 2012: 967). While these arguments have much to commend them from the point of view of cultural sociology, they are either too dismissive or too pragmatic.

Darren O’Byrne (2012) has argued that a sociological approach to the understanding of human rights needs to move beyond viewing them as the abstract commands of the legal system, and to look at how they work both within institutional contexts as well as locations of meaning. Here we are caught up less with the justification of human rights than with a closer understanding of how claims to human rights become mobilized within specific contexts. The problem with this view is that it tends to leave questions of morality and humanity out of the argument.

Bryan S. Turner (2006), on the other hand, seeks to legitimate ideas of human rights through a discussion of vulnerability, arguing that it is due to the precariousness of the body that we require the protection of rights. Turner then goes on to say that it is precisely because of our shared human condition that we require the virtues of human rights. This is indeed an interesting argument. However, by shifting the concern to the human body, he then has little to say about how globally human rights have become associated with questions of freedom, which inevitably points to a connection with philosophical liberalism. Instead my view is that human rights continue to require philosophical justification, and that the Kantian tradition remains central in this respect. Critical in this regard are associated ideas of human dignity, which are as central to understanding the widespread appeal of human rights as they are to their justification.

Further, following Jeffrey Alexander (2010), we need to study how powerful moral ideas like human rights become imagined, performed and represented in modern societies. In doing so we need to avoid more sociologically reductive arguments that fail to address some of the cultural complexity that surrounds an understanding of human rights in the modern context. Notable here is the recognition that while human rights are indeed parts of the dominant hegemonic language of the United States, they can also offer radical possibilities. Following Susan Buck-Morss (2003), we need to maintain a ‘double-vision’ in respect of human rights in order to reconstruct the global public sphere. If the West likes to see itself as the global conscience of human rights, then this also sets up standards and justifications through which it can be judged. In an increasingly complex global information culture, it is a myth to claim that the world’s dominant superpower can easily control the flow of information and perception. This means that if human rights are at once part of the global hegemony of the dominant superpower, they also offer critical standards and judgments that may embarrass and question that power.

Here I shall also argue that the utopian nature of human rights is at least suggestive of an alternative political project that has emerged in the context of a relentlessly fast-moving
and increasingly globalized society. If the downside of a commodified and fragmented world is a fracturing of memory and a disappearing sense of history, then perhaps more optimistically we can point to the popularity of new normative standards. The politics of human rights in this setting offers a critical culture of border-crossing. That is, human rights can call into question not only national borders but can also problematize ideas of friends and enemies. The global culture of human rights will undoubtedly perform cultural mutations in different settings, dependent upon how a shared language of norms becomes operationalized and performed. However, to push my argument further I shall suggest that for human rights to be effective, they need to be re-imagined as rights to a ‘dignified’ life. It is in this context that what we might describe as the ‘humanity’ of human rights comes into view. How this ‘humanity’ becomes defined will clearly vary dependent upon particular social contexts, but such a concern attempts to move the debate about human rights beyond some of its more recent formulations. The demand for human rights then can be connected to the needs for a humane and decent life, rather than simply being about the setting of important limits to the polity.

The Cultural Politics of Human Rights

Discussions of human rights usually begin with a consideration of the European Enlightenment. The idea of universal human rights is often thought to have been constructed during this period, although there are other sources as well. As Tzvetan Todorov (2006) argues, ideas of universal rights spoke of the equal dignity of human beings. This was secured through a politics that recognized both individual rights and human plurality. Of course many have justifiably pointed to the racist inheritance of the Enlightenment, which the critical heritage of the Enlightenment can be associated with what might be described as the politics of liberal modernity. This is a critical constellation that aims to unsettle dogmatic forms of thinking in favour of ideas of rights, justice and democracy. Such a legacy is fundamentally incompatible with racist forms of thinking, and better associated with the values of tolerance and the critique of racial prejudice (Bronner, 2004). While the Enlightenment had a racist heritage that sought to impress the cultural power of white Europeans over the Other, it is also an overlapping tradition of thinking seeking to expand human possibilities and languages of freedom. As Stephen Bronner (2004) argues, liberalism, through its commitment to human rights, democracy and tolerance, remains the main touchstone of Enlightenment thinking. Here Bronner argues that many critical social movements have sought to further the Enlightenment by bringing liberal principles into everyday life. Feminism, anti-racist politics and the working-class movement can be thought of as examples of expanding the circle of freedom in this sense.

The languages of human rights, civil liberties and an inclusive social state have all sought to expand liberal understandings of freedom. In particular the Enlightenment stressed the value of the freedom to become a person of your own choosing. This was a politics of radical individualism that would eventually become transformed by black politics, the feminist movement and the labour movement (Berman, 2003). This tradition stands opposed to the counter-Enlightenment of Leninism and National Socialism, which
helped develop an illiberal culture of totalitarian dominance. Totalitarianism was based upon the idea that the ‘I of the individual must be replaced by the we of the group’ (Todorov, 2003: 14). Totalitarian societies were built upon the attempt to crush ideas of liberty and the autonomy of the individual. Missing here was any idea of compromise, tolerance or indeed independent critical thinking. Instead, totalitarian societies required submission to the will of the group and a repression of dissenting voices. In particular, totalitarian states sought to use force to impose what they felt to be good. This was done by de-humanizing those that stood in the way of the aims of the state and the development of a wider culture of fear and intimidation. We should understand the development of the idea of human rights in this setting. Human rights remain significant to the extent to which they make the case for human freedom, without which human dignity is not possible.

The culture of human rights therefore is not, as some of the Enlightenment philosophers have proposed, built upon the intrinsic nature of ‘man’ as a rational being. Instead it is better to recognize the idea of human rights as a cultural invention of the Enlightenment which expanded on the idea of human freedom. Here my argument comes close (although with some reservations) to that of Richard Rorty (1998), who argues that human rights is built upon the distinction between the human and the less-than-human. Here the central question becomes the need to reject the essentialist thinking of the Enlightenment and accept ourselves as a ‘self-shaping animal’ (Rorty, 1998: 170). This is different from a being that is either determined by history, by the laws of biology or who has a clearly definable essential nature. Human rights in this setting become less about who we ‘really are’ and more about the ability to be able to construct a shared human rights culture of becoming. The idea of human rights accepts that who we are is bound up in certain languages of self-description, and asks whether we could become something different in the future. For Rorty this is dependent upon our capacity to engage in what he calls ‘sentimental education’ (Rorty, 1998: 176).

Human rights is an ideal less dependent upon philosophical justification and more on the need to provide a thick descriptive language as to what counts as ‘the human’. The difficulty becomes that notions of self-respect and understanding are often bound up with the way that we (‘the civilized’) are distinct from ‘the barbarians’ or the Other. Rorty argues that the reason that human compassion in this regard is in such short supply is two-fold. First, often when people feel insecure they will experience the ‘alien’ as threatening and existentially troubling. Second, the promotion of human sympathy involves the attempt to promote different ways of seeing the Other. A sentimental education rests upon the need to understand the Other through different narratives produced through cultural frameworks. Human rights is more about the ability to engage the imagination through stories and narratives than it is about the foundation of reason.

These features have a certain resonance with some of the recent Durkheimian writing on human rights. Jeffrey Alexander (2006) has made a powerful argument for the rethinking of questions of citizenship through notions of solidarity. As a leading thinker within cultural sociology, Alexander argues that the activation of citizenship as a concrete and meaningful term is centrally concerned with the promotion of feelings of solidarity within the civic realm. Calls for a more just or inclusive society inevitably depend upon our sense of being connected to others, ‘giving us the feeling we are all in the same boat’
Here citizenship is less a matter of the abstract norms of liberal philosophy and more about the ability to be able to connect to others through more everyday codes and discourses. The ‘we’ talk of human rights often works on a symbolic divide between the included and the excluded. Progressive citizenship in this view is where the damage done to the civic realm is repaired through the imagination of solidarity with the Other. This is a struggle that is never complete and always ongoing and critical. For Alexander (2006: 230), then, ‘to become a member of civil society is to participate in the broad and inclusive solidarity that declares men and women to be brothers and sisters’. This project, Alexander argues, has no central fault-line like that between capital and labour, but is constituted through a multitude of political and cultural struggles that involves questions of cultural politics along a number of different axes, including race, gender, sexuality, age, etc. – the most important point being that this is a postmodern struggle to disrupt ideas of pollution and Otherness and to re-imagine civic solidarity through notions of the sacred.

Elsewhere, Alexander (1988) argues that it is through a re-reading of the late Durkheim that we can begin to piece together a cultural sociology that attends to the making and breaking of solidarities through the symbolic realm. Similarly, Alexander argues that the sociological work of Robert Bellah et al. (1996) has also been influenced by the extent to which the civil domain can become the focus of a civic religion and the idea of the common good. If the late Durkheim (2001) insisted upon the value of a moral community, beyond utilitarian calculation, then he did so because he did not think that human flourishing was possible without a means of declaring that some values were sacred. Here Durkheim criticizes a purely Kantian emphasis upon the universal rules of community, to argue for the human need for meaning and purpose that goes beyond the limits of rationality.

Similarly, Daniel Levy and Natan Sznaider (2010) argue that if the foundations of sociology are wrapped up with the nation-state, then sociology needs to become reinvented in the global era. In an age of increased awareness of global interconnection and dependency, human rights have come of age. In Durkheimian terms, human rights respects that the bonds of humanity go beyond the boundaries of nation-states. The idea of human rights provides an affective and emotional language poorly understood by utilitarian calculative thinking. Here human rights are less about reasons and more about emotional and symbolic connections. In particular, in our globally mediated times, it is stories from the past and from across the world that provide us with a shared sense of interconnection. The paradox of human rights here is that they have emerged in an age dominated by a fragmented media culture that urges us to keep restlessly moving on to the next pleasurable horizon.

The problem with the Durkheimian view of human rights is that it has very little to say about human freedom or dignity. At issue here is the way that Durkheim’s critique of Kantian ethics has been translated by more contemporary concerns. His view was not simply that Kantian ethics could be dispensed with altogether. Durkheim agreed with Kant that to think universally is to identify laws that would be accepted by all ‘reasonable beings’ and that this is ‘a feature common to all superior forms of thought and action’ (Durkheim, 2001: 341). However, what this view fails to accept is the way that morality needs to be understood as being connected to particular social locations and contexts that
make moral actions meaningful. In other words, missing from the Kantian paradigm is a deeper appreciation of a more affective, symbolic and emotional engagement with the wider world. However, rather than viewing Durkheim and Kant as necessarily antagonistic to each other, we should view them in a more complementary fashion. Similarly, Rorty’s arguments are persuasive the extent to which they understand that human rights are themselves a form of cultural politics. However, missing from his view is an appreciation of the continuing need philosophically to justify human rights.

For instance, increasingly central to the appeal of human rights is the idea of human dignity. As Barbara Misztal (2013) argues, the view of the dignity of all human beings is presumed by many charters and declarations of rights, all asserting the equal worth of all human beings. Such notions, as Misztal recognizes, are often traceable back to explicitly Kantian concerns with a shared capacity to use reason and live autonomously. Ronald Dworkin (2011) argues that in seeking to live good lives, we are compelled to consider what we mean by the ethics of living well. Here he suggests that to do so we would need to accept the principles of both self-respect and authenticity. After the Enlightenment, to say that we are dignified human beings means to say that we treat others with respect (usually based on how we would wish to be treated), and that we take the attitude towards our own life so as to try and live as well as possible. Further, we can only do that by living in a way that is ‘right for us’, rather than living in ways that simply conform the wider community. If we are to live well, then, it matters whether our lives can be said to have been authentically chosen by ourselves. Without these features, it would be hard both to claim we were living with dignity, and also that we have some obligations to try to ensure that others do the same. If dignity can be said to be central to ourselves living well, then it should also demand that we extend these same principles to others. These principles, then, are clearly violated in matters of extreme prejudice, the denial of freedom of speech, or in the use of torture.

Similarly, Amartya Sen (2010) has argued that human rights are best understood as both a legal and sometimes a cultural means of protecting the freedom of the self. These are rights that are dependent upon shared notions of dignity and humanity rather than on the norms of citizenship. Indeed, these human freedoms are suggestive as to how we should approach questions of cultural identity. In this regard, ideas of human dignity found within human rights documents actually depend upon a view of human beings having complex rather than singular identities. Sen (2006) argues that if we wish citizens to live ‘examined’ lives of complexity and meaning in ways that might be assumed to be compatible with human rights and human dignity, then we should seek to promote a critique of the idea of pure identities. The idea that human communities, especially within the global age, are made up of citizens of plural affinities and attachments, means that some nationalist and religious accounts that seek to impose ‘the’ identity on individuals need to be carefully guarded against. The cosmopolitan view in this setting depends upon a defence of human rights in terms of the freedom and dignity of peoples, and the need to explore the complexity of identity in opposition to those who would offer more reductive accounts.

However, there are now a range of critics who, with some justification, point to the dependence of human rights on specifically Western or European traditions of thinking. Bhikhu Parekh (2000) has argued that, while the United Nations Declaration on Human Rights offers a minimal version of human rights, there is no cross-cultural understanding
as to what we mean by cruelty, humiliation or indeed being allowed to live in dignity. Liberalism’s defence of human rights is built upon Western individualism. This is problematic in more collectivist cultural traditions which tend to be of the view that the idea of rights does little to foster the spirit of community more generally. However, missing from these reflections is an appreciation that liberalism and human rights can be stretched across cultural borders, and this is especially the case in an increasingly interdependent world. Parekh is of course correct in his charge of ethnocentrism, but this does not mean that the concern for human rights and freedoms has not found expression across the world. Further more, as David Harvey (2013: 3) argues, there have been historical periods when human rights have taken a collective turn in that they seek to redefine the lives of subordinate peoples. Within our world today, human rights herald the possibility of building new forms of collective identity across national and other cultural boundaries.

More to the point, then, is Seyla Benhabib’s (2004) view that the normative necessity of imposing upon citizens a unitary model of citizenship, given the diversity of modern society is increasingly difficult to justify. This does not of course stop nation-states from imposing citizenship tests and other border controls, but it does mean that the recognition of human rights poses questions as to who is an Other, and potentially opens up questions of a more universalistic nature. Arun Kundnani (2007) argues in this respect that the move away from multiculturalism, and concerted attempts to move back to a more overt politics of nationalism that seeks to demonize migrants and asylum seekers, is contradicted by ideas of global citizenship and human rights.

If for David Held (2010: xi) cosmopolitanism is the idea that ‘universal principles must limit all human activity’, then similarly Seyla Benhabib (2011) argues that the founding belief of cosmopolitanism is the recognition that we are all moral persons deserving of the protection of human rights. Jürgen Habermas (2012) similarly suggests that such is the respect for the dignity of the person within human rights documents that this expressly forbids the idea of reducing persons to more instrumental criteria. The ‘dignity’ of the self is infringed by acts such as torture or overtly cruel treatment. Following Habermas (2012: 95), then, we might argue that human rights are a ‘realistic utopia’, as once these norms have become embedded within the law, they can be appealed to by citizens of democratic states. However, we also need to argue that human dignity, with its roots in ideas of moral autonomy and the ability to decide what is the right way to live, also depends upon certain cultural criteria. The philosopher Martha Nussbaum (2010) argues that such claims depend upon our ability to be able to see other people in terms other than the most instrumental. That we are able to ‘see’ others as complex people with their own ideas and feelings depends on us having access to a critical public sphere and to our own imaginative capabilities. Human dignity, it would seem, is not only a matter of rights but depends upon an appreciation of the complexity of others. In terms of human rights, then, the normative and the cultural remain strongly interconnected.

**Challenges to Human Rights**

There are, however, many in the world today who seek to challenge the idea of human rights. Some argue that they are simply impractical (that is, not really relevant
to 21st-century realities) or that they are actually an expression of a form of Western cultural imperialism. These arguments are usually defeated by pointing to the genuinely global popularity of the ideas of human rights (if not always with agents of power and nation-states), and their ability to be able to defeat racist arguments connected with ideas like the so-called war between civilizations (Huntington, 1997). As Bryan Turner (2006) maintains, human rights arguments are universal arguments that move beyond questions of cultural relativism. The problem remains, however, as to how they are articulated and whose interests they serve. Such a view is essential to the need to give human rights the kind of ‘double’ reading that I suggested earlier.

The work of black American sociologist W.E.B. Du Bois is critical in this setting. Du Bois argued that the idea of ‘double-consciousness’ meant ‘this sense of always looking at one’s self through the eyes of others, of measuring one’s soul by the tape of the world that looks on in amused contempt and pity’ (Du Bois, 2007: 8). This complex form of political and cultural oppression suggests a double political struggle against racist practices and violence as well as poverty and inequality. Du Bois recognized the mutual interconnection of struggles for both cultural and economic justice. The desire for a more emancipated society could only be attained through an educated, participatory and, above all, democratic struggle for full citizenship. Du Bois was fiercely critical of others, like Booker T. Washington, who were willing to accept a more inferior civic position for the possibility of jobs and economic returns. Indeed Du Bois was concerned that the black movement for equal rights and civic status was being corrupted by the desire for money and wealth. In the need for education, learning and meaningful forms of citizenship, black people were being ‘wooed … from a love of knowing, to regard dollars as the be-all and end-all of life’ (Du Bois, 2007: 57). The struggle for human ‘dignity’ thus connected both citizenship and human rights. Indeed throughout Du Bois’s (1985) career he sought to link ideas of human dignity to the need both to break with the global rule of white supremacy and to affirm the citizenship of black people (Allen, 2001; Leonardo, 2002).

At a later period, Martin Luther King towards the end of his life called for an end to global poverty and the need to downgrade the power of capitalism and militarism (Jackson, 2007). The struggle for human rights was an extension of the struggle for civil rights on the part of black Americans, whose ancestors had been so brutally transported across the world. This is the trans-national and intercultural context that seeks to explore the ways in which the struggle for racial justice questions nationalist assumptions and the borders of political community. Here the proposition is that rather than simply focusing upon the way human rights developed out of the European Enlightenment, we must look at the rich cosmopolitan resources offered to us by the black Atlantic to provide a counter-culture for Western modernity.

Paul Gilroy (1993) argues that to view the history of the West from the point of view of former slaves reminds us of the ways that histories of barbarity are written out of the European consciousness. These features would seemingly disrupt any simple idea of human progress, but instead return to Du Bois’s notion of double-consciousness that emphasizes the possibility of both nightmare and liberation. For Gilroy (1993: 127), the idea of ‘double-consciousness’ in Du Bois works through three different layers that co-exist, although not without tension. These features point to the cultural particularity of black Americans, the transition from slavery to citizenship (as of yet incomplete), and a
kind of global consciousness that emerges through a diasporic African identity. The double-consciousness is the recognition that black Americans are at once national as well as global citizens. However, it also demonstrates the complex relation that ideas of ‘dignity’ have to more cultural understandings of rights.

What of the argument that human rights without the power to enact them are essentially empty? Hannah Arendt (2000) famously argued that while the European Enlightenment’s claim for the rights of man was a historical turning point, those rights were indeed dependent on the recognition by nation-states if they were to be effective. For Arendt, to be worth having, human rights need to become citizenship rights. This meant that the most important ‘right’ was the right to belong to a political community. However, we need to remember that in Arendt’s (1992) lectures on Kant, she argued that ‘when one judges and when one acts in political matters, one is supposed to take one’s bearings from the idea, not the actuality, of being a world citizen’. For Arendt, human rights could be linked to the need for human dignity, that can also be found in global organizations like Amnesty International and the Helsinki Citizens’ Assembly, which give voice to the persecuted while seeking to alter the policies of states (Isaac 1996).

The weakness of human rights doctrines, however, is most notable in the vulnerability of those who most needed their protection (namely stateless refugees) and who were those least able to access them (Menke, 2007). This argument tends to suggest that without the political support and processes of law-making provided by nation-states, human rights documents quickly become relegated to meaningless pieces of paper. However, as I have indicated, this pessimistic view pushes Arendt’s argument further than she intended. Further more, Daniel Levy and Natan Sznaider (2010) argue that, within the context of global modernity, such is the cultural power of human rights-type arguments that many states seek to associate themselves with these doctrines. This of course does not prevent nation-states from being guilty of bad faith in terms of the promotion of human rights, but it does move the argument beyond more pessimistic understandings.

This argument can, however, become over-stated, as we might claim along with Elliott (2007) that human rights are the embodiment of the law of the sacred (with as much connection to the world religions as the Enlightenment). But this does little to help those vulnerable peoples such as stateless refugees. For Zygmunt Bauman (2004), refugees and migrants are the Other of the new security state. As the state has become progressively stripped of its social and welfare function, so it has increasingly become focused on the maintenance of borders, policing and security. The neoliberal state protects the rights of corporations while legitimating itself to citizens by prioritizing the security of nationals over the human rights of so-called aliens. It is the rights of refugees that become increasingly precarious, despite human rights declarations that themselves become sacrificed or at least down-graded under neoliberalism.

We might recognize the role human rights could play in the struggle for a more democratic and humane culture, but equally we need to recognize what happens once citizens or denizens become stripped of their rights. If human rights require the law of citizenship to become effective, then what happens in a context where citizens are having their rights removed? This asks fundamental questions as to whether ideas of human rights are indeed dependent on shared notions of humanity. In other words, if ideas of human
dignity have helped spread ideas of human rights across the world, then what happens if humans are stripped of these rights?

**Bare Life and the Life of the Citizen**

Giorgio Agamben’s (1995) concept of the ‘bare life’ comes close to articulating some of these features. Agamben makes a basic distinction taken from Aristotle between a bare life (basically life reduced to biological functioning), and the political life that seeks to struggle for the good society. The key to the political life is membership of a recognizable political community and the ability to speak of questions of justice. Following Arendt, Agamben (2000) argues that the paradox of human rights is that the most vulnerable people are those without national citizenship, who are least able to gain protection from so-called universal rights. For Agamben, rights are mostly citizenship rights. Here we should remember that the camps that were originally built to contain refugees ended up exterminating Jews and Gypsies. People could only be sent to their death once they had been stripped of any recognizable rights, giving them a status beneath that of the second-class citizen. The camps themselves were born out of what Agamben (1995: 167) calls the ‘state of exception’. The camp is central to the history of European modernity to the extent to which it signifies the suspension of the ‘usual’ rules of law and justice. The modern period, however, is marked by the emergence and normalization of the state of exception. This can be seen in extraordinary rendition, Guantanamo Bay and the forcible removal of refugees and asylum seekers. We currently live in the age of the disposable human being who is reduced to a bare life. Agamben (2000: 180) goes further and suggests that we can see similar processes in attempts to ‘eliminate the poor’, ultimately by stripping them of their rights to welfare.

While Agamben’s work deserves more detailed attention than can be gone into here, his writing is suggestive of many of the difficulties with ideas of human rights (Norris, 2000). The idea of bare life poses a number of problems for any notion of human rights as a global success story, given the implication that the West has long operated with permanent zones of exception. This means that the Holocaust is less of an exceptional event when it is linked to some of the prominent features of Western modernity. As William Connolly (2007) argues, the idea of bare life emphasizes the power of the state to draw basic distinctions between life and death. This suggests that ideas of bio-politics are central to our understandings of political modernity. It is the state that has the power literally to decide who has the right to life or citizenship. Here Agamben’s work draws upon the insights of Foucault around bio-politics. Foucault’s (2007) notion of bio-politics seeks to uncover the ways that, despite talk of rights, state power has worked in the context of colonialism and totalitarianism through ideas of racial conflict. Key here, as with Agamben, is the right of the ‘sovereign’ state to preside over racialized questions of life and death, as it seeks to eliminate those who are deemed to be inferior. Agamben, however, extends these arguments further, to discuss the ways in which biopower may lead to the erosion of the ‘humanity’ of the human.

In Agamben’s (2002) work on the Holocaust he points to a kind of spiritual death that existed within the camps. The inmates were literally the ‘living dead’, whose bodies
were still alive but who had been reduced to a point where we can talk of ‘civil death’. Agamben (2002: 58) describes these people as a ‘vegetative machine’ that existed in a zone between life and death. This was a kind of existence where all human dignity had been lost. The bio-politics of the camp succeeded in producing biological creatures that had lost what we might call humanity. This is not to argue that there was no moral life in the camps, but that the stripping of human beings of rights can be linked to an attempt to reduce human beings to ‘bare life’. For Agamben (2002: 72), ‘corpses without death’ were like zombies who exhibited a form of living death. These completely degraded creatures had indeed not only lost the right to live but also the right to a dignified death. The removal of their rights had reduced many within the camps to a zone somewhere between life and death, which Agamben describes as a ‘bare life’.

Similarly, Paul Gilroy (2010) notes the histories of racism, slavery and genocide are not usually allowed to disrupt the heroic narrative of the rise of human rights. The brutalities of colonialism and slavery are often understated in the rights narrative. Gilroy suggests that a different story would seek to recover the struggles of indigenous and colonized people for rights and justice, seeing these struggles as playing a leading role in the political imagination that surrounds questions of human rights. Here the desire for freedom was motivated by the desire to resist the reduction of human beings to things (Gilroy, 2010: 72). As Gilroy (2010: 72) argues:

for descendants of slaves, the slaves summon the history of being locked away from literacy on pain of death, confined to a place where cognition-thinking was not a special door to doubt, method, and modern being, rather a shortcut to the radical vulnerability of nonbeing and social death for people whose infra-human status meant they could be disposed of with impunity.

These terms then speak in a similar way to Agamben, but this time the racialized context of bare life is made more explicit. Missing from Arendt and Agamben is a more explicit consideration of the ways in which racialized discourses remain central to the idea of the development of human rights. Here Gilroy makes an intellectual challenge to the cosmopolitan imagination-to reconsider human rights in the setting of what he calls the black Atlantic. However, what is notable is the extent to which Gilroy’s argument also makes an appeal to shared notions of human dignity and suffering. In the final section of this paper, I want to argue along with others that questions of human rights and associated ideas of dignity and suffering pose certain problems in the context of globalized societies. Further, I shall also argue that while education is not the only context within which we might be said to learn about human rights, it remains a central location where these and other moral concerns can be addressed in the contemporary context.

**Human Rights and Education in the 21st Century**

David Theo Goldberg (2009) has argued that globalization ‘phase’ one was concerned with the power of Europeans brutally to transform the world through relationships built through imperialism and colonialism in the search for new markets to exploit. This placed the politics of ‘race’ at the centre of modernity. At the end of the Second World War, and in the wake of the Holocaust, a new Europe was built on the idea of human
rights and the progressive liberal critique of racism. If this did not end racism, there was at least a growing awareness of the problems associated with questions of race in relation to Europe’s own past. Indeed many critical black intellectuals like Du Bois, CLR James and Frantz Fanon pointed to the interconnections between the barbaric politics of fascism and colonialism (Kelley, 2002: 57). In the context of the second wave of globalization, dominated now by the neoliberal project the state returns to a regressive politics in respect of race, but this time in terms of ‘contamination and threat’ (Goldberg, 2009: 332). Neoliberalism is mainly driven by a concern for the freedom of capital and the desire to indulge in hyper-consumption. Neoliberalism in this respect attacks the social and inclusive part of the state, as it seeks to replace it with border controls while sideling the protection of rights. If the European state has been reconstructed through civil and human rights, it cannot directly engage in discriminatory practices. In this context, the ‘new racism’ emerges through a cultural politics of belonging and an attack on the anti-racist programmes offered by the state. Not surprisingly in this setting, there is an increasing questioning of the benefits of human rights, multiculturalism, positive discrimination and other educational programmes.

Neoliberalism cancels any understanding of cultural hierarchies, and seeks to replace them with the ‘free choosing’ individual. Such an understanding sees the individual as having a need for certain human rights (largely political and civil), but seeks to downgrade human rights of asylum and welfare. This again returns us to the views of Agamben and Arendt which insist that human rights are in fact the rights of the citizen. Similarly, neoliberalism contains within it its own versions of the ‘bare life’, with its insistence upon market rationality, down-sized welfare systems and the utopia of endless consumption. The ‘bare life’ of neoliberalism is not the life of the camps, but is one that rests uneasily with human solidarity beyond a concern for one’s own family and one’s capacity to maximize earning potential. It is indeed hostile to the realization of the creative imagination of the many, as opposed to the few, given the renewed emphasis that is placed upon vocationalism and more market-friendly forms of education.

In the liberal tradition, human rights are seen as a beacon of hope seeking to hold in check authoritarian regimes, granting citizens the possibility of living their own lives. Perhaps for human rights to flourish, we need a new narrative to explain what it means to be human at the beginning of the 21st century. If the Enlightenment traded on ideas of reason, autonomy and faith in progress, these virtues have since been displaced by neoliberalism, that more often than not seems to evoke a culture of aspiration, upward mobility and market-orientated success. We no longer live in an age that can simply celebrate ‘rational progress’, given the violent excess and inhumanity of the camps and other forms of human rights abuse. Instead, questions of human dignity and human rights require an additional narrative about our shared ability to be capable of being compassionate about the suffering of others.

The possibility of cosmopolitan dialogue across a number of cultural and national borders holds out the view of ourselves as being able to respond creatively to new levels of global interconnection. If an idea of human dignity is central to ideas of human rights, then so is a renewed emphasis upon the idea of ourselves as compassionate beings. Such a view has a variety of ethical sources, including the Enlightenment, as well as all of the world’s major religious traditions. Returning to Rorty’s (1998) idea of sentimental
education, what becomes important here is not simply different cultural narratives, but an understanding of the self with the capacity (not essential ‘nature’) to act compassionately for the benefit of others. Here there has been a considerable amount of sociological debate about compassion fatigue, or indeed the indifference of modern citizens to the plight of others (Mestrovic, 1997; Tester, 1999).

Some authors, like Ulrich Beck (2009), have argued that human rights are part of a European cosmopolitan vision. Here Beck (2009: 604) argues that the ‘foreign is not experienced and assessed as dangerous, disintegrating and fragmenting but as enriching’. This is different from multiculturalism, as the Other may well emerge across the borders of nation-states. Further questions of difference have to be located within broader, more universal criteria like human rights. More cosmopolitan understandings then seek to work against the anger and violence that is often directed against the Other, through the promotion of universal standards and a sense of hospitality towards difference. Such views depend upon not only a break with methodological nationalism and the acceptance of the stranger in more cognitive terms, but also on a more compassionate view of the self. Such views have quite significant implications for how we approach education and the politics of the self.

If, as Christopher Bollas (1992) argues, the fascistic self is located in each of us, then this should give us all cause for concern. The fascistic self (or state of mind) depends upon a closed mind and the forcible silencing of any inner doubts that we might have regarding the world. Here the mind has been ‘purged’ or purified of contradictory ideas, and allowing others to be denigrated. More cosmopolitan currents, as we have seen, are built upon shared ideas of human rights and dignity, and receptivity towards human difference. Such features then need to become critical both of a globally commoditized culture that prioritizes homogeneity and fears cultural difference, and also of the culture of nationalism that more recently has sought to expel more multicultural questions related to identity. A genuine culture of human dignity and human rights continues to depend upon shared normative ideals and our ability to produce complex narratives about the lives of those with whom we remain profoundly interconnected in our shared global era. If global commodification and ideas of a nationalist-or indeed communalist-‘we’ are no guarantee of a shared culture of human dignity, then we should think more carefully about how to promote a culture of human rights through more educated forms of dialogue and concern.

Arguably these questions came to the forefront in the development of the Occupy movement. The indignant global protests against the ways in which states have protected the rights of the rich, while undermining the social citizenship of the poor and vulnerable, connect these concerns to issues of human rights. Stephane Hessel (2013), whose pamphlet did so much to help inspire the Occupy movement, argues that a society that seeks to demonize immigrants and cut welfare while accepting the rule of the rich is a society without dignity. As one of the citizens involved in the drafting of the 1948 Declaration of Human Rights, he argues that the main impediment to universal dignity is not lack of money but the power of money. Human rights then offers the prospect for critique in the 21st century, given the power of corporations to set economic agendas and of nation-states that are currently prioritizing both cultural cohesion and the security of their borders. The cross-border demand for the human rights of the many as opposed to the few may yet become the central progressive cultural struggle of the 21st century.
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