

## Aberystwyth University

### *"We the Peoples"*

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*Published in:*  
International Relations

*DOI:*  
[10.1177/0047117804041738](https://doi.org/10.1177/0047117804041738)

*Publication date:*  
2005

*Citation for published version (APA):*  
Wheeler, N. (2005). "We the Peoples": Contending Discourses of Security in Human Rights Theory and Practice. *International Relations*, 18(1), 9-23. <https://doi.org/10.1177/0047117804041738>

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## **‘We the Peoples’: Contending Discourses of Security in Human Rights Theory and Practice**

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### **Abstract**

This article develops a critical conception of security by showing the limits of traditional realist and pluralist discourses. It does this by exploring the deficiencies of realist and pluralist approaches when it comes to thinking about the promotion of human rights. Realism leads to moral indifference and a myopic approach to security and pluralism is complacent about how the rules and norms of international society exclude humanitarian concerns. The article argues for a critical approach to security that places human rights at the centre of theory and praxis, reflecting the fundamental indivisibility of security and human rights. The article concludes by reflecting on the implications for agency of this position.

**Keywords:** *human rights, human security, international society, pluralism, realism, security.*

‘Security is the first word which occurs to me if I look back on my youth – security not only in family relations, but in a sense scarcely imaginable since 1914.’ This autobiographical reflection, by one of the greatest thinkers in the history of academic International Relations, is revealing for the way in which E.H. Carr attached significance to security in a very personal sense as well as the more traditional notion of security ‘out there’ in world politics. It also concentrates the reader’s mind on the fact that there has been so much *insecurity* produced in the intervening years. And contrary to the hopes of the earliest professors of International Relations the discipline has for the most part been muted in its response to the culture of violence that conditions the lives of the majority of the earth’s inhabitants. The fact that the study of International Relations all too often sided with the status quo was one of the reasons why Carr abandoned the discipline in preference for the study of the Soviet Union which at least, in his view, promised a new and more equal society.

It is regrettable that Carr did not see the emergence of a ‘critical’ approach to International Relations that first began to stir around the time of his death in 1982.<sup>1</sup> Critical theory makes the familiar seem strange, asks how our ideas about common sense are constructed, and recognizes an imperative to change the world. In place of the traditional ontology of soldiers and diplomats, one view of critical theory ‘places the victims at the centre of its enquiries’.<sup>2</sup> As this special issue demonstrates, when applied to security, critical theory provides a radically different theoretical account of the meaning and production of security. A key claim of critical security theorists is that the rules, norms and institutions of the society of states are a permissive cause of political violence because they provide a protected space in which individuals can be subjected to inhuman treatment with virtual impunity.

The crucial contribution of critical conceptions of security is to shift the referent object from the state to individuals who constitute humanity as a whole. Rather than taking for granted the traditional assumption that the state has a monopoly over our loyalty and identity, critical security perspectives extend our moral horizons beyond national-based conceptions of citizenship. This shift in ontology from an exclusivist 'us and them' identity relationship to an internationalist or cosmopolitan 'we the peoples' is embodied in the Preamble to the United Nations Charter and has subsequently been echoed by various voices in global civil society. 'We the peoples' not only represented a significant advance in the normative vocabulary of international relations; it also permeated the framing of the human rights regime that developed after 1945.<sup>3</sup> In the various documents which constitute the regime an explicit link is made between human rights and security. This is clear from Article 3 of the 1948 Universal Declaration of Human Rights (UDHR) that proclaims 'the right to life, liberty and security of person' to all human beings.

The creation of law-making international institutions committed to the protection of human rights was predicated upon the assumption that sovereign states would stand guard over the security of their citizens and promote human rights internationally. The experience of the post-1945 world has shown this to be naïve at best, morally complacent at worst. Realist thinking on security has proved to be more resilient than defenders of human rights had hoped. After 11 September 2001, and crucially the American response in the form of the 'war on terror', realism seems once again to be in the ascendancy. The ensuing cycle of terror attacks and attacks on terror prompted the usually optimistic liberal writer, Michael Ignatieff, to ask if the human rights era had come to an end.<sup>4</sup> We argue that such a judgement is premature: even states engaged in the war against global terrorism recognize that human rights remain an important objective.<sup>5</sup> Rather than seeing one discourse triumph over another, a more sophisticated account of security after 9/11 would show how national security and humanitarianism uneasily coexist in practice, and that critical theory offers a possibility of overcoming such a tension.

This article begins by showing how the sovereign prerogatives of the society of states have frustrated the promise of solidarity implicit in 'we the peoples'. Having used critical theory to expose such flaws in traditional conceptions of security, the second half of the article will reflect on the immanent possibilities for constituting a new discourse of human security. We argue that the project of unifying human rights and security requires a multidimensional approach to agency. It is not a matter of humanity versus statism, as Richard Falk once put it, but instead requires an alliance of states and transnational civil society cooperating to achieve security for common humanity.

### **Discourses of security**

In this section we examine the two dominant discourses of security and the practices they have legitimated. By discourse, we mean an authoritative narrative mobilized by political elites to justify a particular set of prescriptions for action (or inaction).<sup>6</sup>

### ***Realism and the discourse of national security***

All forms of critical theory purport to ‘think against’ the prevailing current. Critical security studies is no exception. What it wants to resist, transcend and defeat, are theories of security which take for granted *who* is to be secured (the state), *how* security is to be achieved (by defending core ‘national’ values, forcibly if necessary) and from *whom* security is needed (the enemy). This understanding of security was neatly encapsulated by Walter Lippmann writing in 1943: ‘A nation is secure to which it is not in danger of having to sacrifice core values, if it wishes to avoid war, and is able, if challenged, to maintain them in a victory in such a war’.<sup>7</sup>

There is no better example of traditional thinking than the discourse of ‘national security’ which framed US thinking on defence and foreign policy during the Cold War. Promoting national security implied a desire to prevail over enemies who threatened the values of the ‘nation’. Security, in this sense, was the protective shield of American society. The values of that society were thought to be self-evident, and were subject to minimal reflection by realist theorists. It was assumed by the realist strategists that the Cold War was a permanent condition of international relations, one in which self-help and power politics were the only games in town. All means were acceptable to attain national security, including strategies of nuclear war-fighting which were justified on the highly dubious grounds that the Soviet Union was developing the capabilities to fight and win a nuclear war. The logic of this was that western deterrence required fashioning a theory and strategy of nuclear victory for the USA and its allies.

Realists got it wrong. The Cold War was not a permanent condition. Nor was it a structural necessity; rather, it was a confrontation that they had played a significant part in creating and reproducing. But the discourse of ‘national security’ has not died despite the revisioning of East–West relations: the *who* of security has remained stable. The state is still the condition for the survival of ‘national’ core values. The *how* has become the subject of some debate, however. Not of course the assumption that the US needs a strong defence, and has to be prepared to use force. But there has been a debate among realists as to whether the proliferation of weapons of mass destruction strengthens or undermines national security. On the side of the former there is the ‘more is better’ brigade which believes that the benefits of nuclear deterrence should be extended to stabilize relations between enemy states. In the opposite camp stand realists in the Pentagon who worry about the spread of weapons of mass destruction (WMD) – and their means of ballistic missile delivery – to ‘rogue’ states like Iraq, Iran and North Korea.

After 9/11 this threat assessment is reinforced by the very real concern that such weapons could find their way – either through deliberate intention or inadvertence – into the hands of terrorist groups like al-Qaeda. For realists like US Secretary of Defence Donald Rumsfeld, the only means of addressing the threat posed by rogue states and terrorist groups armed with WMDs is to ensure that such capabilities are never developed in the first place. This is the logic that drives the current US strategy of preventive war – first set out by President George W. Bush in his West Point speech of June 2002, and subsequently elaborated in the National

Security Strategy of September 2002.<sup>8</sup> By naming the threat posed by states like Iraq, Iran and North Korea as an 'axis of evil', the Bush Administration has sought to legitimate the spending of billions of dollars on developing a defence posture that is capable of supporting the President's declared goal of regime change in these states. This demonstrates how the Cold War discourse of national security is being reinvented as a struggle between an America that represents a force for good in the world and the evil enemy represented by global terrorism and its state sponsors.

Where do human rights fit into this realist picture of security? Realist proponents of national security do not deny the existence of human rights norms such as those embodied in the Universal Declaration of Human Rights. But crucially, realism argues that they are norms which are not binding on states when they collide with other interests (such as trade or national security). Hans J. Morgenthau, the godfather of realism, argued that 'the principle of the defense of human rights cannot be consistently applied in foreign policy because it can and must come in conflict with other interests that may be more important than the defense of human rights in a particular circumstance'.<sup>9</sup> Realists also point to the centrality of states in implementing human rights standards and the weak or nonexistent enforcement machinery. As a leading representative of the US delegation at San Francisco made clear, "'We the peoples'" means that the peoples of the world were speaking through their governments'.<sup>10</sup> Amnesty International's annual report is a constant reminder that realist thinking on human rights is part of the fabric of contemporary international society. A recent report summarized its findings against the backdrop of the war on terror as follows: 'Governments have spent billions to strengthen national security and the "war on terror". Yet for millions of people, the real sources of insecurity are corruption, repression, discrimination, extreme poverty and preventable diseases'.<sup>11</sup> This is nothing new. Driven by expediency and self-interest, governments have long trampled on their citizens' rights in order to maintain the power and privilege of an elite few. In the language of International Relations theory, what Amnesty is describing is the problem of statism, by which is meant the idea that the state should be the sole source of loyalty and values for its citizens.<sup>12</sup> Amnesty claims that the majority of states routinely fail to deliver even basic rights to their citizens. Governments or agencies acting on their behalf routinely imprison without trial, torture and/or kill individuals who challenge the regime.

The Westphalian practice of statism infects international bodies such as the United Nations. Amnesty International points to the '*realpolitik*' in the General Assembly and the UN Commission on Human Rights that it charges as being 'almost irrelevant to the protection of victims in Burundi, Rwanda, and the Democratic Republic of Congo'.<sup>13</sup> It is not unusual to find that no state has tabled a condemnatory resolution at the UN General Assembly even after it has been presented with evidence of gross human rights violations. Consistent with the charge of statism is the argument that the UN is merely an arena for *raison d'état*, a kind of global Westphalian system where the language for the conduct of international relations has changed but the interests remain the same. Human rights in this context have represented, in the words of Norman Lewis, 'nothing more than an empty abstraction whose function was

the legitimation and perpetuation of the given system of power relations, domestically and internationally'.<sup>14</sup>

### ***Pluralism and the discourse of international security***

Although realism was undoubtedly the dominant discourse of international politics in the post-1945 period, it was not, as the realists believed, the *only* theory to have purchase on reality. There was an alternative, other than the radical discourses; this was the so-called pluralist or legalist theory which maintains that security should be provided by international rules and norms. From this perspective, narrowly defined self-help was not a descriptively or normatively accurate depiction of international politics. States, according to Hedley Bull, form an international society because they are 'conscious of certain common interests and common values' and believe themselves to be 'bound by a common set of rules and institutions'.<sup>15</sup> The social fact of this society is the source of states' obligations to one another; primary among these is a responsibility to maintain international order which theorists of international society take to be synonymous with the provision of international security.

The discourse of security for theorists of international society makes the *who* of security – the referent object – the security of the society of states. With respect to human rights, we have already encountered the standard critique mobilized against this view by critical security theorists, namely, that the rules of sovereignty and non-intervention issue a licence for statist elites to abuse human rights from behind the walls of sovereignty. In response, pluralists would argue that while the rules are inhospitable to the protection of human rights, making the latter the referent object for security would place in jeopardy the foundations of international order. They would further argue that it is too easy to interpret their privileging of order over human rights as an ethically bankrupt position since the moral justification for pluralist practices is their contribution to individual security. Thus, Bull believed that international order is only to be valued to the extent to which it delivers world order which he defined as the provision of the primary goals of social life to all individuals such as 'security from violence'.<sup>16</sup> Bull was elusive about the relationship between international order and world order, but there is no doubt that he made the latter the normative test in judging the success of the institutions of international society such as diplomacy, law and the balance of power in providing the *how* of security.

Advocates of a pluralist view of security would further argue that in the post-1945 period an important linkage has been established between the provision of human rights and wider international security. Reflecting on the terrible domestic and international consequences of the rise of fascism in Europe, the framers of the UN Charter believed that there was a clear link between good governance at home and peace abroad. Although practice has tragically turned out very differently, it is clear from reading the UN Charter that there is no necessary or automatic conflict between the cardinal rules of sovereignty and non-intervention in Article 2 and the human rights standards set out in Articles 55 and 56. For the first time in history governments committed themselves to protect human rights, a significant retreat from the Westphalian conception of unlimited sovereignty. This was marked by the Preamble to

the Charter which signalled a declaratory shift in legal thinking in favour of 'we the peoples'. As Jack Donnelly has argued, the post-1945 human rights regime represented a significant shift in the normative language of international politics. Three years after the signing of the UN Charter, the UDHR was accepted by the UN General Assembly on 10 December 1948. Although this was declaratory and non-binding, the document provided further hope to people living under governments that denied them their dignity. According to Article 28, 'Everyone is entitled to a social and international order in which the rights and freedoms set forth on this Declaration can be fully realised'.<sup>17</sup>

The manifesto for human rights and international security contained within the Charter and the Declaration represented, therefore, a considerable challenge to the traditional realist paradigm. As a consequence of these standard-setting instruments, and the UN human rights regime which developed in the years after 1945 to monitor compliance with them, the way in which a state behaved towards its own citizens became in R.J. Vincent's words 'a legitimate subject of international scrutiny and censure'.<sup>18</sup> While the regime can monitor and report on human rights violations, pluralists emphasize that the capacity of the society of states to 'do something' depends ultimately on interests and morality coinciding.

The failure of international society to prevent or halt the genocide in Rwanda in 1994 demonstrated the limits of this conception of the relationship between human rights and security. The mass exodus of refugees across the Rwandan border into neighbouring states clearly affected regional security, but no government in Africa was either capable or willing to intervene to end the atrocities. However, can it really be argued that the genocide in Rwanda posed a threat to western security interests that justified sacrificing soldiers' lives and scarce resources? Western governments answered this question with a resounding no, and this is why no action was taken to stop the third genocide of the 20th century (the other two being the extermination of the Armenians and the Jews).

Whereas Rwanda highlights the ethical limitations of international society's framing of human rights and security, there have been some important successes in conjoining human rights and security. One of the most notable is the Helsinki process in the 1970s and 1980s. This was justified on the grounds that a critical relationship existed between respect for human rights in the eastern bloc and improved interstate relations between East and West. The Soviet Union accepted that the price for western legitimation of the post-war status quo in Central and Eastern Europe was its signing of the human rights provisions in the 1975 Helsinki Final Act. However, what the Soviet Union and its allies interpreted as rhetorical commitments became important weapons in the struggle of human rights activists in Czechoslovakia, Poland, Hungary and the German Democratic Republic. Their courageous struggle to hold eastern governments accountable for their human rights abuses was supported by western governments who used human rights as an instrument of Cold War diplomacy. These efforts on the inside and the outside played a key role in robbing the Communist regimes of their legitimacy which led to the revolutions of 1989.<sup>19</sup>

### ***The limits of traditional discourses of security***

One entry point for critical security thinkers with respect to human rights is to reveal the limitations of the morality of states discourse by showing how the UN Charter system systematically fails to deliver on its promise to provide both international security and human rights. Whereas outright rejection is an appropriate critical security response to realism for normative reasons, pluralism needs to be engaged because of its immanent universalism. The fact is that if all states followed the principles and rules of the 'international bill of rights', then there would be no individuals without food, democratic governance, legal protection, education, national identity, property and an adequate standard of living. However, one major reason why this does not happen, according to proponents of critical security studies, is because states only obey the rules of international society when power and interest make it prudent for them to do so. Thus, Britain and the US carried the banner of civil and political rights against the Soviet Union because it served their power political interests, but both felt more than justified in supporting the apartheid regime in South Africa which practised racial hatred and massively violated the economic and social rights of the majority, as well as conducting campaigns against neighbours that resulted in massive casualties. The lesson is when human rights collide with the goals of either national or international security, these interests win out every time.

Western governments are particularly (although not exclusively) guilty of inconsistently complying with the human rights standards they trumpet with missionary-like enthusiasm at the various multilateral social gatherings. This argument is frequently and eloquently made by the public intellectual Noam Chomsky. From Vietnam to the Vienna Declaration on Human Rights, he castigates the US for its hypocritical approach to human rights in foreign policy. He attacked the decision of President George Bush Sr to forcibly return Haitian people seeking asylum (in contravention of Article 14 of the UDHR). Presidential candidate Bill Clinton fiercely condemned this policy, but according to Chomsky, 'his first act as President was to make the illegal blockade still harsher'.<sup>20</sup> Or, take the US government's persistent suspicion of economic and social rights, which UN Ambassador Jean Kirkpatrick once described as 'a letter to Santa Claus'.<sup>21</sup> The US vetoed the right to development in 1992 despite Article 25 of the UDHR's commitment to 'a right to a standard of living' adequate for 'health and wellbeing'. Only the US and Somalia have not ratified the 1989 Convention on the Rights of the Child. For Chomsky, these practices illustrate Washington's largely rhetorical commitment to 'the universality of human rights', except as a weapon used selectively against others.<sup>22</sup>

The most fundamental weakness of the pluralist discourse on security and human rights relates to what it excludes from consideration as security problems. What issues get named as 'security' ones is crucial to whether individuals survive or perish. Pluralism is silent on the politics that produces the following litany of global human wrongs:

- Every day more than 30,000 children around the world die of preventable diseases, a total of over 11 million a year.



- The richest 5 percent of the world's people have incomes 114 times those of the poorest 5 percent. The richest 1 percent receives as much income as the poorest 57 percent.
- 2.8 billion people live on less than \$2 a day, with 1.2 billion of them subsisting on less than \$1 a day.
- In 1997–9 an estimated 815 million people were undernourished. • During the 1990s the number of people in extreme poverty in Sub-Saharan Africa rose from 242 million to 300 million.
- By the end of 2000 almost 22 million people (now updated by the UNDP to 24.8 million) had died of AIDS, 13 million children had lost their mother or both parents to the disease and more than 40 million people were living with HIV. Of these, 90 percent were in developing countries and 75 percent were in Sub-Saharan Africa.
- There are 100 million 'missing' women who would be alive but for infanticide, neglect and sex-selective abortion.
- Every year there are 300 million cases of malaria, 90 percent of them in Sub-Saharan Africa.
- More than 500,000 women die a year as a result of pregnancy and childbirth.<sup>23</sup>

Even for the survivors, life can be nasty, brutish and short. What causes this production and reproduction of gross and systematic human rights abuses is strongly disputed by liberals and Marxists. But what is clear is that the massive structural inequalities generated by global capitalism have not been given sufficient attention by theorists of international society. For the last two decades, leading states in the system such as Britain and the US have promoted a neoliberal economic ideology that centres upon the following principles that have governed the debt and aid policies of the IMF and World Bank in the 1980s and 1990s: free trade, deregulation, reduction of public spending and freedom of choice for individual consumers. International institutions and regimes, such as the G8 and the various International Financial Institutions (IFIs) have internalized these neoliberal norms. From a global humanitarian perspective, the consequence of these policies has been twofold: first, a redistribution of wealth from the underdeveloped to the developed world (the 'trickle-up' effect); and second, a decline in the ability of states to provide economic and welfare rights to their population. In short, the scope for a state to deliver a system of justice which would be acceptable to the least advantaged has diminished considerably. The consequences of both these factors have been to undermine the provision of economic and social rights.

The critical theory of security advanced here opposes the pluralist conception of security on three main grounds: first, it argues that states conform to the internationalist and humanitarian rules of the UN Charter only when it is in their selfish interests; second, it argues that pluralism in its focus on the rules and norms of international society ignores most deaths by political violence; and third, the normative practices of the society of states leave untouched

the structural causes of the economic and social injustice rooted in the deregulated capitalist world system.

The last two factors converge in the case of the trade in weapons, which arms the aggressors, authoritarian regimes and torturers of the world. Writing in the early 1980s, Bull described the superpowers as the ‘great irresponsibles’. In the context of the post-Cold War period, there is probably no better illustration of this apt description than the arms trade. The permanent members of the Security Council, responsible for maintaining ‘international peace and security’, account for approximately 90 percent of the world’s arms exports, the US with a share of 49 percent.<sup>24</sup>

When discussing the arms trade, it is important to bear in mind that arms sales can be justified on the grounds that all states have a legitimate right of self-defence. This right is enshrined in customary international law and codified in the UN Charter. This principle is acknowledged by human rights organizations like Amnesty International, and their opposition is to arms sales that bolster governments that repress human rights inside their borders. One of the most worrying aspects of the arms trade is the lack of concerted control exercised by exporters to ensure that weapons are used for legitimate defensive purposes. Once again, the pluralist rules regulating the trade in weapons are either weak, non-existent or ignored altogether. The wider issue raised by the arms trade concerns the degree of militarization found in the developing world in particular. Child soldiers (under 15 years of age) have been used in combat in civil conflicts in Russia, India, Cambodia, Iran, Iraq, Turkey, Afghanistan, Sudan, Ethiopia, Eritrea, Somalia, Columbia, Peru, Nicaragua, Guatemala, Burma and Vietnam. Although there has been a marked decline in the trade in major weapons, the trade in light weapons – the kind used in civil conflicts – has spiralled out of control.

### **Human security**

A critical security approach to human rights opens with a fundamental belief in the indivisibility of security and human rights. How does this ‘indivisibility’ play out in practice? The human security discourse would maintain, for example, that there can be no security for the individual if their right to life is being threatened by their government. Similarly, security is absent when an individual is denied the rights to subsistence, such as food, clothing and housing. If security is defined as protection from harm, then it is clear that the infringement of fundamental rights signifies the presence of insecurity.<sup>25</sup> Just as its prescriptive orientation emphasizes indivisibility, the human security discourse recognizes the multidimensionality of the sources of harm. There are military and non-military producers of harm, national and transnational, private and public. Harm can be the outcome of intentional acts (employers using child labour) as well as unreflective acts (children in the West buying a football that has been manufactured by slave labour in India). Rights may be secured by one agent while simultaneously being threatened by another. For example, the citizens of a social democratic society may have all their human rights protected by the state, but that does not necessarily

mean their community has security. It could, for example, have borders that are contiguous with a predatory state committed to an expansionist foreign policy. Another threat could be transnational and unintentional, such as that posed by high levels of radioactivity caused by an accident in a nuclear power station (for example, the disaster at Chernobyl).

We would argue that the interdependence between security and human rights is at its strongest when the focus is upon what Henry Shue, and later R.J. Vincent, referred to as 'basic rights'.<sup>26</sup> 'Security from violence' and 'subsistence' were defined by Shue as the key basic rights. On the surface, this might seem to rely on a narrow definition of rights but we define subsistence as covering a range of economic and social rights (such as work, property, social security) while security from violence includes many civil and political rights (protection from torture, racial hatred, slavery and asylum).

If, as we have argued above, the litmus test for human security is success in delivering basic rights, one challenge is to identify the agents who can bring this about. In the critical security literature, global civil society is often represented as being the crucial agent of emancipation. There are many good reasons for investing hope in transnational civil society. Groups like Amnesty International, Médecins Sans Frontières, the International Red Cross, Oxfam and Save the Children exist to raise the consciousness of the security 'haves' about the plight of the 'security have-nots'. Their success is measured in terms of membership, donations and a level of public support which enables their voice to carry weight in the corridors of power. By ordinary acts such as writing letters on behalf of prisoners of conscience, individuals living in the secure sphere of world politics keep alive the hopes of victims of human rights abuses around the world. The moral obligation or duty to assist distant strangers in need demands a commitment to action which goes beyond feelings of pity, since sentimentality is not enough by itself to produce a 'more intense moral or practical commitment' to human security.<sup>27</sup> What is required is the growth of a cosmopolitan moral awareness such that we come to empathize with and respond to the sacrifices made by those fighting for basic rights in repressive regimes. The annual Amnesty International report and its 'website' are replete with references to local human rights organizations fighting for human security. One such group is the pro-democracy movement in Burma led by Daw Aung San Suu Kyi. Although Burmese civil society remains firmly locked in the steel-hard cage of the brutal government, the opposition has won enormous support from world public opinion. Moreover, leaders of human rights groups in South Asia such as Suu Kyi have taken a stand against governmental elites in the region, who as part of their attempt to keep hold of power have argued that human rights are alien to 'the' Asian way of life.

Without transnational human rights groups like Amnesty International and Human Rights Watch monitoring human rights abuses, governments would find it even easier to evade their humanitarian responsibilities to 'we the peoples'. Indeed, one of the most significant changes in the human rights regime in recent decades has been the involvement of transnational civil society in standard-setting. For example, Amnesty International and the International Commission of Jurists had significant input into the UN Declaration and Convention against Torture. Other successes in promoting new standards for protecting human security are evident in the 1989 Convention on the Rights of the Child which owed a great deal to the

lobbying of women's human rights NGOs in particular.<sup>28</sup> David Beetham has also convincingly argued that NGOs can make a significant contribution to drawing the attention of world public opinion to abuses of human security in the economic and social realm; for example, their work on famine relief, refugee alert and support, and their wider contribution to promoting economic development.<sup>29</sup>

There is no doubt that global civil society is playing an increasingly important role in the standard-setting and monitoring of basic rights. Yet the post-Cold War period has given us good reasons for not investing too much hope in transnational civil society as a vehicle for providing human security. The first and most obvious problem is that, when facing supreme humanitarian emergencies, aid agencies only have at best a limited capacity to deliver food or medical supplies. When warring governments (or factions) do allow them to operate in conflict situations, NGOs often become pawns in the wider game of power politics, as was all too clearly the case with the Hutu-run refugee camps in the Great Lakes region of Africa in 1995/6. One of the difficulties here is that aid agencies generate most of their income through the response of public opinion to the kind of 'loud emergencies' they are least able to deal with. Small-scale community projects to do with promoting welfare, health and food security are rarely under the media spotlight and consequently do not rise to the top of NGO agendas.

It is also important to guard against the assumption that transnational movements necessarily promote human security. At the Cairo conference on Population and Development for example, there were groups committed to providing contraception to enhance human security for women. But there were also transnational religious groups opposed to this measure despite AIDS being a huge threat to human security in the developing world. We should not be surprised that transnational forces can be reactionary as well as emancipatory: contradictory normative tendencies are at work in all forms of social organization. The right to life entails different claims (and politics) for Catholics, secular liberals and Hindus. Like all other actors in world politics, NGOs and civil society groups are part of the conversation and struggle about the meaning and interpretation of norms in international relations.

A further concern with global civil society as an emancipatory actor relates to the construction of humanitarianism. In the liberal West, there is a tendency to treat 'security have-nots' as distant objects of our liberal sympathy. Apart from failing to see the insecurity of our neighbours, the problem with the discourse of humanitarianism is that it is ultimately *for us* and *for* some purpose, to adopt Robert Cox's aphorism. We may sometimes imagine ourselves in the shoes of the dispossessed, and we may tell our loved ones sad and sentimental stories of suffering others, but how many of us make any real sacrifices? As the late Rabbi Hugo Grin once put it in the context of the Second World War, 'we cared about the Jews, but we didn't care *enough*'.

### **Conclusion: agency and human security**

This article has put the victims of global politics at the centre of our academic inquiry. The act of bringing together human rights and security provides an opening into a holistic and

indivisible approach. At the level of theory, it is possible to make a convincing case for a Kantian synthesis; a violation of security in one part of the world ought to be a violation of security everywhere. And a violation at one level is a violation at all levels. In keeping with the spirit of Critical Security Studies, we have mobilized a case for changing the referent for thinking about security from that of states to 'we the peoples'. The reason for making this move is that all too often states have failed to act as moral trustees for their citizens, creating a situation globally where millions of people have more to fear from the violence or neglect of their own governments than they do from that of neighbouring states. Yet even in those parts of the world where citizens can place greater hope in the rule of law and the provision of basic rights, there has been a failure on the part of governments to live up to the humanitarian obligations imposed by the Charter. The pursuit of these values has been crushed by the power of realism's moral indifference, and numbed by a set of legal rules which have narrowed our moral imaginations.

Expanding humanity's moral horizons requires recognizing both the indivisibility of human rights and security, and the concomitant responsibility to rescue those trapped in situations of violence, poverty and ill-health. This might require the use of force in exceptional cases like genocide and mass murder, but the best way of avoiding such a drastic remedy is to utilize the instrument of preventive diplomacy as soon as there is evidence of abuses. Such measures applied on a concerted and international basis might prevent a deterioration of the human rights situation, avoiding recourse to more costly actions.

Since governments have manifestly failed as guardians of human rights, the question is whether they are – like Nietzsche thought – 'cold monsters'? Or, is it simply that it is too soon to tell whether states can live up to the moral vision that inspired the framing of the Charter? The argument advanced here is that statehood is not an undifferentiated political category; states can be good or bad international citizens just as individuals can be in domestic society. This leads to a rejection of the dualism of agency that pits the state against transnational civil society; we would argue that moral boundaries have frequently been widened when state actors and global civil society have pulled in the same direction. It is not our claim that state leaders are always in the vanguard of this, but as some humanitarian NGOs readily attest, big battalions – measured in military, political and economic terms – are sometimes required to promote their ends. By recognizing the interconnectedness of states *and* global civil society, the article argues for a multidimensional approach to agency in the same manner that critical thinking on security has pioneered a multidimensional conception of 'threats'. The best recent examples of this process of 'top-down' and 'bottom-up' pressures are the emergence of a new norm banning landmines<sup>30</sup> and the development of the International Criminal Court.<sup>31</sup> Enlightened state leaders were crucial in realizing the normative potential of these ideas. But without the pressure exerted by what Geoffrey Robertson calls the global 'human rights movement',<sup>32</sup> it is unlikely that these political projects would have secured the widespread support that they achieved in the society of states.

The pressures exerted on governments by agencies such as Oxfam, Amnesty International and CARE are strengthened the more that these groups can mobilize public opinion to hold

governments accountable for their actions. But there has not been *enough* pressure from below to transform the foreign policy agendas of liberal governments so that human rights become as powerful a constituency as commercial and political interests. As Michael Ignatieff argues, citizens exposed to media images of ethnic cleansing and starvation, living in what he calls ‘the zones of safety’,<sup>33</sup> are quite good at reaching for their chequebooks and dropping money into collection boxes. However, this is often selective, both in terms of the proximity of the crisis and the definition of what counts as a supreme humanitarian emergency.

Liberal societies express outrage at the treatment of Kurds, Rwandans or Kosovo Albanians at the hands of state power, but accept as natural the death elsewhere of millions through poverty and malnutrition. They are good at being charitable, but they have been very bad at making even those *modest* changes to lifestyles that could lead to the eradication of global poverty and give real substance to ‘we the peoples’. The West punishes those states and terrorist networks which break the rules – Iraq and al-Qaeda being obvious examples – but it has been bad at healing the deep rifts that exist between the West and the rest. Yet as the attacks on 11 September showed, it is not possible to hermetically seal liberal societies from the violent consequences of insecurity in other parts of the world. Had human rights concerns guided the West’s relations with post-Soviet Afghanistan and the Taliban, that country would not have become a safe haven for al-Qaeda. Moral exhortations are important in persuading publics and governments in the West to change the *who* and the *how* of security thinking. But the next stage for a critical approach to human security is to advance and win the argument that an unjust world will be a disorderly one for all of us.

### **Acknowledgements**

We would like to thank Pinar Bilgin, Anne Harris, Paul Williams and Maja Zehfuss for their very helpful comments on an earlier draft; also Ken Booth for his challenging and patient editing.

### **Notes**

1. Carr was of course a critical thinker but he was not a proponent of critical theory. For critical ‘readings’ of Carr, see K. Booth, ‘“Security in Anarchy”: Utopian Realism in Theory and Practice’, *International Affairs*, 67, 1991, pp.527–45; A. Linklater, ‘The Transformation of Political Community: E.H. Carr, Critical Theory and International Relations’, *Review of International Studies*, 23, 1997, pp.321–38; M. Cox (ed.), *E.H. Carr: A Critical Appraisal* (London: Palgrave, 2000).
2. R. Wyn Jones, ‘“Message in a Bottle?” Theory and Praxis in Critical Security Studies’, *Contemporary Security Policy*, 16, 1995, pp.299–319.

3. Significantly, the phrase 'we the peoples' was used by Kofi Annan to frame his millennium report. See Kofi A. Annan, 'We the Peoples', <http://www.un.org/millennium/sg/report/ch0.pdf>
4. M. Ignatieff, 'Is the Human Rights Era Ending?', *The New York Times*, 5 February 2002.
5. A good example of this is the UK where Prime Minister Tony Blair has argued that Britain's participation in the war on terror is compatible with liberal internationalism. See T. Blair's speech to the Labour Party Conference, 2 October 2001 and The Fifth Report (Session 2001–2) of the Foreign Affairs Committee *Human Rights Annual Report 2001*. See the Committee's website at: <http://www.parliament.uk/commons/selcom/fachome.htm>
6. B. Crawford and R.D. Lipschutz, 'Discourses of War: Security and the Case of Yugoslavia', in K. Krause and M. Williams (eds.), *Critical Security Studies: Concepts and Cases* (London: UCL Press, 1997), p.167.
7. W. Lippmann, *US Foreign Policy: Shield of the Republic* (Boston: Little, Brown, 1943), p.51. Quoted in M. Ayoob, 'Defining Security: A Subaltern Realist Perspective', in Krause and Williams (eds.), *Critical Security Studies*, p.124.
8. The Bush Administration has not explicitly admitted that it is declaring a strategy of preventive war. Instead, it employs the language of pre-emption, claiming that its policy is in accordance with an interpretation of international law that is suited to the changed conditions of the world after 9/11. For a discussion of these issues, see M. Byers, 'Pre-emptive Self-defense: Hegemony, Equality and Strategies of Legal Change', *Journal of Political Philosophy*, 11, 2003, pp.171–90 and D.C. Hendrickson, 'Toward Universal Empire: The Dangerous Quest for Absolute Security', *World Policy Journal*, Fall 2002.
9. Quoted in J. Donnelly, 'Security, Human Rights and East–West Relations: Theoretical Bases of the Linkage', in V. Mastny and J. Zielonka (eds.), *Human Rights and Security: Europe on the Eve of a New Era* (Boulder, CO: Westview, 1991), p.22.
10. Leo Pasvolsky, in the Committee on Foreign Relations, 1945. Quoted in N. Lewis, 'Human Rights, Law and Democracy in an Unfree World', in T. Evans (ed.), *Human Rights Fifty Years on: A Reappraisal* (Manchester: Manchester University Press, 1998), pp.87–8.
11. *Amnesty International Report 2003*, <http://web.amnesty.org/report2003/index-eng>
12. This view of states informs much critical thinking on security. See K. Booth, 'Human Wrongs and International Relations', *International Affairs*, 71, 1995, p.121.
13. *Amnesty International Report 1998* (London: Amnesty International Publications, 1998), p.68.
14. N. Lewis, 'Human Rights', p.89.
15. H. Bull, *The Anarchical Society* (London: Macmillan, 1977), p.13.
16. This is most explicitly spelt out in Bull, *The Anarchical Society*, p.22.
17. UDHR, Article 28.
18. R.J. Vincent, *Human Rights and International Relations* (Cambridge: Cambridge University Press, 1986), p.152.

19. For an insightful account of the human rights–security relationship within the Helsinki process, see M. Kaldor, ‘Transnational Civil Society’, in T. Dunne and N.J. Wheeler (eds.), *Human Rights in Global Politics* (Cambridge: Cambridge University Press, 1999).
20. N. Chomsky, ‘The United States and the Challenge of Relativity’, in Evans (ed.), *Human Rights*, p.31.
21. Quoted in Chomsky, ‘The United States’, p.32.
22. Chomsky, ‘The United States’, p.31.
23. *United Nations Human Development Report 2002* (Oxford: Oxford University Press, 2002), pp.10–30. These figures are used by Steve Smith in his ISA 2002 address. See his article ‘Singing Our World into Existence: International Relations and September 11’, *International Studies Quarterly*, forthcoming, June 2004.
24. This makes something of a mockery of Warren Christopher’s claim at the World Conference on Human Rights in Vienna in 1992 that ‘the worst violators [of human rights] are those who encourage the spread of arms’. Quoted in Chomsky, ‘The United States’, p.27.
25. The idea of ‘human security’ has been discussed in a variety of publications. See, for example, the UN *Human Development Report 1994*. According to the report, human security includes safety from ‘chronic threats’ such as disease, hunger and repression. See also K. Booth, ‘Three Tyrannies’, in Dunne and Wheeler (eds.), *Human Rights in Global Politics*, p.59, and D.J. Puchala, ‘The United Nations and the Myth of the Unity of Mankind’, in Y.S. Choue and J. Shik Sohn (eds.), *Peace Strategies for Global Community and the Role of the UN in the 21st Century* (Seoul: Institute of International Peace Studies, 1997), p.175.
26. H. Shue, *Basic Rights: Subsistence, Affluence, and US Foreign Policy* (Princeton: Princeton University Press, 1989), pp.18–22.
27. This critique of viewing morality as only an education of the sentiments is developed by N. Geras, *Solidarity in the Conversation of Humankind: The Ungroundable Liberalism of Richard Rorty* (London: Verso, 1995).
28. G. Ashworth, ‘The Silencing of Women’, in Dunne and Wheeler (eds.), *Human Rights in Global Politics*, p.270.
29. D. Beetham, ‘Human Rights in the Study of Politics’, in D. Beetham (ed.), *Politics and Human Rights* (Oxford: Blackwell, 1995), pp.1–9.
30. For an excellent study of this process in relation to landmines, see R. Price, ‘Reversing the Gun Sights: Transnational Civil Society Targets Land Mines’, *International Organization*, 52(3), Summer 1998, pp.613–44.
31. For an excellent discussion of this process, see D. Wippman, ‘The International Criminal Court’, in C. Reus-Smit (ed.), *The Politics of International Law* (Cambridge: Cambridge University Press, forthcoming 2004).
32. G. Robertson, *Crimes Against Humanity: The Struggle for Global Justice* (London: Allen Lane, 1999).
33. M. Ignatieff, *The Warriors’ Honor: Ethnic War and the Modern Conscience* (London: Chatto and Windus, 1998).