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COMM 387B Term Paper

5/11/14

Human rights are a central issue of our global society as the foundational creed of basic rights that are inherent to humanity. The concepts are as old as our species is, but the rhetorical concept of human rights dates only as far back as the conclusion of World War II. The United Nations has used the language of human rights not merely to affirm certain grand, noble-sounding ideals. Instead, the UN has used “human rights” as a persuasive device designed to dramatize violations and, in so doing, to persuade the world to take action. This paper opens with a brief discussion of the historical context of the rhetorical “human rights” before looking at the founding document outlining human rights, the UN’s Universal Declaration of Human Rights, as further historical context for the remainder of the paper. It then turns to looking back at what was called the “age of human rights”, the 1990s, by analyzing both Hilary Clinton’s Beijing speech and Mary Robinson’s “Human Rights Defenders” speech. This will expose us to the way human rights were thought of at that time. The paper then turns to discussing the 2006 Convention on the Rights of Persons with Disabilities as a more recent snapshot of how the UN framed human rights rhetoric. In this paper’s conclusion it spends a short amount of time looking at what our exploration can tell us about the future importance of a rhetoric of human rights.

When we think of World War II the thing that pops into our minds first is the atrocities the Nazis perpetrated against European Jewry (and other ethnic groups).

An unimaginable crime done against what everyone else saw as an innocent race. This provoked the creation of the United Nations when the war subsided to maintain peace amongst the nations¹. While the UN's peacekeeping force, similar interventions, and the Security Council can all help with situations as they come up those alone do not make a sustainable effort at maintaining peace. When many violent situations arise from basic needs not being met there must be standards set to build a floor for those basic needs. The UN accomplished this in 1948 when it got the Universal Declaration of Human Rights passed and signed by member states.

The Universal Declaration of Human Rights (UDHR) opens with "...recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family."² This does a couple of things worth highlighting. First this defines that human rights are inherent to humanity, something that historically wasn't a universal understanding. The second thing this does is echo the U.S. Constitution in using the "inalienable" language, which strengthens the text.

Much of the rest of the preamble finds itself reaffirming the historical context that led to the UN and UDHR. We see this in the "...disregard and contempt for human rights..."³ phrase that clearly points to the concentration camps. This includes the rhetorically prevalent "tyranny and oppression" phrase that gets used all over rhetoric throughout history. Of note for later in our exploration is the "...in the equal rights of men and women..."⁴ phrase. The preamble set the tone for where the articles would be going in laying bedrock of human rights for every person.

Turning to the articles we first notice that article one refers to "...a spirit of brotherhood..." while article two claims "[e]veryone is entitled to all the rights and

freedoms . . . without distinction of . . . sex.” If we were to closely interpret these two passages next to each other linguistically they go in opposite directions, one stating that these apply to men while another stating that these apply to every human equally.

When article three ascertains that “[e]veryone has the right to life, liberty and security of person”⁵ the UDHR is further placed in the same rhetorical tradition as the U.S. Constitution (how can one be happy without security of person?). This affirms the U.S. stance that protecting human rights is a central goal, which led to human rights being the “baby” of the U.S. However, this contrasts with the U.S. war on terror policy of recent years, which clearly violates article five: “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”⁶

This look at the Universal Declaration of Human Rights isn’t a complete and extensive look at its rhetorical content, but it highlights the important functions of the preamble and dives into a few of the articles. As the origins document for the UN’s rhetoric of human rights to this day the above exploration sets the historical stage for the remainder of the exploration that this paper walks you through. For all human rights rhetoric this document is the creed from which one does not easily deviate. Yet we are constantly evolving our understanding of human rights, and the remainder of this paper will chronicle that development by looking at two more recent time periods and three more documents.

As our first look at the 1990s “age of human rights” we look at what Hillary Clinton had to say about women’s rights being human rights in her September 5th, 1995 Beijing speech. This speech was given at the UN’s Fourth World Conference on

Women. Early in her speech Clinton aligns human rights as one of the most important issues in the lives of families, the lives of women⁷, and as what the conference is focusing on. A little later on she keeps using the language of families flourishing only “[i]f women are free from violence”, “[i]f women are healthy and educated” and so forth⁸. What is going on here is that Clinton impresses upon her audience that human rights are needed by all for families to flourish in society. For indeed, the things Clinton mentions here are exactly the things that the UDHR seeks to protect for all people, but by her very mentioning them it is clear they are not universally protected for everyone as was originally envisioned in 1948.

Another rhetorical strategy that Clinton uses for a portion of her speech can be labeled the “I have met...” strategy. Here she lays out a number of women she has met around the world whose experiences run contrary to Western ideals of security yet are overcoming their challenges⁹, these are women that don’t have human rights quite as completely as the women at this conference do. Saying that she has met these women places their experiences at a more personal level with Clinton’s audience. Her wording, and insistent use of this formulation, impresses upon her audience an urgency to need to act in order to right wrongs that these women have faced. It is this that the Beijing conference would ideally result in. A single term Clinton uses for encapsulating this is giving women their dignity, which requires giving them equal human rights as men have.¹⁰

Across geographical regions and time women have been one of the groups most often violently abused. Clinton provides one solid action plan to help eliminate this and provide women everywhere with better human rights: include women in

the political process.¹¹ A little later Clinton has her final repetitive rhetorical strategy when she explicitly calls out human rights violations, recognized as such by the UDHR, done to women and children. These include “when women and girls are sold into slavery of prostitution”, “when . . . women are raped in their . . . communities”, and so forth.¹² In all of this Clinton aims to drive into the world that women’s rights are human rights¹³, in part because, after all, her audience (being the UN) already declared as much in the UDHR.

Clinton’s speech in Beijing certainly could be labeled a dramatization of the violations of the human rights of women. Her repetitive rhetorical strategies accomplish this with force. Though the force itself would drive people to action she also gives some concrete actions that people can take. These are reinforced in her final statements by both noting that the UN’s goal of peace amongst nations can only be realized when all women have human rights and by making it clear that rhetoric is not enough as tangible actions must be taken.¹⁴

As our last 1990s view we look at Mary Robinson’s (UN High Commissioner for Human Rights from 1997-2002) “Human Rights Defenders” speech, given on October 20, 1998 at the International NGO Seminar on the Protection of Human Rights Defenders. As High Commissioner she led the Working Group on Human Rights Defenders of the Commission on Human Rights in drafting the Declaration on Human Rights Defenders, which she discusses in this speech.¹⁵ A focus on defending human rights is a hallmark of this age of human rights as one major action that lots of actors were taking. In that regard this speech represents ultimate action taken of the sort that Clinton was calling women and the UN to in 1995.

Early in the speech Robinson notes that human rights defenders “looked to the United Nations with great hope and expectation”¹⁶. Over the course of the 1990s, as our two speeches show, the UN aligned itself more with the language of the UDHR in regard to who all it applies to, and the hope and expectation rose from that. Human Rights defenders are the voice of those whose human rights are being violated. These are those who don’t stand on the sidelines of abuse but instead help bring abuses to an end with their more equal standing with the abusers. As they do more than report abuses they aren’t the same as independent rapporteurs.

They are a part of civil society separate of government, as NGOs¹⁷. “Defenders play a crucial role in defending women’s rights”.¹⁸ Here Robinson all but states that these defenders are the world taking action against the human rights violations that women had been burdened with. These NGO actors “are irreplaceable in explaining to individuals that they are the holders of rights and freedoms enshrined in international and national human rights instruments and that it is perfectly legitimate to campaign in favor of those rights.”¹⁹ “Irreplaceable” is a rhetorically powerful word Robinson uses precisely to persuade her audience. When talking about abuses that destroy women, and these are those who can protect them, such wording reinforces the importance of the declaration being discussed.

Such actors “are themselves often the victims of human rights abuses.”²⁰ The declaration aims to curtail these actors being abused so that they can be functional at protecting other categories of individuals. Robinson reinforces the importance and depth of the problem in this statement. This statement also shows why such actors operate as NGOs rather than government agencies, as the governments

themselves abuse human rights in many places. But, the declaration doesn't do anything new; it merely clarifies protections already in place elsewhere in international law.²¹ The declaration is something that further codifies the rights and responsibilities of human rights defenders to their host governments.²² Robinson closes her speech saying that "[t]he Declaration should be understood as a foundation for further progress in establishing a productive relationship between human rights defenders, states, and the international community."²³ When aligning the work of the declaration as in the same plan of action as what Clinton refers to, which it can be as defenders help deal with human rights abuses of women and children, this statement is a call to further action. Truly the work of human rights can never be fully accomplished.

Looking at Clinton's 1995 Beijing speech and Robinson's 1998 speech are just a small snapshot of the human rights work that was done in the "age of human rights". What we've seen is speeches whose rhetoric both dramatizes the human rights violations being discussed (this being mostly with Clinton) and persuading the world to take action (and then, in Robinson's speech, protecting the action being taken). The 1990s was a positive time for human rights, and a time when the UDHR was being more fully realized and implemented. The U.S. and UN together were paving the way for true international recognition of human rights for everyone. But that was not to last. In September 2001, right after 9/11, the U.S. started stepping away from universal recognition of human rights. Rather than discuss UN activities right surrounding the war on terror I will look a bit beyond its inception at a totally different issue to provide our final snapshot of human rights rhetoric within the UN.

The document we'll discuss here is the 2006 UN Convention on the Rights of Persons with Disabilities, looking solely at some of the rhetorical uses of human rights in the larger context laid out throughout this discourse. Its preamble starts out by tracing back to the UDHR's stipulation "that everyone is entitled to the rights and freedoms set forth therein".²⁴ This convention recognizes its job as protecting the human rights of people with any kind of disability.²⁵ We're meant to enjoy life, at heart that is what human rights do, and so protecting these for everyone is important. In a way the very fact that the UN ended up in the position of creating such a convention as this makes you wonder how we can undo some of the deep distinctions that are embedded between people in our global society.

One of the general obligations of this convention is for nations "to ensure and promote the full realization of all human rights and fundamental freedoms for all persons with disabilities without discrimination of any kind".²⁶ Rhetorically this is interesting given its intent. When not even a decade earlier but indeed still today the human rights of women are violated in some regions here is language that obliges nations to protect the human rights of people with disabilities. Historical treatment of women almost shows that gender to be a disability for half of our species. That has since changed, but its shadow still makes us question how forceful such obligations like this one really are.

The convention deals with women who have disabilities in Article 6: Nations "recognize that women and girls with disabilities are subject to multiple discrimination".²⁷ Explicit action must be taken to protect the human rights of this population. Such rhetoric both alludes to the history of discriminating against

women and insists specific action be taken to ensure the enjoyment of disabled women. Article 7's equivalent language for children further clarifies that this convention is applicable to all of humanity, and in so doing reinforces that same predicament from the UDHR.

Throughout this convention we see repetition between it and many other recognizable human rights and constitutional texts. This is itself a powerful rhetorical strategy. As rhetoric gains its power largely from the context it is placed within this means that the convention is strengthened by the documents that came before it. When you see similar linguistic structures used in this convention that are in other recognized documents (like the UDHR) you place more trust in this document. What is different and powerful in itself here is that people with disabilities are a fairly defined group, and one that was not previously explicitly protected²⁸. These requirements aren't being given to "man", "humanity", or "Americans" like in other documents. This reflects greater enforcement as there is less to enforce with a defined group, and it means that this adds to existing law.

Though, rhetorically speaking, it is also powerful to note that there is no nit-picky definition of "disability" in this convention (part e of the preamble doesn't actually list each of them²⁹). Could womanhood be a disability? What about being a Muslim? Being a black teenager in America? So this convention could later be interpreted in numerous ways that lend support to assuring human rights for more populations. This is a rhetorical strategy of its own, one that explicitly enables reinterpretation as needed later in time.

We have now explored three distinct but interconnected time periods in the United Nation's human rights rhetoric. The first was the origin period immediately following World War II when the Universal Declaration of Human Rights was formed. The entire rest of our discourse traced itself back to that one declaration. The age of human rights provided us a glimpse of when the UN was actively using human rights rhetoric to both dramatize human rights violations and call the world to action. In this last time period, notably after 9/11, we saw that a convention was drawn up to explicitly assign human rights to a given group. Throughout all of this the rhetoric itself is enormously important, but it must always be paired with tangible action. Nations have specific responsibilities if they sign the Convention on the Rights of Persons with Disabilities, and both Clinton and Robinson gave calls to their audiences to do specific actions to further the human rights cause.

All that remains for this paper to accomplish is educated speculations on what this exploration tells us about the importance of rhetoric of human rights moving forward. Specific actions aren't rhetorically associated, or importantly they don't have to be. So with both Clinton and Robinson exclaiming this to their audiences is that a signal that such rhetoric is unnecessary? I would say no. We still need such rhetoric so that we have a tradition of where such calls are made, and why they're made (rhetoric provides evidence that calls to action have no time for).

Individuals might listen to calls to action, but nation-states certainly will not. For these entities there is too much of a focus in today's global landscape on doing what your citizenry needs rather than what humanity needs. Unofficial calls to action won't reach the ears of these entities, and that alone necessitates that there

be an ongoing rhetoric of human rights. Though speeches such as Clinton's will at least reach nations' ears what in a mere speech enforces that they act upon what is spoken? Nothing. That is the answer to the question. Nation-states will listen to documents that they need to abide by, to international treaties that they've signed in agreement to act in a specific way on a specific set of issues. As such, rhetoric of human rights in the form of conventions, international laws, and treaties, as shown in the last document explored above, will always have a necessary place in the global human rights landscape.

In conclusion we see that indeed while the United Nations has held up human rights as grand and noble ideals it has also used the rhetoric of human rights to give voice to human rights abuses and to drive people to act to stop such abuses. We have traced the importance of rhetoric of human rights straight through from its origins until the past decade. This reinforces the tradition of ancestral heritage of rhetorical strategies seen in rhetoric of human rights and has enabled us to glance ahead at how important this rhetoric will be going forward. In such glances we have established that while specific actions are the ultimate aim a solid rhetoric must be established as the wall on which those actions hang. Therefore moving forward rhetoric of human rights must be maintained and spread as widely as knowledge of and actions regarding human rights is meant to reach.

¹ U.S. Department of State Office of the Historian, *The Formation of the United Nations* n.d. retrieved from <https://history.state.gov/milestones/1937-1945/un>

² United Nations, *Universal Declaration of Human Rights* (1948), retrieved from <http://www.un.org/en/documents/udhr/>, 1

³ United Nations, *Universal Declaration of Human Rights*, 1

⁴ United Nations, *Universal Declaration of Human Rights*, 1

⁵ United Nations, *Universal Declaration of Human Rights*, 2

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- ⁶ United Nations, *Universal Declaration of Human Rights*, 2
- ⁷ Stephen E. Lucas and Martin J. Medhurst, *The Top 100 American Speeches, 1900-1999* (New York, NY: Oxford University Press, 2009), 651-652
- ⁸ Lucas and Medhurst, *The Top 100 American Speeches, 1900-1999*, 652
- ⁹ Lucas and Medhurst, *The Top 100 American Speeches, 1900-1999*, 652
- ¹⁰ Lucas and Medhurst, *The Top 100 American Speeches, 1900-1999*, 653
- ¹¹ Lucas and Medhurst, *The Top 100 American Speeches, 1900-1999*, 653
- ¹² Lucas and Medhurst, *The Top 100 American Speeches, 1900-1999*, 653-654
- ¹³ Lucas and Medhurst, *The Top 100 American Speeches, 1900-1999*, 654
- ¹⁴ Lucas and Medhurst, *The Top 100 American Speeches, 1900-1999*, 654
- ¹⁵ Mary Robinson, *A Voice for Human Rights*, (Philadelphia, PA: University of Pennsylvania Press, 2006), 103
- ¹⁶ Robinson, *A Voice for Human Rights*, 104
- ¹⁷ Robinson, *A Voice for Human Rights*, 104
- ¹⁸ Robinson, *A Voice for Human Rights*, 104
- ¹⁹ Robinson, *A Voice for Human Rights*, 104
- ²⁰ Robinson, *A Voice for Human Rights*, 104
- ²¹ Robinson, *A Voice for Human Rights*, 105
- ²² Robinson, *A Voice for Human Rights*, 105
- ²³ Robinson, *A Voice for Human Rights*, 105
- ²⁴ United Nations, *Convention on the Rights of Persons with Disabilities* (2006), retrieved from <http://www.un.org/disabilities/default.asp?navid=12&pid=150>, 1
- ²⁵ United Nations, *Convention on the Rights of Persons with Disabilities*, 4
- ²⁶ United Nations, *Convention on the Rights of Persons with Disabilities*, 5
- ²⁷ United Nations, *Convention on the Rights of Persons with Disabilities*, 7
- ²⁸ Rosemary Kayess and Phillip French, "Out of Darkness into Light? Introducing the Convention on the Rights of Persons with Disabilities," *Human Rights Law Review* 8 (1), Oxford University Press: 2008, 12
- ²⁹ United Nations, *Convention on the Rights of Persons with Disabilities*, 1