

HUMAN RIGHTS IN ACTION<sup>1</sup>  
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Who has a right to universal human rights? Are human rights always the same or do they change from one country to another? How could human rights be realised in cultures that deny them to their members?

These are some of the most common questions I encountered while telling people—both inside and outside the academia—that I was working on a Ph.D. on human rights. I would usually respond by explaining that these questions were not at the centre of my study, as I instead held a more analytical orientation toward the human rights phenomenon: I was, among other questions, investigating the ontological assumptions of human rights experts as well as exploring the mechanisms through which a topic becomes recognised as a human rights issue. The listener would nod sympathetically and finally respond approximately: *It's good to know that at least some of us are doing something good!*

Instead of mundane encounters with people understandably unfamiliar with the approaches of my venture, these exchanges have—more than anything else—summarised the favourable ideological position, one that is perhaps unmatched by any other, held by human rights today. Human rights are perceived both by laymen as well as by members of the scientific community as unambiguous facts. Particularly in the 1990s human rights have gained a position at the centre of Finland's foreign policy and, for example in recent educational reforms, they have emerged as the new universal values to which policy makers want to socialise the next generation of Finns.

In Finland adherence to human rights represents the shift from ideological homogeneity to pluralism and openness; the emancipation of the individual inquisitive mind from religious and ideological authority. The advance of human rights is understood, in an unquestioned manner, to improve the world, and individuals working with human rights issues are commonly seen as 'doing something good'. How does the present venture fit into these characterisations? What does it mean to have an 'analytical engagement' with human rights? Does it mean that it does not hold as its explicit goal to advance the human rights phenomenon, and through that, to improve the world?

These questions offer another palpable example of the potent ideological position of the human rights phenomenon: it is increasingly difficult to envision their 'other' side. Whereas it is obvious that individuals who 'oppose' human rights can quite effortlessly be identified as 'bad people' and thus 'against us', it is less obvious in regards to an approach that calls itself analytical. Exactly where does one place it? What other alternatives become available besides the dichotomy of 'with us—against us'?

This study has, by combining anthropological approaches with critical legal studies, searched for an alternative approach by focusing its analysis on the *action* accompanying human rights instead of on their putative *substance*. Consequently its main targets of investigation are not the questions "what are human rights?" or "how can human rights be most effectively advanced?", but instead "what kind of patterns of flow does human rights action generate?" Instead of asking, for example, whether the concerns of sexual minorities

are in fact human rights, it explores the rhetorical strategies through which the issue is transformed, in the human rights language, into 'LGBT-rights'.

In this approach this study follows the analyses of science studies scholars who likewise do not invest their primary attention in the truthfulness or factualness of scientific discoveries. They instead examine processes through which scientific discoveries have been socially constructed. This analytical move is decisive, yet sometimes misunderstood: it is construed to suggest that research attempts to challenge the truth-status of scientific discoveries—to *relativize* them. However, instead of engaging in such 'internal' debates on scientific facts, attention remains, from the perspective of the scientist, on 'external' elements—exploration of the implicit knowledge of the expert community, its practices and social relations.

The empirical context of this study is formed by the educational activities of a particular Scandinavian and Nordic network of human rights experts and students between 2002 and 2005. In this study this context is discussed through the pseudonym of "SCANET". SCANET members include some of the most influential human rights experts in the Scandinavian and Nordic region, and its activities are organised with the primary intention to assist participating researchers in their ongoing Ph.D. work relating to human rights. Through examination of the patterns of flow established by the speech acts of SCANET activities as well as the status assigned to its participants, this study has explored the conceptions of knowledge, learning and expertise that emerge from the network's activities. This examination has been expanded and placed into context through analysis of hearings from the Finnish Foreign Ministry and UN treaty body proceedings, as well as numerous documents generated by these contexts. In addition, this study has explored how human rights are discussed in the Finnish media.

The selection of an educational context as a site of analysis is important for numerous reasons. *Inside* the human rights phenomenon, education is commonly seen to hold a key role in the realisation of human rights as it informs individuals of their rights as well as the rights of others. Emphasis on education is also evidenced by the dramatic increase of programs focussing on human rights particularly since the mid-1990s. The decade between 1995–2004 marked the UN Decade for Human Rights Education. From an *outsider's* perspective education gains a pivotal role due to the manner it forms a constitutive cultural accelerator, which contributes to the expansion of the human rights phenomenon. Education is a central arena in which individuals are instructed how to translate their specific concerns into *human rights* concerns.

Yet from an outsider's perspective human rights education entails a tension with the egalitarian ethos of the human rights discourse: only some individuals hold the competence and possibilities to act as educators. This divides individuals into 'experts' and 'laymen', thus creating an asymmetry between the two groups.

In this study the individuals acting as educators are human rights experts. Although the term 'human rights expert' is commonly utilised by the Finnish media, no comprehensive definition exists as to its content. For this study expertise has been explored, primarily in Chapter Three, through the concept of 'the community of practice'. It has further been examined through the membership profiles of SCANET experts.

SCANET experts represent the second generation of Nordic human rights experts. The first generation of pioneers emerged in the 1980s, and SCANET students are thus the third potential generation. However, SCANET students are the first generation to participate in such formal learning contexts as SCANET—former generations were socialised into

expert status through more informal channels such as apprenticeships. This gives rise to the question, explored in Chapter Four: does a formal learning context form an effective medium for reproducing the community of practice of human rights experts?

This study provides two-fold answers. On the one hand SCANET activities socialise students to central expert knowledge practices such as the processing of documents and the required bureaucratic stamina. On the other, the activities entail a conception of learning as the adoption of pre-defined knowledge provided by the individuals who hold the structurally allotted position of experts. This suggests that, instead of experts, students may be socialised into the hierarchically stigmatised position of expert learners.

The importance of this finding is increased by two additional elements. The first of these is explored in Chapter Five and relates to the complex relationship of human rights and law. In SCANET, the majority of expert positions are held by legal scholars. This establishes a hierarchy between legal scholars and those of other disciplines: the first act as educators and the latter as students. Thus possibilities for mutual learning remain limited. Through arguments of *legality* experts portray human rights knowledge as 'ready'. Simultaneously through arguments of *legitimacy* experts suggest that, instead of being ready, human rights knowledge needs to be 'opened up'. This introduces what is called the *creative space*. Through it experts define the instances in which human rights knowledge is incomplete and outline the factors that need to be incorporated into it. Yet in SCANET activities only experts have access to the creative space, and thus it becomes a domain that emphasises the power of experts over students.

The second noteworthy element is explored in the concluding Chapter Six which examines the profiles of experts and students by investigating whether their profiles correspond to each other. Analysis gives rise to an important discrepancy: whereas experts are by majority Nordic males, students are predominantly Nordic females and males from the geographic Other. From this perspective, SCANET activities reinforce rather than challenge existing global and local structures of privilege and dependency.

Particularly in the 1990s—after decades of well-documented 'disengagement'—human rights have emerged as one of the fastest growing areas of anthropological research. The most enduring problematic of this scholarship has been the 'universalism—relativism' debate. Yet this debate appears to have lost its steam, and to offer primarily predictable outcomes. This study hopes to contribute to the growing body of scholarship within anthropology that has moved beyond this debate to explore the practices surrounding the making of human rights claims. Simultaneously, it hopes to contribute, outside anthropology, to a more open discussion about the consequences of human rights in action; a discussion which remains open to empirical analysis and alternative viewpoints, instead of being characterized by predetermined dichotomies.

#### NOTES

<sup>1</sup> Halme, Miia 2008. *Human Rights in Action*. Research Series in Anthropology. Helsinki: Helsinki University Press.

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