Themis: Research Journal of Justice Studies and Forensic Science

Volume 12 | Issue 1 Article 6

5-19-2024

Examining the Historical Evolution and Contemporary Significance of Human Rights

Ailing Lu
San Jose State University

Examining the Historical Evolution and Contemporary Significance of Human Rights

Abstract

This paper delves into the complex concept of human rights, examining its historical evolution and contemporary significance through the perspectives of Lynn Hunt's "Inventing Human Rights," Michelline R. Ishay's "The History of Human Rights," and Samuel Moyn's "The Last Utopia." Hunt's work explores the 18th-century Enlightenment, highlighting the political foundations of natural, equal, and universal rights. Ishay provides a comprehensive account spanning ancient civilizations to modern globalization, emphasizing the dynamic nature of human rights struggles. Moyn challenges conventional views, asserting the mid-20th century emergence of contemporary human rights amidst the Cold War and failed utopian visions. While each historian offers unique insights, common themes emerge, including analyses of historical breakthroughs and pivotal social movements. The exploration encompasses key milestones, from the Enlightenment to the Universal Declaration of Human Rights, and contemporary challenges. Examining the relationship between human rights and political ideologies like nationalism, socialism/communism, and colonialism/anti-colonialism, this paper underscores the dynamic nature of human rights amid societal shifts. Additionally, it delves into ongoing affairs, exploring the present state of human rights activism intersecting with globalization. By synthesizing these perspectives, this paper aims to offer a comprehensive narrative on the intricate dimensions of human rights, contributing to a deeper understanding of its historical roots and contemporary relevance.

Keywords

human rights, enlightenment, cold war, nationalism, globalization

Examining the Historical Evolution and Contemporary Significance of Human Rights

Ailing Lu

Department of History, San Jose State University

May 5, 2023

Abstract

This paper delves into the complex concept of human rights, examining its historical evolution and contemporary significance through the perspectives of Lynn Hunt's "Inventing Human Rights," Michelline R. Ishay's "The History of Human Rights," and Samuel Moyn's "The Last Utopia." Hunt's work explores the 18th-century Enlightenment, highlighting the political foundations of natural, equal, and universal rights. Ishay provides a comprehensive account spanning ancient civilizations to modern globalization, emphasizing the dynamic nature of human rights struggles. Moyn challenges conventional views, asserting the mid-20th century emergence of contemporary human rights amidst the Cold War and failed utopian visions. While each historian offers unique insights, common themes emerge, including analyses of historical breakthroughs and pivotal social movements. The exploration encompasses key milestones, from the Enlightenment to the Universal Declaration of Human Rights, and contemporary challenges. Examining the relationship between human rights and political ideologies like nationalism, socialism/communism, and colonialism/anti-colonialism, this paper underscores the dynamic nature of human rights amid societal shifts. Additionally, it delves into ongoing affairs, exploring the present state of human rights activism intersecting with globalization. By synthesizing these perspectives, this paper aims to offer a comprehensive narrative on the intricate dimensions of human rights, contributing to a deeper understanding of its historical roots and contemporary relevance.

Keywords: human rights, enlightenment, cold war, nationalism, globalization

Examining the Historical Evolution and Contemporary Significance of Human Rights

Human rights is the notion that every human being is entitled to certain rights and freedoms. The development of human rights is marked by significant milestones: the U.S. Declaration of Independence, the French Declaration of the Rights of Man and of the Citizen, and the United Nations Universal Declaration of Human Rights. These pivotal documents played a crucial role in establishing and evolving the concept of human rights. The U.S. Declaration of Independence asserted the autonomy of the colonies, laying the groundwork for recognizing natural rights and influencing subsequent human rights discourse. The French Declaration of the Rights of Man and the Citizen proclaimed fundamental rights during the French Revolution, inspiring global movements and contributing to the international human rights framework. The United Nations Universal Declaration of Human Rights adopted post-World War II, outlined a comprehensive set of rights, establishing a global standard and shaping national and international law.

Human rights are a concept that is accepted worldwide; however, it holds different meanings across the globe. Although human rights have prompted countless scholars and historians to produce a plethora of academic works, this paper aims to unfold the meaning and practice of human rights by analyzing the works of three historians: *Inventing Human Rights* by Lynn Hunt, *The Last Utopia* by Samuel Moyn, and *The History of Human Rights* by Micheline R. Ishay. *Inventing Human Rights* investigates the conceptual formation of human rights in the 18th century and focuses on its universal endorsement. *The Last Utopia* examines the contemporary human rights movement and emphasizes its political enforcement. *The History of Human Rights* explores the development of human rights from ancient times to the present and emphasizes its historical significance. Despite the authors approaching human rights from

different perspectives and focuses, there are several areas of overlap. They all break down key historical breakthroughs, important social movements, and offer powerful insights into ongoing challenges. The ideas introduced by these three works complement one another and ultimately narrate a deeper understanding of human rights.

Literature Review

Inventing Human Rights explores the discoveries of human rights in the eighteenth century through a cultural and intellectual lens (Hunt, 2007). The general concept of human rights is based on the natural, equal, and universal rights of every individual, and Lynn Hunt adds: "...naturalness, equality, and universality are not quite enough. Human rights only become meaningful when they gain political content" (Hunt, 2007, p. 21). The English Bill of Rights of 1689 mentioned the "ancient rights and liberties" which were previously considered as the rights belonging to a specific group of people, namely freeborn English men. However, this notion evolved and expanded to include the concept of human rights being deemed as universal and inherent to all individuals. By 1776, the principles of equality, universality, and naturalness of rights were explicitly reflected in two significant political documents: the American Declaration of Independence of 1776 and the French Declaration of the Rights of Man and Citizen of 1789 (Hunt, 2007, p. 20-22).

Hunt argues that human relationships depicted in literature and art played a role in the dissemination of these new ideals (Hunt, 2007, p. 20-22). New experiences, such as reading epistolary novels and viewing public exhibitions, helped spread autonomy and empathy, characteristics crucial for the recognition and respect of human rights. The rejection of torture and barbarous forms of punishment as a means of discovering truth led to the development of human rights. In 1761, Jean Calas, a Protestant, was wrongly accused of murdering his son to

prevent his conversion to Catholicism. Despite unclear circumstances surrounding the son's death, anti-Protestant sentiments led to Calas being tortured, convicted, and sentenced to a brutal execution. The case, known as the Calas affair, gained attention from Voltaire, who advocated for legal reform and religious tolerance. Hunt emphasizes the importance of examining individual minds in explaining transformative social and political changes. The impact of novel experiences, ranging from observing artwork in public exhibitions to indulging in widely embraced epistolary novels centered around love and marriage, played a pivotal role in disseminating the values of autonomy and empathy. The essence of empathy lies in acknowledging that others share similar thoughts and feelings, establishing a fundamental connection in our inner experiences. These shared experiences created a new social context. "Human rights depend both on self-possession and on the recognition that all are equally self-possessed" (Hunt, 2007, p. 29).

Inventing Human Rights focuses specifically on the period of the Enlightenment and the development of modern human rights concepts (Hunt, 2007). Hunt's approach is more narrative based, emphasizing the people and ideas that shaped the development of human rights. Despite its criticisms of oversimplifying a complex idea to uncover the subtle details of human rights, the book's strength lies in its engaging storytelling and accessibility making it an excellent resource for those initially delving into the topic of human rights (Hunt, 2007).

The History of Human Rights is a comprehensive account of the development and evolution of human rights (Ishay, 2008). The book adopts the main points of the United Nations Declaration of Human Rights to chronicle the clashes of ideas, social movements, and struggles and setbacks that comprise the history of human rights. It traces the historical roots of human rights, beginning with ancient civilizations and moving through the major world religions and

philosophical traditions. It explores six major controversies over human rights and reviews the changing spatial and institutional dynamics of human rights interaction at critical historical junctures—such as the Middle Ages, the Enlightenment, the Industrial Revolution, the anti-colonial struggles, and the Age of Globalization. The book examines the challenges and controversies that have emerged about the implementation and protection of human rights in different contexts, both nationally and internationally. It also addresses contemporary issues and challenges to human rights, such as terrorism, globalization, and the rise of authoritarianism. Ishay suggests that setbacks and contradictions have marked human rights progress, but there has been a clear dimension of progress over time. Each generation builds upon the achievements of their predecessors (Ishay, 2008, p. 4).

The History of Human Rights covers a broad range of historical periods and events, from ancient civilizations to contemporary globalization (Ishay, 2008). Ishay's approach is highly analytical and informative, demonstrating scope and depth on the subject. The book emphasizes the dynamic nature of human rights struggles. However, some might feel the views in the book are too general and lack creative thinking.

The Last Utopia provides a critical analysis of the political context of the human rights discourse and challenges the classical view held by most historians--including Hunt and Ishay--who view the 1940s as a breakthrough in human rights history (Moyn, 2010). Moyn stresses that Enlightenment rationalism established the conceptual foundation for rights, but it was predicated that rights were to be achieved through the creation of citizenship spaces in which they were protected. While the idea of “contemporary human rights” is a set of global political norms that provide the guiding principles of a transnational social movement, it views rights as

entitlements— “the right to have rights”—that can contradict the nation with yet a more supreme set of rules (Moyn, 2010).

Moyn argues that the emergency contemporary human rights movement was driven by the failure of earlier political utopian visions to achieve their goals (Moyn, 2010, p. 9). Several key factors include the political dissidents in Eastern Europe and Latin America who challenged prevailing ideologies, the adoption of new local and international strategies by non-governmental organizations, such as Amnesty International, and the increasing publicity of human rights violations, which gained popular support. Additionally, the contributions of intellectuals and lawyers in international law led to an evolved view of human rights, not only as moral standards but as rules that should be politically enforced (Moyn, 2010).

Moyn examines the role of the Cold War in shaping the development of human rights and stresses that the Holocaust was not the main catalyst for the emergence of human rights (Moyn, 2010). It was not until the 1970s that human rights came to define people's hopes in terms of catastrophe prevention and utopian politics (Moyn, 2010 p. 226). Before this, rights were part of the authority of the State, and revolutionary nationalism was more prominent. Human rights were born as an alternative to grand political missions and provide a global framework for the achievement of freedom, identity, and prosperity. The change from earlier rights to contemporary human rights resulted from a revolution in their meanings and practices among communities. Thus, it is inaccurate to present one as the source of the other (Moyn, 2010).

The Last Utopia takes a critical approach to the history surrounding human rights discourse and challenges the more traditional view held by historians like Hunt and Ishay, who view the Universal Human Rights declared by the United Nations as a breakthrough in human rights history (Moyn, 2010). Moyn argues that human rights, as we know it, is a relatively recent

development of the mid-20th century, and earlier understandings of rights were more focused on protecting specific groups or institutions rather than universal human dignity (Moyn, 2010). The strength of the book lies in its thought-provoking analysis and willingness to challenge conventional wisdom about the history of human rights. However, some might view the book as overly appraising of the contemporary significance and being dismissive of earlier human rights struggles.

Key Moment Evaluation

Revolutionary Age in the Eighteenth Century

Presently, the majority of people may consider human rights not as a form of privilege, but as a guarantee for all human beings. However, it wasn't until the 18th century that human rights began to acquire significance (Hunt, 2007, p. 28). During the revolutionary period, the philosophical concept of human rights served as an inspiration for individuals to question the established order and envision a new societal framework. Human rights were both proclaimed in the French Revolution and the American Independence. Hunt argues that the French Revolution played a significant role in promoting the idea of universal human rights and that the Declaration of the Rights of Man and the Citizen marked an important milestone in the history of human rights: "...the first step in a highly charged process, one that continues to our day," (Hunt, 2007, p. 145). In Hunt's view, the formal declaration of rights confirms the changes in underlying attitudes towards human rights (Hunt, 2007, p. 113). The French Declaration of the Rights of Man and of the Citizen of 1789 encapsulated legal protections of individual rights and a new ground for governmental legitimacy. Once rights were announced openly, new questions were raised widely in the society both inside and outside of France. The language of human rights had burst forth suddenly in times of rebellion and revolution, and the old order was challenged

unprecedentedly. Its universalistic claims immediately attracted international attention. In contrast, in the U.S., the Virginia Declaration of Rights of 1776 proclaimed that "all men are by nature equally free and independent and have certain inherent rights." The events of 1774-1776 fused particularistic and universalistic thinking about rights in the insurgent colonies. The U.S. Constitution was approved without the Bill of Rights, which only came into being with the ratification of the first ten amendments in 1791 as a protection from a tyranny-prone centralized government. (Hunt, 2007, p. 126-135).

Ishay observes human rights from a historical lens and illustrates the dynamic interaction among different social forces (Ishay, 2008). During the Enlightenment period, the expansion of commerce across different countries created new opportunities for towns to thrive, and for a new wealthy class of merchants to challenge the traditional power of the aristocracy. As trade and commerce grew, it led to the emergence of a new civil society, which was influenced by the ideas of the Enlightenment and was legitimized as the realm of natural rights where individuals across the world should enjoy similar rights. The expansion of scientific mapping provided a new territorial base for popular rebellion. The emergence of public gathering places, such as theaters and concert halls, also contributed to the expansion of civil society. The political debates within European civil society had a profound influence on the ideas of the American Revolution, which demanded free press and association. These demands soon spread across Europe and were adopted by revolutionary France. The spread of public association in France encouraged similar enterprises throughout Europe. In Ishay's view, civil society played a critical role in the democratic revolution of the 18th century where the bourgeoisie successfully extracted concessions from the monarchy, as seen in the English Bill of Rights and the American

Revolution. The French Revolution consolidated the gains of a politically ambitious bourgeoisie, leading to popular participation in civil society (Ishay, 2008, p. 324-329).

Moyn highlights the importance of differentiating between the political significance of human rights during the revolutionary era and their meaning in the present day (Moyn, 2010). He argues that, while Enlightenment thinkers and the revolutionary movement called upon abstract principles that were above the State, they only appeared through the State, and did not directly give rise to mechanisms of judicial protection against sovereign authority. Nationalism has deeply defined the narrow history of liberalism and the revolutionary era. Embodied in State politics, rights earned from the revolutionary era mainly concerned the creation or renovation of a citizenship space, as opposed to the general statement of "protecting humanity." They were invoked to justify the founding of a polity and often its violence. In this era, rights were subordinate features of the creation of both state and nation. The Declaration of Independence, for example, aimed primarily to achieve sovereignty externally against European encroachment and had no real list of entitlements. The French, on the other hand, identified their national identity with universal morality, announcing the rights in the constitution of the sovereign nation-state. These rights were the great and fateful bequest of the French Revolution to world politics, but they were not human rights in the contemporary sense (Moyn, 2010, p. 21-31).

The Universal Declaration of Human Rights by the United Nations

Ishay argues that the concept of human rights has evolved, shaped by different political traditions and social movements (Ishay, 2008). She views The Universal Declaration of Human Rights, adopted by the United Nations General Assembly in 1948, as a reflection of its historical continuity and change. The United Nations Declaration is built on four pillars: dignity, liberty, equality, and brotherhood. The first pillar emphasizes the importance of human dignity, while the

second pillar focuses on the civil liberties and liberal rights fought for during the Enlightenment. The third pillar centers on social, political, and economic equity, championed during the industrial revolution; and the fourth on communal and national solidarity, as advocated during the late 19th and early 20th centuries and in the post-colonial era. Each generation of human rights activists builds upon the successes of its predecessors while continuing to fight the struggle to create more humane societal norms. The history of human rights serves as a testament to this ongoing struggle (Ishay, 2008, p. 175-243).

In contrast, Hunt gives less recognition to The Universal Declaration of Human Rights: it "initiated the process rather than representing its culmination," (Hunt, 2007, p. 207). She argues that the horrors of World War II established a new level of inhumanity and brutality, leading to the Nuremberg Trials, which established that leaders, officials, and military personnel could be held accountable for crimes against humanity. However, in 1944, Great Britain and the Soviet Union both rejected proposals to include human rights in the charter of the United Nations, with concerns over interference in domestic affairs and colonial independence movements. Pressure from smaller states, and organizations such as the Advancement of Colored People, led to a change in attitude and ultimately the inclusion of human rights in the UN Charter. Despite these efforts, commitment to human rights was still not secured. The complexity of the Universal Declaration of Human Rights approval process—including numerous meetings and additional amendments—only hindered the fight. Nonetheless, Hunt affirms the significance of the Universal Declaration which outlined a set of moral obligations for the world community and set the standard for international action on human rights for over 50 years (Hunt, 2007, p. 200-208).

On the other side, Moyn challenged the conventional view which saw human rights as a direct response to the worst crimes of the century (Moyn, 2010). He argues that despite the

symbolic inclusion of human rights in the United Nations Charter, the new concept masked other agendas. Debates about prospective global orders overshadowed discussions about human rights, and the Universal Declaration of Human Rights failed to generate much enthusiasm at the time. The concept of human rights reemerged in the 1940s as a subsidiary part of a hopeful alternative vision to counter Adolf Hitler's tyrannical new order. It began as a war slogan to justify the Allies' common effort against brutal forces to conquer the world. The true goal of the prospective United Nations was to balance great powers, not to moralize the world, and the charter was written for a world of power. At the San Francisco conference, the main accomplishment regarding human rights, was symbolic, with human rights and fundamental freedoms mentioned as preambular principles. In real-time, during the debate around the Universal Declaration in the UN General Assembly, the genocide of the Jews went unmentioned. Although commitment to human rights crystallized as a result of Holocaust memory, it only served brand new purposes decades later, in the 1970s (Moyn, 2010, p. 44-83).

Relation with Other Political Ideology

Nationalism

Human rights and nationalism were closely connected for an extended period in history. Hunt points out the hindrance that nationalism posed to the advancement of human rights (Hunt, 2007). She explained that during the 19th century, the concept of nationalism emerged and transformed the discourse on rights, leading to new hierarchies that posed a threat to the pre-established order. National self-determination became a prerequisite for human rights, relegating individual rights to a secondary position. The unification of Germany and Italy during the 1850s and 1860s was achieved mainly through war and diplomacy, with little emphasis on safeguarding individual rights. As nationalism progressed, it became more insular and defensive, creating

barriers that excluded those who did not share the same ethnic origins. This protective atmosphere fostered a more xenophobic and racist form of nationalism, which targeted foreign groups such as the Chinese in the U.S., Italians in France, and Poles in Germany (Hunt, 2007).

Ishay also indicates that nationalism, which is often viewed as a means to achieve human rights, can easily be employed as a tool for domination as much as it can be utilized to combat oppression (Ishay, 2008, p. 340). She mentioned that during the Industrial Age, some countries with slow industrialization, and underdeveloped civil societies, such as Germany and Italy, adopted nationalist ideals to promote state modernization (Ishay, 2008, p. 121). In the first half of the 20th century, industrialized nations utilized nationalism to expand their economic dominance in the global civil and economic sphere. As the 20th century progressed, the link between nationalism and the human rights agenda became more apparent, particularly in countries that pursued national liberation from collapsing empires or European colonizers (Ishay, 2008, p. 329-335). During the anti-colonial struggle, although European influence in the colonies diminished, the push for human rights was framed in nationalist rhetoric, often involving the seizure of powers and expulsion of foreign entities. However, many post-colonial states struggled to transition away from repressive regimes. The severe economic hardship they faced also led to political repression. For newly independent and other developing states, modernization was accompanied by severe human rights abuses (Ishay, 2008, p. 338-339).

Moyn also identifies that nationalism can sometimes hinder the progress of human rights (Moyn, 2010). He specifies that, in the 19th century, the idea of national sovereignty became intertwined with the appeal to the rights of man, with liberal nationalism seeking to secure citizens' rights within the national framework. This led to the subordination of individual rights to the nation-state, resulting in a decline in the salience of rights throughout the century. The

emphasis shifted towards achieving specific citizenship rather than asserting abstract principles. Rights played a structurally important role in citizen mobilization, providing ideological authority and cultural premises from the nation-state. Revolutionary rights, civil liberties, and human rights all drew their inspiration from national traditions of freedom, with civil libertarians mostly focused on domestic issues. This inward focus did not contribute significantly to the creation of international human rights as an idea or movement (Moyn, 2010, p. 28-33).

Socialism/Communism

Hunt assesses that Socialism and Communism emerged as a response to the perceived shortcomings of individual rights protected by constitutions (Hunt, 2007). She mentioned that many early socialists were still influenced by the idea of the Rights of Man, but they prioritized the right to work above all other rights. They argued that "liberty" only recognized individuals as isolated beings, ignoring their membership in a class or community. Similarly, they believed the right to own property only protected an individual's pursuit of self-interest, but not the interests of others. However, socialists and communists focused on ensuring social and economic equality for the lower classes, rather than implementing equal political rights. They believed that, while legal equality within bourgeois society could lead to political emancipation, true human emancipation could only be achieved through the destruction of bourgeois society and the constitutional protections of private property (Hunt, 2007, p. 196-200).

Ishay affirms the significant contribution of socialism to human rights (Ishay, 2008). She draws particularly during the 19th century when the Industrial Revolution and the labor movement played a crucial role in providing marginalized individuals with newfound freedoms. Socialists were instrumental in launching the struggle for universal suffrage, social justice, and workers' rights, and they challenged the classical liberal economic conception of social justice.

By calling for increased economic equity, the right to organize trade unions, child welfare, universal suffrage, restriction of the workday, the right to education, and other social welfare rights, socialists broadened the liberal agenda to include a range of social and economic issues, becoming legitimate heirs of the Enlightenment (Ishay, 2008, p. 332-335).

Moyn emphasized the limitations of socialism and communism as part of internationalism (Moyn, 2010). He points out that a revolution in communication and transportation in the nineteenth century made international activism possible. While communism had its own culture and social justice movements, those who saw communism as the best choice for liberation from empires were not necessarily focused on individual human rights. Organized socialism emerged as a political project in the early 19th century, and although it did not prioritize human rights, it did more than any other movement to promote internationalism. This new internationalism became the dominant universalism of modern times but failed to prioritize the promotion of human rights at the international level. Human rights were not on the horizon during the birth of internationalism in the nineteenth century (Moyn, 2010, p.38-43). The utopian vision of internationalism that communism embodied ultimately fell short in practice. Almost immediately, human rights became closely linked with anticommunism. (Moyn, 2010, p. 71). It was the failure of political utopias, including Socialism and Communism, that gave rise to human rights- global morale replaced the political state.

Colonialism and Anticolonialism

Hunt criticizes the exploitation of biological justifications to promote imperialism and infringe upon human rights (Hunt, 2007). The development of human rights during the 18th century made people believe that everyone would eventually achieve civilization, but in the 19th century, racial theorists contended that only certain races had the inherent biological qualities to

do so. They created a hierarchical ranking of races, deeming white people superior due to their intellectual energy and adventurous spirit. The common thread among most racialist thinking was a rejection of equality. Imperialism played a significant role in intensifying these beliefs as Europeans extended their domination to Africa and Asia. They believed in a civilizing mission to govern and civilize these backward places. Imperialism made racial claims more believable, and racial science in turn helped legitimize imperialism (Hunt, 2007).

Ishay explores the violations of human rights during the imperial era and the post-colonial period (Ishay, 2008). At first, colonialism was justified as a means to elevate "barbarous" nations to better economic and social conditions. European communication technology helped promote human rights domestically but also strengthened their colonial power. Due to the effective control of the colonial state apparatus, human rights progress in colonies was stagnant until after WWII. Colonial powers often used preferential treatment to pit groups against one other, blocking national awareness and unity. After WWII, European control over colonies weakened, and struggles for independence increased along with voices for human rights. Despite global economic expansion, the lack of industrial development and independence in civil society limited human rights progress in colonies. The human rights agenda was expressed through nationalist means, but post-colonial states struggled to move beyond the repressive nature of the State (Ishay, 2008, p. 334-340).

Moyn draws more attention to decolonization and argues that anticolonialism wasn’t a human rights movement (Moyn, 2010). He states that the anti-colonialist movement that emerged after World War II was not primarily focused on individual human rights, but rather on achieving postcolonial sovereignty for different nations. While the UN had majorly influenced decolonization, it was not by design. The United Nations initially appeared to be colluding in the

attempted reimposition of colonial rule after the war. In the mid-1970s, collective self-determination, which had been persuasive earlier, fell into crisis. The rise of human rights in the mid to late 1970s occurred in an anti-totalitarian, truncated form different from the earlier campaign for collective liberation against racial inequality or colonial legacies. While decolonization did advance human rights, it did so in a distinctive and sometimes regressive sense (Moyn, 2010, p. 84-120).

Ongoing Affairs

Hunt emphasizes the significance of empathy in advocating for human rights in contemporary times (Hunt, 2007). Enforcing human rights remains a challenge despite their widespread endorsement. Contemporary human rights activists believe that by combining appeals to moral principles and emotional empathy, they can create a strong moral force to achieve their goals. Despite its limitations, the human rights framework—including international bodies, courts, and conventions—remains the best available structure for addressing human rights violations. However, political considerations may slow down the process. The history of human rights reveals that defending rights depends on the collective feelings, convictions, and actions of individuals who demand a response that aligns with their sense of injustice (Hunt, 2007, p. 209-214).

According to Ishay, the current state of affairs presents both opportunities and challenges in the face of globalization (Ishay, 2008). She states that, following the Cold War, the State's ability to support welfare policies and human rights declined due to global economic integration and post-Fordist production. This has led to the strengthening of corporate interests and a shift in the State’s role to cope with new economic rules, but also a proliferation of international human rights institutions and the growth of the anti-globalization movement in civil society. The global

expansion of the organized human rights movement has led to the ratification of numerous human rights legal documents by international governmental organizations. The growth of technology has also enhanced the visibility, influence, and networking capacity of human rights initiatives. Despite these advancements, there is still fragmentation in local and global human rights efforts. The anti-neo-liberal globalization movement offers new opportunities for the development of a more vibrant global civil society and integrated human rights dialogue. However, there is still a lack of a common progressive political, economic, and social agenda to unite various human rights interests effectively. To strengthen the capacity of the State to resist corporate demands for deregulatory policy, human rights activists should coordinate local and global human action. This would advance the ongoing movement for political, social, and economic cohesiveness and promote participatory democracy. It would also enable citizens to resist the increasingly unregulated intrusion of the State and commercial interests into various arenas of social and personal activity, which ultimately undermines civil liberties and the fundamental right to privacy (Ishay, 2008).

Moyn focuses more on human rights and political implications when he reviews the situation (Moyn, 2010). He claims that the nation-state as the sole formula for achieving modern freedom became unattractive after the crisis of postcolonial nationalism and communism. As a result, rights lost their long connection with the revolution. The collapse of these positive political involvements led to a reliance on and efforts to enforce human rights throughout the last three decades. The human rights revolution occurred in the 1980s when various groups worldwide and governments learned to speak the language. However, human rights face profound dilemmas as a utopian idea and movement. The politics of human rights needs to be worked out to incorporate concrete policy commitments and fuller-bodied social thinking. The

grassroots character of the human rights movement has entered a relative decline, and new forms of expertise have pushed it away from its original breakthrough. Human rights have moved from morality to politics and from charisma to bureaucracy. Today, human rights and humanitarianism are two interconnected concepts, with the former incorporating the latter and the latter justified in terms of the former. Genocide prevention is among the first items on the human rights agenda, especially after the Cambodian Genocide and the resurgence of ethnic cleansing in the mid-1990s. Human rights were brought to new geographic areas around the globe and unsuspected concerns of substance underwent a fundamental transformation from antipolitics to program (Moyn, 2010).

Conclusion

The development and practice of human rights have been a significant part of the history of humanity. The current body of scholarship on human rights is only the beginning and there will likely be an increased interest in the history of human rights among historians. Through the works of Lynn Hunt, Samuel Moyn, and Micheline R. Ishay, we can understand the concept of human rights from different perspectives and historical contexts. These scholars have provided us with valuable insights into the origins and evolution of human rights, as well as the challenges that still exist in their enforcement. By studying these works, we can gain a deeper understanding of the importance of human rights and their continued relevance in today's world. Ultimately, the goal of human rights is to ensure that every individual is treated with dignity and respect, and it is up to the people to continue to strive towards that ideal. The history of human rights deserves further attention and analysis that will allow our communities—local, national, or global— to progress closer toward justice and equity.

References

English Bill of Rights. (1689). *An Act Declaring the Rights and Liberties of the Subject and Settling the Succession of the Crown*, 1689.

France. National Constituent Assembly. (1789). Declaration of the Rights of Man and the Citizen. Adopted by the National Assembly during its Sessions on August 20, 21, 25, and 26, and Approved by the King. Paris: Mondharre & Jean.

Hunt, L. (2007). *Inventing Human Rights*: A history. New York: W.W. Norton & Company.

Ishay, M. (2008). The History of Human Rights: From ancient times to the globalization era: with a new preface. *Berkeley: University of California Press*.

Moyn, S. (2010). The Last Utopia: Human rights in history. *Cambridge: Belknap Press of Harvard University Press*.

The Library of Congress. (n.d.). *In Convention. June 12, 1776. A declaration of rights made by the representatives of the good people of Virginia, assembled in full and free convention; which rights do pertain to them and their posterity, as the basis and foundation of government*. https://www.loc.gov/item/2020774963/