Use and Abuse of Human Rights Discourse

The Use and Abuse of Human Rights Discourse in International Relations: The War on Terror and Beyond

Introduction

Language is a source of power, and perhaps especially so within the sphere of politics. Ever since Aristotle said people are by nature 'political animals', questions have been asked about the ways in which language and politics are linked.[1] For international politics as a discipline, the language of human rights has become increasingly important both in academic debate and political decision making.[2] The nature of human rights is curious: the notion enjoys support from various groups across the world, yet it is also the object of suspicion. This is largely due to concerns about Western power, especially in societies that were ruled by colonial powers in the West.[3] Despite the human rights tradition having originated in the West and being based on Western values, it claims universality. In recent decades, 'acting in compliance with universal human rights' has gradually become the standard by which states are measured, and accusing a state of acting in non-compliance has become a way to challenge state sovereignty through legitimate intervention. Thus, it has become a commonplace strategy to appeal to human rights in order to legitimise the case for political change. Increasingly, this strategy is also used by governments seeking to justify their interference in the domestic affairs of other states.

Human rights cannot realistically be said to exist only to protect the weak from abuse, as they are increasingly politicised and co-opted as an instrument through which the politics of power is advanced.[4] Despite human rights becoming increasingly widespread, the omnipresence of human rights rhetoric has not been matched by clarity, and the meaning of the language of human rights has become confused and contested.[5] Guided by this idea, the following research question will be addressed: 'To what extent is human rights discourse open to rhetorical abuse in foreign policy, and why is it so attractive to policy makers?' The central idea which will be explored is that the combination of emotional appeal and lack of conceptual clarity makes human rights immensely effective as a rhetorical tool: it is difficult to disagree with arguments that are, if only in a rhetorical sense, grounded in ethical considerations of human rights. The research question cannot, however, be separated from questions of global power. The power to define reality is the privilege of only a handful of states in the Western world, and the United States occupies a unique position in this respect. In the context of this study, the power to define reality translates to the capability to interpret and shape the understanding of human rights as a concept, and passing judgement on the human rights record of other states. This in turn enables the use of human rights discourse in rhetoric. As such, the second and inter-related aim of this study is to consider the implications of politicising human rights discourse and transforming it into a rhetorical tool. Appropriating what is presented as universal human rights for selfish reasons is likely to have a negative impact on the intrinsic value of human rights, as states become wary of the fact that appealing to human rights may serve other ends, and in effect are alienated from the human rights project.

The questions raised in this study are of immediate relevance to international politics, as human rights are increasingly 'mainstreamed' into the policy framework of states.[6] In the past decade, the notion that human rights can be used as a rhetorical tool has been illustrated in speeches made by George W. Bush and Tony Blair in relation to the War on Terror. Peck argues the aims of democratisation, human rights and regime change were fused with a War on Terror by the Bush Administration.[7] As such, military operations in Iraq and Afghanistan have been said to

Use and Abuse of Human Rights Discourse

Written by Anne Karine Jahren

be 'couched in the ethical language of caring for others rather than merely the narrow pursuit of the interests of state'.[8] By now this is accepted as a deliberate choice which was effective in helping to justify the war.[9] While the US is privileged by its power to define reality, and thus is able to exercise some degree of ownership over the ideas of universal human rights, the use of human rights discourse in the War on Terror can meaningfully be interpreted as one instance in a wider trend of politicisation of human rights. The intersection of the power of language and the lack of a universal understanding of human rights appears to make the use of human rights discourse in rhetoric especially attractive to policy makers. Despite all the attention warranted to human rights in international relations and the immediate relevance of its impact, the intersection between language and human rights remains understudied in the literature.

This dissertation is structured into an introductory section, three main chapters and a conclusion. The introductory section will consider the methodology and theoretical framework which have guided this study. First it will set the stage by discussing concepts central to the study: human rights, power and language. The methodology section will assess the relevance of critical discourse analysis (CDA) for this study. This will be followed by a review of the relevant literature, which serves to clarify how this study fits into the broader work being carried out in the field. This lays the necessary foundations for the chapter 1, 'Human rights discourse in the War on Terrorism'. The use of human rights language in the War on Terror is examined by applying CDA to a selection of speeches delivered by George W. Bush and Tony Blair. Chapter 2, 'The function of human rights discourse in the War on Terror', also focuses on the War on Terror, and considers counter-evidence to the argument for co-optation of human rights in the war. Chapter 3, 'Implications of using human rights discourse in political rhetoric', departs from the case study and discusses the implications framing Western human rights discourse in universal terms on questions of power and the human rights project. The conclusion will draw the strands of arguments together and consider the thesis statement in the light of what has been presented in this study. The question of whether a universal language is possible, or indeed desirable, guides this study throughout, and the study suggests that a universal language of human rights will ultimately be too vulnerable to rhetorical abuse to be desirable.

Key Concepts and Methodology

The remainder of the introduction will primarily fulfil two functions. Firstly, in order to purposefully discuss how the language of human rights is intertwined with questions of power in international relations, it is necessary to offer initial discussion of the key terms used in subsequent analysis. The aim is to offer some definitions of the concepts 'human rights', 'power' and 'language', as well as a discussion of the relationship between these terms. Secondly, a brief explanation of the method of analysis adopted in the study will be presented. The methodological section will outline critical discourse analysis, and discuss why this is the most appropriate method for the present study.

Human Rights, Discourse and Power

Human rights may be considered an example of what Gallie termed 'an essentially contested concept'.[10] Gallie argues that when it comes to certain concepts, they have no one clearly definable general use, which becomes apparent when the different uses of the terms and the arguments in which they figure are examined.[11] Words used to describe aspects of human rights, including 'liberty', 'freedom' and 'democracy' can in themselves be considered essentially contested concepts, which causes further confusion. Various definitions of human rights contradict or challenge each other to a greater or lesser extent, and it has proved immensely challenging to arrive at a universally accepted understanding of human rights. This has implications in rhetoric, as each party maintains that the functions the concept fulfils in their interpretation is the correct or primary function it ought to fulfil.[12] If human rights is indeed an essentially contested concept, it follows that prospects for constructing a universal language of human rights are bleak.

Djajic believes we live in the human rights era, and from his position, the frequent yet undefined use of legal concepts of human rights has enabled states to use, misuse and abuse human rights rhetoric.[13] Its claim to universality, paired with significant cultural and political variation across the world, has made it especially hard to contextualise human rights as a concept. In this sense there is a parallel between the terms 'terrorism' and 'human rights' as rhetorical tools. In relation to terrorism as a propaganda word, Peck argues it is a grim corroboration of Montaigne's

Use and Abuse of Human Rights Discourse

Written by Anne Karine Jahren

warning[14] that 'nothing is so firmly believed as that which we least know'.[15] The same can be said about the term human rights: its vagueness becomes an asset to policy makers who can convincingly take the expression in their mouths.[16]

Language and discourse are natural components of this study, and this necessitates some discussion of these terms and the relationship they share. This study considers ideology to be embedded in language, a position which is diametrically opposed to a liberal view of language which considers language to be the outcome of free communication. It adopts the view of language as 'both a social force and a kind of political behaviour', as expressed by Corcoran.[17] However, rather than being concerned with language in itself, the study is concerned with language as discourse. Originally used as a linguistic concept, discourse is now understood as 'systems of meaning which form the identities of subjects and objects'.[18] Central to the reformulation of discourse as a concept, Foucault believes discourse is a useful lens through which to explore the production of knowledge and meaning.[19] Analysing discourse allows for an investigation of how political relationships are reflected through language, as language becomes the medium through which human rights are appropriated in rhetoric.

Discourse can be a key component of the production and reproduction of power within international relations, as modern and often more effective power is increasingly exercised in the cognitive realm, having observed a shift away from elementary recourse to force.[20] The view of discourse as capable of producing knowledge and meaning presupposes a dynamic understanding of power. When power is considered a relationship which must constantly be produced and reproduced through social interaction, one may begin to understand how discourse plays a part in this process. Returning to Foucault, the way he conceived the linkage between knowledge and power is helpful in understanding how power relates to discourse. For Foucault, knowledge linked to power is capable of making itself true: if everyone believes what is presented, it will become 'true' in terms of real effects, even if it is not so in the absolute sense.[21] The function of language is typically limited to a description of reality, but viewing power through a Foucaultian lens provides a way of understanding the role of discourse in producing reality.[22]

In discourse analysis it is important to consider how power relates to rhetorical exercises which produce understanding in the minds of the audience.[23] As discussed above, power is continuously produced and reproduced through discourse; hence it is exercised routinely rather than coercively. However, in order to be effective, discursive power must be accepted by subordinate groups. This can be explained by reference to Gramsci's concept of hegemony, as this accounts for the mechanisms through which dominant groups in society succeed in persuading subordinate groups to accept their values.[24] In this sense, it could be argued that discourse becomes the medium through which the persuasive influence of power manifests itself. This resonates with Foucault's idea of social power as 'a mode of action upon the actions of others'.[25] Power is not separated from discourse, and this has implications for what actors are able to present their interpretation as 'true'.

Methodology: Critical Discourse Analysis

As stated in the introduction, this study will analyse the role of human rights discourse in foreign policy by applying critical discourse analysis to a number of speeches delivered by key actors in the war against terrorism. The choice of method influences the nature of the study, and when applying CDA, Schäffner argues it is paramount to adequately consider what political discourse is, what its characteristic features are and with which methods it can be analysed.[26] This section will account for why CDA is chosen as the methodological approach for this study, and discuss the implications of this choice.

CDA is considered to be the most comprehensive attempt to theorise the interconnected nature of discourse, power, ideology and social and political phenomena.[27] Its aim is to shed light on the linguistic-discursive dimension of social action, and reveal how the functions of language influence how power is constructed and maintained.[28] CDA also deals with power abuse or domination through political discourse.[29] This relates to the 'critical' aspect of CDA, as it has challenged the view of language as an essentially transparent and neutral medium.[30]

While there are many ways of conducting discourse analysis, it can be explained as a process which involves carefully reading a specific text and employing a series of analytical questions.[31] Possible types of material include,

Use and Abuse of Human Rights Discourse
Written by Anne Karine Jahren

but are not limited to, speeches, interviews, radio addresses and reports.[32] Texts are read as 'instances of wider discourses', 'moments in a pattern of meaning production where language has become relatively stable'.[33] Due to its capacity to provide both a useful technique for analysing specific uses of language, and a way of understanding the relationship between discourse, power and politics CDA is an appropriate methodological approach for this study.

CDA has previously been applied by other scholars in their studies of the War on Terror, as will be discussed further in the literature review. One of the most comprehensive works sharing the methodology of this study is 'Writing the War on Terrorism: Language, Politics and Counter-Terrorism' by Richard Jackson. In his book, Jackson applies several important questions to texts of the War on Terrorism in order to address how the Bush Administration legitimised and rationalised the practice of counter-terrorism.[34] Certain questions Jackson applied to the material he examined are of equal relevance to this study, and thus will be adopted in the examination of texts:

- What assumptions, beliefs and values underlie the language in the text?
- What are the histories and embedded meanings of the important words in the text?
- What knowledge or practices are normalized by the language in the text?
- What are the political or power functions of the discursive constructions?
- How does the language create, reinforce or challenge power relations in society? [35]

Jackson argues finding answers to these questions will go some way towards understanding how discourses work to construct social processes and structures in ways that reproduce power relations.[36] This relates to a unique aspect of CDA, namely its commitment to intervene on the side of dominated and oppressed groups and against dominating groups.[37] In critical discourse analysis, the word 'critical' signals this normative commitment to positive social change.[38] As Van Dijk puts it, 'critical discourse analysis is specifically interested in power abuse, that is, in breaches of laws, rules and principles of democracy, equality and justice by those who wield power'.[39] The critical approach analyses the linguistics of unequal encounters, where power relations play an important part in the social dynamics of the situation in question. In the context of this study there is clearly an unequal relationship between powerful political actors in the West, the general public and the subjects of debate. The West is framed as the 'developed, moral and Christian' actor 'saving strangers' in the 'underdeveloped, immoral and Muslim' countries of Iraq and Afghanistan. Such binaries are powerful constructs, and their existence in everyday language is far from coincidental.

Smith maintains that constructing a methodology with the purpose of establishing the role that human rights perform in foreign policy is itself a problematic and politicised decision.[40] This decision will inevitably be affected by a number of prior assumptions made by the observer. As CDA is not an objective social science, but engaged in social inequality, it is also seen as a form of intervention in social practice and relationships.[41] This commitment to social change feeds in with the idea that human rights language can potentially be used for the wrongs ends, but has also been subject to criticism. Schegloff is accusing critical discourse analysts of being biased, and believes this prevents analysts from seeing clearly what is in front of them. As such, he argues that a critical stance in discourse research is simultaneously both bad scholarship and bad politics.[42] Van Djik, by contrast, considers it appropriate for the critical discourse analyst to be a social critic rather than a neutral observer, 'as their hope, if occasionally illusory, is change through critical understanding'.[43] In Van Djik's interpretation, the power relations at play in the war against terrorism legitimise the use of CDA in this context.

My analysis of the use of human rights language in the War on Terror focuses mainly on speeches and public addresses made by George W. Bush and Tony Blair as head of state in the United States and the United Kingdom respectively when the War on Terror was initiated. Because of its leadership role in the war against terrorism, the focus is primarily on how the war was justified by the Bush Administration. A full examination of all relevant discursive material is beyond the scope of this study, thus the speeches included have been subjected to a process of selection. The two main criteria in this selection were (i) the relative import of the speeches and the reactions they generated and (ii) an even spread over a longer period of time, with speeches included covering the years 2001-2005. While careful consideration has gone into the selection of speeches, the length of this study prevents a fair analysis of all relevant speech material. As such, a limitation of this study is the inability to analyse a greater volume of material.

Use and Abuse of Human Rights Discourse

Written by Anne Karine Jahren

Literature Review

This section will offer a discussion of the main works which have guided this study, with the purpose of situating this study in the existing body of research. In order to do so, it is necessary to provide an overview of the main issues and debates related to the use of human rights rhetoric. One of the most significant current discussions in the human rights field is the debate over whether human rights culture is a major achievement which must somehow be protected from those who want to use it for selfish ends, or whether it belongs to a strand of thought that cannot do more than alter the flow of power politics. The latter group, here referred to as rejectionists, is concerned with human rights as a political tool and as such are most relevant for the purposes of this study. While their work has inspired the focus of this study, rejectionist ideas have not previously been linked with discourse analysis to a great extent. As such, this study aims to bridge two bodies of literature, namely the theoretical framework of the rejectionist camp and the work of scholars employing CDA to related studies in foreign policy making.

Contributions by Chandler and Ignatieff have been indispensable in focusing discussion around two themes of particular relevance to this study: the limited potential for human rights in 'the real world' and how human rights are used to justify illegitimate acts of power. The main argument of the rejectionist camp is that human rights is a nice idea, albeit one with limited potential in the real world.[44] The extent to which human rights language can be used to justify illegitimate acts of power is a key concern for rejectionist scholars. Thus human rights are rejected, and considered to be little more than a rhetorical tool.[45] Two works by Ignatieff have guided this study, the article 'The Attack on Human Rights' and the book *Human Rights: Politics and Idolatry*.[46] Published later in the same year, the latter expands on the ideas presented in the article. Among Chandler's work the article 'Rhetoric without Responsibility: the attraction of 'ethical' foreign policy' has been of great importance to this study. A comprehensive examination of these contributions is beyond the modest scope and length of this study, thus this review will focus on the ideas most important to the study.

In 'The Attack on Human Rights', Ignatieff argues that human rights language has become a source of power and authority, and that power inevitably invites challenge.[47] While this study agrees with the former part of Ignatieff's argument, it does not agree with the idea that power inevitably invites challenge. Indeed, the use of human rights language appears effective in alienating opposition, as it brings both moral and political superiority. Ignatieff is eager to criticise 'the larger illusion' that 'human rights is above politics, a set of moral trump cards whose function is to bring political disputes to closure and conclusion'.[48] While one may understand why it is problematic to use human rights as a set of moral trump cards, dismissing this practice as an illusion is a limitation in Ignatieff's argument. Indeed, the linguistic power of human rights in political rhetoric may be very effective in elevating the position of the actor and thereby affect the outcome of a given situation.

Foreign policy sees manipulation of language occur if not more frequently, then at least with more serious consequences than domestic policy. Perhaps this is a natural consequence of the nature of international relations, where sovereignty is the norm. In an attempt to explain why policy makers appeal to ethical values in foreign policy far more often that in domestic policy, Chandler has argued that it is 'easier to promote a position which can be claimed to be based on clear ethical values, rather than the vagaries of compromise and political pragmatism, in foreign policy than it is in domestic policy'.[49] He also argues that 'the gap between rhetoric and responsibility lies in the fact that policy can be declared a success with little regard for policy outcomes, as there is no formal accountability to non-citizens abroad'.[50] These arguments reveal part of the vulnerability of the human rights discourse in foreign policy. Chandler also considers the case of Iraq to be 'perhaps the most important example of the British and US governments attempting to create an 'ethical' interventionist agenda',[51] thereby providing a link between the theoretical approach presented by the rejectionists, and the more case-focused approach of the second body of literature.

The second part of the literature review will consider two works which make use of CDA: 'Writing the War on Terrorism: language, politics and counter-terrorism' by Richard Jackson and 'Human Rights and US Foreign Policy' by Jan Hancock. Each studies the ways in which language is used by the US administration, and how geo-political or material motivations are concealed in favour of idealistic ones in order to create an illusion of legitimacy in their foreign policy operations. Jackson is concerned with the construction of the terms 'terrorist' and 'terrorism' in the War

Use and Abuse of Human Rights Discourse

Written by Anne Karine Jahren

on Terrorism, and demonstrates how defining the meaning of terms ultimately brings power to the actor in question.[52] As Hancock demonstrates in 'Human Rights and US Foreign Policy', this can be true for the use of human rights language as well.[53] While it is clear that both 'Writing the War on Terrorism' and 'Human Rights and US Foreign Policy' draw on a wider range of source material than what is feasible within the scope of this study, each has helped guide the selection of source material and the choice of methodological approach.

Despite certain differences, this study shares the concern with the relationship between language and policy generally and in the War on Terror specifically. In 'Writing the War on Terrorism', Jackson argues the language constructed by the Bush Administration was a prerequisite for the various counter terrorist measures observed following September 11.[54] Hancock's 'Human Rights and US Foreign Policy' is more specifically concerned with human rights, and while his book lies closer to this study in nature, Hancock is primarily concerned with how the use of human rights rhetoric has impacted upon the United States and their legitimacy.[55] Neither study concerns itself with how this practice impacts the universal human rights project per se. As this is a significant discussion in the field, this neglect is a limitation of their respective studies. Secondly, both are partially guilty of failing to theorise or assess the domestic context, a common critique of discourse-analytic approaches.[56] The use of human rights language in foreign policy is affected by the values promoted domestically, and this necessitates some consideration of the domestic context.

The view of language presented by Jackson contains several important insights of relevance for this study. In his discussion of the constitutive capabilities of language he supposes that language is never neutral, and that words do not just describe the world, but actually help to make it.[57] Based on this interpretation, Jackson argues language can never be employed in a purely objective sense.[58] Further he argues certain words bring to mind particular emotions or associations, and this gives power for those that deploy them. While he does consider the discursive creation of buzzwords in the justification of the war, the book does not sufficiently consider what these 'certain words' have in common. Likewise, it is recognised that deploying 'certain words' gives power for those that deploy them, and while the book is specifically concerned with the role of the US there is little discussion of whether other states would be able to deploy these words in the same manner. While Jackson argues that the deployment of language by politicians in itself is an exercise of power, he does not raise the question of how initial power, and the power to define, relates to the deployment of words which 'give power'.[59] It would be worthwhile to consider whether this way of gaining power is only available to states which are already uniquely powerful, as this shifts power further away from states which are not in command of the allegedly universal language of human rights.

In 'Human Rights and US Foreign Policy' Hancock makes the point that the rejectionist account may appear to be validated by the evident disparities between the human rights rhetoric and practice of the Bush Administration, but instead argues that human rights discourse has served a political function of justifying policy as well as shaping preferences and understandings of the public.[60] This addresses the previously mentioned oversight in Ignatieff's analysis regarding human rights being somehow above politics. Albeit perhaps not in the way Ignatieff originally thought, human rights do in a sense transgress politics when human rights discourse is considered a politicised tool. Jackson and Hancock are in agreement on this point: Jackson argues the anti-terrorism discourse in the War on Terror was an exercise of power through the deployment of language, and thus a political act rather than simply a rhetorical one.[61]

The intersection of political rhetoric and the role human rights play in international relations is challenging, as it touches on several interrelated topics within the discipline. While few works directly address this topical intersection, the literature reviewed in this section has largely helped to shape the focus of this study. The arguments presented by Chandler and Ignatieff give resonance to the thesis which informs this study, but these scholars have to a lesser or greater extent treated human rights as a static concept. This creates an image of a moulded discourse of rights, which has enhanced the rhetorical power of the West since its introduction and institutionalisation into the world system. Drawing on Jackson and Hancock, this study aspires to show that the fluid, dynamic and ambiguous character of human rights is precisely what makes the use of human rights discourse in rhetoric so appealing for policy makers.

Chapter 1: Human Rights Discourse in the War on Terror

Use and Abuse of Human Rights Discourse

Written by Anne Karine Jahren

Manipulation of language for political purposes is an idea which has persisted through time. Ancient philosophers like Plato, Cicero and Aristotle believed politicians deliberately made use of persuasive and manipulative rhetoric to deceive the public.[62] Distrust in politicians was reframed in another scenario in the twentieth century, when George Orwell painted a scary scenario of a totalitarian political system sustained by a manipulation of language geared towards enabling the rulers to narrow the range of thought.[63] The strategic functions of political discourse are potentially extremely effective, and warrant increasing attention in academia. In an important work in the field, 'Politics as Text and Talk: Analytic Approaches to Political Discourse', Chilton and Schäffner propose the primary strategic functions of political discourse.[64] From the techniques identified by Chilton and Schäffner, the method of legitimation and delegitimation is especially relevant to this study. It is imminent to observe how the act of legitimation always includes delegitimising 'the other'. This process is evident in the legitimisation of power in the War on Terror: It can be argued with relative ease that Western governments actively used condemnation of the human rights record of the Taliban government to delegitimise the Afghan regime and thereby justify their military action campaign for its removal following September 11.[65] This is illustrated by the name initially given to the War: 'Enduring Freedom'. While the mission in Iraq was primarily motivated by the search for weapons of mass destruction, a similar argument can be made for this case. According to Drumbl, 'Operation Iraqi Freedom was more than just a name. It also was a rationale'.[66] Bush stated the rationale for fighting the War on Terror was two-fold: 'Waging War on Terrorism and defending international human rights'.[67] Crucially, these two goals were entirely conflated in later speeches: there was no analytical separation between waging a War on Terrorism and defending human rights.

This chapter will examine the language of human rights in speeches and official statements made by the heads of state in the US and the UK at the time of the initiation of the War on Terror, President G. W. Bush and Prime Minister Tony Blair. As previously stated, critical discourse analysis will be applied in order to examine the material. In the first instance, this chapter will consider how the US relies on presenting itself as a global protector of human rights, and how this is assisted by the lack of clarity surrounding 'human rights' and the closely related buzzwords 'freedom' and 'democracy'. Having established the legitimacy the US gains from this role, it will be considered how a binary production of 'us' and 'them': respectively the protectors and violators of human rights. This section will show how attempts to dehumanise the enemy were made more effective through the deliberate use of human rights language. The third and final section of the chapter will consider the emotional aspect of human rights language, which adds to its appeal in political rhetoric. The combination of these three elements helped present an ethical interventionist agenda in the war against terrorism.

The United States as a Global Protector of Human Rights

The nature of terrorism as a deliberate attack on civilians has led to terrorism being perceived as the ultimate human rights violation: it is the essence of anti-human rights. The word 'terrorist' is actively constructed to mean those *not like us*: those at war with human rights.[68] By contrast, US identity is produced in terms of freedom, democracy, human rights and peace.[69] The effect of this rhetorical exercise is to define the US 'as a stalwart of liberty in opposition to 'evil doers', 'terrorists' and 'rogue states' which constitute an 'axis of evil, arming to threaten the peace of the world'.[70] This enabled policy makers to appeal to the image which asserts US identity in terms of freedom and human rights in order to explain and legitimise foreign policy decisions. Hence, for Washington, dehumanising the terrorists was essential to the success of the War on Terror.[71] Examination of relevant speeches indicates that it was considered essential to establish the West, and the US in particular, as the protectors of human rights on a global scale.

While the terms 'freedom' and 'human rights' as essentially contested concepts can mean different things depending on the audience and context, these terms were frequently used in speeches detailing the war rationale. Only a few months after the onset of the War on Terror, George W. Bush said, 'History has given us a unique opportunity… to restructure the world toward freedom'.[72] Freedom is undoubtedly one of the most highly valued rights in the United States, and in the West more generally. This is reflected in the Universal Declaration of Human Rights (UDHR), with 'freedom' being the central objective in multiple Articles of the Declaration.[73] Yet whereas the Declaration offers at least some indication to what types of freedoms are in question, Bush seems deliberately vague on this point. This is further illustrated in this statement made by George W. Bush in a speech delivered after the fall of Kabul in 2002: 'History has called America and our allies to action, and it is both our responsibility and our privilege to fight

Use and Abuse of Human Rights Discourse
Written by Anne Karine Jahren

freedom's fight.'[74] A similar idea was presented in the speech delivered in 2003: 'As a people dedicated to civil rights, we are driven to defend the human rights of others.'[75]

The rhetorical exercise of presenting the US as the defender of human rights worldwide was supported by references to history. By referring to past foreign policy actions Bush appears to attempt to cast everything in a human rights light. In a joint news conference with Tony Blair after the 2003 invasion of Iraq, Bush also asserts the allegedly joint responsibility to promote human rights shared by the United States and Great Britain:

'For nearly a century, the United States and Great Britain have been allies in the defence of liberty. We've opposed all the great threats to peace and security in the world… in every challenge, we've applied the combined power of our nations to the cause of justice, and we're doing the same today.'[76]

The link created between the defence of human rights, the history of the US and the need to fight the War on Terror to protect the civilian populations in Afghanistan and Iraq is further illustrated in the following excerpt from the speech delivered in 2003 quoted above:

'We are the nation that liberated continents and concentration camps. We are the nation of the Marshall Plan, the Berlin airlift and the Peace Corps. We are the nation that ended the oppression of Afghan women, and we are the nation that closed the torture chambers in Iraq.'[77]

While rhetorically appealing, there are numerous problems with this portrayal of the US as a staunch protector of human rights. Firstly, the historical allusions in the latter example present a biased and simplified version of events. Secondly, a decade after the speech on 21 May 2003 was delivered, it is still a tall order to argue that the oppression of Afghan women has ended. As noted by Wylie, Human Rights Watch was reporting on-going violations of women's rights by December the same year.[78] Furthermore, two years after the war Amnesty International reported on rape and sexual violence directed at women, describing it as 'common' and widespread discrimination of women in the justice system, and also noted that women and girls were traded to resolve family disputes.[79] Thus a nuanced portrayal of actual events lost to the human rights discourse which presented US as the world's champion of human rights.

To summarise this point, defending human rights around the world is presented as a task or mission for the US, and this was used to legitimate the War on Terror. Thus, fighting the war against terrorism was presented as the unfortunate responsibility of the Western powers to save civilians from human rights abuses and the world from freedom-hating terrorists. The ethical framework for the war in Afghanistan in particular was presented in terms of liberty, freedom and human rights.[80]

The Binary Production of 'Good' Versus 'Evil'

CDA identifies two complementary strategies in the justification of inequality: the positive representation of one's own group, and the negative representation of the other.[81] Terrorism and human rights share a relationship as each other's opposites, but these expressions have also been used for similar ends by policy makers in the War on Terror. In its essence, human rights can be said to be all about protecting the lives of civilians. Hence, terrorism is its veritable opposite, emotionally, legally and morally.[82] Excerpts from speeches below will demonstrate how these opposites were actively used to create a separation between 'us' and 'them'. The terms 'Taliban' and 'terrorism' are portrayed as flip sides of the same coin, and the same is the case for the terms 'the West' and 'human rights'. This interpretation requires US identity to be defined in terms of the good, while those of its enemies are defined in terms of evil.[83] This point can be illustrated by a speech delivered by George W. Bush in 2005:

'This is a war against killers, cold-blooded killers who embrace an ideology of hatred. Their vision of the world is the opposite of our vision of the world. We believe in human rights, human dignity, minority rights and religious rights. We believe in universal freedoms. They have a different view of the world. They don't believe in women's rights. They have usurped a great religion and defined it in their terms.'[84]

Use and Abuse of Human Rights Discourse
Written by Anne Karine Jahren

In the excerpt above, the excessive use of the personal pronouns 'we' and 'they' serve to underline the effect of the binary presentation. Blair made a similar case about the Taliban regime only three weeks after September 11:

'There is no sport allowed, or television or photography. No art or culture is permitted. All other faiths, all other interpretations of Islam are ruthlessly suppressed. Those who practice their faith are imprisoned. Women are treated in a way almost too revolting to be credible.'[85]

Statements such as these demonstrate how the derisory human rights record of the Afghan regime was used to justify war by dehumanising the 'other'. Peck believes the soaring rhetoric of freedom accomplished an important goal for the Bush Administration: to create a seemingly impenetrable division between, on the one side, American 'universality' and civilization; on the other, the barbarity of suicide bombers.[86] Importantly, the discursive production of the enemy in the War on Terror presented an enemy which was motivated by a hatred of freedom, democracy and human rights, values which were presented as essentially synonymous with US identity.[87] Bush's statement 'their vision of the world is the opposite of our vision of the world' manifests this rhetorical exercise. Heckman makes a similar argument, stating that 'the hegemonic discourse produced the identities of political actors in line with strategic priorities by differentiating the good from the evil, the threats from the normal, the friends from the enemies, the terrorists from the freedom fighters, the legitimate from the illegitimate, the oppressors from the oppressed and the dangerous from the safe'.[88]

Yet, as James Baldwin warned, 'it is a terrible, an inexorable law that one cannot deny the humanity of another without diminishing one's own.'[89] Dehumanising the enemy on the basis of their human rights record was an effective rhetorical tool in generating support for the War on Terror, but it was not unproblematic. Without disputing the grave human rights violations which took place under the Taliban regime, this type of rhetoric assumes a default link between a domestic situation, terrorist attacks and a need to intervene to save the local population. However, the fact that the US had not shown interest in removing the Taliban regime in the decade leading up to 9/11 indicates the human rights situation in the country is not what they were most concerned with.

Emotion in Human Rights Rhetoric

Members of the general public are in general sensitive to accounts of human rights abuses, and it would seem this typically evokes sympathy and support for the war effort. Holland argues there is an unusual intensity in expressions of emotional solidarity, and believes portrayal of such expressions in rhetoric can be effective in the formation of discourse.[90] Emotional solidarity is more likely to be evoked if there is a perception of an attack on shared values, and as demonstrated in this study the language of human rights had created a strong sense of shared values in the war against terrorism. Emotion discourse, defined as talk which seems to have 'some affective content or effect',[91] has in some cases been combined with the dominant human rights discourse in a very potent combination. Speeches examined in this study suggest accounts of human rights abuses underbuilt emotional solidarity with the civilian populations, and furthered support for the war.

In speeches defending intervention in Afghanistan there seems to be no analytical separation between the human rights record of the Taliban regime and their role as a safe haven for Osama Bin Laden and the significance this may have for Al Qaeda. The result is that the strategic motivation for invasion is downplayed in favour of the humanitarian motivation, which is likely to be more attractive to the general public. The logic of focusing on the human rights situation appears to be that no one in the Western world could know how people in Afghanistan lived under the Taliban regime without wanting to do something about it.[92]

Women's rights in particular became part of the moral justification given for waging War on Terror and ensuring regime change in Afghanistan.[93] Wylie notes how George W. Bush 'never failed to mention the liberation of women as one of his moral ends' when defending US policy.[94] On one occasion First Lady Laura Bush made use of the President's weekly radio address to 'speak out on Taliban oppression of women and children inside Afghanistan.'[95] In this speech, a clear link was made between the treatment of women and suspicions of brewing terrorist networks:

Use and Abuse of Human Rights Discourse

Written by Anne Karine Jahren

'The brutal oppression of women is a central goal of the terrorists. Long before the current war began, the Taliban and its terrorist allies were making the lives of children and women in Afghanistan miserable (…) Life under the Taliban is so hard and repressive, even small displays of joy are outlawed — children aren't allowed to fly kites; their mothers face beatings for laughing out loud. Women cannot work outside the home, or even leave their homes by themselves.'[96]

The First Lady also stated that 'the fight against terrorism is also a fight for the rights and dignity of women.'[97] Similar forceful images were portrayed by G.W Bush in an effort to defend the war in Iraq in late 2003. The President argued 'Iraqi men and women are no longer carried to torture chambers and rape rooms, and dumped in mass graves … Iraq is a free nation'.[98] These arguments have strong emotional appeal, and as a result it becomes difficult for anyone to disagree with the war while recognising the suffering of Afghan women or the Iraqi population, as represented by Laura Bush and George W. Bush respectively.

Conclusion

This chapter has demonstrated how human rights discourse was used to justify policy in the War on Terror. Rhetoric has aided a production of the US as 'the source of human rights and freedom'.[99] Significantly, this identity has been presented in binary opposition to the stated identity of terrorists: 'cold-blooded killers who embrace an ideology of hatred'.[100] Human rights were politicised and actively used in rhetoric by Bush and Blair in order to justify their acts of aggression in the war against terrorism. The rhetoric applied in the speeches examined in this study has demonstrated the extent to which 'protecting the innocent was being packaged in a way that was difficult to challenge'.[101] The abysmal human rights record of the Taliban regime was used to portray an Afghanistan in need of a saviour, and in the speeches of Bush and Blair, this stated objective took precedence over their strategic interest in seeking revenge following September 11. This in turn helped to present an 'ethical' interventionist agenda.

Hancock labels the active use of human rights rhetoric in the justification of policy 'the hegemonic discourse', and argues that it avoids a systematic definition of human rights, and consequently ignores questions of reconciliation between competing categories of rights and how a world in which human rights are universally respected can be achieved.[102] The findings of this study resonate with Hancock's argument. In relation to Iraq, Chandler argues the absence of consensus regarding what constitutes human rights has enabled US and British political leaders 'to use Iraq as an international cause which they can use to raise their status at home and emphasise their commitment to a moral mission abroad'.[103] Bush and Blair appeared to shy away from addressing the issue of how the human rights record in Afghanistan would be improved; making it appear like toppling the regime would automatically solve the issue. Repeating the defining message of human rights promotion as independent policy goals shifted attention away from other issues of political significance.[104]

Chapter 2: The Function of Human Rights Discourse in the War on Terror

After having made the claim that human rights language was politicised as a means of justifying the war against terrorism in chapter 1, the counter-argument will now be considered. It would not be academically sound to take the material examined above as stand-alone evidence of the politicisation of human rights language, without further considerations of the context. As such, this chapter will consider the US commitment to human rights in foreign policy. The aim is not to dismiss the US commitment to human rights, but rather to consider how this commitment is flawed. An assessment of the human rights rationale shows that it is applied selectively, not universally, and may in some cases be invoked to further the national interest of the US rather than to protect people fallen victim to human rights abuses.

A commitment to human rights should not be dismissed as a rhetorical trick by default; the commitment may well be genuine. This chapter will first consider the human rights commitment of the US through arguments which dismiss the accusations of a rhetorical co-optation of human rights. However, it will be argued that in the case of the US in the war against terrorism, this idea faces two primary objections. Firstly, the commitment to human rights abroad runs counter to the stated policy of George W. Bush prior to the presidential election. Secondly, there was a selectivity of response which corresponded to the national security need to demonise the enemy. Hence, while undoubtedly

Use and Abuse of Human Rights Discourse
Written by Anne Karine Jahren

important in foreign policy, US human rights concerns have not been applied by universal and impartial criteria. Instead, a selective war was waged in the name of human rights.

Co-optation of Human Rights

Far from all academics believe the US has co-opted human rights in political rhetoric, and Forsythe and Donnelly in particular dismiss this view. The United States has indeed demonstrated a commitment to human rights, especially since the space for humanitarian considerations in international relations increased following the end of the Cold War. Forsythe argues human rights were an accepted, and valued, objective of US foreign policy across the entire mainstream political spectrum from the late 1980s onwards.[105] Donnelly points out how human rights and democracy objectives remain rhetorically important goals of US foreign policy and suggests this reflects a genuine commitment to these values.[106] In 'The Relative Universality of Human Rights', Donnelly argues the Bush administrations demonstrated a commitment to human rights by regularly raising human rights concerns in bilateral relationships, and believes there was usually a central element of genuine concern.[107] Yet Donnelly also recognises an element of selectivity, as he believes the real problem with American foreign policy is less where it chooses to raise human rights concerns than where it chooses not to do so.[108] This suggests human rights concerns may well be genuine, but are also co-opted by other concerns.

When George W. Bush sought the presidency, he was negative towards the use of the coercive power of the US in any given case where the only gain would be protection of human rights.[109] This is evident in statements made by Bush during the 11 October 2000 Presidential Debate: when asked about interventions in Somalia and Haiti, he responded by stating, 'I don't think nation-building missions are worthwhile' and 'I don't think our troops ought to be used for what's called nation-building. I think our troops ought to be used to fight and win war'.[110] The effect was to emphasise his belief that 'US troops would be used as soldiers, not as humanitarian hand-holders'.[111] As Farer points out, this was also the position of Bush's national security adviser.[112] These statements are very different from the human rights discourse observed in rhetoric regarding the War on Terror, a distinct shift in rhetoric which appears to have been motivated by potential justification through an appeal to human rights.

The international state system has been subject to a revision of its primary norms, as the previously sacrosanct status of sovereignty can now be surpassed if there is a qualified reason to intervene in order stop crimes against humanity. By convention, humanitarian intervention requires the approval of the United Nations Security Council in order to be legitimate. Thus making use of the humanitarian intervention argument is less attractive to states than a more general appeal to values of human rights, freedom and democracy. Furthermore, it has been suggested part of the latter's attraction is the possibility of using it as an ex post facto justification.[113] This appears to be true for the Iraq case: human rights became the default explanation for the US presence in Iraq only when it became clear that UN inspectors had not found weapons of mass destruction.[114] The war in Iraq was not waged primarily for the benefit of the Iraqi people, thus it was never a humanitarian intervention.[115] This was also made clear in the 2004 Human Rights Watch World Report.[116] An ex post facto justification would be impossible in the case of humanitarian intervention, as this only allows intervention to be motivated by a concern for civilian lives.[117] This may serve to explain why Bush and Blair chose to base their rhetoric on vague ideals of human rights, freedom and democracy – essentially contested concepts in Gallie's view. Yet intervening in the name of rights is not without cost, as it puts the legitimacy of international rights standards into question.[118]

Lack of Universal and Impartial Application

Sen and Hancock both argue that all coherent claims to promote human rights are necessarily compelled to respect the two basic principles of universal and impartial application in order to be granted simply by virtue of humanity.[119] These principles have not been respected by the US, neither in the War on Terror nor in other bi-lateral relations, as will be argued in this section. In relation to Iraq, the claim that human rights in part motivated the war gains some credibility from the derisory human rights record of Saddam Hussein's regime.[120] However, this argument overlooks the fact that this concern was only voiced by the US when it could be co-opted with their national security interest, thus the US failed to uphold a universal and impartial application in their claim to promote human rights. Roth and Cortright have both concerned themselves with this issue, and their respective arguments will be briefly

outlined here. Firstly, as Roth argues, Saddam Hussein was an ally of the US while committing some of his gravest crimes,[121] yet this was not addressed at all in the speeches discussing the human rights abuses of which Saddam is guilty. Secondly, Cortright believes the US suddenly became sensitive to the suffering of the Iraqi population when they had previously tolerated it.[122] He points out that while the US made use of human rights to justify interference in Iraq, they initiated economic sanctions that caused both suffering and death to hundreds of thousands of the Iraqi population in the 1990s.[123] These two points both indicate human rights concerns in Iraq were co-opted with other political motivations.

A second aspect which demonstrates the absence of universality and impartiality is not so much where the US intervened as where it did not. The administration does not go after its strategic partners on 'liberal' issues including democracy, human rights and political reform.[124] By consequence, human rights abuses perpetrated in designated friendly states, which are often of economic or strategic import, are consistently overlooked, as is the case in Pakistan, Qatar and Saudi Arabia,[125] and indeed in post-Taliban Afghanistan and post-Hussein Iraq.[126] Furthermore, the human rights abuses in Uzbekistan have hardly been commented upon, Uzbekistan being useful to the US for its military operations in Afghanistan.[127] This stands in stark contrast to the Bush Administration's reference to the torture committed by Saddam Hussein's regime.[128] Hancock argues that while the criticism was entirely appropriate, 'its political function is revealed when juxtaposed with the sparse commentary levelled by Bush Administration officials at the human rights abuses committed in designated friendly states'.[129]

The US has ignored criteria of universality and impartially in their application of human rights concerns, while simultaneously making use of human rights discourse in rhetoric. Arguably the US is in a unique position due to its power to define the meaning of ideas and concepts, however the use of human rights discourse is increasingly becoming a part of the rhetorical tool kit in other Western states as well. There is an increasing pressure to proclaim human rights as a foreign policy goal, yet this may not always be compatible with the national security interest. The moral triage between rights and stability is being finessed by Western states who proclaim human rights as their goal, while simultaneously aiding or investing in states with abysmal human rights records.[130] While a combination of motivations is likely, the timing of the sudden focus on the human rights record of Iraq in particular certainly coincided with a need to rationalise the war based on security considerations. Statements regarding the wars in Iraq and Afghanistan were often conflated, and consequently the same argument can, to a certain extent, be applied to the war in Afghanistan.

Conclusion

The purpose of this chapter has been to show that due to several inconsistencies in the application of human rights, it is problematic to suppose the US was primarily motivated by a concern for human rights in the war against terrorism. The above discussion indicates the identity of Saddam Hussein as a human rights violator was at least partly discursively produced when it benefitted the United States, and not only the result of a universal commitment to the betterment of human rights across the world. Human rights were co-opted in a process which helped justify the selective erosion of the norm of state sovereignty.[131] This rejectionist argument perceives the selective integration of human rights into policy practice as a valid reason to dismiss human rights discourse as little more than rhetoric.[132] Furthermore, the US did not uphold the two basic principles of universality and impartiality. If one accepts the argument that all coherent claims to promote human rights are necessarily compelled to do so, this reveals claims to advance human rights on a selective or politicised basis as contradictory.[133]

Finally, it should be noted that even academics who believe the US human rights commitment was genuine argue that while human rights were compromised in the War on Terror, there was at least as much talk of human rights after September 11 as prior to it.[134] This supports the argument of the rhetorical function of human rights language in the war, as the talk remained while the results failed to materialise. Even the most positive assessment is forced to conclude that the War on Terror has significantly reduced the space in US foreign policy for human rights and democracy.[135]

Chapter 3: Implications of Using Human Rights Discourse in Political Rhetoric

Use and Abuse of Human Rights Discourse

Written by Anne Karine Jahren

The first two chapters of this study have been specifically concerned with the role of human rights discourse in the War on Terror. This chapter seeks to draw on the insights from the previous chapters in order to consider the systemic implications of framing Western human rights discourse as universal. The War on Terror is seen as representative of an increasing trend in international relations: drawing on human rights discourse to justify policy. As such, this chapter goes beyond the War on Terror itself, and hopes to provide an assessment of the implications of this trend.

A key concern of this study is that the framing of human rights as universal, and its use in political rhetoric, actually prevents rather than facilitates the growth of respect for human rights internationally. By politicising human rights and reducing it to a rhetorical weapon, its capability for being a standard against which political action is measured is diminished.

Hence, this section will discuss the implications of framing the Western human rights discourse as universal. Firstly, it will be argued that this elevates the position of the West at the expense of others. This will lead to a related issue: the link between the claim to universality and imperialist ideas. Secondly, this section will discuss the capacity of policy makers to use the human rights discourse to conceal other political aims. Thirdly, this section will examine the power of the human rights discourse, and explore the difficulty of disagreeing with a policy framed in terms of human rights.

Western Interests Confused with Universal Values

A case can be made to argue the human rights discourse favours the Western world, which is the origin of the rights now presented as universal. Chandler argues that 'whether the intention is to (mis)use human rights ideologically or to genuinely do good in the world, the outcome is the same: ultimately, greater decision-making power and authority accrue to the states that have the capacity to take on the responsibilities of deciding and enforcing'.[136] It could be argued that Western interests are often confused with universal values in the foreign policy making of Western powers.[137] Applying this idea to the War on Terrorism, it is possible that the defence of human rights was a genuine concern for the US, as considered in chapter 2, and not only a rhetorical tool kit as chapter 1 argued. Donnelly suggests 'many Americans do seem to believe that what's good for the US is good for the world -and if not, then that's their problem'.[138] Yet this idea of 'universalism' is both arrogant and abusive, the dangers of which are especially striking in international relations.[139]

Related to this, the discourse of human rights also has a neo-colonial ring. In 'The Attack on Human Rights' Ignatieff argues that 'the human rights doctrine is now so powerful, but also so unthinkingly imperialist in its claim to universality, that it has exposed itself to serious intellectual attack'.[140] Mutua and Ignatieff both deliver harsh accounts of the international project to protect and further human rights on a global scale. Mutua writes of 'the biased and arrogant rhetoric and history of the human rights enterprise', which he considers to be is simply the latest expression of the historical continuum of the Eurocentric colonial project,[141] whereas Ignatieff argues 'human rights is increasingly seen as the language of moral imperialism just as ruthless and just as self-deceived as the colonial hubris of yesteryear'.[142] As such, he is in agreement with Gott, who suggests that while it may not be the intention of Western practitioner, the uncomfortable reality of the human rights project often is imperial humanitarianism.[143] The politicisation of human rights and the presence of neo-colonial tendencies have real-life implications for policy: there is a terrible irony in the fact that human rights claims often appear to enforce the power of dominant Western states and international institutions while asserting the need to empower the poor and excluded.[144] The non-Western world is alienated in a process where the use of human rights discourse elevates the power of those capable of defining its meaning.

Capacity to Conceal Other Motivations

A second concern related to human rights discourse is the extent to which it is used as a cover for geopolitical or strategic motivations in policy making. Even when human rights consist as a secondary concern, its importance is elevated by policy makers as it is an effective way of ensuring public support.[145] This ties in with the arguments of selectivity of response examined above, and resonates with the following argument set forth by Kennedy: 'People (politicians) who make use of human rights language also speak other languages, perhaps using the vocabulary of

Use and Abuse of Human Rights Discourse

Written by Anne Karine Jahren

human rights to get in the door and then speaking instrumentally or ethically'.[146] Further to this, a language of human rights, justice and freedom presents foreign policy with a favourable context when applied contextualise foreign policies which could otherwise be interpreted as examples of aggression, brutality and exploitation.[147] This illustrates how human rights functions in duality with other motivations, and fulfil a function in terms of policy justification.

It should not be automatically assumed that appealing to human rights discourse necessarily equates to be an abuse of the discourse, as was touched on in the previous chapter. Indeed, commentators disagree on whether using ethical arguments of human rights is dangerous 'abuse' of ethics, or, on the contrary, a valuable 'use' of ethics.[148] Returning to Chandler, he argues both human rights abuses and the threat of terrorism relaxes the call for strategic thinking and long-term planning as both are considered issues of urgency, crisis, or emergency.[149] The effect is to repack the lack of clear instrumental or strategic political goals as an asset rather than a problem.[150] This element of urgency seems to relax the need for long-term planning, and this argument set forth by Chandler helps explain the characterisation of the attraction of human rights as presented by Sen. By suggesting part of the attraction of human rights is the way in which it offers a way 'to confront intense oppression or great misery, without having to wait for the theoretical air to clear',[151] Sen convincingly expresses the appeal of human rights rhetoric. This illustrates that while human rights may just constitute a partial rationale for the war, this is the aspect which is most likely to be emphasised in public speech by policy makers due to the attractions it carries with it.

Difficulty in Voicing Opposition to Arguments

The final concern regarding the use of human rights in rhetoric to be addressed here is the difficulty in voicing reasonable disagreement in the face of a human rights argument. This is in part due to the moral appeal of human rights, and in part a result of ambiguity of language. The War on Terror illustrated the power of the defining message: human rights are the rationale and policy goal of the war. This was virtually impossible to disagree with, as anyone who questioned the war would appear to disregard the suffering of those subject to human rights abuses who were allegedly waiting for the US to liberate them. This powerful message can be extracted to other counter-arguments as well. Policy makers who appeal to human rights in order to justify policy typically do not enter the key debates; instead, repeating the powerful message of human rights protection serves to draw attention away from questions of political significance.[152]

The second aspect of this argument relates to the lack of a shared understanding of human rights as a concept. As argued in the section discussing language and rhetoric as concepts, language is never free from ambiguity. In 'Verbalizing a Political Act', Pocock argues this is true for all institutionalised language structures which have been made available for use by more than one person.[153] Words, as soon as they are formed and expressed in the presence of others, operate with multiple purposes in more than one situation. As such, 'they can never be reduced to the performance of any one person's intention'.[154] Because language is always subject to interpretation by the receiver, it is by definition a polity of shared power. Pocock makes use of an incident from *Through the Looking Glass* to explain this particular point: 'Humpty Dumpty, as is well known, avers that "When I use a word, it means what I want it to mean, neither more nor less… The question is who is to be master, that's all"'.[155] In the story, Humpty Dumpty fails to realise the language he masters may be unintelligible to those hearing it, and thus of very little use.[156] Pocock refers to this situation as the 'linguistic equivalent of a Hobbesian state of nature'.[157] When making use of verbal language, one must be prepared for issues ambivalence, or rather multivalence, which follows from the multitude of perceived meanings of language. These ideas can fruitfully be applied to the use of human rights rhetoric in international relations, although as previously discussed, certain actors, most notably the US, have a greater ability to define the meaning of words than others.

For human rights, lack of linguistic clarity has resulted in a vague language which is difficult to contradict. A universal language of human rights appears to be little more than an attractive illusion, as there is no universally accepted definition of this contested concept. Hancock linked the rhetorical exercises of Bush and Blair in the War on Terror with Farer's argument that the many contested definitions of human rights, combined with the imagery and intangibility of the concept, means that regardless of the position of the advocate, they remain available for appropriation.[158] While human rights are specified in the UDHR, the norms of human rights have been criticised for

Use and Abuse of Human Rights Discourse

Written by Anne Karine Jahren

lack of precision. In agreement with Hancock, Nussbaum argues there are many different definitions of human rights, as well as many different ways of thinking about what a right is.[159] She also emphasises the related nature of the language of rights and the language of liberty and freedom, and believes the intertwined use of these buzzwords is a source of further confusion.[160] While primarily concerned with human rights as they relate to the developing world, it is clear that the arguments presented by Nussbaum also applied to the use of human rights language in the War on Terror. The marriage between ideas of human rights, freedom, liberty and peace, paired with the lack of a universally agreed definition, has made the discourse of human rights vulnerable to appropriation by political rhetoric.

Conclusion

When opening up the field of examination towards a broader consideration, it becomes apparent that the use of human rights rhetoric in the War on Terror is part of a wider trend in international relations. Nevertheless, the practice of using human rights language to conceal other political aims has been cast into sharper light in academia following the War on Terror. The use of human rights language in political rhetoric elevates the position of the actor in question, while simultaneously alienating those who are sceptical of the human rights project by compromising the universality of human rights.

The difficulty in disagreeing with a policy framed in terms of human rights helps explain the appeal of human rights discourse for policy makers, both in the War on Terror and in other instances of international policy making. The powerful mixture of a moral trump card and a series of buzzwords, which to a large extent lack clear definitions, is undoubtedly attractive as a rhetorical tool. Yet this abuse of language has negative implications, not only for the legitimacy of actors, but also for the prospects of the human rights project.

Chapter 4: Conclusion

This study has employed human rights rhetoric as an instrument for the justification of foreign policy decisions. On the immediate level, the study has focused on the role of human rights rhetoric in the War on Terror specifically. By using discourse analysis as the main analytical tool, the appropriation of human rights language for purposes of political justification has been observed. Human rights were politicised and transformed into a rhetorical tool by the Bush and Blair Administrations in the War on Terror. Presenting foreign policy in terms of promoting freedom and human rights became an effective way of justifying policy by discrediting enemies. Even if there was a legitimate and genuine concern for human rights, such considerations existed in conjunction with other interests. Yet rhetorical emphasis was on abstract value-led goals framed in terms of human rights, and this can potentially confuse or conceal material or strategic objectives. Making use of human rights arguments in foreign policy is a slippery slope, and raises the stakes by reminding disputants about the moral nature of their claims.[161] Human rights have been used to construct an image of two binaries between which conflict is inevitable: those who defy human rights and those who seek to promote them. When human rights discourse is used in this way, there is a risk of constructing a conflict which by design can never end.

Evidence suggests the trends observed in the War on Terror are not limited to this case. Indeed, Nussbaum suggests 'the language of rights has a moral resonance that makes it hard to avoid in contemporary political discourse'.[162] Similarly, Wellman has argued that 'the language of rights is a powerful instrument to use in promoting one's political goals'.[163] While the language of rights has become so widely used in politics, commitment to human rights appears highly opportunistic, and theoretical and conceptual clarity is lacking.[164] This suggests that human rights language is primarily attractive for the rhetorical functions it serves. To return to Pocock and his *Through the Looking Glass* example: at a later stage in the story, the Red Queen remarks, 'When you've said a thing, that fixes it and you must take the consequences'.[165] Pocock interprets the Red Queen as meaning that 'to use language at all, you must make commitments.'[166] Clearly, the opposite has been the case regarding the use of human rights language in political rhetoric. A key question is whether a commitment to a universal language of human rights can ever be realised given the difficulty in arriving at a shared understanding of the concept. If this is indeed impossible, advancing this illusion only serves to elevate the status of human rights in international relations, hence making it more attractive as a rhetorical tool.

Use and Abuse of Human Rights Discourse
Written by Anne Karine Jahren

By identifying the implications of using human rights discourse in political rhetoric in foreign policy, this study has also attempted to make a broader contribution to studies of the role of human rights and the application of social power in world politics. While it undoubtedly serves political ends for the actors involved, the rights inflation in political discourse is an unfortunate trend. Wellman is concerned the tendency to make use of rights language has devalued that currency in public debate.[167] Politicising human rights reduces their potential to act as a standard against which regimes can be measured, and affects power in the international sphere. It is important to consider the implications of the close link between human rights and 'Western values'. As an effect of this relationship, the abuse of human rights language by Western powers is likely to further alienate others with regard to the human rights project. Hence, the politicisation of human rights discourse and its transformation into a rhetorical tool is increasingly becoming an obstacle for the fulfilment of the key objective of human rights: to protect the basic rights of humans worldwide.

This study has addressed the use and abuse of human rights discourse in the War on Terror, and considered the implications of making use of this discourse. On the whole, the potential influence of human rights discourse as a rhetorical tool remains understudied in the literature. When addressed, the focus has tended to be how states are affected by making appeals to the discourse of human rights, and particularly how this affects state legitimacy. Viewing human rights as an essentially contested concept as defined by Gallie led the study to question whether a universal language of human rights can realistically be achieved. In the light of this, further research ought to consider implications on the global human rights effort. Specifically, it would be useful to study how the use of human rights as a rhetorical tool may decrease support for the human rights project in states who feel alienated by this process. The use of human rights discourse in political rhetoric affirms the insight that no language, including the language of human rights, is neutral. Language is not separate from reality, and the dialectic relationship between language and power has real effects in the international sphere.

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