Introducing Human Rights in International Relations

This feature is part of the online resources to accompany the textbook *Foundations of International Relations*.

During the Second World War, Adolf Hitler's Nazi regime that had ruled Germany since 1933 had been discovered to have undertaken a programme of exterminating Jews and other unwanted peoples such as homosexuals, political opponents and the disabled. In what is now known as the Holocaust, an estimated 17 million people were killed by the Nazis through overwork in labour camps, undernourishment and various forms of execution – which included gas chambers and firing squads. Of those, approximately six million were Jewish – two-thirds of the European Jewish population. Especially with reference to the fate of Jewish people, the phrase 'never again' became synonymous with these events. Not only was there a desire to prevent mass slaughter of human beings in a third world war – which would likely be nuclear – there was also a pressing desire to establish an international standard of human rights that would protect people from atrocities like the Holocaust and from unnecessary large-scale warfare.

Set up to represent all the earth's recognised nation-states, the United Nations became ground zero for discussion of human rights. Just three years after the organisation was created, the 'Universal Declaration of Human Rights' (1948, pictured being held by Eleanor Roosevelt in Photo 2.5) had been agreed by virtually all of the United Nations' member states outlining thirty articles that – in principle – extended to all the earth's people. As a snapshot, the first three articles are as follows:

Article 1. All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2. Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self- governing or under any other limitation of sovereignty.

Article 3. Everyone has the right to life, liberty and security of person.

Upon reading this, three thoughts may cross your mind. The first is that it represents a step change in history. For the first time, an international document existed that sets all nation-states a set of benchmarks upon which their behaviour towards individuals will be judged. Secondly, the aforementioned comes from an international organisation that is now part of the global system, in addition to states. Here, it is important to understand the limits of the United Nations and the principles and declarations it may proffer. The United Nations is not sovereign. It does not have a territory, or a people. Instead it is an organisation run by, and through, the voluntary participation of its members. In that sense, it *appends* rather than *replaces* nation-state power. This leads us to the third thing that may have crossed your mind upon reading the articles above – that even with the most basic understanding they do not reflect today's global system, which remains one scarred by warfare and well- publicised failures to protect human rights. In that sense, it is easy to regard human rights as a failure because, much like international organisations, individuals have not become sovereign the way nation-states are.

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Written by Stephen McGlinchey

Such a conclusion, while factually true and the product of our global system's enduring foregrounding of the nation-state, risks betraying the momentum that has gathered around human rights. Firstly, if we reverse to the pre-1945 period, states often acted with impunity by waging ever-escalating wars for selfish reasons – and also by colonising or enslaving human beings. There may be no international sovereign to impose legal punishment on states in the way a person would be prosecuted by the legal system within a state for a crime. But, the normative power of human rights is a growing element within our global system that has made such historical violations a rarity today. We can account for this further by looking at a range of international crimes that have been named and developed – with the bulk highlighting cases where states directly cause (or indirectly allow) unacceptable harm to people, including in times of war. Of these, perhaps the most well known is genocide, which denotes the deliberate killing of a defined group of people (usually defined by nationality, religion or ethnicity) – precisely what the Nazis did to Jewish people.

Building on the momentum of establishing a range of legal norms, the Responsibility to Protect (2001), sometimes referred to as 'R2P', was endorsed by all member states of the United Nations in 2005. It sought to build further on the Universal Declaration of Human Rights and subsequent documents by establishing higher levels of punishment for the worst violations by states. In principle, this involves a reinterpretation of sovereignty (at times) to the level of the individual. To illustrate this, under the Responsibility to Protect, sovereignty can be imagined as similar to a mortgage given by a bank (the United Nations) to a homeowner (a nation-state). Should states keep up their repayments (by treating their people well) then the bank will never trouble the homeowner. However, if the state does not keep up its repayments (by acting in ways that cause its people undue harm and suffering) then that state may be repossessed by the international community, under the authority of the United Nations. In practice, this could mean that a state comes under an increasing level of actions, up to and including a regime being forcibly removed from power through invasion. The caveat is, as with any major issue involving international security, it has to be agreed by the world's major powers – again reinforcing where the real bottom line of sovereignty lies.

The Responsibility to Protect has been invoked in well over a hundred resolutions at various levels within the United Nations, signifying that it is not just something that exists on paper, but that human rights in the decades since the Universal Declaration have come a long way. During the 2021 coup in Myanmar pro-democracy protesters even held up 'R2P' signs (Photo 2.6) showing how deeply and widely understandings and expectations of this norm have proliferated. Of course, some states still mistreat their people and international action is often insufficient to prevent it or stop it, or agreement on an action cannot be reached – as prolonged civil wars in Yemen and Syria demonstrate. Yet, understanding how the global system incorporates human rights in ways that go beyond the merely aspirational, and the related place of international organisations, is to understand that both the aforementioned exist in a position that is gradually challenging the once absolute monopoly on sovereignty held by states. It also adds further weight to the layer cake of reasons why there has not been a third world war – in this case adding a legal and normative architecture that restrains states from endangering human security on the scale that has been evident in history.

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Below is a collection of multimedia resources that help unpack, and explain the importance of human rights. Resources on the Responsibility to Protect can be found here.

About the author:

Dr Stephen McGlinchey is the Editor-in-Chief and Publisher of E-International Relations and Senior Lecturer of International Relations at UWE Bristol. His publications include *Foundations of International Relations* (Bloomsbury 2022), *International Relations* (2017), *International Relations Theory* (2017) and *US Arms Policies Towards the Shah's Iran* (Routledge 2021, 2014). You can find him on twitter @mcglincheyst or Linkedin.