

Interrogating Human Rights:

A Personal Journey in Drafting the Right to International Solidarity

Virginia B. Dandan, DSD

(Editor's Note: This article is based on the initial chapter of a recently concluded dissertation. The dissertation is 'different' from the conventional dissertation in terms of form and substance. The dissertation chronicles the author's journey in working within the UN human rights system as an Independent Expert tasked to prepare the Draft Declaration on the Right to International Solidarity. The author describes it as a process of deconstructing and constructing the Right to International Solidarity.)

Introduction

There is something profoundly intriguing in the idea that everyone is born equal and free, with human rights that no one can take away from us, no matter who and where we are, our skin color, what gods we worship, whether we are rich or poor, young or old. That was the thought that ran through my mind when I first read the Universal Declaration of Human Rights (UDHR) in the late 1980s. I came across the UDHR as I was doing a library search for a Philippine law that could be applied so that the women potters of Samoki—a small village in the Mountain Province where I was doing research—could continue to gather their clay in a neighboring patch of land that had become private property. I was at that time part of a team of faculty members from the University of the Philippines College of Fine Arts conducting field research on the traditional art forms of Northern Luzon; and being a sculptor, pottery was assigned to me. I divided my time between my teaching duties, artmaking, and traveling to visit the potters' village. It was a relief when a local lawyer intervened and negotiated a mutually agreed solution to the problem between the potters and the private property owner. The village of Samoki is still there today, with a few of the potters still living but now grown old with just a few of them still making an occasional traditional clay pot that less and less people still find useful as storage vessels in this age of inexpensive plastic containers and the introduction of piped water services.

That chance introduction to human rights changed the course of my life. I have since all but set aside my art practice, to pursue what has turned out to be a journey spanning three decades now and still counting. I concentrated on doing human rights work in the United Nations system

as an “independent expert,” a term of art denoting a person with a formal United Nations mandate without compensation and, as such, acts and speaks in her individual capacity. I brought with me to the UN system an approach to human rights that was seen as different from that of the UN diplomats and international lawyers who monitored compliance with human rights treaty obligations by the so-called duty-bearers, the States. In my early years as a member of the UN Committee on Economic, Social and Cultural Rights (CESCR or the Committee), there were only a few colleagues who found my approach “refreshing” while most rolled their eyes heavenward whenever I showed more interest in the best practices by States instead of their neglect or failure in implementing their obligations to promote and protect human rights. I was attempting to strike a balance between the prevailing inordinate focus on violations of human rights and the positive instrumental value of human rights. The negative approach, sometimes referred to in the vocabulary of human rights as the violations approach, largely contributed to the misconception that human rights are only about torture, executions, forced evictions, repression of the media, and so on. This state of affairs dismayed and disturbed me and I wondered how a shift could ever be achieved given the established negativity in the vocabulary of human rights. It occurred to me that my UN mandate could be a useful platform to raise awareness of the positive values that human rights can bring to people’s lives.

This approach launched me on a path that has led me to this point—writing a paper with the objective of illustrating and expanding the understanding of human rights through my experience of constructing and then deconstructing a United Nations document titled “Draft Declaration on the Right to International Solidarity,” referred to onward as the Draft Declaration. This is the first time that a single individual has been tasked by the UN Human Rights Council (HRC or the Council) to prepare a UN declaration in her capacity as the mandate-holder of human rights and international solidarity. The preparation of a UN declaration has always been assigned to a working group composed of representatives of States assisted by legal experts. Like all other UN declarations, the Draft Declaration will be negotiated by the Member States of the UN, modified to their satisfaction, before it is submitted to the General Assembly for adoption. Although the task of writing the Draft Declaration was assigned to me simply by virtue of circumstance, as part of the myriad duties of the “what is known as a mandate holder” in UN parlance, it was for me a privilege that gave me a singular opportunity to make a direct impact on the fulfillment of human rights. The first mandate holder—I was the second—was unable to complete the preparation of the Draft Declaration within the maximum allotted term

of six years, owing to daunting obstacles that this paper will discuss.

This paper serves as the introduction chapter to my dissertation that traces the processes and questions I confronted in my journey in understanding human rights, particularly the right to international solidarity. The entire dissertation is a firsthand account of my modest contribution to the human rights work of the UN where I devoted the most productive years of my professional life, culminating in the submission to the Human Rights Council of the Draft Declaration at the end of my term in 2017.

Looking Back: My Engagement with Human Rights

The ensuing years as part of the UN human rights system were hectic, as I worked simultaneously on my teaching duties in the University and my responsibilities as a member of the UNCESCR. I was also managing a project for the Commission on Human Rights of the Philippines on integrating human rights in community development where I first encountered a vocabulary of human rights that gave a name to my own thinking regarding a shift in attention from the violations approach to human rights to their essential positive values. The project team and I were working with three indigenous communities, one in Northern Luzon and two in Mindanao. It was encouraging how well those communities responded to learning about human rights, and surprising that these communities were already practicing human rights principles although these were not named as such. They could easily translate into their local languages the human rights principles of equality, non-discrimination, participation, accountability, and rule of law. They spoke of these human rights terms in analogous phrases rather than single words. In effect, they were describing the connotations of each term rather than denoting them.

There was one community in particular—the Badjao of Tampilan close to Zamboanga City in Mindanao—who understood the meaning of the human rights principles as expressions of love in their personal relations with each other and with their community. For example, the rule of law was about the reverence for and obedience to their council of elders, whom they regarded as the bearers of the wisdom and love as handed down by their ancestors. I recall a long conversation with the head of the Badjao community whom they called Panglima. He explained to me that the term human rights which I was using was just another way of referring to love which in the Bisayan language spoken in Mindanao, is translated as *paghigugma* or just simply *gugma*. He was apparently unimpressed about

what I called “human rights” because they regarded *gugma* as a behavioral norm in their culture. What he said was not a revelation because indeed human rights principles are akin to the golden rule, “Do unto others as you want others to do to you.” But the way the Panglima casually but explicitly proclaimed that human rights was simply *gugma*, love, had an impact on me. Even if I secretly held the same conviction that human rights are really all about love, I was reticent to openly talk about human rights as such for fear that I would be ridiculed.

The New Road in the Same Direction

I stayed on course with the CESCR for 20 years, with eight of those years as the Chairperson. The UN Human Rights Council then appointed me as the Independent Expert on Human Rights and International Solidarity, where my priority task was to prepare a draft declaration on the right to international solidarity while at the same time taking into account the processes and outcomes of all major United Nations conferences and other global summits and ministerial meetings in the economic, social, and climate fields. I was also requested in this context, to seek the views and contributions from governments, United Nations agencies, other relevant international organizations, and non-governmental organizations in the discharge of my mandate. Further requests from the Council included participation in relevant international forums and major events to promote the importance of human rights and international solidarity in, for example, the post-2015 development agenda and after that, in the processes that went into the outcomes of the 2030 development agenda of the United Nations, more familiarly known as the Sustainable Development Goals.

The Council resolution that defined my mandate did not specify concrete instructions as to how I would go about the task of creating a draft declaration. It was apparently my decision as to how I would go about creating a new human right. I approached the task in the only way I knew how, by problematizing the subject. The problem itself was fairly simple—how to create a new human right. My past experience taught me that the full understanding of human rights cannot pre-exist the right itself. Human rights are a work in progress, and come into full light and existence as enforceable claims only through continuous development of its dimensions, made possible through the experience and hands-on work done on the ground by local actors themselves. In this case, I had to ask myself questions that would spur my initial imaginings of how a Draft Declaration might be. What is the definition of the right to international solidarity? What are the relevant principles, norms, standards, and practices that

could be applied for an effective implementation of a right to international solidarity? Other questions linked to multiple issues convinced me that my work would benefit greatly from the expertise and insights of other human rights experts.

The first major step I took in relation to my tasks was to convene a two-day expert workshop on human rights and international solidarity under the auspices of my official mandate. I invited 26 internationally recognized human rights experts selected from various regions. Representatives of States, United Nations agencies, and non-governmental organizations were also invited as observers in the private meetings and as participants in the workshop groups. The discussions in the workshop focused on relevant issues that included the content, nature, and added value of international solidarity; the definition of international solidarity and a right to international solidarity; the relationships between international solidarity and international cooperation; and working beyond the Millennium Development Goals. The participants expressed their thoughts freely, based on their individual expertise, and exchanged views on the issues at hand.

The outcome of the expert workshop provided invaluable data from which I gained a clearer understanding of what the contour and scope of a right to international solidarity might be. In terms of justifying the right to international solidarity, there was no need to look beyond the various crises facing the world. If the right were in place, better tools would be available with which to tackle issues. The right could also be justified by exploring existing good practice in terms of international solidarity and by bringing in human rights standards, including non-discrimination, equality, transparency, participation, and accountability of national and international institutions and State and non-State actors. The participants stressed the importance of the concept of “preventive solidarity” as a normative framework, in particular to minimize the negative effects of crises. It could take the form of safeguards against financial recessions or of early warning systems for natural disasters, for example. The work of the International Labor Organization on the social protection floor was cited as a good example of preventive solidarity.

The right to international solidarity would capture the ways in which solidarity was used by the public to achieve development and to push for a more revolutionary definition of the concept. A note of caution was that imposing a right to solidarity and turning it into a State obligation might actually undermine the right because it could weaken

community solidarity and make the Government solely responsible. Several participants pointed out that, in drafting a declaration, it was important to strike the correct note, tone, and balance so as to be forward-looking but also to focus on what was palatable at a time of crises and what would have both strength and content. The added value of the right to international solidarity in the form of a declaration would be that the declaration would set forth interpretive principles and forward-looking text. It would also be important at some stage to look at how to muster sufficient support among Member States and civil society for the declaration. One way to build consensus was to base the declaration on the Charter of the United Nations and existing human rights obligations.

The workshop was only the beginning and, in the course of my mandate, more stakeholders would be sought out and consulted. At the sessions of the Human Rights Council, I held numerous informal consultations with the delegations of the regional groups of countries, to listen and exchange views. It was my intention to listen to as many people as possible. I managed to compile a rich resource basis from which to draw a first attempt at crafting a preliminary text of the Draft Declaration. This compilation was complemented by my informal conversations with different groups of people with whom I engaged in UN world conferences. I also benefited from the country study missions I conducted, particularly in Brazil where solidarity is integrated into its Constitution, and where the government practices what they call “solidarity diplomacy.”

Defining International Solidarity and a Right to International Solidarity

The most common understanding of the word “solidarity” from the dictionary is in terms of a unity or agreement of feeling or action, especially among individuals with a common interest; and mutual support within a group. Solidarity also refers to an independent trade union movement in Poland that developed into a mass campaign for political change and inspired popular opposition to communist regimes across eastern Europe during the 1980s. The Human Rights Council resolution that spelled out the terms of my appointment as independent expert also stipulated that international solidarity is a “...broad principle not limited to international assistance and cooperation, aid, charity or humanitarian assistance, and that it includes sustainability in international relations, especially international economic relations, the peaceful coexistence of all members of the international community, equal partnerships and the equitable sharing of benefits and burdens” (HRC, 2011).

A particular vocabulary of human rights prevails in the language of the international human rights domain as well as in the various legal instruments denoting interpretations of the human rights standards contained in the UDHR. I took this into account as I went through a review of UN documents relevant to my task of preparing the Draft Declaration. Since I was creating a document that would be closely examined specifically by the Member States of the Human Rights Council, I had to learn to write using the dominant vocabulary of human rights.

It has been said, and rightly so, that the *principle* of solidarity—emphasis mine—is a concept that progressively moves forward in asserting common rights and responsibilities and in the shaping of an international community, representing values to be attached, as a whole, to the life of present and future generations, and to the development of a democratic and equitable international order (Van Boven, 2012). When I first accepted my appointment to the mandate, I spoke in “lay person’s terms” of solidarity as a persuasion that combines differences and opposites, holding them together in one heterogeneous whole, imbuing that whole with the universal values of human rights. For that reason, solidarity should be protected from exploitation and corruption, particularly at the international level, across national boundaries and cultural diversities. Furthermore, international solidarity should be explicitly a human right if it is to be true to the purposes of the United Nations, and if it is to be the engine that will drive the international community’s collective actions to overcome the common challenges, risks, and threats faced by nations and peoples, and to achieve the transformative changes that are imperative in these troubled times. It did not take long for me to realize that, more than anything, what was required was an understanding of international solidarity in human rights terms. This is the rationale and significance of the Draft Declaration on the Right to International Solidarity.

Article 1 of the Draft Declaration provides a definition of the *principle* of international solidarity: “*International solidarity is the expression of a spirit of unity among individuals, peoples, States and international organizations, encompassing the union of interests, purposes and actions and the recognition of different needs and rights to achieve common goals.*” The above definition of international solidarity as a principle encompasses a comprehensive and coherent conceptual and operational framework to regulate a spectrum of global governance issues beyond the more limited instances of international cooperation in the field of development. For example, international solidarity requires the deployment of preventive solidarity aimed at proactively preventing and removing the root causes of inequalities

between developed and developing countries, as well as the structural obstacles that generate poverty. International solidarity represents a multi-directional—rather than a one-way—deployment of action, together with the corresponding obligation and accountability, thus creating a nexus of intersecting elements that would bring about an enabling environment where human rights can be exercised and enjoyed by individuals, groups, and peoples.

In Article 4, the full definition of the right to international solidarity is stated in two paragraphs—

1. The right to international solidarity is a human right by which individuals and peoples are entitled, on the basis of equality and non-discrimination, to participate meaningfully in, contribute to and enjoy a social and international order in which all human rights and fundamental freedoms can be fully realized.
2. The right to international solidarity is grounded in the codification and progressive development of freedoms and entitlements contained in international human rights treaties reflecting civil and political rights, economic, social and cultural rights, the right to development, and international labour standards, and complemented by other responsibilities arising from voluntary commitments undertaken in the relevant fields at the bilateral, multilateral, regional and international levels.

The framework for international solidarity derives from four general sources: the Charter of the United Nations; the Universal Declaration of Human Rights along with the international human rights treaties; the numerous commitments relating to human rights and development that have been adopted by States in UN conferences and summits; and the resolutions adopted by the UN General Assembly. These documents stand on the positions taken by States that reflect their acceptance of these resolutions and, more importantly, their actual practice. UN resolutions are key to the treaty-making process as well as the formulation of declarations, with the respective texts having to be negotiated among States of the General Assembly.

The wide political divide among Member States of the UN is a reality that most UN people have learned to live with, and mostly ignore. But like it or not, this great political divide can be the single most destructive element within an institution that is founded on solidarity, cooperation, and “brotherhood.” There has always been among States

of the Human Rights Council, a general recognition of international solidarity as a principle. However, the Council is divided along political lines when it comes to supporting the concept of international solidarity as a human right. Developed countries, particularly the European Union countries, and their political allies like the United States, Australia, New Zealand, and South Korea, all reject international solidarity as a human right. On the opposite side, there is strong support from Russia, China, and the developing countries from Africa and the Latin American and Caribbean and Southeast Asian regions. In my bilateral consultations, I was informed by the Western group that their objection lies in the fact that international solidarity as a right does not have a legal basis because it applies to collectives in direct contradiction to its avowed position that human rights belong only to individuals. As a postscript to this issue, I place on record that the mandate of international solidarity was created under the sponsorship of Cuba and it is my opinion that this fact has made all the difference in their staunch political position against a Draft Declaration on the Right to International Solidarity. When I began my term as the Independent Expert, my first bilateral meeting was with an ambassador from a Latin American country who gently pointed out to me that this state of affairs will be the single most formidable obstacle to the success of the mandate.

Relevant Literature

Direct reference in the major literature of the United Nations to international solidarity as a right does not exist but, in contrast, the reference to the principle of international solidarity is abundant. The Draft Declaration therefore makes generous use of the principle of international solidarity to build upon in the articulation of its preambular paragraphs and in laying down the foundations of the right to international solidarity.

International solidarity is a foundational principle underpinning the three pillars of the Charter of the United Nations—peace and security, development, and human rights. The Charter distinctly reaffirms faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small. The Charter adopted in 1945, is a testimony to the determination of States

...to establish the conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained; to promote social progress and better standards of life in greater freedom; and to employ international machinery for the promotion of the economic and

social advancement of all peoples. Accordingly, international solidarity should be understood within the context of the conditions that States are bound to maintain, and not otherwise.

The Charter of the United Nations needs to be revisited as often as necessary, as a reminder of its timeless vision, given the evolving needs of a changing world. Article 1 of the Charter, articulating the purposes of the Organization, implicitly calls for international solidarity to undertake effective collective measures for the prevention and removal of threats to peace. Article 1 also calls for international cooperation in solving international problems of an economic, social, cultural, or humanitarian character. The Draft Declaration interprets this article as consistent with its claim that international cooperation is a key feature of the right to international solidarity.

The adoption in 1948 of the Universal Declaration of Human Rights put into motion the extraordinary promise and exhortation in its 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.” Further in its penultimate Article 29 paragraph 1, the UDHR makes a powerful point: “Everyone has duties to the community in which alone the free and full development of his personality is possible.” These two articles together with the other articles between them, set out a “...common standard of achievement for all peoples and nations” (UDHR Preamble). The preamble and the articles of the UDHR shape the contours of international solidarity as both a principle and a right. They also reinforce the idea of international solidarity as an instrument that responds to the existing imperative to establish the conditions under which all individuals and peoples can enjoy and realize their human rights. It is in addition the engine for international assistance and cooperation towards the effective implementation of sustainable development.

The Declaration on the Right to Development, adopted in 1986, was a response to the need for substantive change in the reprehensible conditions of the world’s most marginalized and vulnerable groups. Yet its effective implementation continues to be fraught with complex political issues and, to this day, support for the Declaration on the Right to Development, the source of the so-called human rights-based approach to development, has not risen beyond lip service from the same States that signed it. The issues that emerged out of the right to development are the same issues being echoed in discussions around the right to international solidarity. The political divide between the developed and the developing countries so intensely polarized the United Nations. The Declaration on the Right

to Development itself was not the issue. It was also on its implementation where the opposing factions simply could not agree on how the provisions of the Declaration would be implemented. The controversy centered on the same position of the EU countries and their allies that collective rights such as the right to development do not have a legal footing because of the fact that human rights belong only to individuals. The question of who should foot the bill in the implementation of development assistance brought the debate to a virtual standstill. An intergovernmental Working Group on the Right to Development was created and an Independent Expert on the Right to Development was appointed, who would report to the Working Group on the implementation of the Right to Development. *The Right to Development: Reflections on the First Four Reports of the Independent Expert on the Right to Development*, published by Franciscans International (2003), is a compilation of commentaries by varied authors who had been following the issues linked to the processes and activities surrounding the controversies. I found this book useful in gaining relevant knowledge on how and why these controversies seemed to find no solution even with the passage of many years. The articles cover a wide range of topics that may be relevant to my own mandate such as development cooperation strategies, the establishment of a development compact, and escaping poverty through development cooperation (FI, 2003).

I make special mention of the book *Human Rights and Their Limits* by Wiktor Osiatynski (2011), a professor at the Central European University in Budapest, who spent his boyhood years in communist Poland of the 1950s. His book represents his most significant learning about human rights over 20 years doing research and teaching human rights, witnessing firsthand "...the world around me slowly waking up to the concept of human rights" (Osiatynski, 2011). With such opening remarks, it is no wonder that I have been keeping this book within easy reach and regret that I have not spent as much time reading it as thoroughly as it deserves. My readings of the book so far have left me with more questions than answers in my quest of finding something that I could use in my task of writing the Draft Declaration. Aside from finding resonance with the idea that the author wrote the book from firsthand experience, I did find the book's format unusual. Osiatynski divided the parts of his book into two, providing two separate conclusions for each part. I also found resonance between his discussion of rights in the public sphere, rights and society, and the theory of communicative action of Jurgen Habermas (1991) which I used to frame my examination of variables in preparation to writing the Draft Declaration.

The Process of Making the Draft Declaration

Through all the years that I was working with the UN, I was constantly engaged with colleagues among whom were some of the best minds of international law. It was from them that I learned to pay attention to Human Rights Council resolutions because resolutions emanating from international organizations such as the UN General Assembly and the Human Rights Council have a persuasive effect on international law.

This entailed a tedious process of sifting through countless UN documents in search of the appropriate elements for a draft declaration; numerous bilateral consultations with the various delegations of States at the UN headquarters and at their permanent missions in Geneva as well as in New York; interviews with other independent human rights experts and academics both within and outside the UN system; and spending the rest of the time studying relevant references.

Consultations with the delegations of States were part of my official duties and I took that effort as a matter of priority, recognizing that the support of delegations would be crucial to the success of the Draft Declaration, and the continuation of the mandate itself. My objective during the initial round of consultations with the delegations was to listen to and note what they had to say about a right to international solidarity and, just as importantly, to what they *did not* say.

The insights, comments, and inputs from United Nations agencies, independent experts, non-governmental organizations, academics, national human rights institutions, and local communities on the Preliminary Text were of great benefit in the process of amending the original text to its new form which I started referring to as the Proposed Draft Declaration. The Proposed Draft Declaration was circulated for further comments.

I modelled the original Proposed Draft Declaration after the traditional format of UN declaration documents. It took on a different form after it went through the step-by-step procedure that was put in place to finalize it. The two versions of the Draft Declaration were framed by the communicative action theory of Jurgen Habermas (Bolton, 2005) who created a distinction between Lifeworld and System, two distinct but related spheres of social life in which what he calls communicative and instrumental action occur. Lifeworld refers to the everyday world whose realities are influenced by System that consists of structures and patterns of instrumental action such as money and power. Lifeworld is the medium

of the symbolic and cultural reproduction of society and System is the medium of material reproduction of society (Bolton, 2005).

In my quest for a theoretical foundation on examining the vocabulary of human rights, my position on the matter resonates with the idea of the language-world relationship dealing with questions on what gives words their meanings and what is it for a word to even have a meaning to begin with (Geisz, 2011). It is a simple starting point to questions about representation and reference. However, what is more related to the context of this paper is Frege's concept (Dummett, 1973) that expressions which share their referents (that which is referred to; in this case, human rights) could generally be substituted for one another without changing the truth value of a sentence. In other words, anything we might predicate with the one we may predicate with the other, so long as the two expressions have the same referent. I attempted to do this while I was in the process of revising the Proposed Draft Declaration.

The final version of the Draft Declaration of the Right to International Solidarity was submitted to the Human Rights Council at the end of my term as Independent Expert in June 2017.

Human Rights as Language of Love?

Specialists in international law use legal language to interpret the substance of human rights which contribute to the skewed perspectives on human rights among those who have no legal background. More often than not, the average person relates human rights only to violations that are featured in dramatic fashion in print and broadcast media. Even today, when human rights education has become part of the curriculum in schools, there is a lack of awareness and understanding of human rights in its positive light. Philip Alston has recently sounded the alarm regarding the "nationalistic, xenophobic, misogynistic and explicitly anti-human rights agenda of many populist political leaders" (Alston, 2017). He has called on human rights proponents to rethink long-standing assumptions about human rights, re-evaluate strategies and reach out more actively and broadly to reaffirm the basic human rights principles. Alston's words may also be taken as a criticism of the lack of creative initiatives to revitalize the already enervated vocabulary of human rights. In response to this, it could well be that the time has come to be less didactic and be more open to other possibilities in reaffirming human rights principles.

Alston's warning is truly alarming; and not only human rights advocates but rather every one of us should be concerned as to the future of

democracy in the face of the rising tide of change in the opposite direction of where we would want the world to go. The sad truth is the idea of human rights is growing old and tired. Too much has been expected of the promise of the UDHR, as though it were the panacea to every large and small crisis that happens in the world on a daily basis. That was the feeling I had as I went through the process of crafting the Draft Declaration on the Right to International Solidarity.

The notion of international obligations becomes even more relevant in the present context of globalization, where the role of the State is increasingly being reduced—inadvertently in some cases, it might be argued. Whether or not this is the case, the State's capacity to respect, protect, and fulfill human rights is diminished. In such a context, the value of international cooperation, a key feature of international solidarity, takes on even more importance, particularly in connection with supporting a State that needs assistance in complying with its core human rights obligations. Collective action by States in undertaking measures of reactive solidarity, as well as preventive solidarity, are of critical importance in minimizing adverse impacts on the exercise and enjoyment of human rights.

More recently, a friend called my attention to Michael Hardt's thoughts on love as a political concept which he discusses in *Multitude, War and Democracy in the Age of Empire* (Negri & Hardt, 2004). Hardt makes a distinction between "love as politics" and the other more familiar forms of love. In his own words he sums up his view on

...a political notion of love that is not only open to difference, like not only a kind of tolerance, but a love that loves the stranger, a love that functions through the play of difference rather than the insistence on the same....not merging into unity, but constructing of constellations among differences, among social differences.

In an interview, Hardt points out that limiting love only for what is the same kind has destroyed the possibility of a more generous and positive concept.

Hardt's theory of love as politics resonates with the convictions I have held and which have been driving my human rights work through all these years. Although I have yet to find literature on the topic of human rights as a language of love, there is a significant body of human rights literature that can be understood as a connotation of or an inference from human rights as a language of love. The sense of the words in the UDHR "act towards one another in a spirit of brotherhood" obviously signifies

love in a direct manner, and at the same time reinforcing the place of love in the political context.

In one of my occasional lectures on integrating human rights in development, a young woman from the audience asked me “*How did you become a human rights defender? Isn’t that a scary profession?*” My answer came quickly: “*I call myself a human rights worker, not a human rights defender.*” I explained that, while the subject of human rights has filled my life for almost three decades now, I have never been challenged to the point where I have had to defend human rights. This is also because I choose to focus on the aspects of human rights that make them positive interventions on human life. This brings me to the fact that after all these years, I am still in search of a concept frame that matches my understanding of the meaning of human rights as I have come to understand it. With all due respect, human rights are more than what the eminent human rights experts and theorists say they are. My task now is to articulate my understanding about what human rights are.

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