The Globalization of Human Rights

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Abstract

In this paper, we would like to argue that human rights are also part of the process of globalization. Human rights are defined as socially constructed ideals of freedom and human well-being. Human rights are, by their very nature and in their very language, global rights. In what follows, we would like to outline the process of the globalization of human rights in a variety of ways. First, we will consider the successive development of different conceptions of rights from early modernity to the present. The focus here is in showing how competing definitions of human rights evolved historically so that when we look at the world today we find the major conceptions of human rights, conceptions which, however, are not necessarily commensurate with one another and exist in tension. The second part of this paper examines the globalization of rights as a process that involves the movement of universal ideas of human rights into new cultural locales and spaces. The third and final part of this paper examines the emergence of new institutional and organizational forms that are based on the idea of human rights and that function to foster human rights in a global context. These new forms are often said to constitute something called "global civil society" or "transnational cosmopolitanism." As with the other sections, we will critically examine this concept and raise the question: has globalization led to the emergence of global civil society, and if so, what is the nature of this new entity?

Keywords: Globalization, Human Rights, Global Rights, Global Civil Society, Transnational Cosmopolitanism

Introduction

The terms "globalization" and "human rights" enculate two of the most significant areas of concern in the social sciences and humanities, spanning a wide range of fields and views. The term "globalization" refers to the spread of global capitalism, which began with Europe's imperial expansion, intensified with the Industrial Revolution, and took on a number of new forms in the twentieth century, including the transnational company. Fundamentally speaking, globalization is the increasing degree and intensity of what Max Weber termed instrumental rationality spreading across time and space into almost every region of the planet. However, there is much disagreement about the precise nature of this process and its outcomes. While some (Bhagwati, 2014; Akeju, 2019) see globalization as an expansion of freedom and opportunity, others (Falk, 1999; Nweke, 2015; Harvey, 2016) see it as an intensification of the more negative aspects of capitalism, which Marx first identified and which are exacerbated by the process of capitalist expansion. It is fair to argue that, generally speaking, globalization is almost always considered in terms of its effects on people, that is, how it affects human agency and, most importantly, how it affects people's well-being as they experience it.

Although it is easy to assess some economic consequences, globalization cannot be understood only in terms of economics (Joyce, 2019). While a sociological approach views globalization as a collection of other processes, empirical measures of global inequality, for example, allow us to examine the effects of capitalist expansion in various locales and measure the effects of this expansion in terms of the relative economic status of nations to one another. The spread of media and communication technologies that improve human interconnectedness on a worldwide scale and enable instantaneous communication and interaction across time and space on a never-before-seen scale are the hallmarks of globalization (Albrow, 2007; Babalakin, 2020). Another central aspect of globalization is the accelerating and expansive migration of peoples across national boundaries and population transfers (including ones that are forced and involuntary). Of course, capitalist labour markets promote transnational migration, but such movements of people also produce new cultural forms when migrants merge their home cultures with their host cultures, resulting in new and hybrid forms of culture (Ahmed, 2018; Levitt, 2021). The phenomenon of global cultural diffusion across national borders is another facet of globalization. Globalization implies the "dislocation" of cultural meanings from specific locations, resulting in a new, potentially endless universe of cultural interactions "outside" the conventional borders that confined and safeguarded local cultures prior to modernity.

We shall contend in this paper that the trend of globalization includes human rights as well. Human rights are socially constructed ideals of liberty and well-being (Cushman, 2016). This concept states that norms, values, and beliefs that influence behavior and may be referred to as "human rights" are present in all civilizations. However, the expression is frequently employed to stand for universal freedom principles that every human being possesses just by being a person. By definition and by their very nature, human rights are universal rights. We shall discuss the globalization of human rights in several ways in the sections that follow. Firstly, we will examine how different perspectives on rights have changed from the early modern era to the present. Here, the focus is on showing how conflicting interpretations of human rights developed historically,

leading to the current worldview of the key notions of human rights, which are not always harmonious and coexist in tension. This paper's second portion examines the process of "rights globalization," which involves applying universal human rights concepts to novel cultural settings and locations. This is a process fraught with tension and conflict as local conceptions of good and evil clash with universal ideas of human freedom and well-being. This paper's third and final section examines the emergence of new institutional and organizational forms that uphold human rights in a global context. These forms are founded on the concept of human rights. It is frequently proposed that these new forms embody "transnational cosmopolitanism" or "global civic society." As in the previous sections, we will critically assess this idea and inquire as to whether globalization has led to the emergence of a global civil society and, if so, what this new organization is like.

While there are certainly many more processes that may be examined in a globalization research of human rights, the three that are discussed here are the most significant. Discussions about globalization and human rights typically center on distinct topics. What is the impact of the structural processes of globalization on human rights, namely on the legal, political, and economic frameworks that comprise these processes? Does globalization provide more social justice, wealth, and human freedom? Is human rights benefiting from globalization? Is globalization a "dark" force, a process of hypermodernity that has given rise to new patterns of social misery and new kinds of dominance? While not the main focus of this paper, these concerns will be brought up while discussing the important problems related to the globalization of human rights. The latter subject won't be looked at until we acknowledge that a significant amount of the literature on globalization and human rights aims to examine how the former affects the latter. There is a claim that no reliable empirical or ontological analysis exists that evaluates how globalization affects human rights. Because ideas about human rights are so diverse, what one person views as freedom or the protection that comes with having rights may be viewed by another as dominance and oppression.

Generations of Rights

Human rights scholars have typically viewed the development of various conceptions of rights as ideals of human freedom and as safeguards against certain types of human vulnerability as the process leading to the establishment of human rights in modernity (Chidiebere, 2019; Turner, 2020). These are usually called generations of rights. The American and French Revolutions marked the start of the first generation of rights. The foundation of the revolutions was the idea that human rights are people's civil and political freedoms against oppressive government and state authority. Individual rights were essentially defined in both of these revolutions as "negative rights," or principles meant to subvert the authority of the state or the sovereign (in this case, the King of England and the King of France) over ostensibly free people. The First Amendment, for example, declares that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people to assemble peacefully and to petition the Government for a redress of grievances." The majority of the rights in the American Bill of Rights are outlined in this negative language. These rights were defined as "natural and inalienable," and it was believed that they superseded and had precedence over governmental actions and laws that were deemed to be unfair.

They outlined specific concepts regarding people's freedom from outside powers. The fact that these revolutions were motivated by negative rights must be emphasized in particular because later conceptions of human rights, particularly those that are widely accepted in the current international system, defined human rights as enumerating duties on the part of states to promote human flourishing and reduce vulnerability by defining what those states should or ought to do for particular individuals or groups of particularly vulnerable individuals.

While the principles of human rights upon which the American Revolution rested were articulated in language that was universally understood, the revolution's geographic reach was rather restricted. According to Hunt (2017), the French Revolution is often regarded as the first significant revolution that sought to be global in addition to addressing violations of human rights in France. The French Revolution served as a template for other revolutionary movements because it outlined a core set of fundamental "rights of man and the citizen," which stood in for sacred ideals that different oppressed groups may subsequently strive to achieve (Hunt, 2016). The French Revolution created citizenship as a status in this sense, with human rights serving as its primary cultural asset. Being a citizen meant that one had certain rights, and many of the conflicts during the French Revolution were determining which groups of people should "possess" these rights in order to protect their liberties and prevent vulnerability.

A possible approach to think about the French Revolution paradigm is to see human rights as the fundamental normative foundation of a community. Individuals on the outside of society, feeling "unprotected" or exposed, want to become central members of the community. This paradigm has been used historically in many human rights movements from the French Revolution to the present, which makes it significant for the issue of the globalization of human rights. The essential tenet of Western movements for women's human rights was that these rights constituted a sacrosanct core of protection, and that women's rights social organizations sought to bring women into the protective orbit of this core. The modern fight to protect gay and lesbian people's right to marry has depended on the argument that this is a "human right," one that all citizens are entitled to and that gay and lesbian people specifically deserve. Therefore, the French Revolution model serves as a crucial reference point for comprehending the broader sociological process by which marginalized or disadvantaged individuals attempt to obtain citizenship status and, consequently, the protection of their rights.

In addition, the French Revolution was significant because it sparked significant criticisms of human rights, which have continued to influence criticisms of rights to this day (Aina, 2020; Waldron, 2021). Modern utilitarian critiques of human rights, which contend that what should be done for the benefit of society should not be determined by some abstract ideal or standard but rather by considerations of what is practical for the happiness or good of the many, owe their roots to Jeremy Bentham's scathing critique of the French Revolution (Waldron, 2021). A model for defending national cultures and sovereign traditions against the abstract, transnational, universalizing notions of human rights was Edmund Burke's critique of human rights, which emphasized the value of national traditions in determining what is best for societies and individuals (Waldron, 2021). Bentham and Burke, who argued for the universal principle of utility in social planning and against the trumping of national traditions and cultural rights over abstract, universal ideas that would, in their view, sow disorder and chaos in societies, could be seen as precursor

critiques of the "globalization of human rights." Their basic reasoning can be found in contemporary arguments made by those who contend that national cultures and values that best serve people within their own nation-states are threatened by universal human rights, or that social progress can be made without using the language of human rights (see, for example, Singer, 2014). But when it comes to thinking about globalization, particularly the economic dimensions that are so crucial to contemporary discussions, Marx's well-known criticism of the French Revolution, presented in his "The Jewish Question," has been the most influential (Aina, 2020). Marx maintained that the French Revolution was a false type of freedom and emancipation, with its paradigm of disenfranchised people and organizations seeking citizenship on the basis of rights. Marx believed that the ultimate purpose of the Revolution was to support the freedom of individuals or members of groups to obtain civil and political rights for themselves. Thus, despite its outwardly radical appearance, this social movement was really a stopgap that covered up his utopian vision of doing away with capitalism and uniting people from all social classes and backgrounds into a one collective bound by what he called the spirit of "species-being." Marx first proposed the theory that social classes and groups, rather than individuals, are the real targets of oppression, with capitalism serving as the primary cause of this oppression. Human rights would only undergo a "real" revolution once capitalism was destroyed.

Second generation rights have their roots in Marx's critique of individual rights and his claim that freedom could only be attained by abolishing capitalism. Social and economic rights that are essential to shielding people from the unique dangers that capitalism poses are known as second generation rights. Social and economic rights, in contrast to first generation rights, view freedom as promoting and guaranteeing people's physical (and therefore their mental) well-being. By interventions, particularly those made by the state, to provide basic requirements of life like food, housing, and healthcare, these rights seek to reduce human vulnerability. In the past, this generation of rights was driven more by the theory that capitalism was inherently violent against human dignity and the source of some types of prolonged suffering than by Marx's precise revolutionary logic for the total abolition of capitalism (though communist societies like the Soviet Union and China attempted to do so at great human cost) (Aina, 2020). Social and economic rights, such "the right to food" or "the right to housing," try to "tame" the excesses of capitalism by dictating what has to be done on an individual basis to lessen the vulnerabilities that capitalism has caused in people.

As the welfare state and democratic socialism ideology developed in Western capitalist economies during the 20th century, the concept of social and economic rights gained prominence. It is crucial to emphasize that the concept of social and economic rights stands in opposition to the blatantly individualistic and libertarian principles of the first generation of individual rights in order to properly examine the process of the globalization of human rights. Many of the arguments surrounding the effects of globalization center on the relative rights of individuals to pursue their own interests in a global capitalist society versus the suffering that other people, classes, or groups must endure as a result of capitalism's global expansion (Aina, 2020).

The main actors in today's human rights debates are those who support first- and second-generation rights, with supporters of individual rights emphasizing rights like economic freedom and civil and political freedom while supporters of social and economic rights contend that safeguarding

human vulnerability is a basic necessity. The process of human rights globalization has resulted in a very contentious global environment as the concept of freedom itself is reflected in many concepts. For example, tensions between the United States and Europe often stem from the fact that Americans continue to be guided by libertarian conceptions of rights, whereas Europeans have made the imperative of social and economic rights central to their societies (though the United States occasionally experiences tensions between libertarianism and socialist ideals).

In addition to these first two generations of human rights, other types of rights claims started to surface more often in the twentieth century. The premise that communities and cultures have particular rights as collective entities is the foundation of the so-called third generation of rights (Kymlicka, 2015). This viewpoint's reasoning is akin to Marxian reasoning, which holds that bourgeois capitalists oppress the proletariat collectively. This reasoning is expanded by the new viewpoint to encompass a larger range of groups, such as marginalized ethnic groups or indigenous cultures. Third generation rights are these new categories of cultural or community rights. These rights are predicated on the idea that an individual's level of vulnerability is contingent upon the group or culture to which they identify or are seen by the prevailing society to belong. Since membership in a group or culture makes one susceptible, articulating the rights of especially vulnerable groups or cultures is necessary to lessen that vulnerability. According to this understanding of rights, the process of mobilizing support for human rights begins with the pursuit of special protections and rights for groups or cultures that have particular vulnerabilities as a result of their position within the dominant society, rather than the pursuit of individual rights or even social and economic rights (though these claims may be made for members of these groups).

The rise of third-generation rights is significant in the context of globalization as it is believed to have specific, mostly unfavorable effects on certain disadvantaged populations. Because they belong to a minority group or culture, lower class members of a given society may assert additional claims for specific or special rights on top of their claims for social and economic rights in the face of economic vulnerability. For example, an indigenous person may be granted a great deal of social and economic rights from the state, but they may also be entitled to additional rights, such as unrestricted use of land for fishing or other uses, the ability to practice their religion, or the right to receive an education in their native tongue. Individual rights and group rights can conflict significantly because group rights place particular obligations on members of groups to adhere to group norms. For example, a member of a group may wish to exercise their right to pick a spouse or their freedom of association, yet these actions may go against the fundamental standards of what the group or culture defines as "right" and "wrong."

This succinct explanation of the several generations of rights is significant because it addresses a major point of contention in the current globalization debates: which rights are fundamental. The globalization of human rights may be understood as the result of several normative principles emerging one after the other throughout modern times, each with unique logic and origins but currently coexisting in dialectical conflict with one another. One way to think of the globalization of human rights is as a struggle between various ideologies on the primary cause of human vulnerability and dominance, as well as ways to lessen such effects. The most illuminating aspect of the arguments around the relationship between globalization and human rights is the conflict that exists between individual rights and social and economic rights.

Debates about Globalization and its Consequences

As previously said, the nature and consequences of global capitalism have dominated discussions around globalization. Within the field of globalization studies, there are lengthy and seemingly unsolvable disputes among researchers who examine similar phenomena and arrive at entirely different conclusions. There is a propensity for research on globalization to focus only on the economic aspects of its consequences. This is motivated by the fact that measures of things like economic inequality, both within and within countries, have a solid scientific and empirical foundation. Research on globalization also has an ideological component. While emphasizing the detrimental impacts of capitalism, many observers of the phenomenon base their conclusions on a Marxian theoretical framework that denigrates capitalism and places a premium on social and economic rights. Many studies ascribe metaphors to the globalization process that suggest a pessimistic assessment of its overall consequences. For example, Anthony Giddens (2012) views globalization as a destructive force that obliterates everything in its path. Richard Falk (1999) describes the destructive repercussions of globalization and calls it "predatory." According to David Harvey (2016), globalization is the realization of Marx's prophecy that capitalism will advance and that capitalist exploitation will spread throughout the world. According to Blau and Moncada (2016), the global expansion of capitalism necessitates the expansion of social and economic rights in all spheres of social life because individual rights are not human rights at all and that social and economic rights are the only "authentic" human rights.

The conceptual term "neoliberalism" is frequently used to describe the process of capitalist globalization, which creates a plethora of new avenues for capitalist exploitation on a worldwide scale. Neoliberalism is frequently seen as a hazardous and menacing philosophy that serves as the foundation for a new, very harmful kind of globalized capitalism (Harvey, 2015). Here, it is important to emphasize that discussions about how globalization has affected society are frequently highly politicized and ideological, and they frequently start with the premise that social and economic rights are the most significant types of rights and that the progress made by globalization must be used to gauge its success.

The definition of globalization and how human rights are viewed in connection to it are major topics of discussion in the globalization debate. Therefore, globalization is seen by Bhagwati (2014) as a process that promotes individual rights, particularly those to economic freedom and opportunity that were previously inaccessible to those who are economically vulnerable. Bhagwati defines human freedom (and therefore human rights) as the expansion of individual freedom. Modern opponents of globalization contend that it has exacerbated social misery and inequality. They have adopted a stance akin to socialism in their criticism of "neoliberalist capitalism" and support for the extension of governmental authority to grant "positive rights" to those who are most in need of it. Few arguments for globalization as a progressive process can be found in the literature on social science; almost all of the major works in the field are highly critical of globalization and view it as a destructive and negative process, much as Marx perceived capitalism as a force that causes "all that is solid melt into air."

Globalization and the Incommensurability of Conceptions of Human Rights

Since there is no universally accepted yardstick for measuring human rights, it is impossible to provide a definitive response to the question of how globalization and human rights relate to one another. Given that our definition of human rights is based on concepts of freedom, it follows that the concept of freedom is inherently quite subjective, or at the very least susceptible to ideological definitions, which might lead one person to view one sort of freedom as a form of dominance or subjection and vice versa. The employee is subjected to subordination in order for the disenfranchised worker, who is able to promote his own well-being through the acquisition of cash from whatever source, to be free. Heavy taxation and the expropriation of resources to provide for the well-being of others (and therefore their potential for freedom) violates the idea of freedom of control over one's own property.

The point to be made here is that, despite the efforts of numerous globalization analysts, it is impossible to establish a standard for what is considered the "best" measure of human rights when taking into account both the process and the effects of globalization of human rights. This is due to the fact that different generations of rights have different conceptions of human vulnerability and freedom, which are at odds with one another. From a purely sociological perspective, the most we can do is analyze movements in light of actors' or institutions' attempts to promote one conception over another, and to comprehend the globalization of human rights as a process of the evolution of conflicting definitions of vulnerability and freedom.

Here, the example of Eastern Europe and the Soviet Union is instructive. Individual political and civil rights were virtually completely eradicated for Eastern Europeans living under Soviet domination. Established on the inflexible tenet of social and economic rights, the Soviet Union's legitimizing ideology maintained that the state, which granted social and economic rights, must be protected at the expense of individual rights. Despite the fact that these rights are actually provided, it is difficult to regard the experiences of the people living in these nations as freedom if we define freedom negatively as the absence of government interference and the support of civil and political rights, individual liberty, and the unrestricted exercise of human agency (Aina, 2020).

Following the fall of the Soviet Union, capitalism quickly encroached over these once communist nations. The phrase "shock therapy" describes the process, indicating that new forms of capitalism had a significant impact on these kinds of communities. These cultures clearly saw the emergence of new types of inequality and vulnerability, as one would anticipate in any capitalist society.

However, from the perspective of those living in former communist states, the bad aspects of capitalism were sometimes perceived as fresh opportunities for both individuals and the countries in which they resided, rather than as means of dominance. Despite its drawbacks, capitalism was unquestionably a structural force that improved individual freedom, particularly in the economic domain. Additionally, it made political choice possible, which facilitated the former communist nations' quick integration into the international political and economic system. Think about how many countries that were formerly part of the Soviet Union are now candidates for membership or

members of the European Union, opening up previously unheard-of financial possibilities, freedom of movement to pursue new business opportunities, and freedom of association to form new political parties. It is not intended to minimize the very serious consequences of capitalism or the existence of new kinds of economic exploitation in this part of the world by highlighting these "positive" achievements in the field of human rights. However, it is important to remember that the fall of communism and the emergence of capitalism gave millions of people a never-before-seen chance to assert a set of human rights that were unthinkable during Soviet rule. Such experiences of freedom are typically ignored in the majority of the social science literature on globalization since theorists typically base their theories on Marxian notions of capitalism, which makes capitalism the primary cause of unfavorable social consequences. It would be incredibly naive to characterize the experience of global capitalism as only "freedom" as this would essentially amount to reiterating the beliefs of capitalists and capitalist state leaders. However, to view globalization as a process that is fundamentally harmful would be to ignore the freedom that many actors find to be a genuine and meaningful sense of freedom.

Globalization as the Intersection between Global Human Rights and Local Cultures

The ways that specific or local conceptions of rights interact with universal conceptions of human rights constitute one of the main topics of research in the field of globalization of human rights (Appadurai, 1996; Robertson, 2013; Merry, 2016; Dada, 2020). Due to the fact that so many rights are outlined in words that are universally understood, they have functioned as models for individuals and groups that want to support other vulnerable people and as cultural instruments for those same groups as they fight for their own freedom and well-being. The process of cultural dissemination is accelerated by globalization, and one of the main concepts that has spread is the notion of human rights. The long-running discussions regarding relativism and universalism in human rights have shaped this problem. Anthropologists sharply criticized the 1948 United Nations ratification of the Universal Declaration of Human Rights (UDHR), arguing that no human rights theory could possibly be universally applicable given the vast diversity of world cultures (Engle, 2018). Many anthropologists were arguing—though not explicitly in terms of relativism—that rights could only exist within certain cultures and that Western conceptions of human rights were a kind of cultural imperialism. The anthropological criticism of rights reflected a lot of the ideas that went into creating the UDHR. Representatives of many rights concepts and religious traditions engaged in a contentious and heated process of discussion and debate that resulted in the UDHR (Glendon, 2021). Communist officials advocated for social and economic rights, while those of Western democracies contended for civil and political rights. The freedoms of individual rights were seen by adherents of major global faiths like Islam and Confucianism as incompatible with, if not antagonistic to, the obligations outlined in their respective religious traditions. However, these disagreements were set aside, and those who drafted and presented the declaration did so in part due to their "bad faith," as they knew it would not challenge the power of Islamic traditions in Muslim societies or the Soviet Union's conception of rights, for example, even though they disagreed with many of the rights it contained.

As a result, the UDHR lacked the support of genuine, widespread agreement and consensus, despite emerging as a "objective" set of rights that applied to everyone on a worldwide basis. The UDHR is an embodiment of the issue of the incommensurability of rights mentioned earlier. Even

while the rights listed in it are ostensibly universal, it is pretty evident that the great majority of people on the earth do not have their rights fully protected, and it is probably reasonable to argue that most, if not all, of these rights are not enjoyed by most people. However, a lot of people contend that the declaration is crucial because it provides a normative framework through which the concepts of human rights might advance and perhaps even be realized on a larger global scale. Human rights are becoming more globalized not because rights are real but because of the hope that they may be applied as far as feasible.

Local contexts have seen the spread of human rights culture among some actors (to be addressed below) who have defined or perceived human rights "violations." However, the detection of such breaches implies the existence of an ontologically sound criterion that can be used to quantify the violations. That benchmark has often been one of the many human rights conceptions included in the UDHR or a notion of vulnerability and freedom drawn from philosophical notions of justice and rights (generally of Western provenance). However, these ideas frequently run counter to local norms and values, which is why there is friction at the core of the meeting point of a globalizing human rights culture and local culture. The conventional order and the status of the elites who use tradition to defend their authority are threatened by outside elites who enter a society that upholds human rights. People who live in countries where freedom and agency are purposefully suppressed in the name of tradition and order are given hope for freedom and agency via human rights culture. Since it offers a different way of living that frequently contrasts sharply with many long-standing and rigid cultural traditions, the globalization of human rights has frequently been perceived as a sort of cultural imperialism (Mutua, 2018). It is evident that human rights are "from away," "out of place," and a danger to the independent traditions of countries. Globalization of human rights has brought about the existence of human rights culture in almost every region of the world, regardless of whether this is considered "imperialism" or not. Therefore, the question of how human rights and local cultures interact is more important than whether or not they exist in the globalized world.

Human rights scholars and practitioners have attempted to reconstruct the goal of human rights as a dialogic one in order to avoid the dualism of the universalism–relativism dichotomy (Cowan et al., 2011). In a dialogic approach, proponents of universal human rights acknowledge that their own ideas of human rights are socially formed even as they work to support those in need in different settings. Human rights are viewed as a notion that provides alternatives to harmful cultural behaviors rather than as naturalized, essentialized forms of reality. Those who uphold human rights view them as cultural expressions that should be introduced to others in a way that respects their traditions and aims to "work within" them in order to bring about positive changes that lessen suffering and promote wellbeing.

The case of female genital circumcision, also known as female genital mutilation, might serve as an illustration of this dialogic process. The word "mutilation" alone conjures up negative images of the clitorectomy procedure, designating a particular form of vulnerability that young women experience as a regular part of their cultural upbringing. Female circumcision can take many different forms and intensities, but from the perspective of universal human rights, there are specific ways in which the practice fundamentally violates women's rights to their own sexuality and physical integrity. However, the practice fulfills a number of societal purposes in the countries

where it is practiced, as noted by Billet (2017). It marks the passage into adulthood and acts as a prestige symbol. It can be useful in marriage markets where men value circumcised women more than uncircumcised women, which has a significant impact on women's prospects in life. In order to maximize women's possibilities in a community that values this social practice, circumcision is an essential step. Skipping the procedure increases economic risk and puts them at risk of social exclusion.

Thus, the notion that a woman has the right to control what happens to her body poses a danger to both women and the social structure that values this practice. From a dialogic standpoint, the issue would be approached as a "negotiation" in which, for example, the human rights advocate might propose that the original practice be replaced with one that is less hurtful, invasive, and alternative. A ceremonial circumcision, for example, may be proposed, wherein a ceremony is held and a symbolic act—perhaps a small, non-permanent blood drawing on the genitalia—is done. In addition to preserving this significant symbolic emblem of womanhood, the ceremony would lessen women's pronounced sensitivity to a risky surgery. It would be difficult to convince the people in the culture that this new activity has the same authenticity and spiritual value as the original practice without first negotiating with them.

One important new aspect of the modern globalization of human rights is this dialogic practice of human rights, or human rights as a negotiation with local cultures. The human rights practitioner begins by acknowledging the strength and limits of her own cultural beliefs, showing respect for the ideas of others, and considering the possibility of creating new hybrid practices that may safeguard the vulnerable. Furthermore, it acknowledges that sheer relativism—in this example, merely concluding that the practice of female circumcision is legitimate in the societies in which it is practiced—leads to acceptance and apathy, as Dembour (2021) has suggested. totally relativistic viewpoint would leave one unable to take any action since it would be seen as an infringement on the cultures of other people. The true conundrum facing the globalization of human rights is how to prevent both the imposition of human rights as a kind of cultural imperialism and the ensuing apathy that would come from accepting the validity of all civilizations. Human rights turn into a dominance in the first scenario, and in the second, there is no justification for claiming that human rights are particularly valuable. As a result, there is no way to achieve the goal of universalizing human rights on a worldwide scale.

While it is evident that human rights practitioners are cognizant of the risk of an unbridled human rights universalism, it is difficult to determine the precise scope and efficacy of such dialogic techniques in the modern world. Dialogic methods are a new aspect of the globalization process whereby proponents of human rights concede the legitimacy of cultural practices of other people while denaturalizing their own concepts of rights. In addition, human rights activists believe that the goal should be to provide options to local cultures rather than to subjugate them and undermine their way of life. Often, this only entails creating a presence in a different culture and using that presence to inform those who are at risk of further self-reclamation about other possibilities available to them, should they so choose (or be able to choose). The attempts of people from different cultures to organize in order to lessen their own vulnerability also involve this dialogic process. For example, activists in Indigenous rights movements are increasingly interacting with international human rights advocates, learning how to phrase their concerns in human rights terms

and receiving support from the diverse range of human rights advocates becoming more and more widespread worldwide (Bob, 2015).

Some human rights writers (Walzer, 2014; Ignatieff, 2021) have given up on the goal of promoting a comprehensive set of rights that cut across cultural boundaries. The goal here is to create a set of the most essential, fundamental rights—a so-called "minimal morality"—that are shared by a wide range of nations. This trend is a retreat from the goals of universal human rights, a humility in the face of the realization that certain cultural practices are not as harmful as others even if they go against the principles of human rights. According to this perspective, the most serious human rights violations—such as torture, genocide, infanticide, or sex trafficking—are highlighted. Recognizing the limitations of Western ideas outside of their Western settings, such dialogic and consensual approaches to human rights reflect a considerable scaling back of the imperial goals frequently attributed to the Western mission of human rights.

Neither the relativism issue nor the accusation of cultural imperialism against human rights supporters is entirely disregarded by the dialogic method. Universalized concepts of human rights are powerful in places only by virtue of their existence. Globalization has made it inevitable that human rights will always exist. Human rights campaigners bring them to other cultures, and those who are vulnerable look to them as role models for reducing their own susceptibility.

Globalization and the Rise of Global Civil Society

Thus far, our discussion of the globalization of human rights has mostly focused on the dissemination of these rights across cultures and the points at which local cultures and universalizing concepts of rights converge. The organizational and institutional structures that enable the worldwide dissemination of human rights culture are the final issue to be addressed in this globalization process. The growth of human rights activists-led non-governmental organizations with global human rights objectives has received the majority of attention in this regard. This movement has been called by Keck and Sikkink (2018) as "activists beyond borders."

It is challenging to define NGOs in terms of a single overarching mission; they vary from those that address issues exclusively inside their home nations in an autarkic manner to those whose goals are deliberately global in nature. Some NGOs, like Human Rights Watch and Amnesty International, work to gather evidence of human rights abuses occurring all over the world and to draw attention to them in order to spur other NGOs to take political action. Other non-governmental organizations (NGOs) are advocacy groups that concentrate on organizing to stop and lessen human rights violations that take place globally. These NGOs are frequently the ones "that drive NGOs might be the various organizations that emerge to respond to particularly egregious violations of human rights," like the Darfuri genocide or the international ban on landmines.

Despite the wide range of NGOS forms, taken as a whole, they may be seen as a significant new structural force in modernity. Their importance stems from the fact that they subvert the conventional Westphalian notion that states have the right to govern themselves inside their boundaries and that "outsiders" have no jurisdiction to interfere. The shift toward viewing people as having universal rights outside of their governments and seeing state borders as artificial and,

most of the time, harmful to the progress of human rights globally is reflected in the globalization of nongovernmental organizations. Thus, the conventional notion of state sovereignty in international affairs is seriously challenged by the collective of global NGOs. Human rights advocates, particularly those with substantial financial and political clout, can potentially force governments to abide by a number of human rights treaties and, in many situations, present serious obstacles to states that violate human rights while maintaining national borders and the non-intervention principle.

One paradox of the current global governance system embodied in the United Nations is that, while articulating an objective set of substantive human rights that all people have by virtue of their humanity, regardless of where they live, the Universal Declaration of Human Rights also explicitly states in its charter that states that states should not interfere in the internal affairs of other states (at least not unless it's to address violations of human rights). Thus, the boundaries of what is permissible under international law provide a barrier to the globalization of human rights as an ethical framework. It is important to emphasize that human rights and international law are not always synonymous in order to comprehend the reality of the global system of both (Cushman, 2015). Ensuring that everyone has access to their human rights may be entirely acceptable in terms of the UDHR, but it may also be wholly illegitimate in terms of international law. The 1948 ratification of the United Nations Convention Against Genocide serves as one illustration of this. According to this convention, governments are required to step in and put an end to genocide when it occurs. With the possible exception of the NATO intervention in Kosovo, which was justified more by security considerations than by international law against genocide or the advancement of human rights, the principle of non-intervention—which the United Nations Charter specifies can only be used in cases of self-defense—has the enduring power to prevent genocide, meaning that the treaty has never been invoked and there have been no specific cases in which states have intervened to stop genocide (Aina, 2020). The main takeaway from this is that state involvement to halt abuses of human rights is not a major component of the globalization of human rights. In fact, a contentious and ongoing argument surrounds whether and when nations should step in to stop egregious human rights breaches. This is one of the main themes in human rights discourse.

NGOs have been tasked with carrying out a large portion of the intervention activities in the name of human rights due to the predominance of the non-intervention principle. Due of their acknowledged widespread presence, a number of academics now refer to them all together as making up a global civil society. Global civil society is a "sphere of ideas, values, institutions, organizations, networks, and individuals located between the family, the state, and the market and operating cause driven," according to Kaldor, Anheler, and Glasius (2015). It is reactive, meaning that its goals extend beyond national societies, polities, and economics. Although there is a seemingly endless amount of human activity included in this vague term, it also implies that globalization has given rise to a recognizable new social structure made up of both forms that are independent of the state and cultures that work together to further the cause of human rights. This definition locates global civil society as existing outside of the time and space of the "normal" arrangement of states and societies, in contrast to most definitions of society, which rely on some notion of geographical bounds and borders. It is difficult to imagine restrictions on who or what may be considered a “member” of global civil society under the principles of this definition. An

organization might declare itself to be a part of this entity, and when enough organizations do this, a new social formation emerges that the participants view as a component of the international civil society. It is more difficult to envision what it may mean for someone to declare, "I am a member of global civil society," unless we interpret membership as normative behavior that transcends the conventional bounds of national society, politics, and economy. Even if they are a new kind of player in the international system, such a person would still have the rights and benefits of citizenship in the particular nation. Global civil society is a reified notion that attempts to characterize the very real global patterns of organizational activity that are becoming more normative throughout the world. It is both an analytical concept and an extremely romanticized, idealistic notion. One may argue that global civil society is an idealized notion that reflects what members of the community believe they are doing rather than what they are actually doing. Benedict Anderson (2021) refers to this as an imagined community or social imaginary.

Rieff and Anderson (2015) have offered a sharp critique of this idea of civil society, arguing that the idealized picture of global civil society is neither a helpful analytical concept nor a utopian ideal. According to Rieff and Anderson, it would be more accurate to characterize the global civil society movement as the champion of universal values, functioning both within the constraints of globalization and through it as a means of spreading those values. It would be preferable to see it as a movement aiming to make the ultimately localized form of European Union integration universal. According to Rieff and Anderson, the global civil society is made up of a group of "social movement missionaries" who lack democracy and accountability. Despite being a very critical viewpoint, this one does provide a compelling sociological analysis of the concept of global civil society. NGOs have their own objectives, beliefs, conventions, processes, and social hierarchies because they are primarily social organizations. Since they often rely on membership and administrative hierarchies that are not chosen by a population, they are not, in a sense, democratic organizations. An NGO actor would be a representation of their organization and answerable only to it, but a human rights representative from the US government would be an elected official and answerable to that government.

Thus, it is critical to challenge the notion that, even if the NGOs that make up this purported global civil society should be focused on protecting the weak, this global civil society—if it exists at all—is really a new arrangement of power. To fully analyze the ramifications of this discovery, as they merit, is outside the purview of this work. The key takeaway is that, while discussing the globalization of human rights, one must exercise extreme caution to avoid conflating analytical ideas with idealistic or utopian ones. Without a question, the international nongovernmental organizations (NGOs) constitute a strong force inside the global world-system, and they have achieved great strides in advancing their views of human rights. Global civil society, however, is a process of globalization and should be critically examined in the same manner as other processes of globalization, including capitalism. This is because it is not an idealized term.

Conclusion

Although the subject of the globalization of human rights is vast, we have made an effort to condense the entire process into three key subprocesses in this paper. These are not even close to the whole of what might be implied by the phrase "globalization of human rights". Since human

rights serve as a constant reminder that they are social creations, it is necessary to see them as a form of culture. Understanding human rights in the context of the modern world requires adopting a new analytical approach that views human rights as socially created conceptions of freedom, human vulnerability, and ways to enhance freedom and lessen that vulnerability. Understanding human rights as successive generations of incommensurate rights allows us to view the process of human rights advancement as conflictual, not only in terms of disputes between human rights advocates and states that violate human rights but also between advocates who have different ideas about what constitutes human rights. One of the more advantageous aspects of human rights advocacy, in our opinion, is the dialogic approach to human rights, which helps us understand both the possibilities and the limitations of human rights in the current state of affairs as an intersection of the universal and the particular.

Lastly, by comprehending the constructs that human rights activists employ to define and conceive their work, we highlight the globalization of human rights. This entails not just assessing the degree to which human rights have advanced (or not), but also critically analyzing the individuals and organizations that uphold these rights. Human rights have always been based on idealism, but in light of the horrific realities that persist in much of the globe, we must reevaluate what it means to engage in the world on behalf of others and recognize the limitations of such activity.

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