



# Why the Human Rights Movement Is Losing

## And How It Can Start Winning Again

By **Jack Snyder** July 21, 2022



Protesting Saudi Crown Prince Mohammed bin Salman's visit to the United Kingdom in London, March 2018

The modern human rights movement has long presented itself as an idealistic crusade. In a world rife with bare-knuckled power politics and predation on the weak, it likes to serve as a beacon of unstinting moral clarity grounded in universal principles. Human rights activists interpret their movement's iconic victories as triumphs of unyielding rectitude that lay the groundwork for future progressive causes. In 2012, Aryeh Neier, the co-founder of Human Rights Watch, wrote that the antislavery movement was the first true human rights campaign because its adherents mobilized for the rights of others. The early abolitionists themselves claimed that their uncompromising pursuit of altruistic principles prevailed because the moral truth of their cause was self-evident. Mahatma Gandhi and Martin Luther King, Jr., served as later paragons of the same resolute, exemplary model.

But the movement is flummoxed now that its style of one-way dialogue and high-dudgeon shaming is provoking sharp backlash from illiberal strongmen, right-wing populists, and the mass constituencies that support these strongmen around the globe. Brazilian President Jair Bolsonaro, Chinese President Xi Jinping, Hungarian Prime Minister Viktor Orban, Russian President Vladimir Putin, former U.S. President Donald Trump, and many other leaders gained popularity by calling out the promotion of liberal human rights as a project of decadent, out-of-touch bullies who push alien agendas to replace popular national self-determination with elitist, imperialist cosmopolitanism. Xi shrugged off the charge of perpetrating a genocide against China's Uyghur minority, taking a victory lap in Xinjiang Province (where most Uyghurs live) in July 2022, where he bragged about the "unification" of China's peoples. U.S. President Joe Biden's war crimes accusation did nothing to stop Putin from escalating attacks on Ukrainian civilians. Biden called Saudi Arabia a "pariah," but then visited Saudi Crown Prince Mohammed bin Salman in Riyadh, where they exchanged a notorious fist bump. "Naming and shaming," Neier acknowledges, "is increasingly ineffective."

This backlash is largely self-inflicted. The problem is that advocates for human rights have misunderstood the sources of their own historical success. Democracy based on individual rights has been by far the most successful form of modern social organization not because of its selfless moralism but because it has usually been far better than the alternatives at serving people's interests. Human rights activists do better when they work to strengthen people's capacity to fight for their own rights, rather than browbeating oppressive leaders in ways that help them mobilize nationalist backlash.

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### HUMANLY POSSIBLE

Advances in human rights since the Reformation and the Enlightenment have depended not on foreign criticism of oppressive regimes but on the rising social power of those regimes' own subjects, who directly benefited from an expansion of rights. Beginning in Protestant Northern Europe, such as the Netherlands and the United Kingdom, merchants and the urban middle classes pushed for democracy, due process, religious freedom, and efficient capitalism to protect their economic interests as well as their personal freedoms. In turn, the expansion of literacy and commerce gave educated, industrious subjects greater leverage against their rulers and underpinned the development of constitutional rule. Later, industrialization provided workers with an impetus to form trade unions and make demands for economic, social, and labor rights for the working class.

In many constitutional democracies, once a powerful core constituency for a rights-based system was established, social movements could use that system to extend rights to excluded groups. Human rights advocates may like to explain the victories of the antislavery movement, Gandhi's nonviolent campaign for Indian independence, and King's peaceful fight for civil rights as the result of their uncompromising idealism. But their successes depended above all on mobilizing and sustaining mass social movements based on broad moral principles that gained the sympathy of powerful majorities in their own societies. To win, principled activists, mass movements, and progressive political parties all coordinated, including by making expedient bargains to gain political power.

Consider the U.S. abolitionists. This wing of the antislavery movement was collapsing by the late 1830s as a result of internal divisions and the hostility of the northern white working class, which was wary of competition from Black labor in their states. But it was still strong enough in ultra-religious upstate New York to hold the decisive balance of power in the 1844 presidential election, which pitted the Whig Kentucky Senator Henry Clay, who was equivocal about slavery, against pro-slavery Democrat James K. Polk. The New York abolitionists abandoned the Whigs and cast their votes for an uncompromising antislavery third-party candidate, unintentionally electing Polk, which set the stage for the Mexican War and the westward expansion of slavery. The pragmatic Whig politician Abraham Lincoln learned from the abolitionists' mistake. In his own campaign, he put together a successful antislavery Republican coalition by promising racist northern white workers that he would bar enslaved Black labor from the western territories, where white people hoped to settle. It was an unsavory compromise, yet necessary to empower slavery's opponents. Lincoln won, and by 1865, slavery had been banned everywhere in the United States.

Although today's human rights activists have learned some pragmatic techniques from their decades of grassroots work, they still prefer idealistic denunciations to expedient deal-making and shy away from building possibly unruly mass movements. Neier worried in a 2013 commentary that the power of "mass mobilization" might "be used abusively," something that he said would not happen in an elite, professionalized organization. But as Kenneth Roth, the outgoing executive director of Human Rights Watch, acknowledged in a 2004 essay, his organization and its allies suffer from a "relative weakness at mobilizing large numbers of people at this stage of our evolution."

### JUSTICE AND PEACE

Democratic self-rule anchored by liberal civic rights has been by far the most popular, successful, and pragmatic form of modern social organization. Setting aside small oil states and Singapore, no country has advanced beyond the middle-income trap—or 25 percent of U.S. GDP per capita—without adopting the full panoply of liberal democratic civic and human rights. China remains stuck at 16 percent of the U.S. level based on 2020 World Bank data (using its metric for developed countries). And China's rise was possible only because liberal powers allowed the country to plug into an open global market economy they had organized. Liberal democracies have also been on the winning side of every contest for global hegemony in the past two centuries because they are the best realists—better at making and keeping alliances, less threatening to fence sitters, and more prudent in avoiding the kind of self-destructive aggression that continues to plague authoritarian great powers.

Empirical research on the conditions that underpin successful human rights systems shows that these rights correlate most strongly with peace, since war inevitably brings a torrent of rights abuses. Democracy and a battery of factors that help promote stable democracy come in second. These factors include a reasonably high GDP per capita; rules-based, noncorrupt administrative and legal institutions; a diversified economy (especially one that's not based solely on oil and gas); a consensus on which people will get to exercise their democratic right to national self-determination; and a supportive international neighborhood of liberal democratic states.

It shouldn't be surprising, then, that historically, liberal democracy and liberal rights activism have been inseparable, each depending on the success of the other. But today, the counterproductive effect of strident human rights advocacy exacerbates the problem of democratic backsliding and complicates democracy's geopolitical contest against increasingly assertive dictatorships.

Roth's introduction to the Human Rights Watch *World Report 2022* is right to stress that solving the contemporary crisis of democracy is the key to improving global human rights.

But his prescription relies too heavily on what he calls the "denunciation" of autocracy. Moralistic shaming provides no shortcut to rights-based democracy when states lack the conditions for its creation. The Arab Spring failed to bring either democracy or human rights not because activists lacked high-minded rhetoric but because the social conditions for both were weak or absent in every state. Until at least some of the facilitating conditions are in place, the primary task of rights promoters is to find a pragmatic path to implementing them.

### PERSUASIVE POWER

In today's fraught political setting, it will be difficult to effectively combine principle and pragmatism. But politicians and activists who favor democracy and human rights can start by making sure that the central operating systems of the liberal democratic order are working as they should to provide collective benefits through the open global economy, through military alliance systems that protect liberalizing partners from authoritarian aggression, and through free speech and information.

This work won't be easy. Rising economic inequality and the overwhelming flow of disinformation have tarnished the attractiveness of the rights-based system. A key reason for this—and a source of populist backlash against the liberal order—has been the ascendance of libertarianism, which has eclipsed the idea that the liberal state should regulate economic markets and that responsible journalists should exercise stewardship over the marketplace of ideas. To begin to revive the rights-based system, democratic countries and rights advocacy groups can work to impose far stricter rules on international money laundering, tax evasion, the hiding of stolen assets, and the global dissemination of hate speech, defamation, and false information.

Liberal states must also temper the way they expand their reach by conditionally opening the door for new countries to voluntarily join their ranks, rather than impatiently hard-selling liberal reforms. The European Union, for example, succeeded in bringing stable, democratic governance to much of post-Cold War Europe by correctly waiting for countries to petition for membership and then requiring a rigorous apprenticeship to achieve the club's standards of governance, law, and rights. (Even then, the EU's conditions have sometimes been slightly too lax, as democratic backsliding in Hungary and Poland demonstrates.) But elsewhere, abrupt transitions to superficially Western-style systems, sometimes demanded by restive democratic donors, were forced on African and Middle Eastern states that lacked the institutional, demographic, and economic conditions for success. The results in places like Burundi, Iraq, and Rwanda were often short-lived and ultimately led to bloodshed.

Avoiding the hard sell will require that liberal states and activists tone down their legalism, moralism, and universalism. Instead, they should appeal to the self-interest of powerful national majorities by emphasizing popular issues such as anticorruption and broad economic prosperity. The former is particularly important. One-third of recent mass protests worldwide have been organized by local groups to denounce corruption. But major transnational rights organizations have joined these efforts only after the state has cracked down on the protests, and then only to oppose the suppression—not the corruption. More directly mobilizing against corruption would give the human rights movement a marquee issue, one that's key to strengthening the rule of law. Rights groups were also keen on getting states to call China's practice of placing its Uyghur minority in concentration camp systems a "genocide." But such accusations lead to a disruptive exercise in semantic hair-splitting. In contrast, imposing strict limits on exports that rely on forced labor, such as that carried out by interned Uyghurs, highlights an issue on which foreign trading partners have clear standing in law and self-interest. Civil society groups can organize sustained boycotts to show that rights advocates mean business. This stakes out a position supporting the fair treatment of all Chinese workers and creates an incentive for China to improve its systems of accounting and labor standards.

Indeed, at times, human rights promoters will want to avoid shaming altogether and instead approach their work in a manner more akin to management consulting—emphasizing sophisticated advice, an investment mindset, and positive inducements—rather than attacking a society's cultural shortcomings.

Research shows, for example, that deeply entrenched abuses of women's rights such as child marriage and female genital cutting are reduced when residents have increased access to international media, when women have better job opportunities outside the home, and when communities are at least partially modernized—all positive reforms that broadly strengthen economies. Shaming states for "backwardness," by contrast, can have the opposite of its intended effect by politicizing practices that are symbolic of a country's cultural identity, in turn fueling backlash against women's rights.

This doesn't mean liberal states and human rights activists shouldn't be clear about principles. It means they must be careful and strategic about how they promote these values. That also includes avoiding toothless demands. Biden called Putin "a war criminal" who "cannot remain in power," but he has no plausible way to deliver on this provocative statement. Although these kinds of empty condemnations may yield short-term feel-good effects, they ultimately look like hypocrisy, even if they are heartfelt. And as veteran human rights activist Priscilla Hayner notes in a recent book, there really are tradeoffs between peace and justice. Threatening military elites and other policymakers with jail time could, for example, foreclose offering them asylum or amnesty if they help end the warfare—and war, after all is the most severe cause of rights abuse. Exercising prosecutorial discretion "in the interests of justice," as the statute of the International Criminal Court puts it, entails managing this tradeoff by undertaking tactically smart investigations while postponing untimely indictments.

Human rights, despite recent setbacks, are still the most powerful weapons in the arsenal of democracy. Wielding these weapons effectively requires understanding that the power of these rights lies in their appeal to self-interest and that they must be backed by a solidly constructed political coalition that delivers reliable results. Power leads; rights follow. 🗳️

**CORRECTION APPENDED (JULY 21, 2022)**  
*An earlier version of this article incorrectly stated that Biden called Mohammed bin Salman a pariah. Biden instead said that he planned to make Saudi Arabia a pariah.*

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