

Human Rights and the Arts

Introduction

Artists and the arts have been at the center of nearly every major human rights movement of last half century. Protest songs, dissident theater, street art, participatory performance art, underground literature, storytelling, a variety of folk arts and countless other cultural expressions are woven into the multicolored fabric of the pursuit of human rights. In this essay, we explore how it is that the arts in all of their local specificity contribute to the pursuit of universal human rights and why international human rights organizations have an interest in deploying the creative energies of culture and art.

The realization of universal human rights presents challenges for both disadvantaged groups pursuing their rights as well as for organizations interested in recognizing the needs and demands of these communities. The arts can help to meet these challenges and so are central to the pursuit of human rights. Appreciating and producing art educates individuals to hone their sensitivity to the expressions of others and to exercise their imaginations. These capabilities contribute to the psychological well-being and self-confidence of individuals, even within repressive regimes. Being sensitive to and imaginatively engaging with the experiences of others are central to the give and take of successful democratic deliberation in a diverse and dynamic world. By making space for cultural expression, the arts help organize a population and give them a voice in defense of their human rights. The arts also mark cultures as worthy of recognition and respect. With the help of organizations with international vision, locally effective voices can contribute to the growing global chorus for human rights.

Human Rights and Culture: Universal Declarations, Particular Applications

Human rights are a fundamental component of the flourishing of individuals in any contemporary society. Since the adoption of the Universal Declaration of

Human Rights (UDHR) in 1948 there has been a remarkable expansion of rights protections across the globe. Over 130 nations have ratified covenants that, together with the UDHR, comprise the International Bill of Human Rights: the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. The universal principles of human rights have been integrated into laws on regional, national and subnational levels by regional courts such as the Court of Human Rights of the European Union, the African Court of Human and Peoples' Rights and the Inter America Court of Human Rights; by national constitutions and statutes of individual member-states of the United Nations; and by a variety of subnational legal institutions. As a result, the geographical reach of human rights has expanded and the mechanisms for their enforcement have multiplied and become more sensitive. The historically disadvantaged populations that have been recognized and provided with rights protections have grown in number and diversity. So, through a rising number of international human rights instruments as well as the proliferation of human rights organizations and non-governmental organizations (NGOs), the rights of women, indigenous peoples, ethnic minorities, immigrants, migrant workers, the LGBTQ community and the disabled, for example, have been strengthened around the globe.

On the one hand, basic human rights are universal and are articulated in the general and abstract terms of Universal Declarations, Conventions, Bills of Rights, Constitutions and statutes. On the other hand, the extraordinary diversity of world cultures makes the concrete realization of human rights depend on attention to particular local circumstances. The process of globalization brings ever new conflicts and opportunities to the world's marginalized populations. As a result, where and how rights are being violated or denied, or how a particular culture's flourishing would be best promoted in this diverse and dynamic environment, is not always obvious. Governments, human rights organizations and NGOs depend for their effectiveness on increasing sensitivity to culturally specific challenges.

There is a need, then, for diverse modes of expression on the part of vulnerable populations of the world and correspondingly diverse modes of recognition of and sensitivity to those expressions on the part of governments, human rights

organizations and NGOs. Ultimately citizens and human rights organizations together aim to make governmental actors responsive to the needs and demands of the governed. The arts provide a versatile set of tools to promote expression on the side of marginalized communities and recognition on the side of other groups and organizations. While plenty of human rights organizations effectively utilize rational and abstract argumentation to protect human rights, the arts explore and expose the lived realities of diverse individuals.

Art's Powerful Public Appeal

Historian Lynn Hunt argues that the origins of human rights in the 18th century are entangled with literature's development of a more universal empathy that reached across previously unbridgeable divides of, for example, class and gender. Works of literature helped to create affective ties that bound people together as equals who recognized each other's humanity—a humanity universally deserving the protection of rights.¹ The arts have a unique ability to reach and to move the general public in the pursuit of human rights. They have a way of translating abstract rational arguments for the defense of rights into felt commitments to the pursuit of rights.

The importance of art and culture in powerfully conveying the messages of human rights movements to a broad audience has not been lost on 21st-century human rights organizations. Amnesty International and Human Rights Watch (HRW), to take just two of the most prominent international examples, support the production and screening of films focusing on human rights issues. Since 1990, [HRW's Film Festival](#) has programmed films from all over the world and in 2015 the Festival will play in nine cities in six countries and three continents. Amnesty's "[Movies that Matter](#)" screens films and fosters broader public deliberation by programming debates and educational events surrounding screenings. More and more regional human rights organizations have followed the lead of Amnesty and HRW by tapping into film's powerful and broad public appeal. [The Human Rights Film Network](#) currently has 38 member-festivals in 32 different countries. The

human rights organization KOMAS, for example, launched the [Freedom Film Festival](#) in 2003 to enhance its mission of using creative media to promote human rights causes in Malaysia. [The Stalker International Film Festival](#) in Russia and People in Need's [One World Festival](#) in the Czech Republic are two of the oldest and most influential festivals focusing on rights after the fall of communism. In 2013, the Armanshar/Open Asia Foundation's rich cultural programming of poetry, literature, drama and music now includes an annual [International Women's Film Festival](#) in the Herat province of Afghanistan.

Film is only one mode of cultural intervention in the struggle for human rights. The other arts also have resources to provide and their contributions have been recognized by human rights groups. The CURE Foundation, a group supported by the Global Fund for Women (GFW), promotes gender and sex equality in Bosnia and Herzegovina and places cultural and artistic action at the center of its mission statement. CURE's annual [PitchWise Festival of Women and the Arts](#) brings artist-activists—photographers, painters, performances, poets—together to present, educate and organize. The [Reciprocal Education And Community Healing](#) coalition and the [Prisoners Activist Resource Center](#) in the United States have both facilitated exhibitions of writings, drawings and music by prisoners to help bring their experiences on death row and solitary confinement to a broader audience. The MacArthur Foundation funded the [Darfur, Darfur](#) photographic exhibition projected onto the exterior of the New York Historical Society's Upper West Side building in 2007 to bring increased attention to the human rights crisis in Sudan. Another grant from MacArthur helped Enough is Enough Nigeria Coalition (EIE) to mobilize Nigeria's "disenfranchised and disillusioned" young people to participate in the political process. EIE is organizing a series of [peace concerts](#) in Port Harcourt, Owerri, Kaduna, Jos, and Lagos in 2014-15. The concerts are free to attend with a voter card and directly support EIE's ultimate aim to increase young voter registration for the 2015 general election.

In addition to more traditional arts exhibitions aimed at spectators and passive audiences, increasingly many organizations support participatory and community projects where audiences help to create the artwork. GFW has

supported the [Ekasi Women's Art Ensemble's](#) utilization of participatory community theater to help to empower South African youths and to educate police officers, prisoners and prison officials on the treatment of rape victims. The Ford-funded [Nigerian Popular Theatre](#) alliance uses theater to promote participatory development, civic education and government accountability. [Immigrant Movement International](#) (*IMI*), created by artist Tania Bruguera and funded by Creative Time and the Queens Museum in New York, is a long-term installation artwork that takes the form of a community center. The project has provided workshops giving advice on how to navigate the intricacies of immigration law in the U.S., cooking and urban gardening advice, health classes from a variety of cultures, English through Art History workshops, music, art and dance classes for both children and adults. *IMI* also produces occasional "performances" that mostly advocate "progressive immigration reform," and are often indiscernible from political demonstrations. It is important to note that art allows cultural knowledge to move both from organization to community and from community to organization. Human rights organizations should be encouraged to utilize Community-Based Participatory Research methods that include the arts. These methods have been successfully used, for example, in public health organizations aimed at aiding immigrants like West Side Community Health Services in St. Paul, MN.²

Here we begin to see the extraordinarily diverse resources and broad appeal of artistic contributions to human rights. From the educational and expressive capacity of film and the visual arts to the increasingly participatory use of community theater and performance, the arts have an astounding capacity to move us—move us to know, move us to act. We also see the role that human rights organizations have in organizing and directing the extraordinary energy of committed artists and arts organizations. What are the ways that the arts might contribute to the pursuit of human rights? How might local, regional and international groups interested in human rights harness art's versatile and creative power?

Artist and Citizen: Activating the Democratic Imagination

An ever more interconnected world calls for the ability for individuals to give voice to their experiences, needs and demands and open their imaginations to others. Art fosters just this expressive capacity and imaginative engagement. Ralph Ellison writes that a work of art might serve as “a raft of hope [and] perception... that might help keep us afloat as we try to negotiate the snags and whirlpools that mark our nation’s vacillating course toward and away from the democratic ideal.”³ Martha Nussbaum and Amartya Sen have both advocated the development of the imagination through the arts and arts education as one of the core capabilities essential to individual flourishing. In addition to the psychological benefits that participating in the arts give to an individual agent, Nussbaum argues that an imaginative and perceptive sensitivity to the experiences of others is an essential feature of effective democratic citizenship. The arts, in all their contemporary diversity, are in a unique position to develop this sensitivity.

Producing and appreciating art activates the imagination and opens new ways of experiencing the world and its cultures. The importance of participating in culture is acknowledged in the Declaration of Human Rights in Article 27, Section 1: “Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.” Elaine Scarry argues that an encounter with a beautiful object, especially a work of art, involves a “reciprocal pact” between the object and perceiver. In this pact, “each welcomes the other—each comes in accordance with the other’s will.” That is, the very structure of the relationship between a beautiful object and a viewer is in harmony with the equality and fairness at the core of justice.

Participating in art can provide some solace—some psychological relief and some political hope—even within what seems a politically hopeless situation. Dissident playwright and first president of the Czech Republic Václav Havel pointed out that art formed part of the “whole area of independent repressed culture,” forming a “second culture” in “post-totalitarian” communist regimes in Central-Eastern Europe. This second culture, he argued, constituted the “power of the

powerless.”⁴ Fundamentally, that power is aimed at allowing citizens to “live in the truth” which helps to sustain individuals in the face of the relentless imposition of bureaucratic rule and its denial of individual autonomy and agency. Havel’s own dissident works in the theater, as well as the letters that he wrote from prison, exemplify the positive potential, both personal and societal, of art production. His plays offer a portrait of the deformed agency imposed on citizens by a repressive and ideological regime. More than this, though, they point to a better future and forcefully convey the possibility and value of both personal and social resistance. Havel’s consistent dissidence and his art’s sensitive presentation of life under post-totalitarian rule paved the way to political reform. Dissident artists are still at the vanguard of the pursuit of human rights in repressive regimes. Scholars at Risk, a human rights organization that defends academic freedom and freedom of thought, routinely comes to the aid of writers, filmmakers, critics, curators poets, musicians and playwrights across the globe.

Art as Culture Maker and Culture Marker

Participating in the arts as producer or spectator gives individuals a sense of community and empowerment, moving them to organize to defend their rights. The arts can help to *make* a community by providing space for and mode of cultural expression and it can help to *mark* a community as a culture worthy of attention and respect. As we began to see above, participation comes in as many forms as there are forms of art. To consider only a few examples: storytelling, poetry and song have all contributed to truth and reconciliation commissions and the movements surrounding them, particularly in South Africa.⁵ Architecture, public art, street art, and artistically hybrid placemaking can help to transform neighborhoods into active and interactive communities attuned to the needs and demands of their inhabitants.⁶ *Immigrant Movement International*, described above, is an excellent example of such culture making.

Artistic and cultural practices in a community play a role in distinguishing a culture and *marking* its members as worthy of respect. This respect, in turn, can

help to protect a marginalized group from human rights abuses. Calling a group a “culture” carries a positive normative charge and is connected with that group’s being “cultured,” having and exercising the capability of developing and refining traditions of “cultural production.” Being sensitive to and highlighting artistic practices or groups, then, promotes the project of group recognition that is central to the pursuit of human rights. For example, the vibrant artistic traditions of the Roma people have been at the center of the Romani rights movement in Europe.⁷ The Open Society Institute, to take only one example of many, gathered a collection of literary texts and artworks from Roma citizens across Europe for an exhibition entitled “Meet your Neighbors: Contemporary Roma Art from Europe.”⁸ While much work remains to be done, sensitivity to the plight of the Roma in Europe, facilitated in part by exposure to Roma arts and culture, has led to some improvement in funding by the European Social Fund and the European Regional Development Fund as well as improvement in political representation of the Roma.⁹

Art as Community Organizer and Mediator

Cultural activities and the arts promote human rights by directly drawing members from various groups within a community together into a shared activity. Collaboration, participation and social engagement have increasingly characterized the projects of artists and arts organizations for the past two decades. Art historian Grant Kester has pointed to the emergence of “dialogical” arts practices often emerging out of, and playing a role in, democratic social movements.¹⁰ Kester and performance studies scholar Shannon Jackson both focus on the ways in which the arts foster participation and constitute publics within which marginalized groups find voices denied them in traditional political venues.¹¹

Sometimes the activities can be driven by one side in protest, drawing other members of the community in without their first consenting. Philosopher Jacques Rancière characterizes this act as “partitioning the sensible.” When art intervenes on how people sense and interact with their environment, it “redistributes” the sensible and can make something vivid or palpable that is ordinarily overlooked.¹²

This ability of art to alter the aesthetic landscape within which citizens and governments act is, fundamentally, a political act. Through art, then, a group might begin to shape the political landscape in a way favorable to the recognition of rights violations that would otherwise be overlooked.

For example, in the mid-2000s, several protests were mounted against Argentina's neglect of schools in poor neighborhoods, effectively denying a section of the population their right to education. The protests of education policies were often structured like a carnival parading groups dominated by the rhythms of the *tamboriles*, large and booming barrel drums accompanied by a variety of other percussion instruments. The power of the music alone draws a neighborhood into the orbit of the protest.¹³ The goal, of course, is not simply to make noise but draw their attention to an injustice they had overlooked. Protests have resulted in at least one provincial government's renting of new buildings for schools and committing to construction on a newly purchased site.¹⁴ They have also contributed to a culture of political participation in music schools that addresses topics beyond rights to education. What begins as a one-sided expression of protest, then, can end in robustly interactive democratic deliberation.¹⁵

Globalizing the Local

Arts initiatives do their best work when they address the specific challenges raised by a culture. Nevertheless, the global human rights community can learn from the experiences of particular groups. The extraordinary expansion of social media has the power to transform local engagement with human rights struggles into globally relevant examples of the varieties of democratic deliberation. The Arab Spring's use of Twitter and YouTube to effect local change and to provoke global action is a particularly vivid example. Cultural acts—songs, signs, and dances with local significance—now achieve cultural and political significance for a global audience.¹⁶

The [AfroReggae Cultural Group in Brazil](#) provides an example of a local group that has expanded to the international stage with the help of organizations with a

global vision. AfroReggae was founded in response to the horrific violence faced by black youth in a Rio de Janeiro *favela* caused by a toxic combination of drug trafficking and police corruption.¹⁷ They began with a series of workshops for at-risk youth who performed a combination of percussion, theater, music, rapping and the Brazilian martial art *capoeira*. The Group also reached out to the middle class community surrounding the *favela* as well as to the police who were responsible for much of the violence. Performing together in a space designed for and shaped by their voices, the *favela* youth were both empowered and lent a more sympathetic ear to others as, for example, police officers showed themselves to be more human in song. As the AfroReggae has been increasingly successful in drawing youth away from the drug trade, they have come into conflict with drug gangs. Before AfroReggae, the youth were caught in the crossfire between the police and drug gangs, forced to choose sides. Not only do youths have more communal opportunities thanks to AfroReggae, but the police have a better, more sensitive relationship with *favela* youth that allows them to better protect them from the violence of the drug gangs.

Within Brazil, AfroReggae has expanded to become an NGO with more than seventy-five projects underway in five different *favelas* and reaching several different countries. AfroReggae directly affects two thousand youths a day, and now has six thousand members in their original Rio de Janeiro group.¹⁸ While the Group was founded to address very specific local concerns, the Ford Foundation supported cultural exchanges with India and the Group, and is now starting a project in Cape Verde, bringing AfroReggae's concept of *batidania*, combining *batida* (beat) with *cidadania* (citizen) to new cultural contexts. With the help of organizations with international reach and vision like the Ford Foundation, cultural organizations can have an effect far beyond their original mandate and on citizens and government actors across the globe.

AfroReggae exemplifies the characteristics we have been considering: it gives voice to and activates the self-empowering imagination of a marginalized community, it makes a community through culture, it marks that culture as worthy of respect while mediating and positively transforming relationships among

marginalized and other groups in a community. Finally, with the vision of organizations like Ford, it is helping people to find their voices internationally.

Conclusion and Recommendations

The arts have a pervasive presence in the international struggle to achieve and defend human rights. Participating in the arts generates a sense of worth and self-confidence not just to individuals, but to entire communities. The arts help to constitute cultures and bind individuals together in solidarity, they help mark cultures as worthy of the respect and recognition at the heart of human rights, they help to mediate and make comprehensible disputes among individuals within a culture and among cultures, and they are part of the core capabilities essential to the flourishing of democratic citizens within a global system of rights.

Jonathan A. Neufeld
Department of Philosophy
College of Charleston

Jonathan F. Fanton
President, American Academy of Arts
and Sciences

¹ Lynn Hunt, *The Invention of Human Rights*, (New York: Norton, 2007), Ch. 1.

² Kathleen A. Culhane-Pera, M.D., M.A.; Michele Allen, M.D., M.S.; Shannon L. Pergament, M.P.H., M.S.W.; Kathleen Call, Ph.D.; Amira Adawe; Rosaura de la Torre; Mikow Hang; Fatima Jama; Maria Navas; Luis Ortega; Pachia Vue, M.P.H.; and Thomas Tou Yang; "Improving Health through Community-Based Participatory Action Research: Giving Immigrants and Refugees a Voice," *Minnesota Medicine* Vol 93, no. 4, (April 2010), pp. 54-7.

³ Ralph Ellison, "Introduction" to *Invisible Man*, second edition (New York: Vintage International, 1954), pp xx-xxi.

⁴ Vaclav Havel, "The Power of the Powerless," in *the Power of the Powerless: Citizens against the State in Central-Eastern Europe*, (New York: Routledge, 1985).

⁵ Dawes, J. (2009). "Human Rights in Literary Studies." *Human Rights Quarterly* 31(2): 394-409; *Truth and Reconciliation Commission Report*, Vol 1, Chapter 6.

⁶ See, for example, Rick Lowe's long term project in Houston's Third Ward, *Project Row Houses* documented in Nato Thompson, *Living as Form: Socially Engaged Art from 1991-2011*, (Cambridge, MA: MIT Press, 2012), p. 256. The National Endowment of the Arts in the United States has initiated a Creative Placemaking project to support community-based cultural projects anchored in the arts. See Anne Markusen and Anne Gadwa's whitepaper for the NEA, "Creative Placemaking" (Markusen Economic Research Services and Metris Arts Consulting, 2010).

⁷ Adriana Helbig, "Representation and Intracultural Dynamics: Romani Musicians and Cultural Rights Discourse in the Ukraine," in Andrew Weintraub and Bell Yung (eds.), *Music and Cultural Rights*, (Chicago and Urbana: University of Illinois Press 2009).

⁸ See the exhibition catalog, Timea Junghaus (ed.), *Meet your Neighbors: Contemporary Roma Art from Europe*, (Open Society Institute, 2006).

⁹ "An EU Framework for National Roma Integration Strategies up to 2020," Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, (Brussels, European Commission 2011); "Roma Minority Lacks Political Representation Europe," *Deutsche Welle* online, <http://www.dw.de/roma-minority-lacks-political-representation-europe/a-17517717>, accessed 12/25/2014.

¹⁰ Grant Kester, *Conversation Pieces: Community and Communication in Modern Art* (Berkeley: University of California Press 2004); and *The One and the Many*, (Durham: Duke University Press 2011).

¹¹ Kester, *The One and the Many*, Chapter 3.2: "The Invention of the Public" and Shannon Jackson, *Social Works: Performing Art, Supporting Publics*, (New York: Routledge Press 2011).

¹² Rancière, *The Politics of Aesthetics*. Trans. Gabriel Rockhill, (London: Continuum Press, 2004).

¹³ See Michael S. O'Brien, *Disciplining the Popular: New Institutions for Argentine Music Education as Cultural Systems*, Doctoral Dissertation; University of Texas, Austin, 2010.

¹⁴ The improvements have not yet been completed and so the government has not yet followed through on its commitments. Nevertheless, the struggle continues and builds upon these partial successes.

¹⁵ See Diane Boros, *Creative Rebellion for the Twenty-First Century* (New York: Palgrave Macmillan 2012) for an account of the role of recent public art in political protest.

¹⁶ See, for example, Ziad Fahmy's account of cultural production in revolutionary Egypt in *Ordinary Egyptians: Creating the Modern Nation through Popular Culture* (Stanford: Stanford University Press 2011) and "Coming to our Senses: Historicizing Sound and Noise in the Middle East," *History Compass*, vol 11 issue 4, (April 2013).

¹⁷ Silvia Ramos and Ana Maria Ochoa. "Music and Human Rights: The AfroReggae Cultural Group and the Youth from the Favelas as Responses to Violence in Brazil," in Andrew Weintraub and Bell Yung (eds.), *Music and Cultural Rights*, (Chicago and Urbana: University of Illinois Press 2009).

¹⁸ Sandra Jovchelovitch, *Underground Sociabilities: Identity, Culture, and Resistance in Rio de Janeiro's Favelas* (Paris: United Nations Educational, Scientific and Cultural Organization 2013).