

A Discussion of Kathryn Sikkink's *Evidence for Hope: Making Human Rights Work in the 21st Century*

Evidence for Hope: Making Human Rights Work in the 21st Century. By Kathryn Sikkink. Princeton, NJ: Princeton University Press, 2017. 336p. \$35.00 cloth, \$21.95 paper.

Since their emergence in the late eighteenth century, doctrines of universal individual rights have been variously criticized as philosophically confused, politically inefficacious, ideologically particular, and Eurocentric. Nevertheless, today the discourse of universal human rights is more internationally widespread and influential than ever. In *Evidence for Hope*, leading international relations scholar Kathryn Sikkink argues that this is because human rights laws and institutions work. Sikkink rejects the notion that human rights are a Western imposition and points to a wide range of evidence that she claims demonstrates the effectiveness of human rights in bringing about a world that is appreciably improved in many ways from what it was previously. We have invited a broad range of scholars to assess Sikkink's challenging claims.

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Kathryn Sikkink's *Evidence for Hope: Making Human Rights Work in the 21st Century* provides a sweeping and optimistic view of contemporary human rights. It speaks to academics, activists, policy makers, and the public and seeks to drive home the point that, although human rights are imperfect, they are the best tools we have to improve the human condition. Through a long and thorough discussion of the relevant literature and a wide variety of empirical examples, ranging from the development of regional and international human rights covenants to increased accountability for perpetrators, Sikkink shows that human rights laws, institutions, and activism can—and do—matter.

Sikkink's book is a response to the current zeitgeist of pessimism around human rights, which includes a recent tide of policy debates, public discourse, and academic research (see, for example, Stephen Hopgood, *The Endtimes of Human Rights*, 2013; Samuel Moyn, *The Last Utopia: Human Rights in History*, 2010; and Eric Posner, *The Twilight of Human Rights*, 2014). These skeptics have argued that human rights laws, institutions, and activism have either peaked, failed to matter,

or, worse, created perverse incentives that worsen, rather than ameliorate, human rights conditions. Collectively, this focus on the examples of human rights laws, institutions, and activists *not* working has skewed the scholarly literature and in doing so has obscured the causal processes that help us explain what human rights tools work—or not—and under which conditions. A course correction is sorely needed, and *Evidence for Hope* is a solid step in that direction.

In the first section of the book, Sikkink takes the human rights skeptics to task. She advances the argument that such human rights skepticism is a function of measurement error, rather than empirical reality. She argues that the opacity around the benchmarks that scholars and practitioners use to measure progress or regression in human rights makes it seem like human rights conditions are getting worse. Yet, these benchmarks fail to take into account a host of philosophical, psychological, and technical concerns, including comparison to an ideal, negativity bias, and increased reporting. When we take these and related factors seriously, Sikkink argues, it becomes clearer that there is good reason to believe that human rights laws, institutions, and activists have advanced human rights outcomes and that they will continue to do so. I would add to Sikkink's argument that it is incumbent on us as scholars to define the universe of human rights outcomes and processes in which we are interested more broadly so that we can evaluate the good, the bad, and the neutral outcomes using our deep social-scientific toolbox.

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In the second section of the book, which in many ways is a love letter to the Latin American human rights community, Sikkink rethinks the historiography of human rights, and to good effect. She documents how the Global South in general and Latin America in particular were in the avant-garde of international human rights developments in the early to mid-twentieth century and have not solely been the reluctant recipients of such laws and institutions in recent years. Although Sikkink's careful research shifts the geography of human rights historiography, it does not adequately address the goal that she sets out for this section of the book: understanding the legitimacy of human rights laws, institutions, and proponents. Part of this shortcoming is derived from an ambiguous operationalization of legitimacy in international politics. More problematic, however, is that, even though she links the origin stories of human rights to their (perceived) legitimacy, these two threads—the perceived legitimacy of human rights and their historical development—are never fully woven together in this section's chapters.

The third section of the book turns to the other main concept that Sikkink aims to assess: the effectiveness of international human rights laws, institutions, and activism. She identifies six conditions that improve human rights. These conditions, ranging from ending impunity to diminishing war and promoting democracy, are all rooted in the academic literature. Sikkink adds to this scholarship by providing descriptive data on how trends around these factors have improved over time. Although this descriptive data, supported by mini-case studies and anecdotes, are convincing with respect to the general relationship between particular conditions and human rights outcomes, there is too little discussion about the causal mechanisms driving each of these relationships. Moreover, there is an endogeneity or circularity to the relationship between and across these factors and human rights that is not fully addressed in this section of the book. For example, democracy can improve human rights, which can decrease the likelihood of war, which can in turn facilitate more human rights mobilization. This endogeneity is not inconsistent with Sikkink's argument; rather it is simply underexplored. As such, there is both an opportunity and a need to disentangle these relationships, and I hope that Sikkink and her colleagues take up this charge in future research.

Evidence for Hope is not a treatise of unbridled enthusiasm. Throughout the book, Sikkink readily identifies the challenges ahead, but she consistently reminds the reader that not only is social change possible but also that it might be even more realizable than our era of pessimism would suggest. So what can be done? Early in the book, Sikkink provides one answer to this question. She writes, "I believe we must be prepared to critique *and* propose" (p. 31). In other words, activists, policy makers, the public, and scholars have a responsi-

bility not to burn the house of human rights down, but rather to repair the parts that are broken in a smarter, more research-based way.

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Kathryn Sikkink's work, alone and with collaborators, has been central to the human rights mainstream in political science for more than two decades. As a robust proponent of the progressive impact of human rights law and trials, she has given food for thought to those who, like me, doubt the ongoing impact of the global human rights regime. Even though we might deduce some concerns on her part from the shift in emphasis of her two most recent book titles—from *The Justice Cascade* (2011) to *Evidence for Hope* (2017)—she continues to make the case that human rights have a bright future in our turbulent world. In *Evidence for Hope*, she argues that human rights remain legitimate and effective. To counter arguments about their lack of legitimacy, she points to the supposed non-Western origins of human rights, the continued importance of the international human rights regime to positive human rights outcomes globally, and the ways in which human rights can be effective in tackling a range of social ills. As far as effectiveness is concerned, she argues that because we measure abuses more and better now, it seems things are getting worse when they actually are not. Bad news also gets more attention than good news. In sum, human rights institutions and laws have a future, and it is only repressive governments and skeptical academics like Samuel Moyn, Eric Posner, and me who think otherwise.

The core of my reservations about Sikkink's claims is that she lacks any sense of the class basis of human rights and therefore of the deeper political forces at work that make them more or less effective over time. Sikkink is reasonably explicit in *Evidence for Hope* about her normative commitments, although she seems to have shifted her position from *The Justice Cascade* where she flirts with the idea of "moral instinct" (p. 261) to human rights as "a morally defensible starting place for talking about progressive change in the world" (*Evidence*, p. 15). In both cases, what drives normative change in the direction of liberal individualism is idealism unmoored in political realities. There is no doubt that the moral case for rights is powerful, but this is a minor part of explaining their prominence in the last few decades. We need to ask a more standard political science question: Who benefits?

Rights work structurally where and when they serve the interests of those whose money, influence, and votes are necessary to sustain them. This *can* mean progressive change, and Sikkink has led the way in identifying examples of it. But there is a hard limit. In the recent case of Europe, for example, refugees crossing the Mediterra-

nean or fleeing Syria could wash up drowned on the beaches without a major outcry. Human rights are poor vehicles for radical change (e.g., economic redistribution, but also revisiting the social contract to advance the cause of nationalism), because the liberal elite behind them, whether explicitly or implicitly, are people whose power and influence come from the existing dispensation. This is one reason human rights advocates in the West are more interested in suffering in other areas of the world than in the existence of inequality and injustice in their own societies and why economic and social rights have not made a major impact on the domestic redistributive policies of wealthy states.

Here the battle is for democracy, not rights. It is for taking and using state power. This is not to say that radical social movements do not speak the language of rights or that there is not a vast variety of rights work going on at a national and local level worldwide. It is to say that the global human rights regime and its tribunals are financed and run by a global legal and social elite whose support comes from a segment of middle-class citizens committed to rights on moral, not political, grounds. They do not rely on human rights to advance their political interests. It is for this reason that the rise of populist politicians, with their fusing of welfarism with nationalism, and their association of human rights with cosmopolitan liberals, hardly features in *Evidence for Hope*.

This links to a second concern: the putative "Southern" origins of rights and the possibility that the global human rights regime will persist even if the United States, the United Kingdom, and much of Europe as a whole sour on the rights project in an era of Western retrenchment. This overlooks the pivotal role that Western states have played for 200 years in globalizing multilateral institutions (under and then after empire) to project their power. Whatever the ethical and ideological origins of human rights, they became major features of the global political landscape in the 1970s and 1980s only when they became part of the foreign and domestic politics of liberal states with enough diplomatic muscle to make them meaningful (e.g., the United States and United Kingdom) and with populations of concerned affluent citizens who funded NGOs and campaigns to promote them within government and multilaterally. At their zenith from 1991 to 2011, these rights were seen as sovereignty curtailment (unless you were powerful enough to ignore them). Now sovereignty is back. There are liberal elites of varying sizes in many of the states that now aspire to a greater say in the running of the global system. But China, Russia, Indonesia, India, Nigeria, Turkey, Iran, Egypt, and even Japan are not politically liberal and do not have a liberal rights tradition (unlike South America).

Even rhetorical compliance is no longer necessarily a requirement of membership in good standing in the

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international system. Syria's Bashir al-Assad is about to prove that bombing hospitals pays as long as you have powerful friends; Saudi Arabia's MBS is proving it too. Kim Jong-un got the red-carpet treatment from President Putin, while China runs vast Uighur concentration camps. Surely the erosion of the normative consensus on human rights at the global level and the reiteration of the primacy of sovereignty cast doubt on the future of human rights as *the* main normative mechanism of choice to pursue liberal conceptions of freedom. If we can no longer rely on international contractual agreement, the underlying ethical case—that people have *moral rights*—will have to be made more explicit (where it faces resistance on the basis of hypocrisy, historical crimes, authoritarian practices, and religious and cultural difference). Sikkink accuses human rights critics like me of comparing human rights to an implicit ideal. But she is the idealist. Human rights must be seen as historically and socially contingent. As such they can change, regress, diminish, and even disappear entirely.

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The protection of human rights is one of those subjects defined at times by an uneasy tension between claims of conviction versus suspicion, with both practitioners and scholars weighing in.

In her provocative new book, *Evidence for Hope*, Kathryn Sikkink advances conviction. Her goal is to counter what she perceives as the “recent increase of pessimism about the legitimacy and effectiveness of human rights law, institutions, and movements” (p. 3). Anchored partly in evidence and partly in her own experience, her mission is to persuade skeptical publics along with intellectuals and activists who perceive a movement in crisis. “Whether on the news, in the academy, or when one talks to a member of the general public, the standard view is that all types of human rights abuses in the world are getting worse” (p. 7). Sikkink believes this is both a misperception and fuel for a growing backlash.

Both claims are easy to overplay.

It is true that the spotlight of attention from the media and NGOs is uneven, disproportionately covering some problems over others.¹ But unevenness cuts many ways. These organizations paint varied global pictures—some of decline, others not—and many fail miserably to report on victims and atrocities that deserve more attention. The media if anything may not always be critical enough.

Publics often know little about human rights—ignorance is a real problem in this domain—and when they do speak up, they offer inconsistent views about whether these norms and institutions matter to them or are in decline.² Public opinion on the subject is both complex and diverse.³

The broader views of scholars and intellectuals are a good deal more nuanced. Some have branded the human rights movement as at its “endtimes” or “twilight.”⁴ But much of the scholarship—certainly the empirical flavor that is showcased—has moved on. Early strains of “it works” or “it doesn’t”⁵ have long since evolved into fruitful efforts to uncover the conditions under which either view is justifiably grounded in reality.⁶ That is where both the current mood and the future lie in the academy of empirical social science.

A call to data is at the center of Sikkink’s charge. A central claim is that human rights data paint a picture that “is far more positive than current pessimism suggests” (p. 141). This claim is based on the idea that the data reflect changing standards of accountability,

which means that “some people may use this as evidence that the world is getting worse and, therefore, become discouraged” (p. 179).

I laud Sikkink’s call for scholars to embrace careful empirical work and methodological transparency, alongside her concerns about ideal-based comparisons, hidden causal attribution, and difficult data. With those demands for better scholarship, data, and research methodology, Sikkink is pushing on a door that is already wide open and is articulating a view shared broadly by the academy of empirically driven scholars working in this domain today. New datasets, techniques, and policies of transparency and replication are the norm.

Yet it is simply too soon to conclude that the evidence supports a “bias for hope” (p. 14). At best, the mounting empirical evidence shows disagreement rooted, in part, in increasingly sophisticated and diverse modeling choices and datasets, which show improvements alongside stalemates or regression.⁷ They show that “success” and “failure” are often conditional on factors outside the human rights movement’s control and are highly dependent on scope, context, and definition.

Data are uneven in quality and “something of a moving target.”⁸ Yet they are not uniformly biased in strictly one-dimensional ways: the reporting problems and conditions in one location or on one type of right may present different challenges for another, making it tricky to support the book’s singular inference that skeptics are being misled into doubt. The problems with data quality and analysis are real, but the literature as a whole—led now by a new generation of highly teched-up scholars—does not point uniformly in any single direction. All “sides” in the debate, to the extent that sides even exist, can legitimately find some evidence in their corner. And for most academics working these data, identifying limitations and scope conditions to any phenomenon is not equivalent to espousing or spreading pessimism. It is the core of social science research.

Even more complicated is the fact that the entire enterprise of assessing the effects of human rights, and not just in this book, struggles with attributing cause and effect. A strength of this volume is its wide scope of coverage of a huge movement with many actors, many institutions, many goals, many stakeholders, many mechanisms, many rights, and many violations. Its grand scope makes the job of trying to attribute causality even harder. Some things seem to get better, some get worse, and some idle. The real question is why? Can any of those changes be attributed to the movement and its many actors or tools? And if so, to which parts, how, where, and why? Answers to those questions are far from settled.

Although there is not yet an empirically based bias for hope—and I hope one day there will be—there is some cause for optimism, just as there is some cause for concern. Unpacking those details will be the future charge of data-driven scholarship on human rights, which is already

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making headway in addressing the ever-pressing challenge of identifying not only correlations but also of linking specific causes with particular effects and demonstrating pathways and conditions under which human rights can lead to help bring about a better future.

Notes

- 1 Hafner-Burton and Ron 2013; MacRae 2016; Pooley 1989; Ron, Ramos, and Rodgers 2005.
- 2 Hafner-Burton 2013; Heyns and Viljoen 2001; IPSOS 2018; Ron et al. 2017.
- 3 Ron 2017.
- 4 Hopgood 2013; Posner 2014.
- 5 Camp Keith 1999; Hathaway 2002.
- 6 Simmons 2009.
- 7 Lupo 2013.
- 8 Hafner-Burton and Ron 2009, p. 374.

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When his friend Max Brod asked him whether there is “hope outside this manifestation of the world we know,” Franz Kafka memorably replied that “there is hope, no end to hope—only not for us.” For centuries, some Christians had sought evidence for hope in things unseen. Kathryn Sikkink, in her naïve and noble insistence in her new book that there is proof that human rights is a durable faith, has published her own moving credo, calling for a hunt for outrageous heresy along the way. Unfortunately, it comes with very bad timing, at a moment of historic crisis for human rights movements that everyone must now acknowledge. We may need more faith than human rights projects ever justified.

The crisis is not due to a motley crew of academic skeptics who reject the fideism of the last generations. It is therefore a pity that, driven by excessive concern with them, Sikkink is diverted from more important tasks. Indeed, to locate her work’s naivete and nobility, sympathetic readers of Sikkink’s latest book must look beyond her distortion and homogenization of various scholarly miscreants whom she blames for corrupting the youth even as the world burns. If there were a sweepstakes for killing the buzz of human rights triumphalism, I personally can claim to have won: Sikkink criticizes me 30 times in the book, compared to merely 25 times for Stephen Hopgood and 20 for Eric Posner. I only wish I could claim my winnings—but it turns out that I ought not take credit for what Sikkink says I contributed.

Contrary to Sikkink’s claim, I did not argue that Jimmy Carter created human rights, nor that the Global South had no role in their history, nor that there were no relevant antecedents in the 1940s to their ascendancy today. In a chapter of *The Last Utopia: Human Rights in History* (2010) that Sikkink indicts, I dealt with Carter for about 8 of 55 pages, toward its end, arguing that a variety of grassroots actors transformed the unpromising legacy of the past—notably declarations and treaties negotiated by state elites—into a new sort of phenomenon. Contrary to Sikkink, I have not argued more recently that human rights are a neoliberal plot. In fact, just the reverse: in writing that Sikkink cites, as well as in my own new book, *Not Enough: Human Rights in an Unequal World* (2018), I explicitly reject that position to ponder instead how human rights, focused at most on the misery of the poor distributionally, could fit in the age of galloping inequality and the victory of the rich. I would have appreciated more evidence of scholarly engagement with what others have written in *Evidence for Hope*, especially because the point

of my scholarship on human rights is not to condemn hope or deny evidence for it but to call for a more radical form of hope than Sikkink apparently believes credible.

More broadly, Sikkink’s understanding of the state of play of the field of the history of human rights often feels a little off, oversimplifying her own task. No one thinks that nothing happened when it came to the governmental declaration of human rights in the 1940s, including in Latin America, on which she concentrates in one chapter. As a result, the modest and truncated historical research Sikkink presents there leads to the non sequitur that some people then cared about human rights, as if that were sufficient response to the extant conversation among historians. It is not. (How many cared? Were they elites or masses? What were their larger regional geopolitics? What global political economy did they envision? What was the connection to the rediscovery of human rights decades later?) Similar reservations apply to Sikkink’s attempted intervention into the ongoing conversation about how to correlate human rights and neoliberalism, in which she not only reverses my own position but also ignores critical but essential voices like Paul O’Connell or Umut Öszü or Jessica Whyte.

Reading her book, I also sometimes wondered about the legitimacy and effectiveness of helping oneself to arguments that target not the claims that one’s elective foes have offered, but instead the susceptibility of one’s audience to persuasion. For example, Sikkink conjectures that downers are more likely to gain a hearing than enthusiasts for a cause (p. 162). But is not collective life over the millennia little more than a compilation of fervors for the gullible as varying as fashion trends are for the stylish? She tells stories about how irritating it is to send students to take classes with her colleagues in “critical theory” only to have to undo the damage they inflict (pp. 55–56). But given that Sikkink has written a whole book engaging “critical theory,” on some level she must intuit that there are intellectual rewards for doing so.

Beyond the limitations of Sikkink’s critiques of a set of minor academics she magnifies into enemies of progress in *Evidence for Hope* is a somewhat better book about the reasons for excitement about human rights movements and the need to grant their genuine successes. Sikkink is on much firmer ground when it comes to international relations controversies about measuring the effects of various human rights initiatives. I have no doubt that some human rights technologies have made a difference, especially because along the way Sikkink herself acknowledges that others like humanitarian military intervention have too often made the world worse.

The only worry I have about Sikkink’s enterprise of claiming specific effects for human rights advocacy is that she has not thought much about the characteristic dilemma that success brings with it: whether to stick to the promotion of a few core values or to volunteer for

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the resolution of larger problems. Especially because Sikkink finished her book as the much-discussed populist wave kicked off, it already reads as mostly superannuated, claiming modest but real effects for the signature moral concept of the post–Cold War world but not anticipating the increased political upheaval of our time. Others facing the crisis, such as United Nations expert Philip Alston, have been far more accommodating of critics of human rights and far more open about the need for the movement either to evolve or else make way for alternative responses to backsliding or worse.

Sikkink is convincing that human rights values and some forms of mobilization around them are going to be essential, on the strength of their past successes, however much such successes are eroding now. Whether those values and movements are enough on their own to provide the best hope for a better world is another matter—and this book provides no evidence either way.

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This book is an ambitious and largely successful response to the growth in skepticism about the norms and efficacy of international human rights. *Evidence for Hope* attempts to address distinct critiques from several quarters for both academic and policy audiences—and inevitably achieves different levels of traction in these multifaceted aspirations. Above all, it is a welcome reminder of the pedagogical implications and social responsibility of academic critique. Kathryn Sikkink's deconstruction of woolly associations between human rights and neoliberalism (see esp. pp. 38–48) and inaccurate assertions of Western bias that undermine hard work in hard times is a masterful corrective to trendy, ill-informed dismissals of human rights.

Evidence for Hope argues that human rights has more global and popular origins and effects than the critics claim. Sikkink supports this argument with two historical and two empirical chapters; although all four chapters are framed as scholarly essays, the historical chapters resonate more with the legitimacy claims of academic origin stories, whereas the empirical chapters speak more directly to policy effectiveness. Chapter 3's account of the transnational construction of postwar human rights institutions successfully counters the false characterization of human rights as a Western-imposed elite legality. In tandem, Chapter 4 establishes the Cold War record of human rights as a mode of resistance to varied forms of repression, intended to broaden the legitimacy claim but also speaking to the dynamics of effectiveness despite bipolar hegemony. These essays would be even more effective if situated in a broader arc of human rights history alongside the work of other scholars (e.g., Micheline Ishay, *The History of Human Rights*, 2004).

The following chapters turn to questions of measurement and efficacy, with equal rigor but more constrained impact. Sikkink mounts the revisionist case for a relative improvement in human rights conditions and monitoring bias parallel to Steven Pinker's assessment of declining violence in *The Better Angels of Our Nature* (2011). She introduces the useful alternative framework of a compliance continuum, although some of the improvement data are overly aggregated. Country-level improvement in Cingranelli and Richards's (CIRI) Physical Integrity Rights indexes or decreasing numbers of episodes of war may conceal not only the numbers affected and the incidence of vulnerability in large autocracies like China but also the character and systemic impact of a single

“incident” like the Syrian civil war that has produced a decline in rights far beyond a casualty count: a complex of death, torture, disability, imprisonment, forced displacement, destitution, sexual violence, and the loss of education and health care affecting many millions throughout the region and beyond. Although she advances debate by emphasizing that evaluation of trends must be “compared to what,” the next step is to analyze “when and where”—to map shifting patterns of repression and victimization across the range of rights, as well as to reconstruct what works in issue-specific responses and sequences (for such an attempt, see my 2018 book, *The Future of Human Rights*)

More proactively, the comprehensive review of evidence on drivers and responses to human rights violations in Chapter 6 offers nuanced analysis and policy guidance that draw on a wide range of scholarship. This chapter brings together assessments of war and military intervention, democratization, economic development and inequality, treaty compliance, transitional justice, exclusionary ideologies, and social movement mobilization. Only in the later section on NGOs, however, does Sikkink review concrete situated studies alongside general trends and project potential improvements in response—not just “what works” but also how to make it work better. In this section, Sikkink discusses dilemmas of North–South organizational relationships, but could go further to examine translation and grassroots reconstruction of rights (as do Steven J. Stern and Scott Straus in *The Human Rights Paradox*, 2014). Moreover, there is a gap between the discussion of exclusionary ideologies as drivers and the strategy of naming and shaming. Although the latter is usefully reconnected to Sikkink's own earlier work on information politics (Margaret Keck and Kathryn Sikkink, *Activists beyond Borders*, 1998), the current text overlooks the substantial subsequent literature on the impact of the framing of rights claims on efficacy (for example, see Melissa Labonte, *Human Rights and Humanitarian Norms, Strategic Framing, and Intervention*, 2013).

The book's dialectical origins in debates with a particular set of leading critics such as Samuel Moyn and Stephen Hopgood is a source not only of clarity but also some narrowness: in most chapters only a handful of authors are cited repeatedly to counter specific challenges (as discussed earlier, Chapter 6 is a laudably broader survey that picks up a wider range of issues). Sikkink defines human rights as comprised of “law, institutions, and movements,” as the critics set the terms of debate, resulting in a less systematic treatment of the most dynamic developments in intersectional economic, social, and cultural rights (on transnational LGBT movements, the right to water, indigenous peoples, and labor rights, see Alison Brysk and Michael Stohl eds., *Expanding Human Rights*, 2017, especially chapters by Philip Ayoub, Madeline Baer, Felipe Gomez Isa, and Shareen

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Hertel). There is valuable material in Sikkink's "Suggestions for Further Reading" that points toward a more global perspective and the movement from human rights regime to repertoire, but the book would have been strengthened by fuller integration of these authors and projects.

Sikkink's timely volume provides "evidence for hope" indeed and is a useful, thoughtful, and rigorous counter to

naïve disillusionment and totalizing counsels of despair. Although the book makes a signal contribution to the history and analysis of human rights, it inevitably could go further to provide the tools for "making human rights work in the 21st century." Fortunately, Sikkink's unfolding research agenda and vocation for engaged dialogue hold the promise of further progress toward this ambitious and critical goal.