Rethinking Human Rights

Readers of *NACLA Report* are by now familiar with our steadfast critique of the limited democracies that reign in most of Latin America. In recent issues we have documented the fragility of the "new democracies," the continued power of the armed forces, and the inability of elected governments to protect citizens' rights and alter deeply embedded structures of inequality and misery. The restoration of civilian rule has greatly diminished the systematic state-sponsored abuses of the past, though rights abuses are escalating at an alarming rate in some countries, such as Colombia and Mexico. But civilian rule has not resulted in the rule of law, nor has it improved the lives of the majority of the region's citizens. Under such circumstances, it is little wonder that—as registered by regional pollsters like Latino Barometer—democracy is viewed with skepticism by those citizens, especially the poorest.

This issue of *NACLA Report* is not another exhaustive diagnosis of the failings of Latin America's limited democracies, though those failings are amply documented here. This *Report* has a different aim: to examine how human rights activists throughout the region are facing this new situation on the ground. We have asked highly respected rights activists from several Latin American countries to discuss the challenges facing the human rights movement today, as well as the diverse strategies they have adopted to try to meet them.

In this issue, Martín Abregú, director of the Center for Legal and Social Studies (CELS) of Argentina, writes about the legal activism developed by CELS to address human rights violations both past and present. Paulo Sérgio Pinheiro, co-founder of the Center for the Study of Violence at the University of São Paulo, discusses the work of his organization in developing human rights research that is intimately linked with an activist agenda.

Carlos Basombrío, twice director of the Lima-based Institute for Legal Defense (IDL), lays out more broadly the challenges facing the region's human rights movement. It must, he argues, find a balance between multiple tensions. These include whether to focus exclusively on fighting impunity for past abuses, or whether (and how) to incorporate work on rights abuses in the present democracies, as well as how to address potentially conflicting rights, such as the right to security and protection on the one hand, and due-process rights for defendants on the other. Another conundrum is whether groups that have traditionally focused on civil and political rights should incorporate the so-called "second generation" rights—social, economic and political rights—into their working agendas.

Eduardo Cáceres of the Pro-Human Rights Association (APRODEH) suggests a solution to this latter dilemma by moving beyond liberal conceptions of human rights to embrace a more encompassing view that seeks to build what he calls a "culture of rights." Following the ideas developed by Nobel laureate Amartya Sen, Cáceres suggests that the idea of "human security" must be incorporated in our notion of human rights so as to encompass the broad spectrum of rights that must be guaranteed to an individual so that he or she can to live a life of dignity. This logically must incorporate political and civil rights as well as economic, social and cultural rights, such as the rights to education, work and health care.

From this perspective, the Latin American human rights movement can move beyond a stance of defending people from human rights abuses on an individual basis—crucial as this work has been and continues to be—and become a key component of a broader movement to build a just and democratic society. For that, the Latin American human rights movement must build alliances with other civil society organizations while also finding ways to broaden its own social base. And this requires tackling another critical challenge: overcoming the neoliberal ethos that has come to dominate social relations in much of the region, as well as the legacies of fear and silence that the dictatorships of the not-so-distant past have left behind. ■