

On Becoming Human: Subjectivity & Identity in International Human Rights Law

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Abstract

As we approach the end of the century, international human rights seem to be going through a major reassessment of its aims and effectiveness. By exploring the historical and contemporary formulation and understanding of human rights, this paper argues that if we want to be able to transform human rights from the reified objects of possessory individualism and back to the roots of "becoming human" then we need to refocus attention on the wholeness of human existence and its interconnectedness with the world around it. The divineness of much of the human rights talk must be eliminated, or at least made more constructive. Human rights at their best already perform a function of creating alternative sources of power for the disempowered and provide a focus around which coalesce. Decolonization and self-determination then are not narrow, rigidly defined political processes or goals, but are rather the central subject of subjectivity itself, and as such the transformation of human rights is essential. While the end result of any human rights transformation will be unclear, there currently seems to be a move towards an understanding of self-determination which combines individual agency and responsibility with collective identity and duty. Human rights are valuable in so far as they contribute to the ongoing and never ending process of becoming human for all humans in relation to the world in which we all live.