INTRODUCTION

The concept of human rights represents one of the most powerful ideas in contemporary discourse. In a world of economic globalisation, where individualism and becoming rich are seen as the most important things in life, and where at the same time the formerly secure moral positions for judging our actions seem to be reverting to a postmodern relativism, the idea of human rights provides an alternative moral reference point for those who would seek to reaffirm the values of humanity.

This book is written in the belief that human rights are important, and that they are particularly important for those in the human service professions in general and for social workers in particular. By framing social work specifically as a human rights profession, we can look at many of the issues and dilemmas that face it in a new light. Further, human rights can provide social workers with a moral basis for their practice, both at the level of day-to-day work with 'clients' and in community development, policy advocacy and activism. This book seeks to articulate what it means to say that social work is a human rights profession, and to consider the implications of such a perspective for the practice of social work. However, it does not provide a simple 'how-to-do-it' framework for human rights–based social work. Human rights do not provide simple answers; rather they pose questions – often complex and difficult questions – for the practitioner. It is in wrestling with these questions that human rights–based social work can be enacted.

Those familiar with earlier editions will realise that there are changes to this edition, although much of the previous content has been retained or modified. This edition has three authors, including Jim Ife, who wrote the 1st, 2nd and 3rd editions. He has been joined in this 4th edition by Western Sydney University colleagues, Karen Soldatić and Linda Briskman. A major change is that in this 4th edition case studies are inserted at the end of each chapter to provide 'real world' situations in applying theory to practice. These are supplemented by increased contemporary examples in the chapters. Additionally, online resources have been introduced to add supplementary material to enhance human rights understandings for social workers. The online resources can be used to support teaching and professional development and are located at www.cambridge.org/higher education/isbn/9781108829700/resources.

The opening chapter sets the background by defining human rights and setting the context of a discursive understanding of human rights that forms the basis for the remaining chapters. The Enlightenment origins of conventional human rights discourse are identified, as this has been important in shaping dominant ideas of human rights. It

also considers globalisation as the context within which we need to understand human rights practice in the 21st century. This is especially important because the recent upsurge of interest in human rights has been in part a reaction to the past 40 years of neoliberal globalisation. Human rights have been the major theme around which the opposition to neoliberal globalisation has crystallised. As in the previous edition, Chapter 2 adopts a critical approach to the conventional 'three generations' approach to human rights. While it is important for readers to understand this framework, common in the human rights literature, it is also important to understand its limitations and contradictions.

Chapters 3 to 8 examine different theoretical or conceptual issues relating to human rights: the public/private divide, cultural differences, the link between rights and needs, the obligations that go with human rights, the relationship between rights and ethics, and participation in human rights discourse. In each case, the implications for social work of such a discussion are identified.

The remaining chapters then spell out what is involved in human rights–based social work. They examine how social workers might engage with the discursive construction of human rights as a basis for practice; how social work practice can work to realise and safeguard human rights; and the implications of a human rights perspective for the processes and structures of the social work profession itself.

Even though the theoretical issues around human rights are complex, and any exploration of human rights has to deal with them, social work requires that any theoretical exploration must be grounded in, and relevant to, the reality of the messy world of social work practice with its contradictions, unpredictability and, often, some level of chaos. This applied practical focus has been maintained throughout, and it is hoped that the book will therefore retain a relevance and utility for practitioners.

The book is written from an internationalist perspective. Although social work practice must always be contextualised within the culture and society in which it is located and practised, human rights is a universalist discourse, based on ideas of a shared humanity and global citizenship. It is therefore hoped that the book will have application in different national and cultural settings. The ongoing transfer of neoliberal policies, particularly in areas such as immigration, poverty and social protection, and gender and intimate partner violence, has rapidly accelerated in the past 15 years. The consequences of the globalisation of neoliberal social policies means that social work professionals are increasingly grappling with similar impacts on everyday lives despite the diversity of contexts.

As is current convention, we have pluralised personal pronouns out of respect for gender and sexuality diverse people within our societies. Hence, rather than using such terms as he/she and him/her, we have replaced these with they/them. Another point about terminology is that we adopt and interchange the terms 'First Nations', 'Aboriginal' and

'Indigenous' throughout this book, in keeping with current practices. In the Australian context we also use the terms 'Indigenous', 'Aboriginal' and 'Torres Strait Islander'.

For American readers, in particular, the term 'liberal' may need some explanation. In this book it is not used in the sense popularised by the American media – namely, someone with social democratic ideals – but rather in its more philosophical sense, of someone who values individualism and freedom in the context of Enlightenment rationality and progress.

Another word that has caused considerable difficulty is the word 'client'. It is a word we do not like to use, but the alternatives 'consumer' and 'customer' are also highly unsatisfactory. Where possible we have used 'person' or 'individual'; but sometimes, in order to avoid the clumsiness of 'person with whom a social worker is working' (or some similar wording) we have with reluctance resorted to the use of the traditional term 'client' for the sake of brevity and in the absence of a better alternative. Although social workers are the primary readership for whom this book is intended, the ideas explored have application well beyond the field of social work and, in the hope that there are others who may find it of use, we have tried to keep social work jargon to a minimum and have included a glossary of terms that may not be familiar to some readers.

Principles for human rights practice

As the book title suggests, human rights in this book is not merely an academic exercise, but seeks to promote and explain ways to make connections between human rights theory and human rights practice with a focus on social work professionals. To begin your journey on this process, we propose some ways of discerning how human rights principles for social work may differ from more traditional approaches:

- Think inductively – that is, work from the bottom-up rather than in a deductive, top-down approach to understand the complexity of people's lives and the issues that have led them to you as a social worker.
- Recognise the messy and often contradictory aspects of everyday lives, and reflect upon what this may mean to adopting human rights principles in social work practice.
- Reflect upon the systemic, structural and institutional dynamics and the implications for effective person-centred professional practice.
- Work actively to de-centre Western knowledges and move subaltern knowledges away from the margins to the centre of social work practice.
- Acknowledge our own biases and be attentive to changes that we need to make to our values, language and behaviours to align with everyday practices of human rights.
- Recognise that human rights can be a site of struggle, both within ourselves with an increased awareness of who we are, and also, out in the world – the workplace, the street, the office.

The context of the book

This new edition was written during the global COVID-19 pandemic of 2020–22. Many commentators believe that the world in which we live will never be the same again. The virus and the ways that governments have responded have established new social and political understandings of the role of governments, public policy and social protection in our daily lives. Social workers have been directly affected by COVID-19 and, in turn, as a profession, they have been a core group in trying to make meaning of the impacts of the global pandemic. Will there be a world of greater or lesser opportunities for humankind? What new inequalities will emerge and what is the role of social work in addressing these? What and how might social work draw from a human rights perspective in post-COVID-19 work?

Since the last book was written there have been many changes to core areas of social institutions, protection and policy. The global rapidity of neoliberal policy transfer has been unprecedented (Peck & Theodore 2015). While government expansionary interventions during the COVID-19 pandemic suggest that the neoliberal state has attempted to soften the blow of longstanding retraction and austerity, governments are moving back to neoliberal policy instruments and experiments. The global approach to social care, utilising discourses of 'user-choice', has increased and continued unabated, and marketisation of care and support is expanding. There has been an increased demand from different groups, such as those experiencing the onset of ageing, people with disability who are seeking personal supports within the home, and expanded individualised provision of psychological counselling supports. Services for personalised care and well-being are progressively delivered through government-initiated systems of privatised health and social care. Social work is, thus, being drawn away from organisational practice to an occupation where private practice is becoming the norm, with marketised service models promoted by neoliberal governments.

The book does not purport to provide answers to every human rights conundrum that confronts practitioners. What we hope for is that by the end of the book, you will be able to see the critical importance of human rights to social work and ways in which social workers can be human rights champions at all levels of practice.

1

Human rights in a globalised world

Introduction

Human rights is a powerful ideal. It is readily endorsed by people from many different cultural and ideological backgrounds and it is used rhetorically in support of a large number of different and sometimes conflicting causes. Because of its strong appeal and its rhetorical power, it is often used loosely and can have different meanings in different contexts, although those who use the idea so readily seldom stop to ponder its various meanings and its contradictions. This combination of its strong appeal and its contradictions makes the idea of human rights worth closer consideration, especially for social workers and those in other human service professions.

This book is concerned with what a human rights perspective means for social workers (Centre for Human Rights 1994), noting that social work has a tradition of human rights that exceeds 100 years (Staub-Bernasconi 2016). Framing social work as a human rights profession has certain consequences for the way in which social work is conceptualised and practised. In many instances, such a perspective reinforces and validates the traditional understandings and practices of social work, while in other cases it challenges some of the assumptions of the social work profession. The position of this book is that a human rights perspective can enhance social work and that it provides a basis for social workers to achieve their social justice goals, regardless of the setting. Human rights, however, are also contested and problematic. To develop a human rights basis for social work, social workers must carefully and critically examine the concept of human rights, and the problems and criticisms associated with it. In this and following chapters, some of the issues and problems associated with human rights will be discussed, and the implications of these discussions for social work will be highlighted. The case study at the end of the chapter on child sexual abuse is illustrative through the example of the Australian Royal Commission into Institutional Responses to Child Sexual Abuse. This raises human rights questions pertinent to social work globally on the role of the state, children's rights, the impact of childhood trauma and the cost to society.

The Enlightenment tradition of human rights

Many authors have suggested that the idea of human rights is largely a product of Enlightenment thinking and is therefore inevitably contextualised within an essentially Western and modernist framework (Galtung 1994; Beetham 1995; Bobbio 1996; Pereira 1997; Wronka 1998; Bauer & Bell 1999; Douzinas 2000, 2007; Hayden 2001; Orend 2002). The European Enlightenment, which originated in the second half of the 18th century, was a significant turn away from previous world-views in which morality was determined by the interpretation of divine wisdom from the Bible or the teachings of the Christian Church.

The previous two centuries had seen devastating religious wars fought over differing interpretations of the Bible and of divine will, and the 'Enlightenment' represented an attempt to develop a morality based on human reason instead. Alongside this was an emphasis on progress, on science, on rationality and on research: the exploration and classification of the natural world in disciplines such as zoology, chemistry, astronomy, botany and geology. The sacred, spiritual and religious became matters for the private individual, but were largely excluded from the mainstream of intellectual endeavour, whether in theory or in research. The human subject was central to Enlightenment discourse and separated from the natural world, which was seen as serving the needs of humanity rather than as having value in its own right. Furthermore, the human subject was regarded as individual, not collective, and 'the rights of man' became an important concept. Patriarchy, however, was an inherent part of most Enlightenment thinking and the human subject was essentially male. The emphasis was on rationality, and emotions tended to be marginalised, as was religion.

The legacy of the Enlightenment is very strong, even into the 21st century. Enlightenment thinking has informed laws, political institutions, science, research, universities, bureaucracies, military strategy, schools – indeed every facet of human life, including social work. However, it has remained an essentially Western project, grounded in Western world-views, and in an assumption of the superiority of the Western way of life. In many non-Western cultures throughout Asia, Africa, Latin America and the Middle East, as well as in Indigenous communities, the Enlightenment represents a strange and different world-view. For example, the separation of Church and State, a quintessential Enlightenment idea, makes no sense in some traditional Muslim societies, where religion and politics/government naturally belong together. The individualism of the Enlightenment does not gel with the collective Confucian traditions of many Asian societies, and the separation of the human from the rest of the natural world is incomprehensible to many Indigenous peoples. Claims that the Enlightenment was racist require us to acknowledge the dark side of the Enlightenment (Peters 2019).

The Enlightenment had many significant consequences. There was an explosion of scientific research and inquiry. The notion of the European as somehow 'enlightened' was a convenient justification for colonisation and colonial exploitation. If 'we' were more 'enlightened', it was surely our duty to enlighten others, and hence the Western Enlightenment world-view was imposed, with greater or lesser success, on other cultural traditions through the work of teachers, administrators and missionaries (Said 1993, 2003).

Most important for our purposes here, the Enlightenment led to the emergence, or re-emergence, of moral and political philosophy, as people tried to reason morality and argue the best ways to organise society, rather than simply seeking these things as God's truth. Human rights has emerged as very much part of this tradition, and we might even

argue that there was an attempt to replace the Ten Commandments with the Universal Declaration of Human Rights as the basis for a universal morality. Hence philosophers such as Hobbes, Locke, Rousseau, Kant and Mill were very influential in forming conventional ideas of human rights, while the Bible and the Qur'an were not. This causes problems for inter-cultural or inter-faith dialogue about human rights, unless the Enlightenment foundations of conventional human rights discourse are themselves subject to critique.

This has led to the criticism that human rights thinking and rhetoric are simply another manifestation of colonialist Western domination, and to the suggestion that the concept of human rights should not be used (Aziz 1999). However, while it is true that much of the contemporary understanding of human rights has been shaped by Western Enlightenment thinking, the same can be said of many other concepts that are frequently used in political debate, such as equality, democracy, freedom, justice and human dignity. To stop using such words simply because of their Western Enlightenment associations would be to deny their power and importance across cultures and would lead to sterile and limited political debate. The task rather is to loosen them from the shackles of Western modernity and to reconstruct them in more dynamic, inclusive and cross-cultural terms. That is the approach taken in this book, though of course cultural issues and the question of cultural relativism are critically important and will be discussed in some detail in Chapter 4.

There is a stronger reason, however, to resist the argument that the idea of human rights should be rejected because of its Western connotations. This is because it is simply not true to say that human rights are an exclusively Western concept. Notions of human rights are embedded in all the major religious traditions and can be found in many different cultural forms (von Senger 1993; Ishay 1997; Hayden 2001; Moussalli 2001; Angle 2002), though the term 'human rights' may not always be used. Ideas of human dignity and worth; ideas that all people should be treated according to certain basic standards; ideas that people should be protected from what is frequently termed 'human rights abuse'; and ideas of respect for the rights of others are not confined to the Western intellectual tradition. To assume that they are is to devalue those other religious and cultural traditions that such critics often claim to be supporting. For critical human rights scholars, it is important to embrace a pedagogy of human rights that is inclusive of cultural diversity that is not oppositional to the purpose of human rights (Woldeyes 2017; Woldeyes & Offord 2018).

It is nevertheless true that the dominant contemporary discourse of human rights is firmly grounded in Enlightenment modernity, to such an extent that other views of what constitute 'human' and 'rights' are readily marginalised. The Enlightenment heritage of human rights has been very significant in shaping the way human rights are understood

in the contemporary world, and has been responsible for many of the problems and issues associated with human rights. As Enlightenment modernity is increasingly called into question, it is important to understand the impact of the Enlightenment on the human rights movement, and to seek to develop a 'post-Enlightenment' understanding of human rights and, indeed, of social work. This task will be a recurring theme throughout this book.

This is not to negate the positive contribution of the conventional Enlightenment view of human rights, which has undoubtedly achieved significant outcomes and has contributed to a more just and humane world (though this must be, of course, a qualified and relative judgment). Human rights, indeed, represent a powerful discourse that seeks to overcome divisiveness and sectarianism and to unite people of different cultural and religious traditions in a single movement asserting human values and the universality of humanity, at a time when such values are seen to be under threat from the forces of economic globalisation (Rees & Wright 2000; Brysk 2002). Even in countries with welfare traditions, people are experiencing increasing inequality as a consequence of aggressive neo-liberal globalisation and the rapid spread of systems and mechanisms that support and maintain its dominance (Herrero & Charnley 2019). The idea of human rights, by its very appeal to universally applicable ideas of the values of humanity, seems to resonate across cultures and traditions and represents an important rallying cry for those seeking to bring about a more just, peaceful and sustainable world.

Among critiques of human rights are feminist critiques (that human rights have become a patriarchal discourse and have privileged the rights of cisgender men while marginalising the rights of cisgender women, and sexuality and gender diverse women); the postcolonial critique (that human rights have served the needs of colonialism and the spread of Western cultural and political hegemony); the Marxist critique (that human rights are based on liberal individualism and have been used to replace or devalue a class analysis); and the postmodern critique (that human rights represent modernity and are part of the modernist attempt to impose order and rationality on a diverse, chaotic and contradictory world).

Much of the academic debate about human rights remains at the theoretical level; less has been written about the *practice* of human rights. The important exception to this has been the legal profession, which has developed a significant specialisation in human rights law. However, while lawyers have played a very important role in the promotion and safeguarding of human rights, an exclusively legal framing of human rights practice has limited the applicability of human rights in other professions and occupations (Galtung 1994; Douzinas 2000), which include social work, medicine and teaching.

There is nonetheless a burgeoning interest in critical social work which is articulated through a synthesis of progressive social work theorising. The interconnection between

human rights and critical social work has potential for social work to show its unique contribution to progressive practice by emphasising that human rights are not confined to legal constructs and the legislative passage of human rights law alone. Mapp et al. (2019), in referring to the proclamation of the International Federation of Social Workers (IFSW), state that social work is a human rights profession. They point out that social workers around the world have strived for the application of human rights principles to practice and moving from the deficit model of a needs-based approach to a human rights framework. The shortcomings of needs-based social work are discussed in Chapter 5.

This book represents an attempt to fill this gap by examining what a human rights perspective means for the practice of human service professions with the primary focus on social work. It identifies some of the important theoretical and conceptual issues about human rights and looks at how they might be applied to practice in a way that can identify a social worker more clearly as a human rights worker. In general use, the term 'human rights worker' applies either to lawyers with a human rights specialisation or to activists working for organisations such as Amnesty International. This book seeks to locate social workers also as human rights workers and to identify some key issues that emerge when social work is reframed as human rights work. The case studies offered throughout this new edition illustrate how human rights work in the everyday practice of social workers.

Social work

While much of the material in this book can be applied to a broad range of human service professions, such as teaching, medicine and the other health-related professions, its primary focus is on social work. In this regard, 'social work' needs some clarification, as this term has different connotations in different national and cultural contexts (Tan & Envall 2000). In some societies, most notably in Australia and North America, 'social worker' implies a fairly narrowly defined group of workers who have high professional qualifications, and excludes many others working in the human service field (Ife 1997a; Leighninger & Midgley 1997). In other societies the term has a much wider application, covering human service workers from a variety of backgrounds, with varying levels of educational qualifications.

In societies such as that of the United Kingdom, social work has been seen as the implementation of the policies of the welfare state through the provision of statutory services, with a relatively small role in community development or social change. In others, however, such as in Latin America (Aguilar 1997; Cornely & Bruno 1997; Queiro 1997), 'social work' has much more radical or activist connotations: it is concerned with bringing about social change, progressive movements for social justice and human rights,