HUMAN RIGHTS IN THICK AND THIN SOCIETIES

Sociocentric societies have vibrant – albeit different – concepts of human flourishing than is typical in the individualistic West. These concepts influence the promotion of human rights, both in domestic contexts with religious minorities and in international contexts where Western ideals may clash with local norms. *Human Rights in Thick and Thin Societies* uncovers the original intentions of the drafters of the Universal Declaration of Human Rights, finds inspiration from early leaders in the field such as Eleanor Roosevelt, and examines the implications of recent advances in cultural psychology for understanding difference. The case studies that are included illustrate the need to vary the application of human rights in differing cultural environments, and the book suggests a new framework: a flexible universalism that returns to basics – focusing on the great evils of the human condition. This approach will help the human rights movement succeed in a multipolar era.

Seth D. Kaplan is Professorial Lecturer in the Paul H. Nitze School of Advanced International Studies (SAIS) at Johns Hopkins University. He is Senior Adviser for the Institute for Integrated Transitions and consultant to organizations such as the World Bank, United Nations, and Organisation for Economic Co-operation and Development (OECD). He is author of two books and over 100 articles, and is coauthor of the landmark United Nations–World Bank flagship report, *Pathways for Peace*: *Inclusive Approaches to Preventing Violent Conflict* (2018).

"In this timely and eminently readable book, Seth Kaplan charts a path for the survival of the universal human rights idea in an increasingly interdependent and conflict-ridden world. His 'flexible pluralist' approach is a fitting tribute to the Universal Declaration of Human Rights on its 70th anniversary."

Mary Ann Glendon, Learned Hand Professor of Law,
Harvard University

"Universal claims to human rights appeal to our common humanity, but they can provoke resistance – both at home and abroad – when they fail to acknowledge varied cultural and religious contexts. Seth Kaplan's book is at once a guide to this resistance, an analysis of cultural diversity, and a program for dealing with disagreement and protecting those rights most critical to human flourishing."

Michael Walzer, Professor Emeritus, Institute for Advanced Study

"This book explores the tension between universal human rights and cultural particularity with theoretical sophistication and empirical depth. It is the best effort I know to give each of these claims its due – and to chart a course that combines strengths of both into practical guidance for reformers. Even readers who disagree with some of Kaplan's recommendations will profit from his path-breaking analysis."

Bill Galston, Ezra K. Zilkha Chair and Senior Fellow,
Brookings Institution

"This brilliant book both honors and advances the Universal Declaration on Human Rights. As he traces the fate of moral universals in culture and history, Seth Kaplan shows us how to be a moral pluralist and uphold principal rights at the same time – how to be a social justice advocate without being parochial and ethnocentric. It is a great accomplishment."

Richard Shweder, Harold H. Swift Distinguished Service Professor,
University of Chicago

Human Rights in Thick and Thin Societies

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The world that we encounter in ordinary experience is one in which we are faced with choices between ends equally ultimate, and claims equally absolute, the realisation of some of which must inevitably involve the sacrifice of others.

– Isaiah Berlin[1]

[1] Isaiah Berlin, "Two Concepts of Liberty," *Four Essays on Liberty* (Oxford: Oxford University Press, 1969), 29–30.

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Foreword

Human rights are by definition universal; they are the rights of all human beings. But the list of human rights is disputed across humanity, and so is the relative importance of the different rights. These disputes derive from the simple fact that there are many ways to live a human life. Human beings have created very different cultures and religions that shape the lives of their adherents and give them meaning. Universal claims appeal to what is, no doubt, their common humanity, but at the same time, they engender cultural resistance. Seth Kaplan's book is at once a guide to this resistance, an analysis of cultural diversity, and a program for dealing with disagreement and protecting those rights most critical to human flourishing.

Imagine that you are a human rights activist, born somewhere in the West, a child of the Enlightenment. You live in what Kaplan calls a "thin" society. "Thin" describes a society that is highly individualistic, one where the conception of human rights that its activists promote is organized around the ideas of individual freedom and equality. But most of the rest of the world is made up of "thick" societies, which pull the individual into a tight web of obligations and responsibilities in a hierarchical society. The West is also hierarchical, of course, as anyone studying inequality in the United States would know, but its doctrines, and especially its human rights doctrines, are hostile to all hierarchical arrangements. So how do Western rights activists deal with societies based on thick relationships and responsibilities?

Even in the West they have some difficulty. They commonly insist on the full set of human rights as these have been understood since the American and French revolutions. They disagree about the relative urgency of social/economic rights and political rights, but that's an old disagreement, and the arguments are well known and readily rehearsed. But these activists also have to address minorities in the West who have formed enclaves of "thick" culture – the Amish, say, or ultra-orthodox Jews, or Muslims in Europe. Here are men and women

with different, sometimes radically different, ideas about their rights, who aren't much concerned with the relative value of social/economic and political rights. So the argument about cultural difference begins at home. What form should it take?

Kaplan's own argument is developed with careful attention to both theory and practice; he provides examples of conflicts both at home and abroad. He opposes any absolutist affirmation of all the rights that we (Westerners) believe in – or, better, he wants our affirmations to be modified by a politically prudent engagement with human difference and a respect for other cultures. Neither of these precludes sharp criticism of oppression and discrimination wherever they occur. But they require a willingness to compromise some of the time, in some places, with regard to some rights.

Women's rights make for the hardest test of an argument of this sort. But there are now women activists working in all the major religious communities against gender discrimination; they search for texts and precedents within their own traditions that support their claim to equal rights, and they make political decisions about which rights to emphasize, how best to do that, when to compromise, and when not. Kaplan acknowledges the difficult decisions activists such as these must make and maps the factors that influence those decisions.

Readers may disagree with Kaplan about some of the compromises he recommends. But his argument for political engagement and cultural respect is very strong. Activists who act without any commitment to these two are not likely to advance the cause of human rights.

Michael Walzer
Professor Emeritus, Institute for Advanced Study

Preface

This book is a product of a long journey. Its lessons are distilled from decades working and living alongside people from all over the world. During my years advising on fragile states for organizations such as the World Bank and listening to students at the Paul H. Nitze School of Advanced International Studies (SAIS) at Johns Hopkins University, I have encountered firsthand the huge disconnect between abstract, inflexible policies formulated in the West and local realities in the East and South.

Despite the complicated interaction between culture and rights in pluralistic settings, I still believe human rights is the ultimate framework for bettering the human condition. It is because of differences across and within societies – not despite them – that a more flexible approach can succeed. Exploring the delicate negotiations behind the drafting and passage of the Universal Declaration of Human Rights (UDHR) – the field's most important document – provides a platform to explore this approach more deeply. As we mark the seventieth anniversary of the UDHR, it is crucial that we ask whether we should continue along the current – and increasingly controversial – path of uniformity or return to the document's pluriform basics.

Too often, arguments or promises that fit a particular ideology or that fulfill a particular institutional mandate are divorced from local needs and ignorant of local knowledge and values. The challenges of simply getting from point A to point B, whether physically – as I experienced in Nigeria and around West Africa right after college – or figuratively (turning ideas that seemed good on paper to the policy makers into something concrete that actually improved lives on the ground) have always been much larger when seen up close.

My career and research have required listening, learning, and empathizing across cultural differences; this has informed my thinking on fragile states, human rights, and the development of societies. The simple concept that progress must build on what people know and believe and can do on their

own has always seemed obvious to me, but it plays only a cameo role in how most international organizations think and operate. Instead, these assume that Western approaches are the only way forward and that secular culture is universal or at least an ideal that all cultures should pursue. People, as a rule, have an extremely difficult time "escaping" from their own culture or perspective and seeing "reality" from another culture or perspective. Those advancing human rights do not appreciate that Western culture, especially Western cosmopolitan elite culture, is but one culture among many.

More recently, like many people, I have grown alarmed by the growing polarization within the West. But informed by my myriad experiences working in different cultures, well versed in the opinions of both left and right, and maybe more willing than most to recognize my own fallibility, I can see the role that culture plays in these debates. Culture – and the values and ideas and norms that it brings – is essential to the survival of any group or society; it can, however, easily blind those on the inside from identifying or even empathizing with those on the outside, those in other groups or societies. It is hard for anyone to escape their culture and see another, quite different, perspective unless they literally live within it (and ideally speak its language) for an extended period of time. I have had the opportunity to do this in Japan, China, Nigeria, Turkey, Israel, France, and the United States.

My interest has always been in uncovering the ingredients of a healthy, robust society. The capacity of people to cooperate and build common institutions to manage their affairs – and disagreements – is key. In working mostly from the inside to overcome the challenges fragile states face and in trying to understand growing polarization, I repeatedly see the need to develop frameworks that build a common, highly legitimate base that everyone can build on while simultaneously accepting that different societies and groups may have stark differences of opinion on crucial issues, priorities, and even some aspects of morality. Identifying the core values and morals that are truly universal and accepting not only that these differences exist, but that they are innate to human nature – something to be treasured, not supplanted – is crucial to ensuring we can all live together more peacefully and productively. I hope that this book will not only better inform human rights discourse and policy but also that it will equip leaders worldwide with confidence and a new vocabulary as they champion human rights in their own various contexts.

Acknowledgments

Many more people have contributed to this book than I can name here. After all, it emerged from decades of wandering and working throughout the world, talking to innumerable people, and thinking deeply about human nature and culture and what people from different places and with different beliefs share in common and what they do not.

Let me therefore focus my thanks on the few who directly contributed to the manuscript itself. This whole project came about due to my relationship with Tom Zwart. He found me after a talk I gave many years ago in Amsterdam, and he gradually helped me observe the parallels between his work on human rights and culture and my work on fragile states. Many of the ideas are either products of discussions we have had or the result of him cajoling me to refine the manuscript more. Rick Shweder, who enthusiastically joined my small advisory group before he had ever met me, helped refine many aspects of the book, pushing me to sharpen many of my core arguments. His immense work across related fields was essential to the development of the manuscript from the start; he is easily the most cited author. Both Michael Walzer and Bill Galston improved the manuscript in many ways, forcing me to address contemporary issues and preparing me for the opponents this book will inevitably provoke. Each of these four people have written about some aspect of this book's argument in various fora. Although I have taken the discussion in many directions that they have not, I am surely building on the work of kings. The two anonymous referees from Cambridge also contributed to improving the manuscript through their healthy critique.

I also owe a great debt to my editor, Anna Carrington, who not only ensured the book read well but also that it was coherent and comprehensive. She more than a few times corrected faulty thinking and ideas that did not sufficiently take into account the perspective of some of the people I was writing about.

In addition, I want to thank the small group of students and former students working on culture and human rights centered around the University of Utrecht in the Netherlands, most notably Mimi Zou, Stacey Links, Julie Fraser, Ingrid Roestenburg-Morgan, and Qiao Cong-ru. Your friendship and support have helped immeasurably at various points along the way to keep the engine of this undertaking humming. Esther Heldenbergh, who helped with numerous trips and scheduling complications, also deserves special thanks.

Last, my wife Esther, a real "woman of valor," deserves special thanks for all of her patience and support over the years as I have pursued the most unorthodox of careers. The book would surely have never been completed without her help in many areas.

Obviously, any flaws in the manuscript are my responsibility alone.