

## From the Editor in Chief

In August 2024, *Societas Ethica* invited scholars of theological, philosophical, and applied ethics to join its annual conference. This time the conference was held in Sigtuna—a small, rather idyllic town located between Stockholm and Uppsala, nearby the beautiful lake Mälaren. The theme of the conference was, however, anything but idyllic: *Societas Ethica* gathered to discuss critical perspectives on human rights.

The fact that we met in Sweden had an impact on the spirit of our event. Over a short period of time, Sweden has developed from being a country with a high level of social equality and trust into a country where economic and social inequalities are normalized. Human rights which used to be taken seriously by the legislator as well as by the administration are now openly questioned, especially when those rights are claimed by minorities and other unprivileged groups.

The final event during the conference in Sigtuna was a panel with representatives of non-governmental organizations of Muslim, Roma, and Sámi minorities. The panelists gave us their perspectives on how Swedish civil society uses human rights as instruments to strengthen minorities and individuals—from parallel reporting in the United Nations to democratic education. The panelists told us about the Swedish state's discriminatory actions against minorities, actions that in many cases are legitimized by the idea that the cultures of Muslim, Roma, and other minorities constitute a threat to European democracy and human rights.

What are human rights, then? Are they the democratic agency of people such as those represented by our Muslim, Roma, and Sámi panelists, or are they yet another instrument of state control? If they are both—and I believe they are—how can we differentiate legitimate and illegitimate conceptions and practices of human rights?

In fact, these questions were the main concerns of the scholars who initiated the meeting in Sigtuna. We invited our colleagues from Europe and other parts of the world to contribute to the discussion about whether it is possible to prevent human rights from being primarily an ideology of power.

The very fact that human rights are used ideologically, that is, as an instrument of power, should not surprise scholars and practitioners of human rights. Similar to other attractive moral and political visions, human rights are an arena for the struggle between those who use them as an instrument of liberation and those who see human rights as a tool to sustain existing power relations. Therefore, the challenge is not so much to recognize the ideological dimensions of human rights, but to find ways of uncovering particular forms of this ideologization and, most importantly, suggest counterstrategies.

Many ethicists and scholars of human rights joined *Societas Ethica*'s three-day conference in Sigtuna to discuss these and related challenges. Our conversations continued after the conference, and this special issue of *De Ethica* is a way of contributing to the ongoing discussion of the current challenges to human rights. Thus, what we are now offering the reader are articles that develop further the 'Sigtuna dialogue.'

Three of the articles in this special issue are authored by researchers who were keynote speakers at the conference in Sigtuna.

The first article is written by professor Michael Goodhart, whose research on democracy and human rights is extensive and greatly appreciated by many. In the contribution “The Human Rights Project and the Limits of Cosmopolitan Rights,” Goodhart offers a critique of cosmopolitan human rights – rights that assist the new liberal international order by providing most powerful global agents with a presumably apolitical and universal framework. This framework conditions the agency of other subjects – those who do not embrace cosmopolitan human rights as the only true human rights model. Goodhart argues that this conditionality, supported by “the transcendent moral authority of human rights,” restricts the agency of those who legitimately question the neoliberal order established in the 1990s. Additionally, such conditionality contradicts the model of human rights expressed in the Universal Declaration of Human Rights. In that model, human rights are not perceived as the unquestionable moral truth, but understood as subjects of diplomacy, debate, and negotiation.

In his article, Goodhart demonstrates how cosmopolitan human rights have become normalized in the scientific discourse, and he argues that these rights have several fundamental limits. Most importantly, they are inefficient if our aim is to combat social and economic inequalities generated by neoliberal economic politics. In a clear contrast to the moral universalism of cosmopolitan human rights, Goodhart defends a genuinely pluralistic vision of human rights – a vision in which the arrogance of cosmopolitan elites is challenged by a plurality of political voices of those who demand social justice, thus reclaiming the human rights project as politics, diplomacy, and negotiation.

The second article in this issue is Lena Halldenius’s essay entitled “What is the Point of Human Rights? Against Human Rights Minimalism.” Halldenius’s contribution is a philosophical analysis of the egalitarian potential of human rights, a potential that is reasonably questioned by many. With reference to Elizabeth S. Anderson’s work on the point of equality, Halldenius defends the view that “human rights have a dual rationale: a negative one to end oppression, and a positive one to establish a political culture of democratic equality.” Halldenius develops this understanding by means of a critique of human rights minimalism that fails to grasp the complexity of equality. Such a minimalism reduces human rights to either protection of some fundamental claims, or to such claims that we can reasonably expect to be satisfied by a corresponding duty holder. A minimalism of human rights can, of course, combine both forms.

Halldenius argues that minimalism of human rights is not egalitarian on two grounds. First, it stipulates equality as an abstract moral ideal, but offers no arguments against inequalities produced by concrete social conditions. Second, minimalism of human rights reduces those rights to claims corresponding to realistic interpretations of institutional duties. Such an approach transforms human rights into the domain of “the possible,” that which is compatible with the social and political status quo.

In the final section of her article, Halldenius states that “equality cannot merely be a moral starting-point, but a requirement of political justice on the function and outcome of institutions and the practices we live by.”

Both Goodhart and Halldenius offer highly relevant critique against moral approaches to human rights that they view as far too abstract and fundamentally distanced from concrete social positions and practices. I address this critique in the article “Defending and Disputing Human Rights.”

My interpretation of the moral dimension of human rights, as well as my understanding of ethics as a critical analysis of moral conventions, differs from the abstract moralism of rights that is often misused for ideological reasons; or so I claim. In the article, I offer a model of human rights that endorses disagreements about rights as a democratic and emancipatory resource. However, a pluralistic model need not be a form of strong normative relativism – there are interpretations of human rights that should be rejected.

In my view, the principle of equal respect for human dignity, if understood as a pure normative and critical principle, is a good instrument to discriminate between legitimate and illegitimate disagreements. Such understanding incorporates social constructivism by viewing human rights as a product of concrete politics and legislation. Simultaneously, it offers a model of counteracting discrimination and inequality in particular contexts. Everyone is equally entitled to disagree about the content and priorities of human rights. However, any concept or practice of human rights that legitimizes discrimination fails the test of the equal respect for human dignity.

In her article “Whose Criticism of What? Ethical Reflection on Postcolonial and Decolonial Criticism of Human Rights,” Michelle Becka interprets and discusses different forms of critique of human rights when they are understood and practiced within colonialist frameworks.

Becka reminds the reader of postcolonial and decolonial theory as two related but different paradigms of critical theory. She reconstructs three main objections to mainstream human rights theory and practice—restricting agency of people in Global North; human rights’ incapacity to address the issue of inequality; and the individualism of human rights that counteracts democratic solidarity and political action.

Becka discusses this critique and argues that it should be taken seriously. In her view, postcolonial and decolonial critics should not be interpreted as refusing human rights altogether. Rather, they should be understood as questioning particular features of human rights theory and practice in order to sustain the democratic and emancipatory potential of the idea of equal human rights.

The last article in this issue is written jointly by Max Tretter and Analucia Lösckce Centeno. The authors challenge John Rawls’ interpretation of civil disobedience and argue that radical climate protests should be viewed as a form of justified civil disobedience and “an expression of democracy.” Tretter and Lösckce Centeno utilize the example of Last Generation actions in Germany and, most importantly, the debates provoked by the activism in order to discuss the tension between climate protection on one hand and democratic institutions on the other.

The authors argue that traditional ethical and legal approaches to radical climate activism are inappropriate because they sustain a false dichotomy between protest movements and democracy. Tretter and Lösckce Centeno defend the activism of Last Generation and they are critical of the democratic potential of international human rights law. However, I do not believe that this defense is incompatible with any reasonable interpretation of human rights.

I hope that our readers find this issue interesting enough to engage themselves in the discussion about human rights as they figure in academic discourses and social practices. To me, if human rights are to persist as instruments of justice and liberation, they should be understood and practiced democratically, that is, through discussions and disagreements.

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Elena Namli, Editor in Chief