

Research articles

# Revisiting the past: human rights education and epistemic justice

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## Abstract

Epistemic injustice in human rights education (HRE) can be found in a colonial historical trajectory of human rights that rests on accounts of western agency only. Such narratives overshadow the legacy of Indian and Pakistani freedom fighters and Latin American feminists who negotiated human rights against colonial, patriarchal and racist discourses after the Second World War. Without their contribution a United Nations (UN) rights concept risked being limited to a western trajectory of the 'Rights of Man' that represents a monistic universalism. The paper revisits the history of the United Nations, unearthing historical counternarratives of what a pluralistic universalism of human rights means by adding knowledge about postcolonial feminist subjects who spoke of a positive conception that could reduce injustice.

## Keywords

Hermeneutical injustice, United Nations history, women's history, Miranda Fricker

## **Introduction**

This paper addresses a gap in a human rights discourse that has been blind to the norm-shaping of women delegates to the United Nations (UN) from India, Pakistan, Ghana, Nigeria, the Philippines and other countries. Throughout the creation of key UN international human rights documents, these women's claims for universal human rights challenged colonialism and patriarchal structures (see Adami, 2022). This paper refers to three cases: efforts by Indian and Pakistani women delegates to make the Universal Declaration of Human Rights (UDHR) more inclusive in its wording and recognise women as rights-holders; efforts by women from the Global South to defend the universality of human rights against colonialism in the 1950s; and the voice of the southern feminists on the need for international economic reorganisation at the 1975 Conference on Women.

The term 'Global South', as used by Amitav Acharya (2018) in a much-needed shift toward global international relations, serves to confront western dominance, although admitting that any categories that set the continents of Africa, Latin America and Asia apart from Eurocentric narratives represent diverse contexts that cannot be captured under a simplified unity. Acharya notes that the agency and norm-setting of non-western actors have been underrepresented in the history of international relations, especially in the narratives of global governance institutions. Acharya suggests that the diversity of the Global South can be regarded as a 'unity in diversity', through its critiques of Eurocentric universalism as monistic. Along with Acharya, I argue it is important to explore a pluralistic universalism that respects diversity in the search for a common ground. 'The Global South' is, in this paper, used when referring to the agency in international norm-setting of female UN delegates from Latin America, Asia and Africa. The paper attempts to advance new knowledge in human rights education (HRE) by re-visiting the history of human rights. The theorisation of Acharya, stemming from International Relations through the concepts of pluralistic universalism and Global IR, resonates with the attempt to decolonise HRE; namely the need to confront how the voices, experiences and contributions of non-western actors have been marginalised, and the need to have a global historical framing rather than a western historical one (see further Acharya, 2018; Acharya & Buzan, 2007).

The aim of the paper is to rectify the misconception that the universality of human rights rests on western imperialism rather than on pluralistic universalism, and it is guided by the question of how these women argued for the universality of human rights against colonial and patriarchal interests. We find a discursive split in efforts to decolonise the field of HRE—between self-determination and anti-racism on the one hand and human rights as Eurocentric and imperialistic on the other (see, for example, Yang, 2015 pp. 235-236). This split is made possible if we ignore key conflicts among UN delegates at its founding and take for granted the dominant historicising of human rights.

The challenging of colonialism and racism through the discourse of human rights was not a new phenomenon that emerged in the 1970s, as Samuel Moyn (2012) argues. Even though similar arguments are reified in the postcolonial critique of the UDHR, as found in the work of Katz and McEnvoy Spero (2015), efforts to decolonise were crucial in discussions at the drafting of the UDHR in 1946-48. This is apparent if we study UN meeting protocols from this period. The argument in this paper is based on both primary sources (from my earlier archival studies into the drafting of the UDHR, (Adami, 2019)) and secondary sources of archival material and UN meeting protocols (Burke, 2022; O'Donoghue and Rowe, 2022; Singh Rathore, 2022). The sources referenced in relation to the Indian and Pakistani women delegates of the UN in this paper are meeting protocols between 1947-48 of the UN Commission on Human Rights meetings 1-61 (E/CN.4/SR.1-61) and the Third Committee of the General Assembly November-December in 1948 meetings 88-178 (A/C.3/SR.88-178), as well as autobiographies by Hansa Mehta (1981) and Shaista Ikramullah (1998).

### **The ‘universal’ versus the ‘particular’ as a question of power**

The main argument put forth in this paper is that power seems to have obscured accounts of history. There has been a neglect of the role that diverse women have played in the international norm-shaping of gender equality and human rights, and this undermines universal claims in HRE today.

The reason why universality of human rights has been discussed so much among HRE scholars is because the validity of human rights is found in its universal applicability (Adami, 2015a, 2017; Keet, 2012; Roux, 2012; Zembylas & Keet, 2018). Universality lends a *raison d'être* to HRE, in contrast to citizenship education. Citizenship Education (CE) should not be conflated here with Global Citizenship Education (GCE); the latter is more aligned to the normative aims of Peace Education, Cosmopolitan Education and HRE. A number of scholars have more closely examined the correlations with HRE (Rapoport, 2021; Osler and Starkey, 2003; Todd, 2010; Marks, 1997). The facets of dignity, equality and non-discrimination become meaningful *if* learners in different contexts feel addressed and included as rights-bearers in the historical and present-day narratives of human rights (Adami, 2014; Rapoport, 2021; Robinson, Phillips & Quennerstedt, 2020). As HRE generally clashes with the nationalistic framework of CE, HRE demands an additional motivation beyond identifying oneself as a citizen of a certain country (Sen, 2020). Citizenship is particularistic but human rights principles of gender equality, non-discrimination and dignity also become identified as particularistic and Eurocentric when there are hermeneutical gaps between what is written, experienced and lived. While being born a human is a universal experience, material realities of power frame gender equality as a western feminist project, widen the gap between the idea of non-discrimination and the lived experiences of marginalised groups, and tie dignity to economic and social status at birth.

The problem encountered in HRE is thus how historical narratives of human rights only address western subjects and how present-day narratives of human rights only locate their urgency in other countries—human rights used as trump cards by governments in international relations—while ignoring violations ‘at home’. The dominant, and particularistic, historical and present-day narratives of human rights are a result of, and a continuation of, epistemic injustice in HRE (Lupin Townsend & Townsend, 2021; Werkheiser, 2020).

While efforts to decolonise HRE aim to rectify social injustice, its success rests on the extent to which such knowledge is based on decolonising the historical and present-day human rights narratives that challenge the dominant particularistic ones (see earlier work that addresses the silencing of women in the history of the UN: Adami, 2015b; Waterman, 1993), while simultaneously advancing a more pluralistic universalism of human rights. The critique of the western imperialistic notion of human rights challenges the biased representation of human rights in the history of the UN (see Acharya & Buzan, 2007; Acharya & Plesch, 2020). This bias, as I understand it, is related to two forms of epistemic injustice: testimonial injustice—subjectivity and agency in international norm-shifting has been credited to certain individuals and human rights movements and not others; and hermeneutical injustice—collective knowledge gaps in historical and present-day narratives of human rights have resulted in and become a continuation of hegemonic nationalistic representations.

Recent studies give a new history of international human rights (Adami, 2019; Adami, 2022; Burke, 2010; Marino, 2019), one which constitutes much-needed decolonising knowledge in the field of HRE (see for example Becker, 2021) and provides a more inclusive notion of agency in international norm-shifting. This paper focuses mainly on the crafting of an international framework of human rights at the United Nations, hence adding layers to studies such as those of Barthélémy and Casledine (2016; 2008) that recognise the part played by diverse local movements in the history of human rights.

### **HRE - overlooking parts of its history**

Proposing decolonial methodology in HRE implies discussing the ways in which the writing of history and the creation of knowledge has excluded non-western knowledges and marginalised non-western historical trajectories of human rights. A decolonising methodology, according to Tuhiwai Smith, needs to ‘pose, contest and struggle for the legitimacy of oppositional or alternative histories, theories and ways of writing’ (Tuhiwai Smith, 2012, p. 40). Tuhiwai Smith is concerned with how the othering of the ‘non-western’ in academic writing has generated a marginalisation of knowledge and a silencing of the voice of colonised peoples. By recognising the pivotal part a diverse body of women played in the creation of international human rights, epistemological foundations for the universality of

human rights that are based on pluralism are recovered. Working toward greater epistemic strength in HRE, as Parker suggests, means rectifying the history of the United Nations by recognising the role that women from the Global South had in developing the international framework of human rights.

The knowledge-blindness in HRE is a result of the ways in which scholars and practitioners continue to overlook the part that diverse women have played in history. The false assumption that only western women delegates to the United Nations had agency in setting the norms on gender equality has overshadowed how the universality of human rights and gender equality were asserted by women who also fought for independence against colonial powers, and who argued against patriarchal and racist discourses that would otherwise devalue women in the declarations and conventions of the UN. The continued neglect of this history constitutes hermeneutical injustice, and the decolonising of HRE thus needs to recognise the critique levelled against the colonial powers in the UN by women from India, Pakistan, Ghana and Namibia, a critique that has resulted in the human rights framework we know today. When based on research that aims to rectify the epistemic injustice caused by colonial and racist discourses that disregard non-western agency, HRE can reclaim itself as a cosmopolitan project that is not trapped in a western epistemic hierarchy. In *Women and the UDHR* (Adami, 2019) and *Women and the UN* (Adami and Plesch, 2022), scholars from different disciplines (Adami, 2019; Chesler, 2022; Burke, 2022; Marino, 2022) revisit some of the crucial UN documents that shaped human rights into a universal language of gender equality and non-discrimination. This new history of international human rights demonstrates how human rights and gender equality were inscribed in the core documents of the UN thanks to women delegates from the Global South.

### ***‘Real human rights’— the struggle of Indian and Pakistani women freedom fighters***

The dynamic in the United Nations would shift during its founding years, when the Universal Declaration of Human Rights was drafted in the Commission on Human Rights and adopted in December 1948 in the General Assembly. ‘As former colonies of the United Kingdom and France gain[ed] their independence in the postwar years, new Member States to the United Nations sen[t] their delegations to participate—challenging dominant narratives’ (Adami, 2019, p. 63):

India had already been a member of the United Nations by 1945 and had voted for the Charter that same year, but, while gaining full independence in 1947, India sends a delegate to the Commission on Human Rights famous for having presented the “National Flag” that same year on behalf of the women of India—Hansa Mehta. (Adami, 2019, p. 64)

Hansa Mehta had led boycotts of British merchandise and all-women demonstrations vital for the Indian independence movement. She was jailed twice ‘for her active involvement in 1930 and 1932’ as non-violent strategies of boycotting campaigns against economic exploitation by the United Kingdom were declared illegal by the British administration (Adami, 2019, p. 67). In 1945-46 Hansa Mehta was President of the All Indian Women’s Conference (AIWC), which was ‘the first organization that succeeded best in representing the diversity of Indian women’ (Adami, 2019, p. 67). The AIWC heralded a campaign for the Sarada Act against child marriages, which they saw as a major hindrance to girls’ right to education. When the government tried to divide the women’s movement by stating that the Act should not include Muslim women, the AIWC wrote a petition to the government stating that ‘the act affects girls and women far more than it affects men’ and that the women ‘deny their right to speak on our behalf’ (Adami, 2019, p. 69; Forbes, 1996, p. 89). Hansa Mehta was part of the Draft Committee of the Constituent Assembly of India in 1946, advocating, with a number of other women, for women’s right to divorce and to inherit property under a unified civil code, in contrast to the laws that had divided the country during the colonial period (Adami, 2019, p. 69).

Hansa Mehta was the first delegate in the UN Human Rights Commission in 1947 to object to the wording ‘all men’ in the draft declaration on human rights. She explained that the wording ‘all men’, if kept in the UDHR, would not apply to women in India, as it would be read as excluding them as rights-holders (UN Commission on Human Rights, 1948, p. 24). Mehta, along with Lakshmi Menon, who was the delegate to the UN General Assembly, continued to advocate for the importance of adopting a legally binding convention on human rights, so that the UN could hold member states accountable for human rights violations, by stressing the need for human rights to apply to all human beings living in non-self-governing territories (i.e. under occupation or colonial rule) (UN General Assembly, 1948, pp. 893–895). In November 1948 Pakistan sent Begum Shaista Ikramullah to the Third Committee, in which the UDHR would be debated after the draft declaration had been forwarded on from the UN Human Rights Commission (UN Third Committee, 1948, p. 373). Shaista Ikramullah was one of the few delegates who supported the amendment of Bodil Begtrup, from Denmark, on the right to education for minorities (Adami, 2019, p. 130). Ikramullah envisioned that education in Pakistan after colonial rule should ‘embody the values of democracy.’ During colonisation, the primary objective of education had been ‘to qualify or rather train one to be good civil servants in the lower grade of government service’ and she felt that after independence nothing had changed on that front (Adami, 2019, p. 130). Ikramullah had left the first legislature of Pakistan in protest against what she viewed as an undemocratic resolution which stated that no law would be enacted that was repugnant to the Holy Koran and the Sunnah. Ikramullah was alone in her dissent, being only one out of two women in the legislature; she had retorted that if the

members of the Constituent Assembly, who had gone through untold suffering to establish Pakistan with an overwhelmingly Muslim majority ‘by some inexplicable reason’ would pass such a resolution, ‘what could prevent them from doing so?’ (Adami, 2019, p. 117; Ikramullah, 1998, p. 198). In the UN Third Committee, Ikramullah argued for women’s right to divorce in Article 16 of the UDHR, stating that non-discrimination based on sex needed to be explicit in the Article, and that although these rights were ensured through Islam, human rights protection was needed so that countries with laws discriminating against women would not continue applying them (Adami, 2019, p. 137). Khushi Rathore has written about ‘the forgotten envoys, Begum Shareefah Hamid Ali and Lakshmi Menon’. Ali questioned the use of the term ‘equal rights’ for women, as women would be equal to men without rights under slavery: ‘Ali prodded women to strive for “real rights” instead,’ as ‘what “equality” would mean for one section of women would not be applicable to another’ (Singh Rathore, 2022, p. 47).

### ***Women from the Global South who defended the universality of human rights against colonialism***

Roland Burke examines what is generally an overlooked part of UN history—the ‘first two decades of UN human rights endeavors around traditional, social and cultural practices, principally those which prevented the realization of the UDHR for women’ (Burke, 2022, p. 72). One of the first binding treaties ‘on human rights protection passed by the UN’ was the Convention on Consent, Minimum Age, and Registration for Marriage (Burke, 2022, p. 72). When the member states of the UN started the work of turning the human rights set forth in the UDHR into international law, ‘supposed deference to local customs was a plausible, and somewhat respectable, defensive claim against universal application of various draft human rights measures’ (Burke, 2022, p. 75). ‘These claims were encapsulated in a proposed colonial application clause, which allowed metropolitan power to exempt their colonies from treaties’ (Burke, 2022, p. 75). This was a priority for European powers and was backed by Australia, Canada and the US, ‘who had their own federal state provisions which they sought to inscribe on the various texts’ (Burke, 2022, p. 75). Badia Afnan (Iraq) opposed René Cassin’s colonial rationale against universality, and the clause was not included in the two covenants. The exemption from universality, with reference to custom, was used again during the drafting of the Convention on the Political Rights of Women (CPW) in the 1950s, another UN convention on women’s rights that preceded the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Begum Rana Liaquat Ali Khan (Pakistan) and Badia Afnan (Iraq) met this critique against the universal application of equality by drawing from their own experiences of women’s pivotal role in national politics and in national independence movements (Burke, 2022). When the United Nations Commission on the Status of Women (CSW) debated the clash over tradition in the attainment of women’s international

human rights in 1954, Aziza Hussein (Egypt), Artati Marzuki (Indonesia) and Carmela Aguilar (Peru) 'contested essentialized ideas on tradition and religious custom' used to undermine human rights universalism (Burke, 2022, p. 78). Aguilar argued: 'Women should not be deprived of fundamental rights merely because of prejudice and tradition', and that 'practices prejudicial to the human dignity of women should therefore be eradicated' (Burke, 2022, p. 78). When the Convention on Marriage was debated in the UN General Assembly, Marie Sivomey (Togo), Jaiyeola Aduke Moore (Nigeria) and Jeanne Martin Cissé (Guinea) had to defend the idea, against the views of male representatives from their own countries, that the convention applied to women under colonial rule and in the 'third world' [sic] (Burke, 2022).

### ***Southern feminists on the need for international economic reorganisation***

Aoife O'Donoghue and Adam Rowe (2022) examine the intersectional complexities during debates at the 1975 Conference on Women in which 'critical disagreements amongst the feminists of the Global South and Socialist blocs with the feminists of the Global North' arose in the context of 'the New International Economic Order' (O'Donoghue & Rowe, 2022, p. 88). They argue strikingly that 'rather than recognize that the Global South formed a distinct group with unique interests, their perspective has often been suppressed into the Cold War divide' (O'Donoghue & Rowe, 2022, p. 91). An NGO Tribune, initiated by Marcia-Ximena Bravo (Ecuador) and Mildred Persinger (US), met outside of the main conference. This constituted 'an open space for wider debate amongst feminists unconstrained by the structure of UN thematic conferences and critically would not seek to speak with one voice' (O'Donoghue & Rowe, 2022, p. 93). Tensions between 'the West and the recently decolonized states allied to the Non-Aligned Group, became manifest' in these parallel conferences (O'Donoghue & Rowe, 2022, p. 94). Domitila Barrios de Chungara (Bolivia), 'coming from a Bolivian tin-mining community (...) expected the Conference and Tribune to be a space where women from economically depressed backgrounds could combine to campaign for substantial international economic reorganization' (O'Donoghue & Rowe, 2022, p. 94). Domitila observed that the issues 'facing women from less industrialized economies and rural areas were being marginalized' (O'Donoghue & Rowe, 2022, p. 96). O'Donoghue and Rowe note that the disagreements between East and West, as well as the utterances of the vocal representatives of the Global South, were used by international media to cast negative attention on the conference, overlooking the 'genuine achievement that the Conference represented' (O'Donoghue & Rowe, 2022, p. 97). The Declaration of Mexico on the Equality of Women and Their Contribution to Development and Peace was adopted in addition to the World Plan of Action, which was a proposal by the Non-Aligned Movement 'and represents their particular concern of realizing a more equitable economic order' (O'Donoghue & Rowe, 2022, p. 98).

The hope that was placed after the Second World War by newly independent states, such as India and Pakistan, in a universal idea of human rights to force colonial powers to support



processes toward self-determination under the influence of an international body such as the UN deserves more acknowledgement in critical HRE. A knowledge-blindness of Southern women's agency in the history of the UN adds to the widespread scepticism towards the international human rights framework today.

### **Hermeneutical knowledge gaps in HRE**

A decolonising HRE that confronts imperialist interpretations and challenges 'common knowledge' would turn our attention to how power obscures the voices of marginalised people in the history of human rights movements. There is an inherent tension in HRE: it is a normative education on values and core concepts that stem from UN conventions (Robinson et al., 2020), but at the same time there is an appreciation that academic knowledge is not neutral (Sen, 2020). Knowledge production is situated within dominant historical and ideological narratives that shape understandings and interpretations of facts and ideas (Adami, 2015a, 2017).

Walter C. Parker (2018) suggests that we need to work towards giving HRE greater epistemic strength (Parker, 2018, p. 14). History, reasons Parker, is a school subject that has succeeded in creating a disciplinary integrity that HRE also needs. The first step to achieving such disciplinary integrity for HRE, according to Parker, 'is to identify HRE's knowledge base: its disciplinary concepts, cases, history, literature, and skills' (Parker, 2018, p. 15).

Merely reading articles from UN human rights conventions and declarations may say little about the colonial and patriarchal conflicts between those who took part in formulating them—the principles that these articles contain should not be de-contextualised. The notion of 'human rights' as claimed by the Latin American feminists at the founding of the UN in 1945 (for the Latin American feminists' contribution to gender equality at the UN in 1945, see Dietrichson & Sator, 2022; Marino, 2019, 2022), and the Indian women freedom fighters' argumentation at the General Assembly in 1948 (see further Adami, 2019) aimed to confront the patriarchal exclusion of women as rights subjects, and to address the need for an international framework, through the United Nations, that could hold colonial powers responsible for human rights atrocities in non-self-governing territories. Delving into the complex history of core UN documents that define 'human rights' was, and continues to be, a contested international effort to conceptualise rights beyond limited notions of citizen rights. In the 1940s and 50s, those who argued for the universality of human rights had to confront the colonial powers that wanted to exclude women and men living in non-self-governing territories. UN meeting protocols provide an entrance into debates between the representatives from colonial powers and those from newly independent countries who were involved in the process of defining the articles in the UN declaration and conventions that are

today referred to as the UN Human Rights Framework.

Disciplinary knowledge is an epistemological resource enabling us to think about the world in abstract or context-independent ways (Parker, 2018, p. 12). However, HRE suffers from an epistemological problem, one that Walter Parker refers to as ‘knowledge blindness’. Such ‘knowledge blindness’ in HRE is a form of epistemic injustice. Due to hermeneutical injustice—knowledge gaps in the history of human rights due to colonialism, racism and patriarchy—some people will not feel addressed by human rights.

By reading Fricker’s ‘hermeneutical injustice [as] a kind of structural discrimination’ (Fricker, 2007, p. 161) resulting from ‘prejudicial exclusion from participation in the spread of knowledge’ (Fricker, 2007, p. 162), decolonising methodologies can serve to rectify gaps in our hermeneutical horizons.

In order to reflect on our own situatedness in this world we relate rights-entitlements to particular notions of belonging and there are both gains and risks when human rights become articulated in terms of particular histories depending on how power constrain these. Parker (2018) points out that HRE in the US has not gained much attention, and when integrated in school curricula the concept of human rights is generally traced back through the national historical trajectory—in this case the US Bill of Rights, the Civil Rights Movement, and the struggle for the Equal Rights Amendment (Katz & McEnvoy Spero, 2015). This is not unique to the US (Reilly, 2018): countries will connect their own history of rights and possible expansion of citizen rights to the notion of international human rights, or fail to mention a whole generation of ‘human rights’ in curricula. HRE in Chinese curricula (Liang, 2017, 2020) emphasises economic rights, while the US emphasises political rights—neither of these limited interpretations captures the interrelatedness between political and civil rights with economic and social ones. However, such emphases are understandable in the light of nationalistic political and ideological historical trajectories. History is a subject that contains competing narratives and, as with knowledge about human rights in HRE, it will reflect acts of selection and bias. The complexities found in HRE and peace education when it comes to the selection and bias of competing and conflicting historical narratives have been explored in depth by Iordanou, Kendeou, and Zembylas 2020; Bekerman and Zembylas 2013; Zembylas Charalambous, Charalambous, & Lesta, 2017.

‘Knowledge blindness’, understood as epistemic injustice, is caused by oppressive systems like colonialism. British educational policy will mention ‘British values’ in connection with HRE (Struthers & Mansuy, 2020) while ignoring problematisation of how human rights were suppressed under its colonial rule—and how political and economic rights might continue to be marginalised through legislation and economic ties with former colonies through the

Commonwealth and in current British ‘overseas territories’. In Sweden, human rights in the national curriculum will be permeated by an attempt to create an understanding of core Swedish values and the country’s peaceful relations with other nations (Swedish National Agency for Education, 2018). However, in Swedish history classes some things are not mentioned: the colonial practice of extracting natural resources from the indigenous population; the segregation of Sami children; the drawing up of laws and regulations that discriminated against the Sami and ignored their political and indigenous land rights; the forced movement of people to make space for international coal companies (for similar critiques of other Nordic countries see Eriksen, 2018). HRE in national curricula thus becomes particularistic, due to dominant nationalistic historical and present-day narratives. Audrey Osler similarly notes the importance of ‘the processes of denationalization or decolonization of the curriculum’, as these stand in the way of HRE as a cosmopolitan project (Osler, 2015, p. 245).

In this sense, the school subject of history is not based on ‘solid knowledge’, as Parker seems to suggest; neither is its content open to debate in national curricula that serve to educate patriotic citizens. A decolonising of human rights knowledge and concepts that transcends national borders, therefore, has a revolutionary potential if rights have only been partially granted to some groups of people in a country.

### **Is epistemic justice possible through HRE?**

HRE seems trapped in ‘the intellectual tradition of the western academy [that] has produced, within a global context, pervasive and implicit epistemic hierarchies’ (Woldeyes & Offord, 2018, p. 25). However, decolonising efforts that question imperialistic notions of universality can still strengthen pluralistic universalism by recognising the revolutionary potential of human rights that newly independent states saw in the post-Second World War years. A problematisation of universality in HRE may ‘expose how power operates through the production of meaning’ (Andreotti, 2011, p. 88); however, there is a risk that such problematisations de-legitimise HRE. Relativistic arguments against the universality of human rights risk feeding into continued power interests that exclude certain groups of people as rights-bearers. While colonial powers openly questioned the universality of human rights at the founding of the UN, present-day postcolonial and postmodern rejections of universal human rights claims would, I assume, not be directed against the idea of human rights but against the particularistic western narratives upon which understandings of human rights have been built. An outright rejection of international human rights because of their universal aspirations, however, would align with the colonial opposition against extending rights-claims to people living under colonial rule. At the founding of the UN, this opposition was based on racist discourses about a ‘natural’ inequality in society. Again, Moyn’s criticism against the

existence of a revolutionary potential of human rights before the 1970s is largely focused on the discrepancy between the right to self-determination on the one hand and the notion of human rights on the other; it overlooks the fact that people living under colonial rule used the latter in order to question unjust laws between metropolitan citizens and people in the overseas territories of France and Britain. Moyn's argument is valid if women's history at the founding of the United Nations is overlooked and if people living under colonial rule in the late 40s and early 50s—when the UDHR had been adopted in the United Nations while a majority of the African states were still under British, French, Belgian and Portuguese colonial administrations—are presumed to lack agency or to not know about human rights and the discrepancy between the moral existence of human rights in international diplomacy and the continuation of colonialism. Both presumptions are forms of epistemic injustice.

Frederick Cooper and Ann Laura Stoler have explored the dichotomic concepts of colony and revolutionary potential in rights claims, by showing how labourers in French and British Africa during the colonial era in the late 40s went on strike to demand the same rights that were universalised by the United Nations. During strike waves in 1947 and 1948 in 'British and French Africa' [sic] labour organisations claimed equal pay for equal work. 'The continued strikes in Africa were both a disruption of the economic project and an embarrassment to the ideological one' (Cooper, 1997, p. 412). Both France and the UK were represented in the United Nations in 1947 and 1948, asserting the universality of human rights and rebutting criticism from the USSR that economic rights and political rights were non-existent in their overseas territories.

Epistemic justice through decolonising HRE would confront and challenge colonial practices that have limited people's lived experiences of human rights, ignored claims for human rights by individuals living under colonial rule and historically overlooked international norm-shaping by individuals who have, at different points in time, represented new member states at the United Nations. The limitations placed on universality of human rights by colonialism are a continued lived reality for people in French, US, and UK 'oversee territories' through colonial forms of constraints on political and economic rights in these dependent territories, and for people living in sovereign states where democratic accountability is strained by the influence of foreign powers.

Overcoming hegemonic representations and decolonising knowledge in the field of HRE requires acknowledging the epistemic inconsistency and contradictions in how 'human rights' have been described and reified in Eurocentric discourses. This situation was largely created by the former colonial powers, who initially legitimised a split between the rights subject and the 'other'. The double stance of UN member states such as Britain and France was openly questioned in the post-war years when it came to issues such as suffrage, the right to

education and the right of labour unions to freely bargain with employers. 'Colonial projects also showed up the fundamental contradictions inherent in bourgeois projects and the way universal claims were bound up in particularistic assertions' (Stoler & Cooper, 1997, p. 3). To address western hegemonic epistemic hierarchies is to confront and challenge colonial practices that have delegitimised agency from the Global South and resulted in epistemic injustices such as hermeneutical injustice.

If we are to decolonise HRE, we need to unearth different trajectories than the dominant nationalistic and western imperialistic ones. As Sikkink (2017) argues, such an affirmative lens would defend the legitimacy of human rights by demonstrating their diverse origins.

The ways in which power continues to silence women from former dependent territories in the history of the UN can be linked to how their agency challenged, and continues to challenge, the self-image of colonial powers as norm-setters of international values and rights. Epistemic justice in HRE is felt in the apparent clash between the claims for the universality of human rights, made throughout the history of the UN by delegates from the Global South, with the colonial idea that, historically, only metropolitan citizens could make universally valid political claims. In this vein, and in light of recent critiques of the UDHR as representing ideas that disregard the right to self-determination, it should be noted that its 1948 preamble states that people have the right to rebel against tyranny and oppression.

The revolutionary potential of human rights seems to have been lost in theoretical debates. These debates overlook the need to re-consider the historical role of women from former colonies in UN history; women who claimed the universality of human rights. A recognition of the part these women played will also lend empirical strength to Amitav Acharya's concept of pluralistic universalism.

### **Concluding discussion**

By considering other trajectories of the history of international human rights at the UN, we recast the narrative of the universality of human rights from a western imperialist one to a counternarrative which owes its universality to the agency of the Global South. Indian and Pakistani women freedom fighters were pivotal in advancing human rights as an inclusive concept in the UDHR. These women had to contend with male and western delegates in their struggle to get recognition for women's private rights and the right of people to revolt against oppression.

In the 1950s, women from Iraq, Indonesia, Egypt, Togo, Guinea and the Philippines helped to ensure that no colonial clause was inserted in the first binding human rights conventions on women's political and civil rights and their marriage rights. And in 1975 women made an

intersectional critique of the oppressive colonial economic world order that limits women's rights and affects social conditions in different parts of the world. Such efforts have recast the idea of the universality of feminist and international human rights: these are not solely the result of the work of western actors; diverse women's movements have also played an important role. Just as 'history is about power' (Tuhiwai Smith, 2012) so is HRE a selection, arrangement and presentation of knowledge that can both lead to and continue epistemic injustice,

Historical and present-day narratives on human rights can give legitimacy to pluralistic universalism if based on diverse origins and application 'at home', or they can reify a western particularistic narrative through nationalistic rejections of universality or imperialistic tendencies that neglect the need for the contextualisation and problematisation of dominant narratives.

An alternative reading of the history of international human rights recognises their defenders as women freedom fighters who argued that 'the rights of man' had to become more inclusive, and rights claims had to be extended to people living under colonial rule and women living under the domestication of male guardianship. This alternative reading aims to upset the hermeneutical injustice in a historical narrative of human rights that overlooks the agency and knowledge of women living under colonial rule and those from the newly independent countries that became official members of the UN. These women filled human rights with a revolutionary meaning—while contributing to a fragment of a narrative that challenges limited notions of agency in international relations today.

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