

## Slavery and the Human Right to Evil

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### The Slave Master Next Door

Most people, when they confront the shocking realities of modern slavery, seek to understand slavery by defining the actions of slaveholders as evil. "How can anyone use violence in such a regular and dispassionate way merely for economic gain?" they wonder. Indeed, the cases of horrific abuse, even torture, that abound in my own research are enough to send one searching for a way to disassociate oneself from slaveholders. Young men from Mali are enslaved on the cocoa plantations of the Ivory Coast, those that try to escape are whipped, and some are killed. Teenage girls are locked into brothels in Thailand, used by 10 to 15 men each night and then dumped when they contract HIV. How can I, and a slaveholder capable of such cruelty, both be called human? For many people, the answer to this question is to define the slaveholder as different from a "normal" human being: the slaveholder is evil.

In fictional accounts of slavery this process of redefinition is common. Consider, for example, the slaveholder/slavetrader depicted in *Uncle Tom's Cabin* (Stowe, 1853) whose name became synonymous with evil: Simon Legree. While this stereotype may in some way comfort us, defining a slaveholder as evil becomes much more difficult when we meet actual slave masters. Researching slavery and meeting slaveholders in many countries has convinced me that we must explore (though not accept) their own self-definitions. In all of my research only one slaveholder ever struck me as personifying evil, and he was an overseer, not the actual 'owner' of slaves. This man, a pimp in a provincial, working class Thai brothel, was violent and cruel in his management of the concentration camp that was the "Always Prospering Restaurant". He was, however, not the person who "owned" the slaves he controlled, he was just an employee. He was the personification of the violence needed to enslave someone, but in many ways he was just as disposable and replaceable as the enslaved prostitutes.

Almost all the actual slaveholders I have met and interviewed were "family men" who thought of themselves as businessmen. Pillars of the local community, they were well integrated socially, well connected legally and politically, and well rewarded financially. Their slaveholding was not seen as a handicap, except, possibly, in communication with "outsiders" who, they feel, misunderstand the local customs of business and labor. Part of my work has been to explore slavery from their perspective. It is important, for example, to demonstrate the economic underpinnings of contemporary slavery, to show how one might engage in the "business" of slavery. This perspective allows us to see possible points of intervention. It can also draw the discussion of slavery away from outrage over its evil, because while any reasonable person defines the act of

one person enslaving another as evil, no slaveholder enslaves people just to do evil. The very act of slavery may be perceived as evil or not evil by both slaveholders and slaves. What I will explore in this work is how our definitions of human rights are bound up with our ideas about evil. I intend to show how acts move through a process of being redefined as evil, and how that attribution of evil then leads to a privileging of victim's perspectives. Those perspectives undergo a further process of codification ultimately emerging as "human rights". To understand this process better we can turn to modern slavery for examples. But first I need to explain what I mean when I use the word "evil".

## **Evil defined**

It is important to note that I am not raising theological questions about evil. It is also important that I state clearly my debt to the work of Roy Baumeister (1997), the psychologist whose exploration of evil in human relations provides key insights to an understanding of evil *vis a vis* human rights. Concentrating on the role of evil in an understanding of human rights, evil can be defined as: *deliberate actions taken by people that harm other people*. Indeed, most of those actions that we routinely and easily define as evil are violent actions: torture, murder, or slavery<sup>1</sup>.

If we take as our starting point the idea that evil is located in deliberate actions that harm other people, then we also have to differentiate evil actions that *actually* occur from what Baumeister has termed "the myth of pure evil". In many cultures, including modern Western culture, there is an extensive mythology, supported by the media, of people and actions that are defined as "pure evil". Pure evil is marked, he says, by eight attributes (1997:73), most of which are also found in popular perceptions of slavery. Recasting these attributes as applying to slaveholders, we see that they hold true for fictional representations, as well as common perceptions, of slavery, which I have illustrated in parentheses:

1. The evil person intentionally inflicts harm on people (the slaveholder regularly brutalizes his slaves).
2. Evil is driven by the wish to inflict harm merely for the pleasure of doing so (the slaveholder sadistically enjoys whipping slaves).
3. The victim is innocent and good (the slave did nothing to deserve slavery).
4. Evil is the other, the enemy, the outsider, the out-group (the slaveholder is not like us, belongs to a group that we could never and would never belong to).
5. Evil has been that way since time immemorial (slavery has always taken this basic form: total violent control and violation).
6. Evil represents the antithesis of order, peace and security (enslavement means violence, disruption, destruction of families, and a total lack of security).
7. Evil characters are often marked by egotism (the slaveholder believes they are superior to their slaves).
8. Evil figures have difficulty maintaining control over their feelings, especially rage and anger (the slaveholder's rage is part of the terror endured by the slave).

For the most part these attributes are myths, as we shall see when we explore slaveholder's views and actions. On the other hand, Baumeister points out that the last two, high self-esteem and poor self-control, while central to the myth of pure evil, are more likely to be found in the reality of evil actions than the first six. At the same time the first six best convey the sense of the myth of "pure evil":

*A force, or person, that seeks relentlessly to inflict harm, with no positive or comprehensible motive, deriving enjoyment from the suffering of others ... [who] maliciously and gratuitously seeks out unsuspecting, innocent victims from among the good people of the world. (1997:75)*

By separating the myth of evil from the realities of evil, Baumeister enlarges our understanding of the perpetrator's view of their "evil" act. Not surprisingly victims and perpetrators view the evil act differently. In fact, along several dimensions of perception – time, space, and intensity – the victim and perpetrator interpret evil acts, especially violent acts, in dramatically different ways. Slaveholders and slaves demonstrate this clearly. For the slaveholder the enslavement of a "worker" is simply a small variable among many in a much larger economic equation. For the slave, enslavement is a fundamental state of being.

The definition of any action as evil is, in part, determined by its social and political context. For example, many Germans, including the Catholic archbishop of Freiberg, thought of the Nazi SS troops as the most respectable of all soldiers, and their entry requirements meant that they had impeccable backgrounds in social and legal as well as genetic terms. Yet, as the troops who manned the concentration camps they have become a personification of evil. Slavery has also existed within many contexts, operating in many different forms for most of recorded history. Later I will explore further the question of social and political context, but first it is necessary to use the history of slavery to illustrate the ways that different perceptions of evil may change over time into accepted human rights.

### **Evil and the definition of human rights**

A key assertion that I want to illustrate in this paper is that the expansion of the concept of human rights is based on the privileging and then codification of the victim's definitions of evil. If evil is in the eye of the beholder, then many harmful actions can be differentially defined as evil or not depending on perspective. What especially marks the relationship between evil and human rights is that within an intellectual context that is often decried as increasingly relativist on moral questions, there is an ongoing reification of certain definitions of evil. This reification is important in the protection of human rights and dignity, but it is not very helpful in the investigation of phenomenon such as slavery in that the perspectives of slaveholders are often ignored or dismissed. On the other hand, slavery is especially useful in viewing this process of reification because slavery has been defined and redefined many times over the ages.

Slavery has been with us since the beginning of recorded human history. When people began to congregate in Mesopotamia around 6800 BC, they built strong external walls around their towns suggesting a situation of raiding and war. Sumerian drawings in clay that survive from 4000 BC show captives taken in battle being tied, whipped and forced to work. Papyrus records from 2100 BC record the ownership of slaves by private citizens in Egypt. Slavery seems to predate both laws and money. After slavery had been around for about 2000 years we find the first record of the price of a slave: eleven silver shekels. Not long afterward slavery as a business enterprise takes off, and we find a record of a slave raiding expedition from Egypt capturing 1,554 slaves in Syria. About one hundred years after that, around 1790 BC, the first written laws introduced the legal status and worth of slaves. The basic idea in these Babylonian codes, that slaves were worth less than “real” people, is repeated again and again through human history for nearly 4000 years. The ancient code is gruesomely clear: a physician making a fatal mistake on a patient, for example, is ordered to have his hands cut off, unless the patient is a slave, in which case he only has to replace the slave.

This code regulated slavery, it did not define it in moral terms. In it slaves were protected from the worst forms of abuse, but were treated as property or chattel. Precisely how the slaves of the ancient world perceived their situation we will never know, their views are not recorded. But we can know that at times their objection to enslavement, their perception of it as unacceptable, was strong enough to lead to them to run away (an act covered in all slave codes) or even to revolt. Likewise we know that there were some people in the ancient world that did perceive slavery as evil. Meltzer notes that around 2,100 years ago two Jewish communities, the Essenes and the Therapeutae, rejected slavery as evil, but he also points out that, “To condemn slavery as powerfully as these two sects did was extraordinary for that time. No one else in antiquity seems to have advanced that far. Not until certain radical Protestant sects appeared many centuries later did the world hear slavery denounced so sweepingly.” (Meltzer, 1971:44). That said, Roman laws became progressively more humane regarding the treatment of slaves in the first century A.D. This change was reflecting a philosophical view that held slavery to be against “natural” law. Roman jurists, basing their ideas on the philosophy of the Stoics, suggested that while slavery was universally practiced it was also contrary to nature.

Over time the moral definition of slavery was irregularly debated. The expansion of the Roman Empire had led to a vast slave trade. With the contraction and fall of Rome slavery diminished in proportion to the population held in serfdom, but the “official” view of slavery put forward by the Church changed little. “Slavery” said St. Augustine, “has been imposed by the just sentence of God upon the sinner” (quoted in Meltzer, 1993:206). Only the Church’s decree that Christians should not enslave other Christians in war (non-Christians were still eligible), worked to diminish the number of slaves in Europe. William the Conqueror allowed the enslavement of Britons to continue after 1066, but forbade their export to the slave markets of Europe. Two hundred years later Thomas Aquinas pronounced slavery as morally justifiable and economically necessary – a stance that is still repeated by contemporary slaveholders.

The number and perception of the status of slaves varied with political and natural events. The Crusades opened up new Eastern populations to European enslavement and vice versa. The expansion by force of the Byzantine Empire flooded Constantinople with slaves, just as the Roman expansion had earlier glutted the slave markets of Rome. In time, Genoa, Venice and Verdun became major slave markets, especially after the decimation of the European workforce by plague in the 13<sup>th</sup> century. Slavery became central to the economy of Tuscany, only fading with the decline in supply that came with Turkish control of the Eastern slave trade. The position of the Church throughout this period was to condemn sales of Christians, and to prohibit the buying of any Christians by Jews, while accepting slavery as an institution. When the expansion of the European empires in Africa and the Americas began in the 15<sup>th</sup> century, the Church continued its support of slavery in both policy and trade.

As the 16<sup>th</sup> century saw the growth of the trans-Atlantic slave trade, it also heard new voices raised against slavery. In the beginning these were few in number and feeble, mere pinpricks against the lucrative trade. But by the 17<sup>th</sup> century, while still a tiny minority, themes were developing that would grow into a more general redefinition of slavery as evil. One indication of this change in thought was the influence and popularity of Aphra Behn's work *Oroonoko, or the History of a Royal Slave* (1688) in both published and theatrical forms. English poetry of the 18<sup>th</sup> century is shot through with denunciations of slavery, and the first moral tracts against slavery published by Quakers appear at the beginning of the 1700's. These tracts and related agitation led, in 1758, to Quakers in the American colonies and in Britain condemning both the slave trade and slaveholding. It was a harbinger of change. Hugh Thomas quotes a prominent Bostonian of the time: "About the time of the Stamp Act [1765], what were only slight scruples in the minds of conscientious persons, became serious doubts and, with a considerable number, ripened into a firm persuasion that the slave trade was *malum in se*" (1997:458). In 1767 Quaker activity brought, for the first time anywhere, a proposed law against slavery into the Massachusetts legislature. The bill failed, but the potential for the codification of a human right to freedom was established.

Academic philosophy often runs far ahead of political practice, and as the ideas of the Enlightenment spread, so did an academic redefinition of slavery. Adam Ferguson, a Scottish Professor of Philosophy, argued, in 1769, that "no one is born a slave; because everyone is born with his original rights" (quoted in Thomas, 1997:468). In the same period, commentaries on law, by the famous English jurist Blackstone, were putting forward similar arguments on the inherent nature of human rights. Continued activism by Quakers, now taking the work against slavery outside their own religious society, included the organization of "little associations" against slavery in the middle American colonies, and ultimately the first society dedicated to abolition in Philadelphia. These little groups laid the groundwork for the sharp debates over slavery that followed the American revolution, and slavery was legally abolished (with various reservations) in many of the Northern states by 1804. A change in moral perception is hard to measure, but it is possible to identify moments when a sufficient critical mass of belief is achieved. Thomas sees one such moment occurring in 1786-7: "The climate in Britain with respect to the slave trade was now transformed in a special way" (1997:491). In that year a

Committee for Effecting the Abolition of the Slave Trade was formed and began the process of evolving the Quaker cause of abolition into an international movement.

The moral thrust of that international movement, its redefinition of slavery as evil, is clear. Two moments in that history demonstrate this process. On July 4th 1829 the abolitionist William Lloyd Garrison, then twenty-four, made his now famous speech in Park Street Church in Boston. In it he laid down the framework for the abolitionist movement to come. Abolition had to be a moral endeavor, he argued, since only “an aroused public conscience could persuade legislators to withdraw protection from slavery” (Mayer, 1998:65). With a few exceptions the argument fell on deaf ears and little immediate activity resulted, but holding to that line Garrison and others built a movement, a human rights campaign, that would alter the popular definition of slavery. Twenty-five years later speaking in New York’s Broadway Tabernacle, he reiterated the same position that slavery was evil, and that it must be viewed from the perspective of the slave. But this time he was cheered regularly and the *New York Times* reprinted the entire speech the next day. Two years later, in 1856, the poet Walt Whitman was describing the struggle for the national conscience in this way: “No man knows what will happen next, but all know that some such things are to happen as mark the greatest moral convulsions of the earth” (quoted in Mayer, 1998:469).

### **“Moral Convulsions” and Human Rights**

The various abolitions of legal slavery that occurred in the 19<sup>th</sup> century reflect Whitman’s “moral convulsions”. In most cases a sufficient number of electors reached the decision that slavery was no longer morally supportable. The path to this decision was made possible by a shift in the focus of attention on the part of the decision-makers. The general view of slavery changed from the economic focus of the 18<sup>th</sup> century to the moral or victim focus of the 19<sup>th</sup>. The histories of these movements and their tactics are echoed in later struggles for the recognition of other human rights. The agitation, boycotts, armed struggle, and political maneuvering of the anti-slavery movement were repeated in the anti-apartheid movement, for example. If we widen our view to other human rights and note the parallels in their evolution, we see that they also represent the legitimizing of the perceptions of the victim. In this way the United Nations Universal Declaration of Human Rights (UDHR) of 1948 is a list of evils we are (guaranteed to be) allowed to perceive. It is an official recognition of the primacy of the perceptions of the victim over the perpetrator and especially over the power of states; and it carries an implied commitment to act on this perception.

Yet the Universal Declaration of Human Rights was originally aimed at protecting individual victims against the “evils” committed by perpetrators who were nation-states. It is part of the ongoing process of redefinition that in addition to an increase in the number of acts that are defined as evil, the types of actors that can be categorized as violators of human rights is also becoming more varied. Allowing other actors, especially trans-national actors, to be seen as perpetrators directs our perceptions toward new vehicles for evil. For example, in the current process of redefinition, trans-national companies, the World Trade Organization, and the International Monetary Fund are all

asserted to be “evil” perpetrators. The campaigning organization *Corporate Watch UK*, for example, uses this slogan: “The earth is not dying, it is being killed, and those that are killing it have names and addresses”. The controversy being played out mirrors that of the past. Just as businessmen of the 19<sup>th</sup> century English textile industry argued that they were not responsible for the slavery that raised the cotton that fed their mills, today World Bank executives argue that their job is to alleviate poverty and they cannot be held responsible for the impact of speculation in world markets. The farmer in the developing world may announce himself or herself to be a victim of economic structural adjustment programs, but IMF officials cannot perceive that an evil act has been committed. The round of assertion, denial, moral denunciation, righteous retort, public appeals by both sides, and ultimately, redefinition, continues.

What has altered in this process is that it has also undergone the transformation of globalization. Albrow describes globalization as being, in part, “the active dissemination of practices, values, technology and other human products throughout the globe” (1996:88). As a researcher who has heard the words (in English) “Universal Declaration Human Rights” come from the mouth of a non-English speaking, illiterate farm worker in rural India, I can attest to the dissemination of this set of values that privileges the perceptions of the victim. But what did this phrase mean to the farm worker? Phenomenologically, I can have no certainty, but his denunciation of actions by his landlord as “evil” is an indication, especially in that these were actions thought of in the recent past as “traditional” or “normal”.

### **Hearing, Seeing, and Speaking Slavery Today**

For much of history slavery was seen as a reasonable, legally sanctioned action reflecting a divinely ordained order, believed as firmly in ancient Babylonia as in Alabama in 1820. Baumeister puts it this way: “Evil is but rarely found in the perpetrator’s own self-image. It is far more commonly found in the judgments of others.” (1997:6) Evil is in the eye of the beholder. In Northern India I spent time among enslaved agricultural workers and their slaveholders. The workers were enslaved through ‘debt bondage’<sup>2</sup>, though most of the families enslaved in this area had not actually borrowed any money themselves, but had inherited debts from their parents or grandparents. In the form of debt bondage practiced in India none of the work done by a family served to diminish the debt. This means that families endure being “owned” by the landlord without such ownership being legal. They are under the total control of a landlord, and usually have been for generations. The level of control is so high that violence is rarely necessary. One bonded laborer explained to me that:

*We have always lived here. I do not know about before my grandfather, but he said we have always lived here. My grandfather was halvaha (ploughman) to the landlord, and later my father was also his halvaha. They were both bonded by debt, my father by his father’s debt, I don’t know about my grandfather’s debt. It’s a regular thing. Kohl people like us have always been bonded to Brahmins like my master. That’s the way it has always been around here. (Bales, 1999:206)*

This is a family that lives constantly on the edge of starvation, whose children will never attend school, a family with no freedom of movement who risk violence if they defy the system. On the other hand, the slaveholder, their landlord, sees their state as benign:

*Of course I have bonded laborers: I'm a landlord. I keep them and their families and they work for me. When they aren't in the fields I have them doing the household work, washing clothes, cooking, cleaning, making repairs, everything. After all they are from the Kohl caste, that's what they do, work for Vasya's like me. I give them food and a little land to work. They've also borrowed money so I have to make sure that they stay on my land till it is paid back. They will work on my farm till it is all paid back, I don't care how old they get, you can't just give money away!*

*Anyway, they're doing fine. Look, with the grain I give them and the land, they are getting a lot more than the official farm labor rate of 67 rupees a day. I don't mind giving them so much because since I am a Labor Department official I don't have to pay any bribes to anyone. If I wasn't, I would have to pay the police just to keep my own laborers. After all, there is nothing wrong in keeping bonded labor. They benefit from the system and so do I, even if agriculture is completely mechanized I'll still keep my bonded laborers. You see, the way we do it I am like a father to these workers. It is a father-son relationship; I protect them and guide them. Sometimes I have to discipline them as well, just as a father would. (Bales, 1999:218)*

The different perceptions of slavery shown in these two quotes are very clear. What the slave perceives as an all-encompassing state that cannot be changed, the slaveholder sees as simply part of the business of farming, with the added altruistic opportunity to “be like a father” to members of a lowly caste. The slaveholder also sub-divides the rights of the slave. The right of the slave to fulfill basic human needs for food, clothing, and shelter are met through their bondage. The loss of “status” rights, freedom of movement, expression, and so on, are seen by the slaveholder as one of the prices paid by the slave for the support of his or her “needs”. By further conceptualizing the slave as childlike or subhuman, the slaveholder moves the slave into the same category as other beings that are not allowed “status” rights: animals, infants, criminals.

These different perceptions have rarely been compared in studies of slavery. Nor are they as simple as the example above might suggest. Depending on the legal status of slavery, the imputation of evil to the act of enslavement varies along two continua: the official and the personal. When slavery was legal most slaveholders could assert that their actions were not evil because they were not illegal. But legal slavery also allowed slaveholders to enslave others *even when* they saw their own actions as evil. Scattered through the antebellum American South were slaveholders who believed slavery to be morally wrong although it was legally right. Most of these slaveholders, however, were unwilling to act on this conviction, believing that their livelihood, as well as the stability of the economy, depended on slavery. For many people in the 19<sup>th</sup> century slavery was a “necessary evil”. They were practicing what Baumeister calls “instrumental violence”, an evil act as a means to an end. And as was the case for these ambivalent slaveholders of the past, Baumeister states that the “defining criterion of instrumental violence is that the



perpetrator would be willing to abandon violence if he or she could achieve the same goal without it” (1997:101).

At the same time, when slavery was legal slaveholders expended significant effort in an attempt to destroy the slave’s perception of slavery as evil. They tried to convince the enslaved person that their status as slave was not due to any evil actions against them, but was a status determined by higher powers for good reasons. Reading through the life narratives of ex-slaves collected in the 1930’s, there is little indication the masters were ever successful in this. Individual ex-slaves allowed that certain masters were good men who treated them well, “a good master and treated his slaves right” explained ex-slave Julia Baker of her master John Dabney (WPA Slave Narratives, 2000). But none seem to have doubted the inherent wrongness of their enslavement.

With contemporary slavery it is much more likely that enslavement will be generally defined as evil. Even the Indian landlord quoted above knows debt bondage is illegal, and thus implicitly recognized that other people might think it evil. Despite the high level of control exercised over slaves today, they too are more likely to know that their enslavement is illegal and to perceive it as evil. This knowledge points to one of the great tensions within the master-slave relationship, the attempt by the master to destroy the perception of evil in the victim. Force, violence, and mind control are used to convince the slave to accept their enslavement and this establishes the mental bonds that make the slave so much easier to control. When the slave begins to accept their role and identify with their master, their enslavement is total. This requires that the slave stops seeing slavery as evil. They must not see their enslavement as a deliberate action taken to harm them, just part of the normal, if regrettable, scheme of things. Put another way, if evil is in the eye of the beholder, then the slave is pushed to take on the viewpoint of the perpetrator or slaveholder.

A good example of this change in perception occurs with many of the young women enslaved into prostitution in Thailand. Arriving at a brothel from a sheltered childhood, they have little idea what it means to be a prostitute. Their initiation into slavery normally takes the form of rape and assault. Shattered, the young women are in shock, and from there they must find a way to live as a slave:

*In the world in which they live, like the world of the concentration camp, there are only those with total power and those with no power. Reward and punishment come from a single source, the pimp. The girls often find building a relationship with the pimp to be a good strategy. While pimps are thugs, they do rely also on means to control other than violence. They are adept at manipulation, at fostering insecurity and dependence. They can be kind, at times, and they can treat a girl with affection in order to increase her pliability and her reliance on them. Cultural norms have also prepared the sex slaves for control and submission. A girl will be told how her parents will suffer if she does not cooperate and work hard, how the debt is on her shoulders and must be repaid. The need to submit and to accept family responsibility will be hammered home again and again. Thai sex roles are clearly defined and women are expected to be retiring, nonassertive, and obedient, as the girls hear repeatedly. Their religion, too, supports this manipulation.*

*Thai Buddhism asserts that everyone must repay the karmic debt accumulated in past lives with suffering in this life. Such beliefs encourage the girls to turn inward, as they realize that they must have committed terrible sins in a past life to deserve their enslavement and abuse. Their religion urges them to accept this suffering, to come to terms with it, and to reconcile themselves to their fate. As a result the girls become willing slaves, trusted and obedient. (Bales, 1999:62)*

Slavery, for these young women is redefined, possibly as a duty or a job, but in some way that makes them compliant. This requires, in part, extinguishing the idea that it is evil. If they are to accept the rule of the pimp and their own enslavement, they must try to diminish their view of themselves as a victim who has been wronged. They must begin to see their enslavement from the point of view of the slaveholder. Because the power is virtually all in the hands of the pimp, their shared social reality is a moral economy heavily weighted toward his viewpoint. This in turn shapes any social transaction defining their different roles and perspectives.

These different points of view are important in understanding the evolution of human rights as well as the history of slavery. An important step, possibly the key step, in the social and legal evolution of the human perception of slavery was its redefinition as an evil act. This redefinition did not happen all at once but over decades, if not centuries. Consider the American movement to abolish slavery in the 19<sup>th</sup> century. It was, above all else, a moral movement, designed to convince the populace that slavery was evil. The assumption was that if slavery came to be generally perceived as morally wrong, then that perception could be translated into legislation. Yet after many years of campaigning the movement convinced few politicians. Even the leaders who accomplished the ultimate political abolition of slavery were ambiguous about slavery. Lincoln told Horace Greeley in late 1862 “if he could save the union without freeing a single slave, he would do it” (Mayer, 1998:537). And long after emancipation a significant proportion of the white population, North and South, continued to believe that the African-American population deserved only second-class citizenship if not enslavement. The specific act of slavery had been redefined as evil, but not the other acts that “naturally” kept African-Americans “in their place”. The evolution of the perception of acts like legal segregation from political and economic necessities to serious social evils further illustrates the link between social definition and human rights.

The emergence of what we call human rights is in fact the process of redefinition of certain acts as evil. If evil exists in the definition of the beholder (almost always the victim of the act), and the perception and definition of an act evolve over time, then the widespread acceptance of victims’ perceptions of an act as evil will tend to solidify, even reify, that perception into “rights”. Of course, some actions can be redefined over time in the opposite direction, as not being evil. Suicide comes readily to mind as an action that was once defined as evil, but is now seen as regrettable, in need of intervention, but not generally as a deliberate action based on an evil motive. Current controversies concerning homosexuality are an indication of the struggle involved in its ongoing public redefinition away from being “evil”. What helps us to understand the evolution of human rights is that they arise from differential perceptions of evil.

It is also true that the definition of an act as evil may come from a third party (neither the perpetrator nor the victim). This is important in our consideration of human rights as it introduces the question of cultural relativism. The process of defining an act as evil may depend more on the process of emotional imagination or sympathy by outsiders than it does on the expressed perceptions of the victims. It is the nature of many “evil” acts that they try to secure the compliance of victims, including silencing any sense of violation. Responses to slavery show this. The campaign against slavery has its greatest number of supporters in countries where slavery is not practiced. At the same time, some Westerners argue that much debt bondage is little different to the “wage slavery” endured by factory workers. In countries where slavery is practiced I have heard both views expressed by educated local people. Those who would press for a universal application of human rights codes argue that there is something sufficiently common in the human condition that the exercise of sympathy for anyone held in bondage is legitimate and appropriate. Cultural relativists, on the other hand, would argue that, given the internal validation of each culture, it is inappropriate to engage in this sympathetic response and to condemn an indigenous cultural expression. In any event, the globalization of the concept of human rights, the redefinition of certain acts as evil, and thus the ascendancy of the victim’s perceptions raises a number of implications and questions.

### **Implications and Questions**

One implication is that the globalization of human rights is, in some cases, the globalization of Western concepts of evil. Debates rage, however, over the relevance of human rights. One side argues that human rights are universal, and the other that they are simply Western constructs being forced onto indigenous cultures. In this debate different groups break down the articles of the UDHR into the categories “acceptable in my culture” and “unacceptable in my culture”. Thus many Muslim states, while accepting much of the UDHR, reject the provisions concerning freedom of thought, religious belief, and expression (Articles 18 and 19). What this debate often misses, in its competing “official” positions, is the diversity of views represented by both victims and perpetrators. The expressed views of some Muslim states, for example, do not have total internal endorsement. If there is a resolution of this debate it will be in the popular and general assessment of good and evil, benefit and damage. But, as we have seen, that assessment changes over time.

A further implication is the globalization of complicity. In the past an individual’s complicity in large-scale “evil” tended to be restricted to the nation-state. Complicity was a measure of a person’s responsibility for acts carried out by their government. The last thirty years, for example, have seen a wide-ranging deliberation concerning the complicity of the average German in the “evil” acts of the Nazi government. Today the individual’s complicity in perceived evil may be connected to trans-national perpetrators, and an individual’s participation in movements against “evil” can be trans-national as well. A globalized system of human rights implies that a violation anywhere requires responses from everywhere. Because we can know about violations in almost any part of the world and because our actions can have some impact on the continuation or

termination of those violations, we are potentially implicated. If rights are taken seriously then their protection cannot begin and end at national borders. The result is an interesting twist on the Biblical explanation of evil: that with the knowledge of right and wrong comes the fall from innocence, and we become culpable for what we do or fail to do. Today the combination of a more highly sensitized public human rights consciousness with globalized communication enhances our awareness of “evil” and informs us of its stunning pervasiveness. At the same time, that extension of human sensitivity, and of global networks to lift up the human condition, could be called a saving grace.

But if this is true it also leads us toward an unlikely utopia. The extension of the definition of evil to more and more acts, and thus the extension of protection against those acts, suggests a future in which any intentional harm is prohibited. At this point we revisit the question of severity. If there is a universal right to perceive evil, and every act which is perceived by a victim to have been an intentional act of harm is evil, then the UDHR might be reduced to: “the right not to be harmed in any way”. Yet this is unrealistic in two ways. First, where are the limits of severity? Second, is the perception of the victim to be privileged even when the severity is slight? Given the propensity to define an action as “not evil” when one is a perpetrator, at what point should the perpetrator’s views be given weight? It is a fundamental question: what are the limits of human rights?

It is a question beyond this article, but I can still suggest a way that it might be resolved. Within the refinement and extension of human rights, the question of evil can be addressed in two stages. First, we must continue to ensure the right of the victim to express their perception of evil, and act on it. This, in turn, requires the creation of protected spaces and the development of methods of healing psychological damage. Second, especially in the case of those “borderline” acts of harm, we should promote active mediation between victims and perpetrators. Its aim should be to bring perpetrators to the realization of the “evil” of their actions, and victims to an acceptance of the humanity (if not the perceptions and motives) of their perpetrators. A result of such mediation over time could be a consensus on what constitutes “evil” in the construction of human rights. The value of such a consensus is that it gives us a new opportunity to act. It leads to the realization, for example, that intervention to end slavery must provide alternative economic opportunities and reconciliation for both slave and slaveholder.

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<sup>1</sup> What is not made clear by such a definition is the question of severity. Does an action have to reach a certain level of severity to be considered evil? Is the small snub that harms one’s feelings, while uncomfortable, evil? This is a question I intend to dodge. Since this work considers evil and human rights, and since most codifications of human rights do not include actions whose outcomes are of very low severity (such as a social snub), this work will only consider “evil” those actions leading to severe harm.

<sup>2</sup> There are in fact two distinct forms of debt bondage, both meeting this criterion but in different ways. In many cases of debt bondage the labor power (and indeed the very life of the debtor) becomes collateral for the debt. This establishes the trap of bondage - since all the labor power of the debtor is the collateral property of the lender until the debt is repaid, the debtor is unable to ever earn enough to repay the debt by their own labor. This

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arrangement is a hallmark of the debt bondage of the Indian sub-continent. In other areas the work of the debtor may ostensibly be applied to the debt, but through false accounting or extortionate interest, repayment remains forever out of reach. In the first form the very nature of the agreement which transforms labor power into collateral practically disqualifies the debtor from ever repaying their debt. In the second form it is a violation of the agreement, when ‘the value of those services as reasonably assessed is not applied towards the liquidation of the debt’, that traps the debtor.

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