Introduction

Human rights protect the essential aspects for human survival and for a life with human dignity. Faced with today's reality, concrete improvements in the realization of human rights are urgently necessary. The universality of human rights is balanced against various interests, for example, states may claim the priority of their sovereignty over the universality of human rights; cultures, traditions, civilizations, religions, and world views may make a similar claim – usually as expressed by their institutions or leaders – due to concern about a possible loss of institutional power and influence; the private sector, which insists on its right to self-regulate, attempts thereby to define for itself a sphere of influence that may also impinge on the rights of others.

Confronted by this reality, there is an urgent need for action and for change leading to an improvement of the realization of human rights. The question arises as to whether music can make a contribution in this regard. In attempting to answer this question, I will employ the concept of a ‘universal culture of human rights’ as a theoretical foundation. This concept can be found expressed in a variety of ways across the human rights discourse, as well as in many of the foundational human rights documents, such as the United Nations Declaration on Human Rights Education and Training (2011).¹

Why a ‘Universal Culture of Human Rights’?

A first step to address this urgent need is the transformation of human rights into positive national law. This transformation enhances the realization of human rights because duty-bearers and right-holders form a closer relationship, with significant impact on access for right-holders to claim their rights and on law-enforcement concerning the applicability, immediateness, and directness of its obligations. Moreover, human rights gain weight and power when they become part of a particular legal system (see Lohmann 1999) – such as becoming part of a national legal system through a democratic process – as they are then enforceable by law more directly and are more democratically legitimate. In this way, human rights start locally, while keeping their global horizon. This transformation provides the state with the law and the police force at its disposal to fulfil its duties regarding the enforcement and implementation of human rights, and legislation and administrative measures to realize the rights of every human. Additional means,
which can be put to the service of human rights, include the courts, administrative authorities, and specialized human rights institutions (ombudsmen, national human rights institutions and commissions, and so-called truth commissions). The transformation from moral rights into positive law is to be sought for its impact on chances for enforcement, reducing problems with interpretation and concretization, and for its positive impact on the establishment of public institutions able to meet these obligations (Alexy 1998).

Alongside the substantial benefits for human rights in their legal dimension that accrue from the transformation into positive national law, there is a contrary aspect that needs to be taken into consideration: national law differentiates among at least three types of humans: citizens (e.g. in a constitutional democratic state, it is they who enjoy the right to participate in democratic opinion-forming and decision-making processes), other humans living in that state (who are entitled to pay taxes and to various State services but not endowed with participatory decision-making rights), and humans not living in that State. Human rights as part of a national legal system apply (as such) only to the members of that legal community. This makes human rights (so bolstered) subject to certain conditions, which is incompatible with the universal and categorical character of human rights. To safeguard the universality and the categorical status of human rights, a ‘global process of positive transformation’ needs to take place, including the establishment of legally binding human rights treaties and international, regional, and global protection mechanisms and institutions that strive for legal enforcement of human rights. Similar to the national-level transformation process described earlier, human rights becoming positive law at the international, regional, and global level imposes legal obligations. This leads to the following framing of human rights: ‘International human rights are legal entitlements of individuals against the state or state-like entities guaranteed by international law for the purpose of protecting fundamental needs of the human person and his/her dignity in times of peace and war’ (Kaelin 2004, 17).

It gives human rights more strength that they are not merely ethical principles, concepts, theories, and ideas, but legal rights as well. As it is, human rights are a legal reality in all parts of the world, although there are shortcomings in their implementation. Human rights are legally defined, have a legal framework, and are executable. Human rights legal mechanisms, instruments, and institutions, such as the United Nations Human Rights Council, the Office of the UN High Commissioner for Human Rights, and the regional courts of human rights are elements in the realization of the idea of human rights and can reinforce the ethical dimension of human rights. Human rights legal mechanisms, instruments, and institutions give a face to the idea of protecting human dignity that is embodied in human rights. One approach to this legal dimension, starting on a local level, allows one to begin within the context of the right holders, enabling them to approach human rights from their real-life experience and from their understanding of justice, freedom, and equity – always considering the universal dimension of human rights as well.

Law is generally respected not only because of the fear of sanctions but, among other things, due to a corresponding ethos. The same can be said about human rights. Human rights, in particular, depend for their implementation and realization on a corresponding ethical awareness and an ethos. It is with respect to this dimension that a ‘universal culture of human rights’ comes into play:

We all need to become increasingly aware that the realization of human rights is never automatically achieved. Human beings may or may not be born free and equal, but in any case their actual freedom and equality depends on the extent to which authorities and individuals take the human rights message to heart. In other words human rights
are not a gift but a task for all of us. If people fail to take action on behalf of their fellow human beings, if they lack sympathy for their suffering and do not show solidarity with the victims of human rights violations, if they do not cry out against oppression and disregard for human dignity and if they do not persist in calling for more justice, there can ultimately be no real peace in our world.

(Kaelin 2004, 37)

Martin Luther King Jr. highlighted this element as well:

I know that there are those who say that this can’t be done through the courts, it can’t be done through laws, you can’t legislate morals. They would say that integration must come by education not legislation. Well I choose to be dialectical at that point. It’s not either law or education. It’s both legislation and education.

(1957, 11)

The notion of the necessity of this interplay between law and ethos builds a first argument for a ‘universal culture of human rights’. A second argument for a ‘universal culture of human rights’ embraces the perception that the realization of human rights benefits from the recognition of their multidimensionality. Besides the legal dimension mentioned earlier, human rights know a political, an historical, and an ethical dimension that are all interrelated and complement each other. The political dimension of human rights consists of the political act of turning human rights into positive law. The decision to transform human rights as moral rights into legal rights is a political decision, taken to enhance their enforceability, ensure an opinion-forming and decision-making process that is more regulated and controllable, and institutionalize the way in which these rights are bestowed. In the course of the political substantiation of human rights, another dimension of the political discourse emerges: that is, the selection of those areas of human existence that must be added to the set of rights that constitute human rights in order to enjoy the special protection that is inherent to them. The public experience and reflection generates protection through juridical rights – and thus the call for human rights can be conceived as ‘answers to exemplary experiences of wrongdoing’ (Brugger 1999, 21). The political process of democratic opinion-forming and decision-making is itself supported by human rights – this is another part of the political dimension of human rights. For instance, there are specific human rights that guarantee the principles of democracy, such as the freedom to congregate and the freedom of expression and information. Unfortunately, human rights can thus also be used for other political purposes. Not only does this not do justice to human rights, it also does considerable harm to the concept of human rights. Finally, even political discourses that are not actually concerned with human rights use the legal and the ethical frame of reference constituted by human rights, so this, too, is included in the political dimension of human rights.

Furthermore, the use of human rights language to make political statements is seen as part of the political dimension of human rights. Instances of injury or injustice and violations of elementary aspects of the human existence are addressed politically using the language of human rights:

human rights, despite ongoing cultural controversies over their correct interpretation, speak a language in which dissidents can express what they suffer, and what they demand from oppressive regimes – in Asia, South America, and Africa no less than in Europe and the United States.

(Habermas 2001, 149)
In addition, human rights are a political mandate: even if human rights protect the bare minimum of the essential elements and areas of existence that human beings need to survive as humans, they are the standards of which the reality of life often falls short. Appropriate political decisions and actions are needed to minimize or eliminate this shortfall.

In the political process leading to a transformation from ethical ideas, principles, concepts, and theories to legal norms, the political dimension and the historical dimension of human rights intersect. Historically, the genesis is mostly driven by the wrongs that humans have suffered through the ages, and thus it can be considered the historical dimension of human rights. The *Universal Declaration of Human Rights* of 1948, for example, can be seen as a direct reaction to the human rights violations of the Holocaust and of the associated (or thereby constituted) extreme measures to deprive people of their human dignity. As Morsink states, 'Most of the articles and rights in the Declaration were adopted as direct and immediate reactions to the horrors of the Holocaust' (2010, 27).

The exemplary nature of wrongs suffered does not constitute an ethical judgement but a contingent evaluation of the experience as a special threat to or a violation of essential elements and areas of the human existence. It develops historically and varies from culture to culture, and its goal is political change. Human rights are thus seen to be dynamic and open to new definitions. Because of their historical contingency, human rights lose neither their relevance to the present nor their sustained significance for the future. As Morsink further notes: ‘The human rights abuses on the minds of the 1948 drafters occurred during the Holocaust, while today we can point not only to the Nazi atrocities, but to atrocities in Bosnia, Cambodia, Rwanda, Darfur and in other contexts’ (2010, 36). Taking into account their historical context, human rights assume their positive weight as a clear reaction of humanity to the wrongs suffered by human beings in the past and as a sign for future generations that something like it must not be allowed to happen again.

Studying the genesis of human rights from a historical perspective adds value to the human rights discourse in the sense that the close examination of processes and interrelations from a historical perspective reveals new aspects of human rights, which constitute additional knowledge gained and are of systematic interest (Gut 2008; Bobbio 1996). However, historical explanations of the genesis of human rights can only go so far to legitimize human rights because singular historical events have only particular rather than universal effect. This does not imply that the contingent, temporal, and local origins of human rights constitute an obstacle for their universal applicability. To believe this would be a ‘genetic fallacy’, since it would mean extrapolating from the genesis of an insight to its validity, which would be on a par with claiming that the categorical imperative was not universally applicable because it was created in Koenigsberg, or because it originated more than 200 years ago. By pointing out the limited conclusiveness of a historical explanation with regard to the legitimacy of human rights, it should only be emphasized that the explanation of the genesis of human rights does not constitute an ethical chain of argument as to why all human beings are the holders of human rights. At this point, the difference between genesis (discovery) and validity (legitimacy) has a significant role to play. This difference exists because the two aim to answer different questions. While genesis seeks to clarify why and by whom an idea was conceived or an approach introduced and further developed, validity deals with the issue itself and whether an insight is universal and true. Thus, while genesis and validity must be seen in relation to each other, they must also be clearly separated (Salmon 1983).

It is precisely in this link between genesis and validity that the historical dimension and the ethical dimension of human rights intersect. The ethical dimension of human rights takes into account the other dimensions of human rights. At the same time, it affects the other
dimensions – in particular, due to its contribution towards legitimizing human rights, it has a constitutive function with regard to the other dimensions of human rights and for human rights as a whole (Kirchschlaeger 2007). This multidimensionality of human rights highlights the necessity of involving the state but also all societal actors in the realizing of human rights for all.

A third argument for a ‘universal culture of human rights’ – promoting an understanding of human rights that recognizes that the realization of human rights lies in the hands of different actors – consists in the notion that States have primary but not sole responsibility to respect and implement human rights. The burden of responsibility for these rights is shared by the States with non-State actors, including the private sector, religious and world view-based communities, civil society, and individuals (e.g. musicians), depending on their power and influence in specific contexts and situations.

Of course, human rights are mainly directed at States possessing a monopoly on the use of force. States have a primary obligation to respect, protect, implement, and realize these rights (Kirchschlaeger 2014). Human rights can be understood as a balancing counterpart to the State monopoly on the use of force, which establishes boundaries against abuse of power by the State. The primary responsibility of the State should not be diminished: there is no occasion or reason for this. States continue to have the main, but not the exclusive, responsibility. The monopoly on the use of force must remain in the legitimatized hands of the State. If the power relations are defined differently, of course, action has to be taken accordingly, including the legitimate widening of the attribution of the role of duty-bearer to non-State actors and respectively to all societal actors, including, e.g., musicians.

The primary responsibility of States to implement human rights entails also that States are responsible for ensuring, as well, that non-State actors such as the private sector, NGOs, religious and world view-based communities, and individuals respect human rights and contribute to their realization (Kirchschlaeger 2016a, 2017a). If states must ensure that non-State actors assume their responsibilities and implement human rights standards, this State obligation of guaranteeing the human rights performance by non-State actors implies human rights obligations on non-State actors (Kirchschlaeger 2015a, 2017b) – including musicians. Indeed, based on the essential elements and areas that human rights protect, it is incumbent upon us to address human rights problems as challenges for the whole of society, including all societal actors.

**What Is a ‘Universal Culture of Human Rights’?**

Article 4 of the *Universal Declaration of Human Rights Education and Training* of 2011 explains:

> a universal culture of human rights [is one] in which everyone is aware of their own rights and responsibilities in respect of the rights of others, and promot[es] the development of the individual as a responsible member of a free, peaceful, pluralist and inclusive society.

The idea of a ‘universal culture of human rights’ is related to an understanding that the realization of human rights lies in the hands of various actors. A variety of inputs should come from different societal actors to improve the realization of human rights: governments by implementing and respecting human rights, public authorities by orienting their decisions and actions towards the values and principles of human rights, society by publicly accepting and taking a stand for human rights, individuals by respecting the human rights of the other while maintaining awareness of their own rights (McEvoy and Lundy 2007), and cultural, religious, and world
view-based communities by demonstrating to their members the commonly shared elements of their own ‘truth’ or value system on the one hand and human rights on the other (Kirchschlaeger 2016a, 2017a).

Given the necessity of human rights, given the significance of this minimum standard for survival and for the preservation of the humanity and dignity of all human beings, and given the globalized and interdependent world, human rights problems must be addressed as challenges for the whole of society, including all societal actors, especially those with more power, influence, and ability to make a difference.

The preamble of the 1948 *Universal Declaration* states that the duties of states and of ‘every individual and every organ of society’ align with human rights. The *International Covenant on Civil and Political Rights* of 1966, Article 5; the *International Covenant on Economic, Social and Cultural Rights* of 1966, Article 5; and the *African Charter on Human and Peoples’ Rights* of 1981, Articles 28 and 29 all point in this same direction. Indeed, the issue of human rights obligations of all societal actors can also be looked at from another perspective, namely, from the standpoint of an individual being a holder of human rights and being a possible or real victim of human rights violations.

Human rights are ‘an especially urgent and ethically justified claim that a person has, simply in virtue of being a human adult, and independently of membership in a particular nation, class, sex, or ethnic, religious or sexual group’ (Nussbaum 2002, 135). This claim knows corresponding obligations: ‘the existence of a human right always implies a counterpart obligation . . . for that right to be respected, protected, and realized’ (Wettstein 2012a, 753). Indeed, a right held by X against Z would be meaningless unless there is a corresponding duty on the part of Z to honour the right of X (Tomuschat 2003, 39). Every human being, as a holder of human rights, expects the State to protect them – whether it is the State itself respecting and implementing his/her human rights or the State guaranteeing that non-State actors respect human rights and fulfil their human rights obligations. Based on this standpoint of a victim of a human rights violation, states have a primary but not sole responsibility to respect, protect, and implement human rights. However:

Only a complete disregard of the moral status and foundation of human rights can lead one to conclude that governments should be the only parties directly obliged by human rights. If we hold that human rights represent inherent and equal moral entitlements of all human beings irrespective of their heritage and background, we cannot deny that they logically obligate not just governments, but everyone.

(Wettstein 2012b, 77)

Indeed, human rights would not be taken seriously as legally binding international law if the discourse about their implementation and realization were limited to the primary – understood as sole – responsibility of states (Sandkuehler 2010, 1550).

The decisive criterion for the attribution of the duty-bearer(s) is the situation and the context, including their power distribution and structure. The concrete situation and context mainly dictate who is in charge of respecting, protecting, implementing, and realizing human rights. Because human rights are individual rights protecting every human in the essential areas and spheres of human existence, the focus in the deliberation of this question lies on the individual right-holder. His or her human rights must be respected and implemented, and this necessity dominates the attribution of the duty-bearer.

From the perspective of a possible or real victim of human rights violations, however, it ultimately makes little difference whether the violator is a State or a non-State actor. The focus
is the human rights violation itself, which needs to be stopped, then not repeated and therefore avoided, and for which it must be possible for the victim to receive remedy.

In both cases – in the case of a human rights violation by a State and in the case of a human rights violation by a non-State actor (e.g. private sector, individual) – the violation first and foremost involves a breach of trust on the part of the State because of its arbitrariness. In both cases, the victim would expect the State to protect his/her human rights – whether it is the State itself respecting and implementing his/her human rights, or the State guaranteeing that non-State actors respect human rights and fulfil their human rights obligations. Secondly, there is a slight difference because in the second case – human rights violation by a non-State actor – an additional breach of trust occurs concerning the non-State actor itself.

This wider attribution of the role of duty-bearer of human rights possesses legitimacy because human rights per se, specific human rights, and the universality of human rights can be justified – using, e.g., the justification model based on the principle of vulnerability (see Kirchschlaeger 2013a, 2016b).

Beyond this, the burden of proof can be reversed to the other perspective requiring ‘good reasons’ why the legal entitlement of all humans to human rights does not imply legal obligations on non-State actors in contexts and situations where non-State actors possess power and influence. ‘Good reasons’ means that they are based on arguments that are plausible and acceptable for all human beings – in the sense of a model of thought, not a real referendum (Koller 1992, 75). There is a high probability that it will be difficult to show that only States and not also non-State actors have a legal obligation to avoid, change, or stop a context of violations or abuses of elements and areas that a human being needs in order to survive and in order to live with human dignity. The concept of a ‘universal culture of human rights’ therefore emphasizes that all societal actors need to contribute to the respect, protection, implementation, and realization of human rights.

Finally, a ‘universal culture of human rights’ is not intended to replace other cultures, traditions, civilizations, religions, and world views, nor is it intended to create a uniform culture that excludes any form of contextualization of human rights. Rather, it strives for a better implementation and realization of human rights, which also means protecting religions, cultures, traditions, civilizations, and world views (Kirchschlaeger 2013b). Human rights protect the freedom of the individual to religion and belief and to participate in the cultural life of the community (Articles 18 and 27 of the Universal Declaration of Human Rights of 1948) and therefore indirectly enhance religious practice. However, human rights are individual rights and represent the perspective of the individual, not the community: human rights do not protect religion as such but the freedom of the individual to share the beliefs, thoughts, and world views of a community, to be part of a community and to practise its way of life.

In addition, a ‘universal culture of human rights’ recognizes cultures, traditions, civilizations, religions, and world views as important societal actors which should contribute to the respect, protection, implementation, and realization of human rights. Following the concept of ‘adaptation’ (see Kirchschlaeger 2015b), cultures, traditions, civilizations, religions, and world views can – among others – contribute to the discourse about reasons justifying human rights. These cultural, traditional, civilizational, religious, or world view-based justifications may be limited in their immediate relevance with regard to the world outside a specific community since they are based on ideas that are difficult for outsiders to grasp or follow or because they lack convincing rationality. Thus, they may fail because they do not comply with the pluralism of the addressees and the claim to universality of human rights. At the same time, they have an internal function since they grant access to human rights and may achieve a significant motivational impact. Furthermore, they can strengthen the validity of human rights within a specific
community – such as when a Christian justification of human rights shows Christians that their faith and human rights are compatible (the same justification may possess limited or negligible argumentative impact on non-Christians).

Beyond this, cultures, traditions, civilizations, religions, and world views can build with human rights a dialogical relation of reciprocal critique. In this relation, cultures, traditions, civilizations, religions, and world views can, on the one hand, be the object of critique when communities are directly bystanders, accomplices, or even subjects of human rights violations or do not meet the legitimate expectations to respect human rights and to contribute to their realization. If they do not fulfil their obligations corresponding with the human rights of their members and followers (as well as of all humans), critique based on human rights is the consequence. On the other hand, human rights can be criticized by communities when the international human rights discourse emphasizes specific rights while neglecting others. Thus, in this relation, as human rights affect religions in a legitimate way, cultures, traditions, civilizations, religions, and world views contribute to the human rights discourse with proposals and criticism.

This relation of reciprocal critique helps communities not only to respect human rights but also to be in accordance with their own core elements of religious truth and message. It supports the realization of human rights – not only because of the contribution by cultures, traditions, civilizations, religions, and world views but because human rights receive guidance in remaining coherent with their own concepts.

In addition, a ‘universal culture of human rights’ does not entail the notion that human rights should be either a culture or a religion. It has nothing to do, either, with a ‘globalized culture’ intended to replace other cultures, nor with the counterproductive (and self-contradictory) term ‘universal religion of human rights’ (Graeb 2015). Even Wilhelm Graeb, who proposes the latter notion, qualifies:

religious cultures have to legitimize themselves to human rights and not vice versa. Religions, their practices and legal interpretation have to prove themselves to be compatible with human rights [and] this means that one has to insist on the validity of human rights . . . even if they are opposed to religious ideas of morality.

Indeed, a ‘universal culture of human rights’ means only that the structure, the actions, and the responses of an entire society are informed by and based upon human rights. Within a ‘culture of human rights’, in fact, cultural and religious diversity enjoys protection indirectly by means of the individual rights of all human beings.

Music Contributes to Building a ‘Universal Culture of Human Rights’

The concept of a ‘universal culture of human rights’ provides a theoretical perspective for the examination of a possible contribution by music to a better realization of human rights. By taking into account the characteristics and features of music, several elements of the positive potential that music possesses can crystallize (of course, music has also the potential to be abused for propagandistic endeavours, and even for torture, as discussed in several of the contributions to this volume). Indeed, this positive potential of music and the arts is recognized in the UN Declaration on Human Rights Education and Training (2011): ‘The arts should be encouraged as a means of training and raising awareness in the field of human rights’ (Article 6(2)).
'Universal Culture of Human Rights'

**End-In-Itself Element**

‘Music’, from the Greek μουσική, meaning ‘the art of the Muses’ (Liddell/Scott 1968), shares with other arts the characteristic that any question of its purpose is irrelevant (Aristotle 1981, 1338b). Music embodies the reality that human existence encompasses a dimension in which something is done just to be done – without utilitas. This dimension, further, is an embodiment of human freedom: Humans can be free to do something just to do it. Humans are a purpose in themselves. Humans are free.²

**Emotional Element**

It is perhaps the definition of paradox – though it is almost universally acknowledged to be true – to attempt to explain in words the capacity of music to express or achieve what words and even thoughts often cannot. Music can open hearts and unite people, whether through playing music or listening to music (Fóscolo 2008). Often, for example, in an ensemble, musicians of different origins, with different cultural, traditional, or religious backgrounds, and with diverging world views come together and communicate in a harmonious way through the global medium of music. This phenomenon suggests strongly that music has the potential to contribute to a coexistence free of violence and marked by cooperation, diversity, and respect.

Music seems sometimes to represent a universal language, which may help explain its power to open people’s hearts. Concretely, a piece of music that tells a story about a human rights violation can raise feelings of injustice, of anger, and of urgency to do something about it. In conflict- and post-conflict contexts, the ‘emotional element’ can overcome political, cultural, religious, ethnic, and other boundaries and lead to a shared experience of creating and performing something beautiful. A living example of this peace-making potential is found in the West-Eastern Divan Orchestra, founded by Daniel Barenboim and Edward W. Said (see Barenboim and Said 2004). This shared experience can lead to a common ground beyond all prejudices and stereotypes, which then can be the starting point for processes leading to the reduction and elimination of discrimination, racism, and anti-segregation and to the shared understanding of ourselves as human beings and, thus, as holders of the same inalienable rights.

**Thematic Element**

Music can contribute in an extraordinary manner to a ‘universal culture of human rights’ by fostering more informed and committed right-holders and duty-bearers due to its extraordinary potential to engage and unite people. But music can also communicate specific ideas. Throughout human history, music has served the expression of personal, religious, and cultural messages representing a variety of world views. For example, Johann Sebastian Bach often wrote music to celebrate his God. Political messages of different epochs have been transmitted by music. Music has supported struggles for dignity, equality, and justice and against racism and discrimination. Indeed, Ludwig van Beethoven sometimes wrote music to educate people about civil society, and the idea of music contributing to the making of good human beings goes back to Plato in the Golden Age of Greek philosophy and literature (1989, 401e).

**Ideal Society Element**

Human rights have a social dimension in that they are rooted in a conception of the individual as a member of a collective (see e.g. Article 29 of the Universal Declaration of Human Rights of
The interplay between the individual and the collective can be experienced/embodied, for example, in a collective of humans playing music. On the one hand, an ensemble depends on the self-fulfilment of the individual; to flourish, however, it also depends on each individual enjoying the respect of the others, as well as on the cooperative efforts (harmony) among them. For these elements to be fulfilled, the diversity, the uniqueness of every individual musician must be appreciated: the collective depends upon the characteristics, talent, and capabilities of every member. This means that everyone has to listen to the others and try to understand their contribution to the common construction/embodiment of a piece of art. On the other hand, a collective of humans playing music also depends upon the respect of each individual for the group as a whole in order to produce, collectively, an outcome that is successful for the entire community. This quality is best demonstrated in ensembles that are small enough (or sufficiently brave and engaged) to do without the services of an authority figure such as a conductor – namely, duos, trios, quartets, and even the occasional chamber ensemble.

A collective of humans playing music can represent an ideal humanistic society oriented to human rights values and principles, wherein the equality and the diversity of all are respected. Such a microcosm can embody human rights principles and can constitute a sphere for processes that pursue the aims of equality, freedom, and respect. This is not to say that such is the case in all ensembles and all ensemble experiences as they are actualized. It is well known that members of musical ensembles, like the rest of us, do not always work together in spiritual ‘harmony’ – whether they achieve this quality in their music or not – and that some orchestras are hierarchical, some musical interpretations win out over others through power game, and that discrimination can occur in the processes that determine who become ensemble members or leaders. Nevertheless, a collective of humans playing music possesses, conceptually, the positive potential to fulfil a ‘universal culture of human rights’.

**Right to Cultural Life Element**

As human rights protect the essential aspects and areas of human existence, culture, cultural life, and the practice of culture (including music) are protected – as something to which an individual has a right. Or, as stated in the 1948 *Universal Declaration of Human Rights*, ‘Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits’ (Article 27). The ‘right to culture element’ enables a concrete experience of cultural life, linking it directly with the corresponding specific human right. This can serve as an example of what human rights are, of what they protect, and of the reasons behind human rights.

**Beneficial Element**

The relation between music and human rights, moreover, can include a ‘beneficial element’ – best known from the model of a ‘benefit concert’, where the proceeds are used to support human rights. This model is in fact premised on the perception of violations of human rights leading to recognition of one’s own responsibility for ensuring human rights and on the acknowledgement of the possibility of contributing to a ‘universal culture of human rights’. (In this sense, the monetary contribution is incidental – though in practice it is typically much needed!) This opens a door for all societal actors to live up to their obligations corresponding to human rights from an ethical perspective.
Dignity and Autonomy Element

The idea of being the subject of one’s own existence and not the object of others’ deeds or wills builds a key principle of human rights, which protect every human as a right-holder in his/her dignity and autonomy. Music offers the opportunity to elaborate this element by celebrating human dignity as well as the autonomy of every human, giving the individual the chance to contribute as a subject with her/his own individual contribution to a collective that is trying to achieve musical enjoyment and/or excellence. This respect for the single subject as an important part of the collective – this recognition of the individual contribution, this lived equality in a collective of humans playing music – can change the life of an individual, endowing it with new meaning. Furthermore, the sensation of being part of such a music process and contributing as an individual with one’s unique characteristics and specialties can raise self-confidence and fundamentally alter the perception of the self.

Biographical Element

As will be well known to readers of many of the chapters in this volume, there are many cases of composers, conductors, or musicians putting their lives at the service of the implementation and realization of human rights, and many have faced persecution and even untimely death. This ‘biographical element’ strengthens the link between music and human rights. It also can help people to relate to struggles around human rights – by starting from an individual story, an individual fight. This aspect also demonstrates how the universality of human rights grows out of particular contexts.

Historical Element

Music can provide the melody and rhythm for historic events. Music can be the voice of protest. Music can be the sound of paradigm change. Music can sound the resounding note of development. Listening and playing music that is linked to a specific historic event opens the door to insight into that time period, which then can be reflected from a human rights perspective. For example, Mozart’s opera *Le nozze di Figaro* echoes some of the ideas of the French Revolution, and American blues music derives in part from songs of slaves, with lyrics often portraying oppressive social conditions and racial discrimination (see Etterlin and Antonelli 2010). A ‘universal culture of human rights’ can benefit from music’s historical element, which accentuates the significance of the unique contributions of all societal actors to the realization of human rights.

Outlook

The realization of human rights must conform to the principles of human rights, including equal access for all and processes that are participatory and non-discriminatory. At the same time, the realization of human rights must be contextualized: respecting cultures, traditions, civilizations, religions, and worldviews. These are the key elements of a ‘universal culture of human rights’. Music, as elaborated earlier, possesses characteristics and features that contribute immensely to such a culture. Indeed, music can deploy an overwhelming power in the service of a ‘universal culture of human rights’ – partly because it can do so even in complex settings, in difficult contexts. Today, such contexts abound: in fact, it seems almost as if they were becoming the norm rather than the exception. Thus, now more than ever, it is crucial to realize that the power of music can make a positive difference in this troubled world.
Notes

1. The author has contributed as a consultative expert to the conception and development of the UN Declaration on Human Rights Education and Training (2011) during the entire preparation process.

2. This focus on music in its most absolute sense is not meant to deny the fact that, in most of its manifestations, music is instrumentalized in some fashion — as a means to empowerment, a refuge, a source of reification of identity, or as a medium of protest, communication, therapy, or even torture. Again, however, such uses are specifically treated in many of the other chapters in this volume and are thus not further elaborated here.

References


