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# How to Build a Culture of Human Rights in the Era of Populism: Reflections From the Human Rights City of York (UK)

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[journals.sagepub.com/home/sls](https://journals.sagepub.com/home/sls)**Paul Gready** *University of York, Research Centre for the Social Sciences, UK*

## Abstract

This article analyses how to build a culture of human rights in the era of populism. The UK, and the York Human Rights City initiative, provide a case study. The article draws on a human rights practice methodology, activist practices and broader social processes and practices, both in York, to analyse the potential of the ‘local’, and in particular cities, to develop a human rights culture. It argues that such a culture needs to go beyond current responses to populism, notably a focus on values and framing (a variant of ‘if only people knew’), to draw on thicker components of culture (history and place, rather than law and institutions). Interviews with artists in York as a proxy for wider public engagement suggest an enduring disconnect with human rights but also that meaning-making, co-creation, not just better communication, is needed to build a culture of human rights.

## Keywords

human rights cities, human rights practice, social processes / lived experiences of human rights, culture of human rights, the local, populism

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## Introduction

In the last decade, populist politics has generated huge challenges for human rights. Such politics is underpinned by emotion and personal belief (sidelining facts), ‘fake news’ (disinformation and hoaxes), and challenges to the authority of expert knowledge, including from NGOs (Neuman, 2020). One outcome of populism’s rise has been an awareness that conventional approaches to human rights are under siege, due in large measure to a disconnect from core audiences (Alston, 2017). This disconnect relates to perceptions of accessibility, relevance and relatability, particularly among the general public, and has been widely experienced across the social justice sector (e.g., Frameworks Institute in partnership with the Joseph Rowntree Foundation (2018), on poverty). This article analyses this disconnect – specifically the challenge of making human rights meaningful in local settings and addressing knowledge deficits and misconceptions about human rights – as the backdrop to the challenge of building a culture of human rights.

The recent context for human rights work in the UK has been particularly difficult, with Brexit, austerity and populist politics all fueling a shrill, divisive and often poorly informed public discussion. Both political party and media commentary (Donald et al., 2009: 178–182; Joint Committee on Human Rights, 2018: 40–42, 48) have epitomised these qualities. Further, human rights have often become a ‘proxy’ or scapegoat for other concerns e.g., hostility towards Europe, often wrongly identifying the European Union as the source of the Human Rights Act (HRA) (Department for Constitutional Affairs, 2005: 30). The Human Rights Act (HRA: 1998), in fact, incorporates the rights set out in the European Convention on Human Rights (ECHR) into UK law. The European Convention of Rights (ECHR) was drafted by the Council of Europe and is the cornerstone of its activities.

This article identifies cities, and specifically the city of York, as an entry-point to develop a culture of human rights. York became the UK’s first Human Rights City in April 2017, after the 2016 Brexit referendum and as the ruling Conservative Party became increasingly populist in orientation. Despite this hostile environment, York’s declaration secured the support of the four main political parties in the city – the Conservative Party, the Labour Party, the Liberal Democrats and the Green Party – and widespread engagement from civil society groups. The declaration followed a 6-year civil society-led campaign by the York Human Rights City Network (YHRCN), a civil society partnership, co-hosted by York CVS (Centre for Voluntary Service) and the Centre for Applied Human Rights, University of York, where the author of this article is based. Most other members of the Steering Group come from civil society organisations in the city. The drivers of this campaign envisaged the human rights city status as an attempt to set the city against national-level developments. As such, this article explores through a case study whether efforts to create a local culture of human rights can counter populist national-level politics.

The methodology of the article uses a ‘human rights practice’ lens in two related ways. The first shifts the focus from classic parameters of human rights analysis – the law, the state, victims-violations-remedy – to rather interrogate ‘how actors operationalize, perceive, advocate for and engage with the idea of human rights’, and views human rights through action, rather than simply as legal norms (Dudai, 2014: 390). The

second, largely anthropological literature, advocates for studies of ‘social processes of human rights implementation and resistance’ (Merry, 2006: 39) and the ‘lived realities’ of human rights ‘wherever and however’ they take shape (Goodale, 2022: 11). In relation to activist practices the article draws on participatory action methods through the author’s leadership role within the Executive of the YHRCN and the think tank-like functions performed by the Centre for Applied Human Rights, University of York, for the network. With regard to social practices and processes, as indicators of a possible culture of human rights, the article both evaluates the outcomes of York becoming a Human Rights City and analyses interviews with artists as an entry point to whether human rights are used by socially engaged and community-oriented constituencies in the city.

In the large literature on the HRA and human rights more generally in the UK there is surprisingly little that focuses on the core themes of this article, routes to establishing a culture of human rights, human rights in local settings and public knowledge about and perceptions of human rights. The article addresses these themes in turn, before analysing activist and social human rights practices in York.

From these components, the article makes three arguments. First, that an important way to breathe new life into building a culture of human rights is by focusing on local settings like cities, rather than relying on conventional top-down approaches, such as the trickle down of law or the ripple out from capital cities. The second argument is that attempts to-date to repair the human rights disconnect, such as a focus on values and frames, are necessary but not sufficient to create a human rights culture. To thicken this culture requires going beyond the assumption that the problem can be addressed by better communication, which is a variant of the well-established ‘if only people knew’ approach to human rights disclosure and reporting. The third argument is that attempts to establish a culture of human rights need to build from the thicker components of culture (such as history and place) towards law and governance, rather than the other way round, and be based more on an invitation to participate in processes of human rights meaning-making than the proclamation of human rights as if they are self-evident truths (Alston, 2017).

## What Is a Culture of Human Rights?

Culture is one of the ‘most complicated words’ in the English language (Williams, 2015: 63). In the context of this article, culture is perhaps most persuasively defined as a way of life, values, beliefs, everyday ways of behaving and relating to people, that includes elements of both continuity and change. It is not immediately obvious why the term culture should be linked to human rights. Normally the focus in human rights is on whether governments violate human rights, on victims, violators and remedies, on methodologies of naming and shaming and so on. A line is drawn between the individual and the state in a way that bypasses culture. This section identifies four conceptualisations of a human rights culture: culture as agency; culture as legal and institutional action; culture as awareness (legal consciousness); and culture as subjectivity (minority vs. majority concerns).

Culture (as cultural relativism) has historically often been seen as an impediment to the realisation of universal human rights. Cowan et al. (2001: 4–8) describe this relationship as *culture versus rights*, where rights are seen to ‘entail a denial, rejection or overriding of

culture' (4).<sup>1</sup> Anthropology has moved on from this stand-off to focus instead on the above mentioned 'social processes of human rights implementation and resistance... Instead of asking if human rights are a good idea, it explores what difference they make' (Merry, 2006: 39). A recent iteration of this approach is Madhok's (2022: 12) 'vernacular rights cultures', which 'arise as subaltern mobilisations and movements make demands for rights that are inflected by their particular literal and conceptual languages, cultures, histories and political contexts of struggles'. Such an understanding of culture is generative, of agency, rights, subjectivities and practices. The YHRCN works with the grain of this argument that culture and locality can be a productive source of rights claims and discourse.

In contrast, official attempts in the UK to define a culture of human rights in the aftermath of the HRA articulated the term in primarily legal and institutional terms, as a foundation for the work of public authorities and the delivery of public services for both the duty bearers and rights holders e.g., Joint Parliamentary Committee on Human Rights, 2018: 39–45; Department for Constitutional Affairs, 2005: 11–14. There were also calls for human rights education and public legal education, accompanied by acknowledgement that there is very little coverage of human rights in schools (Joint Parliamentary Committee on Human Rights, 2018: 44–45). In a similar vein, an early review of implementation argued that the HRA was shaping policy formation and outcomes in a positive way (Department for Constitutional Affairs, 2005: 4, 19–28). These official documents essentially envisage human rights culture as a form of top-down governance, led by lawyers and government officials, with little or no sense of how a wider culture of human rights might be created. The creation of the Equalities and Human Rights Commission, through the Equality Act of 2006, well after the passing of the Human Rights Act (1998), also illustrates the lack of priority given to implementation and creating a human rights culture. This approach is not unique to the UK, the South African Truth and Reconciliation Commission was tasked with enhancing a political culture of human rights, and pursued this mandate in largely institutional and governmental terms (TRC, 1998: 311–312; also Gibson, 2004).

The question of wider public awareness is addressed in the legal consciousness literature, which suggests that rights consciousness is often driven by the experience of violation and develops in relation to 'identity' (individual subjectivity) or 'mobilisation' (collective agency) (Chau and Engel, 2019). In the UK, consciousness in relation to the HRA has been created through 'identity' and 'mobilisation', for example, on the back of securing equal rights for gay couples and the truth for families affected by the Hillsborough football disaster,<sup>2</sup> but such cases are likely to be a necessary but not sufficient condition to create a human rights culture. Rather such cases speak to an 'on/off the shelf' quality to engagement with human rights by marginalised groups and those whose rights are violated, in exceptional circumstances, at best a 'thin' version of human rights culture.

The degree of public awareness and use of human rights overlaps with the notion of culture as subjectivity, or what subjectivities are created and recognized in rights claims. Kate Nash (2005), drawing on newspaper coverage of the Civil Partnerships Act (2004), has argued that a communitarian rather than individualistic approach to developing a culture of human rights has emerged in the UK, at least in relation to sexual minorities.

By communitarian she means a pragmatic culture of dialogue, compromise, relationship building and negotiation of solidarity across difference, rather than a principled culture of individual freedom in which rights, such as the right to be different, are asserted against the majority. Nash favours the latter, labelling it more 'radical' (336). The tension between human rights as non-discrimination and a trump card that minorities hold against majoritarian power on the one hand (akin to the on/off the shelf dynamic described above), and human rights as universal and for everyone on the other, speaks to two very different understandings of what a human rights culture entails.

In sum, a culture of human rights can be defined by location or site (as locality- and place-based, or rooted in law and institutions), as the rudiments of a theory of change (bottom up or top down; forged through violations, identity, or mobilisation), or by target population (protection of individuals and minorities or communities and the majority). One core tension in these definitions is between human rights culture as predicated on the HRA, on law, the state, public policy and governance and as recent in origin; and a wider, more activist and social understanding of such a culture, with a much longer history. This article explores the potential to develop a human rights culture within a specific local context, cities.

## **From the Local to the City**

Attention to 'the local' in human rights scholarship has been driven by a range of factors, not least a felt need to counter the dominant focus on the international and the state as levels of analysis and routes to change. De Feyter and Parmentier (2011: 1) argue that the local level is where human rights crises and abuses occur, and where 'the possession of human rights either proves real or illusory'. Others have underscored this point, emphasising the importance of the local for human rights implementation. For example, most socio-economic rights while shaped by national policy and funding decisions are dependent on forms of service delivery at a local level, and delimiting a narrower geographical area provides the 'manageable specificity' required to look at rights implementation in an intersectional way (Gready and Lockey, 2019: 386). A final reason for the rise of the local is that it aligns with a set of constructivist approaches to human rights (Gregg, 2012), such as 'bottom-up' perspectives, emphasising claim making from below (de Feyter and Parmentier, 2011: 2–3), and actor-oriented approaches (Nyamu-Musembi, 2002). Social constructivism provides a theorisation of activist and social human rights practice, identifying the local as a generative site of rights innovation and creation (meaning-making).

The local, therefore, can be understood in two main ways in relation to human rights, both of which align with elements of a human rights culture outlined above - as a site of (local) governance, accountability and implementation; and as a site of action and activism, and a place-based community and maker of rights-related social practices. An understanding of human rights that gives more agency to local settings need not degenerate into relativism or particularism. Local (or vernacular) rights cultures will resonate with histories, cultures and political contexts elsewhere, and as such can be both local and transnational (Dunford and Madhok, 2015).

In the UK the turn to the local by the human rights mainstream has been belated and piecemeal (Casla and Dalmeny, 2019; Global Dialogue, 2019). Mainstream UK-focused practice remains capital city-centric, law-based and focused on national (and devolved) government. While localised initiatives have proliferated, examples include the Belfast-based Participation and Practice of Rights Project and the Social Rights Alliance in the North-East of England (Global Dialogue, 2019; Marshall et al., 2014), the overall landscape of human rights practice in the UK is under-studied and under-utilised, for example as a means to contest the negative national-level political and media discourse about human rights and to learning about different ways of working on and thinking about human rights.

While the local provides a useful way to think about human rights differently, it is not an unproblematic category (Merry, 2006: 39–40) as it is not always clear how it differs from related terms, such as community, or what its specific qualities are. One route to greater concreteness is to focus on cities. Anchorage in the city retains familiar elements of human rights, notably access to (local) government as a source of accountability and implementation. It also holds the promise of helping to address two core challenges facing human rights in the populist era: legitimacy and effectiveness, due to the key role of local government in service delivery, and the relatability and proximity of the issues addressed e.g., local schools and hospitals (Oomen and Baumgärtel, 2018: 609, 614). Finally, as illustrated in the case of York, in the current political context human rights may be able to secure greater purchase in the more progressive micro-politics of cities than at a national level, as illustrated by city-led initiatives relating to refugees and climate change (Durmuş, 2020: 37).

Engagement with human rights at a city level has taken various forms, over several decades, from the ‘right to the city’ movement championing the radical collective right to participation and to public space and property within urban settings (Harvey, 2012), to the ‘human rights cities’ movement, which seeks a more reformist agenda of political and institutional change (Oomen et al., 2016). While human rights cities are a global phenomenon, the greatest number are located in Europe and North America (Oomen et al., 2016). As yet, there is no template for becoming a human rights city and no entity to approve the designation. Oomen (2016: 7–8) notes that there are ‘many different ways of being a human rights city... In all cases, the identity of a human rights city is subject to on-going negotiations among a variety of stakeholders’. York very much fits this model, as the city declared itself a Human Rights City in 2017, when the YHRCN and City Council felt there was sufficient support for the idea.

The ‘movement’ of human rights cities has reached a critical juncture: the lack of standardisation has led to innovation (‘new ways of talking about human rights’ and ‘novel practices’ - Oomen, 2016: 12, 14), but also uneven commitments and results; greater standardisation may enhance consistency and accountability but could also quash local experimentation. The European Union Agency for Fundamental Rights (EUFRA) is seeking a degree of standardisation for European human rights cities, by employing a framework of ‘foundations’ (mainly, international human rights law), ‘structures’ (such as declarations, institutional structures, access to remedies) and ‘tools’ (including rights-based programming and impact assessments) (EUFRA, 2021). The YHRCN has remained outside this initiative, in part because of its prioritisation of

laws, structures and tools rather than a social and activist understanding of human rights practice and culture.

The potential of local government as a human rights actor derives from its dual or bifurcated legal identity. On the one hand, it is a (sub-)State actor, and the lowest administrative unit within the State, and as such assumes human rights responsibilities in law. On the other, local government can behave as a non-State actor, largely outside the State-based architecture that generates international human rights law, and therefore as the potential site of autonomous activities, practices and norm generation (Durmuş, 2020: 38–41).

Durmuş's (2020: 41–51) framework for local government engagement with human rights begins with their contribution to the *formation* of human rights, where it directly contributes to law-making at a national or international level. Cities contribute to *implementation* when they act as duty-bearers and seek to realise human rights norms, for example by adopting international treaties at a local level; to the *coordination* of human rights, when they use their role as facilitator within wider governance structures to, for example, enhance service delivery; and to the *dissemination* of human rights where they seek to engage with new audiences and issues. All of these roles sit comfortably with local government as an organ of the State. Through their identity as a non-State actor local government pursues the *defence* of human rights when it counters national government policies on local, national or international issues, for example in relation to refugee reception and integration. *Contestation* overlaps with *defence*, but extends questioning beyond the policies of the State to challenge processes of law-making and the content of human rights law. Human rights practices in York have encompassed most of these functions.

Before moving on to analysing York as a human rights city, one crucial element of the national picture is discussed below. Knowledge and perceptions of human rights are central to related activist and social practices, and to creating a local culture of human rights.

## Knowledge and Perceptions of Human Rights in the UK

Knowledge of the HRA, and human rights more generally, remains very low, and both misconceptions and negative perceptions are widespread. A 2005 study by the Department for Constitutional Affairs (2005: 7) stated that the HRA 'remains on lawyers' desks'. High levels of familiarity with the HRA are ghettoed within particular professional groups (lawyers, police). Studies have documented low levels of knowledge of human rights among specific population groups (children and young people, disabled people, older people, black, ethnic and other minority groups) (Department for Constitutional Affairs, 2005: 24–30; also see Vizard, 2010); and by sector (public service staff, service users, general public) (Donald et al., 2009: 161–183). A 2009 study by the Equality and Human Rights Commission (EHRC) found that 58% of people knew 'nothing at all' or 'not very much' about human rights, 36% 'a fair amount', with only 4% knowing 'a great deal'; while 29% knew 'a great deal' or 'a fair amount' about the HRA and 58% knew 'very little' or 'nothing at all' (Kaur-Ballagan et al., 2009: 17, 21–22, also 48–51). A further study by the EHRC found that knowledge of human rights shifted very little in the next decade (ECHR, 2018).

Literature from within the human rights community also laments a litany of misconceptions about the HRA. These include the perception that it was imposed by the European Union and over-rides UK sovereignty, specifically the UK Parliament and judiciary; protects the undeserving, notably criminals and refugees, or, in contrast, the elite and celebrities (for example, protecting their right to privacy); relates to extreme abuses, such as torture, and is irrelevant to most people's everyday concerns; and epitomises political correctness, rampant 'wokery', and contradicts 'British' values (Department for Constitutional Affairs, 2005: 29–31; Donald et al., 2009: 170–178; Kaur-Ballagan et al., 2009: 43–48). This same body of work also acknowledges that the public has concerns that cannot be labelled misconceptions, such as the implications of complex human rights trade-offs and conflicts for implementation (Kaur-Ballagan et al., 2009: 34–35, 49). Efforts to shift perceptions and increase public support for human rights have tended to focus on the undecided 'missing middle', in other words, those who are conflicted, neutral or ambivalent (about 40–50% of people), setting aside the smaller groups who vehemently oppose or support human rights as either beyond reach or already on board (Equally Ours, 2015: 4; Joint Committee on Human Rights, 2018: 39–40; also see EHRC, 2018: 4–5).

These research findings find some parallels in other European Countries. For example, Oomen and Van Den Berg (2014: 181–183) argue that in the Netherlands knowledge about human rights is low, with perceptions shaped by a sense that human rights apply to foreign places and severe violations (not an affluent welfare state), and are polarising and politically divisive. This makes human rights 'a less attractive and less strategic vocabulary to advance social justice' (181), with frames such as 'equality for all' or 'every person counts' sometimes preferred (183; see Mertus (2009: 21–24) for similar arguments in relation to Denmark).

Existing research identifies four main rays of light in this otherwise bleak picture. First, when human rights or the HRA are broken down into their component parts there is more public support, for example for particular rights (Donald et al., 2009: 175; EHRC, 2018: 5–6; Kaur-Ballagan et al., 2009: iii, 22–23, 35–43; Vizard, 2010). Socio-economic rights are highlighted as popular with the public (Vizard, 2010: 10), and commentators have suggested that linking human rights to socio-economic concerns and the everyday would help build public support (Bell and Cemlyn, 2014; Marshall et al., 2014). Second, there are groups or categories of people who support human rights more than others. Support has been found to be higher among younger people and more affluent and educated socio-economic groups (Kaur-Ballagan et al., 2009: 15; Vizard, 2010: 11–13). Vizard notes:

socio-economic variables (highest educational qualification, social class, income and area deprivation) were found to be having a more influential role as 'drivers' of public attitudes towards human rights, rather than 'social identity characteristics' (such as gender, ethnicity, religion and belief, and country of birth) and geographic variables (such as geographical region). (2010: 13)

Troublingly this suggests that human rights have least support among socio-economically vulnerable and marginalised groups who are likely to need them most.

Some studies indicate that support is also higher in certain parts of the UK, with Scotland and Northern Ireland boasting higher levels of support than England (Joint Commission on Human Rights, 2018: 40). It is worth stressing that devolved government and divergent political histories have led to different opportunities for creating a culture of human rights in Northern Ireland, Scotland and Wales. Third, the values and principles underpinning human rights are very widely seen to be significant (Kaur-Ballagan et al., 2009, see below for a discussion of this issue). Fourth, attitudes to human rights can be changed, and are often more positive the more people know and if opportunities to discuss human rights issues are provided (Counterpoint et al., 2016: 20, 28; Donald et al., 2009: 162, 183; Kaur-Ballagan et al., 2009: 26).

One significant response to the human rights disconnects, particularly with regard to the ‘missing middle’, has been to pay more attention to values and framing as a means of enhancing support for human rights in the UK. Analyses of values, understood as the underlying principles that inform people’s opinions and behaviour, make two main arguments. First, there is widespread public support for a set of core values that underpin human rights, and such values provide an entry-point for building support for human rights among the ‘missing middle’ (Shenker-Osorio, 2018: 8). A simple list of bedrock values includes equality, justice and fairness (Equally Ours, 2015: 6, also see Kaur-Ballagan et al., 2009: iii, 8–14, 24–33). A second argument seeks to counter the perception that human rights are adversarial and dominated by negative stories by suggesting a greater focus on positive stories and language, and the need to articulate what the human rights movement is for (and not just what it is against) (Counterpoint et al., 2016: 3; Equally Ours, 2015: 7–11; Global Dialogue, 2019; Shenker-Osorio, 2018: 7–8). This argument has led to a number of organisations showcasing success stories and positive cases involving the HRA (see endnote 2).

Frames are forms of argumentation that help people organise information and make sense of the world. Two studies of values and framing, by Equally Ours (2015) and Counterpoint et al. (2016), reached broadly similar conclusions, notably that in addition to emphasising positive values and stories human rights messaging should emphasise repetition (making links to core values and everyday life), and use inclusive language (‘we’, ‘us’, ‘ours’). Some of the findings of these studies are more controversial, such as the claim that human rights should be advanced by frames such as ‘promoting tradition and patriotism’ (human rights are part of a British tradition of fairness and justice) and ‘defending British democracy’ (human rights enhance sovereignty by enabling people to make claims at home, and that this potential buttresses democracy) (Counterpoint et al., 2016: 17, 22–23).

Such arguments ‘speak rights’ to populism, moving away from a human rights of facts and law to a human rights comfortable with using emotions as the ‘language of values’ (Hamilton, 2023).<sup>3</sup> They also suggest the need to look beyond the HRA as a trigger for knowledge and understanding of human rights, to a conception of human rights with broader and more longstanding links to social, cultural and political processes. It is important to note before moving on that the assumption made in the literature and practice about values and frames is that human rights face a communication problem, a highly professionalised, and often legal, language needs to be broken down into a more accessible and appealing essence (Counterpoint et al., 2016; Equally Ours, 2015). This is a

variant of the classic human rights argument and assumption: 'if only people knew', they would behave differently, enact better policies, and so on. This article argues that rethinking values and frames is a necessary but not sufficient condition for creating a culture of human rights, drawing on the case study of human rights practice in the city of York.

## **York as a Human Rights City**

York is a city of just over 200,000 people in the north of England, with a rich Viking and Roman history, in which an economic legacy from the railways and confectionary overlaps with a contemporary reliance on the service sector and tourism. Over the past decade, its voting patterns and local government have always been out of sync, and more progressive, than national politics. As the YHRCN began its activities in 2011, it quickly became clear that findings in national level studies about knowledge of and perceptions towards human rights were largely reproduced in York. Further, many of the (mis)perceptions highlighted in national studies were also replicated at the local level, including the view that human rights are adversarial, political, for other people (prisoners, refugees) and faraway places, and not relevant to people's everyday lives and work.

This section analyses the evolution and effectiveness of the human rights activist practices developed by the YHRCN, informed by participatory action methods. As a member of the YHRCN's Executive the author of this article participated in key meetings and events, and played a leadership role in developing the network's strategic thinking, notably through the 'think tank' functions provided by the Centre for Applied Human Rights for the YHRCN. From early on practice was informed by a desire to experiment and innovate. Given the combination of ignorance and polarisation surrounding the HRA the network foregrounded process over the law, and specifically the PANEL principles, which originated in international development but are now used in a wide range of settings because they are more readily translatable into policy and practice (participation, accountability, non-discrimination, empowerment, and the law). Many of the principles were familiar to local stakeholders. A culture of human rights was pursued by relating human rights practices to the local context and everyday concerns; highlighting a positive vision of rights, as aiding problem solving, providing protection, and enhancing policy-making; and seeking a strong working relationship with the City Council, summarised as 'collaborating when we can and critiquing when we must'.

An annual Indicator Report produced by the Centre for Applied Human Rights for the YHRCN exemplifies the approach to human rights practice.<sup>4</sup> Five priority rights were selected via a survey of members of the public and interviews with local NGOs, with indicators added through a mix of focus group discussions, expert advice and a review of available data. Residents overwhelmingly prioritised socio-economic rights, such as education, health and social care, housing, a decent standard of living, and non-discrimination and equality as a cross-cutting concern. Particularly in the network's early years, the focus on rights that affect everyone was less politically contentious, and harder for politicians to dismiss, than addressing minority rights, and provided a means to build momentum and a support base in the city within a hostile national context. The report, now in its eighth year, is written in plain English using visual

representations for data, such as graphics, and is illustrative not exhaustive, providing a snapshot of core issues and cross-cutting patterns, e.g., inequality in the city. It is a platform from which the YHRCN makes recommendations, collaborates, and holds to account and critiques.

Two further elements of YHRCN's approach merit discussion. Both relate to the use of values and frames. In the lead-up to the 2017 declaration, the network commissioned a local PR firm, Plump, to work on a communication strategy.<sup>5</sup> During the meetings to inform the strategy network members were told repeatedly by Plump staff members that the language of human rights is opaque and inaccessible. The outputs, illustrated by the 'Our Values' document in the Appendix, align closely with the wider literature on values and frames. In this text there is no reference to the HRA or international human rights law. Among the core values mentioned are dignity, fairness, and equality, and these are wrapped in language that is both inclusive ('we', 'us', 'our') and positive (act, collaborate, transform, lead, support and trust, as opposed to victim, violation, perpetrator, and suffering). There is also a sense of local pride and sovereignty, through references to our 'history' in championing social justice causes 'in York'.

This final point deserves discussion as a second component of the values and frames strategy. Rather than reaching up to national and international law to make the case for human rights in the city, the YHRCN has reached back in time, to draw on aspects of York's history to argue that 'this is what and who we are'. This history includes democratic innovation (in 1212 York celebrated 800 years since it was granted its Royal Charter by King John, representing the start of local decision making and democracy in the city); philanthropic support for social justice, notably through the Rowntree family and foundations; as well as influential faith communities and an international outlook buttressed by tourism and two universities. While clearly a selective reading of York's history, such points of reference helped to create a narrative in which becoming a Human Rights City was a logical next step in an unfolding local story and aligned with the conceptualisation of a human rights culture as informed by activist and social practices over a long and rich history.

Further, while York's Human Rights City status has been driven by a civil society network, this bottom-up impetus has been complemented by a more top-down, City Council involvement, and the 'institutionalisation' of York's Human Rights City status. A Human Rights and Equalities Board (HREB) was created after York became a Human Rights City in 2017, with a chair from the ruling Executive, party political representation, YHRCN participation, and other key stakeholder involvement. HREB's role was mainly to consider recommendations in the YHRCN's Indicator Report and look at ways of mainstreaming human rights within the Council. An example of mainstreaming is the development of a Human Rights and Equalities Impact Assessment tool for policy formulation and review, and associated training for City of York Council staff (CAHR/YHRCN, 2021). That there are red lines or limits to YHRCN's collaboration with the Council was demonstrated by its withdrawal in 2021 from HREB in the aftermath of a decision by the then-ruling Liberal Democrat-Green coalition to exclude Blue Badge holders - a Blue Badge is a permit for people with disabilities enabling them to park on the street or in designated disabled parking spaces - from the city centre on the grounds that vehicles pose a terrorist threat.<sup>6</sup> A new Labour Party

administration, which won a narrow majority in the May 2023 local government elections, has reverse the ban, and the YHRCN is now re-engaging with the Council on city access issues and a relaunched HREB.<sup>7</sup>

The YHRCN has also focused on minority and group rights, for example delivering a programme called *Community Voices* for the Council, which sought to engage with populations not normally reached by consultation processes and to empower agenda-setting by these populations e.g., homeless and disabled people. It was involved in establishing the York Disability Rights Forum (YDRF) and supported the Reverse the Ban campaign (in relation to the Blue Badge exclusion from the city centre), supports York Disability Week, York International Women's Week, the York Poverty Truth Commission, and the drive to make York an Anti-Racist City, and lobbies for the accommodation needs of Gypsies and Travellers to be adequately met through the Local Plan.

The work of the YHRCN in York suggests a set of human rights activist practices intended to create a culture of human rights in the city. These include a bottom-up constructivist and participatory approach; focusing on values and frames to explain and invigorate human rights norms and principles; emphasising ownership in local history and place before reaching out to national and international justifications; prioritising economic and social rights as an entry-point to build support for human rights; addressing majority concerns to generate the social and political capital necessary to address more contentious, minority issues; and stressing collaboration and positive values/cases as an essential counter-weight to critique. This indicates that working with human rights at a local level is a complex, strategic and pragmatic undertaking.

As Durmuş (2020) suggests, the City Council functions as both a (sub-)State actor, for example implementing service delivery, and a non-State actor, opposing national policies and positions on human rights; but it is also the case that *within* the city dynamics of collaboration and critique are reproduced between the Council and the YHRCN. Neither the local authority nor the YHRCN has participated extensively in Durmuş's (2020: 41–51) *formation or contestation* of human rights (law-making or critiques of law at a national or international level). The YHRCN has on occasion submitted documents to parts of the UN human rights machinery. For example, on 28 September 2023 the YHRCN submitted evidence to the Office of the High Commissioner for Human Rights (OHCHR), report on local government and human rights (the submission is available from the author on request). The network has taken the lead on *dissemination*, e.g., the Indicator Report, while the Council drives *implementation* and *coordination* (for example, through the Human Rights and Equalities Board and policy formation). Finally, *defence* of human rights, and the questioning of policies, takes place both within the city, and between the city and national government, in both cases usually led by the YHRCN.

But the question remains: Have the set of human rights practices and strategies chosen by the YHRCN helped to create a culture of human rights in York? There are some positive signs. The Human Rights City designation has survived several changes in political administration, it appears not to be 'regime dependent'. Human rights are becoming more embedded within the Council, if slowly, through training, the Human Rights and Equalities Impact Assessment tool (CAHR/YHRCN, 2021), and the relaunched Human Rights and Equalities Board. Among civil society, human rights awareness is strong in certain sectors, such as among disabled people and groups after the Reverse

the Ban campaign and in child rights and protection.<sup>8</sup> The ‘Human Rights City’ label is often used in public discourse and in the local media, as both a warning against certain actions and a call to arms.<sup>9</sup> As such, the ‘on/off the shelf’ quality of human rights in the city relates both to identity/mobilisation, and to trigger events in local, national and international politics. However, progress has been described by the Chair of the YHRCN as ‘impressive but precarious’.

The final section of this article looks at human rights awareness and perceptions among the wider public, to explore whether the above mentioned activism is fueling human rights as practices, ‘social processes’ and ‘lived realities’, within a broader set of constituencies in the city.

## **Towards a Culture of Human Rights at the Local Level**

Interviews informing this section of the article were carried out as part of the Art Rights Truth (ART) research project ([artrightstruth.com](http://artrightstruth.com)) and were conducted between January and September 2023 in York. ART explores whether collaborations between artists and activists can inform new languages or approaches to human rights in the context of multiple, intersecting crises across diverse global settings, including York. A group of artists is used as a proxy, or entry point, to the wider public and to social processes relating to human rights for several reasons. The artists interviewed represent the ‘missing middle’ with regard to support for human rights. They are socially engaged and community oriented. Further, the artists are doing for the arts what YHRCN is attempting to do for human rights, moving from professionalised, elitist, top-down, detached and inaccessible formats to localised and community-based, bottom-up and more accessible modes of working. Finally, the Centre for Applied Human Rights and YHRCN has engaged extensively for over a decade in culture-based activities in the city, from hosting film festivals to collaborating with local partners on arts-based research projects, and as such the artistic community is one that could reasonably be expected to have been reached by these activities.

Artists and collectives were interviewed about their work, and how they understand their links to activism and human rights. Those interviewed in York were a community artist and visual thinker; two street artists who are part of Bombsquad York; a staff member of a community music and arts venue, The Crescent; members of the Kaizen Arts Agency, whose flagship project is York Design Week; artists at the arts collective, Pica Studios; the key players behind Refill, a cafe and community fridge; and a leading figure in Pilot Theatre, a theatre company that prioritises making theatre for younger audiences.<sup>10</sup> While all of those interviewed are interested in social and political issues, very few explicitly reference human rights in their work. Knowledge of the YHRCN and York as a Human Rights City was patchy at best. The discussion below interrogates why, what can be learned from this sidelining of human rights, and more positively what lessons can be gleaned from artistic practices for strengthening human rights practices and cultures.

## **The ‘Missing Middle’ and Human Rights**

Artists who are aware of and supportive towards human rights in a general sense are actively or subconsciously choosing not to use it as a term or approach. A variety of

reasons emerged as to why this is the case. The first is that human rights are considered *inaccessible* and too difficult to communicate. Interviewees talked of human rights being too complicated, too abstract and conceptual, and too technical: ‘how do you break it down, there is the “door-step” challenge’ (Kaizen). The Community artist summed up the dilemma: ‘The language of human rights is quite a complicated thing, even though it is extremely powerful and liberating. I think the human bit is simple, the rights bit is more complicated’.

Second, human rights are seen as *irrelevant*, as something that affects elsewhere and not places like York. Interviewees contrasted the perceived abstract and distant nature of human rights talk with the concreteness of local issues, arguing that many struggle with connecting the two (Kaizen). Finally, there was a *seriousness* challenge, in that human rights are perceived to be weighty, and artists fear ‘getting it wrong’ (Kaizen, Pilot).

But other observations about rights gesture towards a different interpretation of human rights knowledge and perceptions amongst this cohort. Artists spoke about a sense of *complacency*, human rights are ‘taken as a given’, and people will not appreciate what they have got until their human rights are gone (Kaizen, Bombsquad). There was also a sense that human rights are both embedded and unarticulated:

But I would say in general terms, people might use other terms. I don’t really know why, actually. It’s a really good question... some of these things are about language... Yeah, I guess I wouldn’t say to the team, ‘We’ve got to do this, because it’s about human rights’... So why wouldn’t I say that? I don’t know. Maybe I’d be worried it might sound a bit worthy or something?... But of course, it’s totally about human rights, everything we do is about human rights, I just don’t put it like that. And I have no good reason, really. I’ll go away and think about that now. (Pilot)

The two sets of findings are not unrelated, for example, human rights are seen as irrelevant and as only applying elsewhere because they are taken for granted at home. Although the sample of artists is small, these findings buttress a set of emerging insights relating to human rights work in York. Specifically, they suggest that while applying new thinking about human rights engagement (on values, frames, positive stories) has reached and reconnected with some core audiences, such as people in the local authority and civil society, engaging with a wider public and the ‘missing middle’ will require additional strategies.

## What Can Human Rights Learn from the Arts?

While the artists we interviewed do not explicitly reference human rights in their work, their practices offer entry-points to support human rights practices in both its activist and social forms, and a culture of human rights, at a local level. The discussion below draws on Serafini’s (2022) framework for the functions of engaged art. Three of the functions are relevant to the interview data from artists: *democratisation*, when spaces are needed to talk about issues and explore new ways of thinking; *deconstruction*, when a challenge is needed to the status quo and taken for granted; and *design*, when the need is for new imaginaries and visions, often prefigured in the way art is produced as well as its outputs.

*Democratisation* can be seen to be both inward-looking and external-facing. The inward-looking element of democratisation is captured in comments like the description of creativity is something ‘everyone has got’, and artistic practice as being about ‘making things with people... facilitating creativity between people’ (Community artist). Artists emphasised the importance of lived experience, and taking people’s stated priorities and needs as a starting point (Community artist, Pilot). Building on these insights, artistic perspectives foreground concepts like space, place, presence and encounter, and assume that ‘conversations change’ when people are invited to participate in creative processes of meaning-making (both as creators of culture and as the audience) (Kaizen).

With reference to the external-facing component of democratisation, interview transcripts are full of comments confirming that one role for the arts is to generate dialogue, debate and to build bridges within society. An interviewee at Pilot Theatre said that the arts help people to ‘think harder and feel more, to drill into who we are’, and that we need ‘spaces where we stretch ourselves into imagining what it is like in someone else’s shoes’. The prime movers at the Kaizen Arts Agency talked about their work as being about asking ‘big questions’ and creating ‘a process to break down complex problems’, providing a ‘creative bridge’ between polarised perspectives where the arts can ‘challenge and push’, ‘stretch and pull’. All the artists emphasised that the role of the arts is to get people to think, rather than to tell people what to think. There are elements of *design* in the components of democratisation set out above. These elements largely relate to process, to a way of working that is accessible, collaborative, place-based, discursive, plural and anchored in meaning-making.

Interviewees also reflected on various more *deconstructive* roles that the arts can play. One way of understanding deconstruction is that art implies difference, a different perspective and way of looking at things, a different way of working and engaging with partners, a different relationship with an audience. Another is that art plays with binaries, such as comfort/discomfort, familiar/unfamiliar, centred/decentred, resolution/non-resolution, as a means to unsettle perceptions and perspectives (Bombsquad, Pica). A writer at Pica Studio stated that stories are about ‘resolution, non-resolution’, and through this juxtaposition ‘they provoke your imagination’.

To conclude, these interviews with artists in York confirm a number of the challenges for human rights set out in earlier sections of the article (complexity, distance, relevance), as well as suggesting some potential solutions. At one of our early Art Rights Truth meetings, a team member talked about the importance of seeing human rights as something that is continually in the process of being made. Interviews with artists suggest that human rights activist practices need to create sites, events and encounters that are designed to surface a sense of human rights that is taken for granted and unarticulated among the ‘missing middle’, in short, to turn a negative into a positive, in the form of a new common sense through which human rights as practices, ‘social processes’ and ‘lived realities’ are created that are relevant to people’s everyday lives.

## Conclusion

This article began with a review of the literature on culture and human rights and local human rights. In scholarship and practice these strains of thinking remain too constrained

by old habits, privileging the law and governance, and a belief in the top-down transmission of human rights without a clear strategy for delivery. If, rather, the local is understood as a site of action and a place-based community and maker of activist and social practices, it becomes possible to anchor a culture of human rights in geographical settings, such as cities, linked transnationally, and through a social constructivist theory of change. The local becomes the site where human rights are collectively made, not simply where they land from statutes or governments, to be claimed and implemented.

Poor knowledge of and misconceptions about the HRA and human rights more generally remain widespread in York and across the UK. Efforts to counter these challenges, such as focusing on particular rights and values, have had some success. The work of the YHRCN can be seen as an experiment in human rights practices as a strategy, designed to reconnect human rights with important audiences. The core strategies used by the YHRCN blend mainstream human rights approaches (reports, institutionalising commitments), new thinking (on values and frames, positive stories), and local innovation (participatory reports, institutional design, privileging place and history).

While significant progress has been made in building a human rights culture in York, progress is both 'impressive and precarious'. First, the limitations of new thinking from the last decade, on values/frames, positive stories, etc., are becoming apparent in York. As a variant of a longstanding belief in the human rights sector that 'if only people knew' they would think and behave differently, these approaches focus on rethinking communication rather than more deep-seated change. Evidence from York indicates that these approaches have helped the YHRCN re-engage with a traditional support base and target groups, such as core civil society actors and personnel within the local authority, but have not significantly engaged with the 'missing middle' or other members of the public. Our research with artists suggests both some reasons for this enduring disconnect and potential remedial actions.

A vibrant and reconnected human rights sector requires more than better communication. The artists interviewed for the Art Rights Truth project identified a new set of keywords to inform human rights practice - presence, encounter, space and place. Such engagement should start from lived experience, bringing human rights to the service of everyday priorities and agendas. To enhance a human rights culture both locally and beyond requires such practices of human rights meaning-making, in which people and places become sites of human rights generation and innovation.

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## Notes

1. The three remaining components of their useful typology envisage a more enabling relationship between rights and culture: *a right to culture* acknowledges that culture can be the object of rights claims; *rights as culture* sees ‘rights talk, rights thinking, rights practices’ (11) as a set of cultural processes; and *culture as analytic to rights* explores how rights are made operational and claimed in particular contexts (Cowan et al., 2001: 8–15). The latter two formulations align with human rights and social practices as defined in this article.
2. See Amnesty International UK, at <https://www.amnesty.org.uk/eight-reasons-why-human-rights-act-has-made-uk-better-place-british-bill-of-rights> (accessed 21 November 2023); British Institute of Human Rights, at <https://www.bih.org.uk/get-informed/the-human-rhgts-act-in-real-life> (accessed 21 November 2023); and Liberty, at <https://www.libertyhumanrights.org.uk/issue/22-years-on-six-stories-that-show-why-we-need-the-human-rights-act/> (accessed 21 November 2023).
3. Others have argued that a kind of human rights nationalism has long-standing and more diverse pedigree. Quirk (2011) argues that the anti-slavery movement in Britain was founded not on the idea of equality between races and nationalities, but rather on a conception of British identity grounded in ‘devotion to individual liberty, the exceptional character of their political institutions, and the virtues of Protestantism’ (43).
4. The Indicator Reports can be accessed here, <https://www.yorkhumanrights.org/current-work/human-rights-indicator-reports/> (accessed 22 November 2023).
5. For details about Plump, see <https://studio.plump.agency> (accessed 22 November 2023).
6. The exclusion was contested by a coalition of disability and age-related and allied organisations under the banner of Reverse the Ban. See: <https://reversetheban.co.uk> (accessed 22 November 2023).
7. HREB was chaired by a member of the Executive, whose political party was driving the Blue Badge policy. The Board did not meet in the run up to the final decision and took no position on the matter. YHRCN members felt this irreparably damaged the credibility of the Board. Two changes to the terms of reference of the new Board are worth noting. First, it will be co-chaired by an Executive member and an independent person elected from the Board on an annual basis. The co-Chairs will have equal rights and responsibilities, and either Chair will be able to call a meeting of the Board. Second, the YHRCN will be able to submit a ‘declaration of incompatibility’ to HREB, modelled on a similar provision that the Equality and Human Rights Commission holds at a national level, if it believes that a policy provision violates human rights.
8. For example, see the Realising Children’s Rights Participation Toolkit, Appreciative Inquiry, at <https://padlet.com/jowilliams027/realising-children-s-rights-participation-toolkit-appreciative-hlrvk5ymfiozy4ol> (accessed 23 November 2023).

9. For example, Rachael Maskell, the Labour MP for York Central, frequently references York's status as a Human Rights City. In relation to the Blue Badge exclusion, see The Press, Rachael Maskell to Debate City of York Measures in Parliament, 21 April 2023. Available at: <https://www.yorkpress.co.uk/news/23471705.rachael-maskell-debate-city-york-measures-parliament/> (accessed: 20 December 2023).
10. For more details on the interviewees, see [thecrescentyork.com](http://thecrescentyork.com) (accessed 23 November 2023); <https://www.kaizenartsagency.com> (accessed 23 November 2023); <https://www.facebook.com/PicaStudios/> (accessed 23 November 2023); <https://refillcic.org> (accessed 23 November 2023); <https://pilot-theatre.com> (accessed 23 November 2023).

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## Appendix

### Our values

# C

#### Collaborate

We're a group of local people, including representatives from organisations such as the City of Sanctuary movement, York Citizen's Advice Bureau and the University of York.

**But anyone can get involved and have their say. Get in touch about the issues you're passionate about.**

# A

#### Act

We host events to help people understand human rights and to talk about them. We advise York's decision-makers and we promise to let them know what's important to you.

**Get involved with our events and stand up for human rights by hosting something of your own. We'll help you tell the whole city about it.**

# T

#### Transform

Our vision is that we'll act as a catalyst for York people and organisations to champion a positive culture of dignity and fairness in our community and beyond.

**If you'd like to be part of that transformation, pledge your support on our website.**

# A

#### Accessible to All

Non-discrimination and equality is one of our five priorities and we want that to run like a gold thread through everything we do.

**Help us make York a fairer place to live by telling us what you think about accessibility.**

# L

#### Lead

We can't do all the work ourselves but we want to lead the way in making York the UK's first human rights city.

**Individuals, organisations and businesses can all help to spread the word. Get in touch and we'll show you how you can put human rights at the heart of your home or group.**

# Y

#### in York

York's history of human rights goes back centuries. Faith groups, charities, businesses (especially the chocolate industry) and our college and universities have often led the way with initiatives to address poverty, inequality and social justice.

**Join our campaign to do this amazing thing for York. We'll keep you informed but we need you to speak up for our city.**

# S

#### Support

We support campaigns to protect vulnerable groups and we'd like to back your work where we can - and lend our weight when you're lobbying the authorities.

**Help us to stand up for people who need our help. Get in touch and we'll let you know how you can make a difference.**

# T

#### Trust

Our network includes York CVS (Council for Voluntary Service), North Yorkshire Police, York Travellers' Trust, International Service and City of York Council.

**We've pledged to work together to create the best future for York, according to priorities chosen by you. Our declaration is backed up by a robust human rights city movement across the globe. Join us.**