PRISON SERVICE JOURNAL

November 2018 No 240

Book Review

The Ordinary Virtues: Moral Order in Divided World

By Michael Ignatieff

Publisher: Harvard University Press (2017)

ISBN 9780674976276

Price: £20.95

This book discusses how human rights are can be understood not in ideological, legalistic or in political terms but locally, on the street in communities. Ignatieff takes as his starting point the UN's establishment of the 'Universal Declaration of Human Rights' in 1948. The chair of the commission that developed the Declaration, Eleanor Roosevelt (the US delegate to the UN and the former President's wife) referred to it as the 'international Magna Carta'. Ignatieff refers to the speech Eleanor Roosevelt made in 1958 commemorating the tenth anniversary of the Declaration. In it she talked about measuring the progress made not by the numbers of human rights treaties that had been ratified but by asking what difference human rights had made to ordinary people 'in small places, close to home'. She went on, '*unless these rights have meaning there, they have little meaning anywhere*'. Ignatieff considers how human rights can and do make sense in such 'small places'. He undertakes this consideration in the context of globalisation.

The lens through which much of what we understand as 'human rights' has its origins in developments almost parallel to what the UN commissioned. A milestone in these was the establishment in 1949 of the Council of Europe (of which the UK was one of its 10 founding members); and, in 1950, of the Council of Europe's European Convention on Human Rights (ECHR) and its Court (ECtHR). Since the incorporation of the ECHR into UK domestic law (in 2000) 'human rights' has had a higher profile, even if that profile has been distorted by the misunderstanding of prejudicial media reports and an increasingly litigious society. This book offers a refreshing consideration of what human rights mean in practical terms nearby, in neighbourhoods. Its author is a Canadian thinker and politician who, when he lived in the UK for 22 years, was a noted columnist for *The Observer*, who also published in 1978 *A Just Measure of Pain: Penitentiaries in the Industrial Revolution, 1780—1850.*

The Ordinary Virtues is the outcome of three years work undertaken for the Carnegie Council for Ethics, during which Ignatieff and a colleague visited seven localities in four continents in search of answers to the question: 'Is globilisation drawing us together morally?' Each locality was chosen because of it particular experience of human rights difficulties: in Jackson Heights, New York, it was the difficulties of immigration in a community where 47 per cent were born in another country and in which in 56 per cent of households English was not the first language. In Los Angeles it was the racial difficulties that exploded with the Watts riots in 1965 and continued in the aftermath of the Rodney King riots of 1992. In Rio de Janeiro it was the difficulties of poverty in a favela. In Bosnia, it was the legacy of sectarian war in the 1990s. In Myanmar they visited a Buddhist monastery, before the current Rohingya crisis, to consider how human rights was resolved given religious and racial tensions. In Japan at Fukushima, they considered how a modern state recovers from the unthinkable—in 2011 the simultaneous occurrence of an earthquake, a tsunami and a nuclear accident—which broke the trust between the citizen and public institutions, a wider theme of the book. Finally, in South Africa they looked at how the hopes of the ANC's early years in power had been corrupted exposing starkly the tensions of inequality.

Throughout Ignatieff reminds us that if equality in the law and ethics may have become the norm in constitutional and moral discourses, inequalities ('of power and status, of voice and entitlement' p. 198 and of 'income and fate' p.201) persist everywhere. '*A gap remains*,' he writes, '*between what the norm prescribes and what social life allows*' (p.199). What human rights mean in local communities is not to be found in the law or international treaties or statements of principles. Instead, Ignatieff argues, a different approach and a different language are needed to explain what human rights mean in the seven communities he visited. Although each of the seven communities were very different, he distils commonality, which he describes as 'ordinary virtues'.

He doesn't seek to define these virtues exhaustively but refers to resilience, to trust and to the assertion of autonomy. Importantly he sees these not as 'principles' or as the type of 'values' that organisations often nowadays like to trumpet as their code. For example, he sees resilience in the importance of 'doing your job', of 'mixing in the street'. In other words, he sees it in social activities that help establish and, when repeated and reciprocated, sustain trust. Ignatieff recognises too how—particularly in Los Angeles where the issues largely compromised the break down of the rule of law—public institutions can help (or hinder) the development of a 'tacit moral equilibrium'. How the police and other government agencies act is crucial.

In seeing that it is the ordinary virtues, practised by individuals,

which bind communities of the same culture together, he recognises that that involves distinguishing some social groups from one another ('living side by side but not together' p.114). Respect comes from confidence in one's own community. He considers how communities manage the challenges large movements of people, and particularly of refugee, which globalisation has enabled, make in human rights terms. He concludes that the treatment of refugees is best understood not in terms of the human rights laws which purport to secure their safety and asylum but as a gift of generosity and compassion. He sees that as a gift not an entitlement it is more respected and respectful.

To this reader's mind, there are some parallels with the way prisons work. Statute and other instruments provide the formal regulatory framework to ensure the good order and humane governance of prisons but in practice it is the quality of interactions between individuals and different groups within prisons that ensure (or don't ensure) decency and safety. Even if this personal reflection is wide of the mark, I recommend this book. It will inspire more perspicacious readers to find even richer insights. At a time when '*everywhere sovereign states are pushing back against universal obligations*' (p.216) Ignatieff sees ordinary virtues not universal declarations and treaties as the guarantor of the respect for human rights.

William Payne is a former Prison Governor.