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Reply to Adamantia Pollis

Rhoda E. Howard-Hassmann

In her commentary (August 2005) on my article, "The Second Great Transformation" (February 2005), Adamantia Pollis makes several factual errors. It is an exaggeration to say that "globalization . . . has no borders or boundaries."¹ States still exist and still enjoy sovereignty, even if that sovereignty has been partially relinquished to international treaties and organizations. Multinational corporations do not "set their own policies and rules free of any governmental constraints."² Multinationals operate under the corporate laws of the states in which they operate and negotiate with many governments. Pollis (and I) may not find corporate law sufficient to protect human rights and might wish for different negotiated outcomes, but this does not mean that multinationals operate free of constraints. It is also not true that "there are no global governmental institutions to regulate the global economy."³ One such institution is the World Trade Organization. This may not be an institution that Pollis likes, but it was established by governments to regulate some aspects of the global economy.

Pollis also confuses necessity with sufficiency. Criticizing my linkage between capitalism, democracy, and human rights, she states that there are

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1. Adamantia Pollis, *Commentary on the Second Great Transformation*, 27 *HUM. RTS. Q.* 1120 (2005).
2. *Id.*
3. *Id.* at 1120–21.

no signs of democratization or human rights in China, despite its move to a market economy. Nowhere did I state that capitalism results automatically in democracy or human rights. I specifically rejected this hypothesis, arguing instead for the necessity of social mobilization, class action, and human agency to bring about democracy in capitalist societies.⁴ I specifically noted that while there can be no democracy without capitalism, there can certainly be capitalism without democracy.⁵ In any case, if one wishes to assess my ideal-type “positive model” against reality, then one might wish to consider whether human beings in China are exercising their capacity for agency. China’s most senior police official, Zhou Yong-kang, was recently reported to have said that there were 74,000 protests in his country in 2004, involving 3.7 million people; this number had risen from 10,000 protests in 1994 and 58,000 in 2003.⁶ This is precisely the kind of social mobilization to which I refer in my article.

I am saddened to learn that Adamantia Pollis has misread my article. I presented both positive and negative theoretical models of possible outcomes of globalization. Both of these models are very complex. I rejected both simplistic “positive” and simplistic “negative” models of the relationship between globalization and human rights. I did suggest that the development of international human rights law and international human rights social movements might influence the world in a positive direction. This is surely what we, as human rights scholars, are all hoping and striving for.

4. Rhoda H. Howard-Hassmann, *The Second Great Transformation: Human Rights Leapfrogging in the Era of Globalization*, 27 *HUM. RTS. Q.* 1, 25 (2005).

5. *Id.* at 26.

6. *ECONOMIST*, 1 Oct. 2005, at 38.