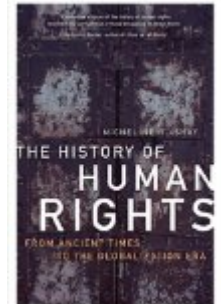


Micheline R. Ishay. *The History of Human Rights*. Berkeley: University of California Press, 2004. ix + 450 pp. \$27.50, paper, ISBN 978-0-520-23497-0.



Reviewed by David Penna

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This is a book that will interest human rights scholars, but will perplex Africanists. Micheline Ishay has set out a difficult task: to synthesize the history of human rights into a comprehensible narrative that goes beyond the typical European Enlightenment foundations. In doing so she surveys a range of ancient religious and philosophical texts from Europe, the Middle East, India, and East Asia as well as current thinking and practices around the world. She does so with considerable insight, displaying an impressive breadth of knowledge in broad areas. Due to its considerable discussion of Islam, the book is both timely and scholarly. The book is strongly documented with thirty pages of end notes and twenty-five pages of references.

With such an ambitious goal, the organization of the project is crucial and Dr. Ishay has adopted an innovative and logical approach to organizing the material. Chapters cover certain historical eras: ancient times; the enlightenment; the industrial age; the first half of the twentieth century; globalization; and a concluding chapter on the current century. Each chapter begins with a nar-

rative highlighting historical events that influenced human rights and then analyzes the era's contribution to specific human rights relevant to that time. Each chapter concludes with a consideration of how broadly rights were extended to different groups such as minorities, homosexuals, women, and others. In general this structure works very well and engages the reader. It also allows the material to be accessible to a broader range of readers because the necessary historical context is provided within each chapter. The author also makes reference to a wide variety of materials to illustrate points including classical music, films, art, and literature. The text also features boxes that contain quotations from a variety of authors and documents that vary from a few lines to a couple of pages. Normally these quotations are referred to in the text and help to give some flavor to the original presentations of the concepts under discussion.

Among the major insights provided by the author is that there is an important continuing socialist contribution to human rights even after the fall of communism and despite the dreadful hu-

man rights records of communism in practice. That contribution is a response to the liberalist preoccupation with liberty; it reminds us that in many situations freedom without some form of economic equity is often an illusion. This insight is as salient in the context of industrializing capitalism as it is in the current age of globalization.

Ishay's larger concern is to explain why it is largely the Enlightenment's definition of human rights that has come to be seen as definitive despite the fact that human rights values may be found in the roots of many civilizations. She suggests that the explanation lies in the development of capitalism and colonialism in Europe, and the working out of the challenges to human rights presented by these historical developments.

The author has chosen to ground the initial discussion of this history in the assumption that human rights have their origins in the values of the great world religions. She does an excellent job of identifying values in Christianity, Judaism, Islam, Hinduism, Buddhism, and Confucianism. Her position is in response to the debate over the religious or secular origins of human rights. This initial choice commits the author, perhaps unintentionally, to a specific era and geographic area for the birth of human rights. Although this era and area are comparatively broad (a thousand years and two continents), it is less than universal in excluding African and new world indigenous religions as well as other groups not a part of the "great" religions umbrella.

This study will be perplexing to Africanists because despite the study's geographic breadth, Africa is mostly absent from this human rights narrative. While the research here for ancient times is obviously text dependent, current African scholars such as Abdullah An Naim, Francis Deng, and Issa Shivji are not quoted nor are their insights incorporated in the text.[1] While some Africans are mentioned in the context of decolonization, such as Nkrumah and Senghor, the entire issue of African decolonization is dealt with in

a few paragraphs. Most surprisingly, even African giants such as Nelson Mandela, Julius Nyerere, and Desmond Tutu are absent as is any discussion of the fall of apartheid. Here, it seems, the author misses an opportunity to buttress some of her arguments, as the anti-apartheid resistance would have fit nicely within several themes (human rights for who?, the fall of communism, transnational activist networks, etc.) The Truth and Reconciliation Commission is mentioned in passing, but there is almost no analysis of what impact human rights have had in Africa, nor what Africans might have contributed and might yet contribute to the discussion. The Freedom Charter and the Banjul Charter are not mentioned except to note that they repeat a right to self-determination.

At other times, there are questionable generalizations, such as grouping the experiences of Zimbabwe, Zambia, Ivory Coast and Botswana as examples of democracies degenerating into single party rule.

It seems to me that many African traditions speak to the themes of this book. The Tswana/Sotho maxim that "a chief is a chief by the people" speaks to the notion of justice and government's duties to the people; similarly the institution of the Tswana *kgotla* has relevance to notions of justice, equality and tolerance.[2] Even more recent African thought and literature should also be relevant. Chinua Achebe, Wole Soyinka, and Alan Paton are just a few that come to mind whose work relates to colonialism, racism, and justice. Nadine Gordimer and J. M. Coetzee are Nobel Literature Prize winners (along with Soyinka) who have explored important themes related to justice in their works. Bessie Head certainly should be considered in relation to African women's rights. African leaders and activists such as Mandela, Tutu, Albert Lutuli, and Wangari Maathai have all won the Nobel Peace prize, and their contributions to human rights should be considered substantial.

For most Africanists, this should raise several issues that are independent of the quality and contribution of this particular book. The first is that the nature of scholarly research in most academic disciplines guarantees that many peoples of the world are not contributors to what is perceived as global history or philosophy because their thoughts and actions are preserved orally and in custom rather than in paper or stone. Second, while some anthropologists, historians, and other scholars have produced studies of pre-colonial or traditional African life, to what extent are these produced in forms that are accessible across disciplines? If political theorists need to become anthropologists to access information from such studies, surely African traditional political thought will remain marginalized from mainstream studies such as this. Finally, the fact that African leaders represent tiny and largely powerless nations at international fora means that even if they contribute ideas, these ideas will mean nothing if they are not co-opted by the more powerful delegates; even if the idea is not manipulated and distorted for unintended purposes, it is very unlikely that proper credit will be attributed. Therefore it seems that another answer to Professor Ishay's quest to explain the dominance of the European Enlightenment version of human rights is independent of the impersonal macro forces of history she has identified; it is partially explained by the failure of mainstream scholars to take human rights in Africa seriously. While this volume at least partially removes the blinders of human rights scholars toward Asian and Islamic conceptions of rights, it does not do so in relation to Africa.

Notes

[1]. See, for example, Abdullahi Ahmed An-Na'im and Francis Deng, eds., *Human Rights in Africa: Cross-Cultural Perspectives* (Washington: Brookings Institution, 1990); or Issa G. Shivji, *The Concept of Human Rights in Africa* (London: Codesria Books, 1990).

[2]. See Stimela Jason Jingoos, *A Chief is a Chief by the People* (New York: Oxford University Press, 1975); and John Holm and Patrick Molutsi, eds., *Democracy in Botswana* (Athens: Ohio University Press, 1989).

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