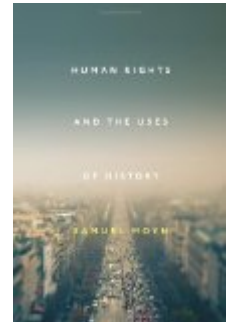


Samuel Moyn. *Human Rights and the Uses of History*. New York: Verso, 2014. xx + 155 pp. \$24.95, cloth, ISBN 978-1-78168-263-0.



Reviewed by Henning Melber

Published on H-Diplo (January, 2015)

Commissioned by Seth Offenbach (Bronx Community College, The City University of New York)

With *The Last Utopia: Human Rights in History* (2010) Samuel Moyn entered the scene of the discourses on global justice concepts and movements with a bang. His widely reviewed book received mixed responses. But the recognition of what had been qualified in *Foreign Affairs* as a “provocatively revisionist history” showed that it struck a chord.[1] A review in *The Wall Street Journal* suggested that “the book is not without its problems,” but ended by qualifying as a triumph that it “restores historical nuance, skepticism and context to a concept that, in the past 30 years, has played a large role in world affairs.”[2] A more reluctant appraisal in *New Statesman* observed: “Human rights are won in courtrooms not classrooms, and this account of recent scholastic success is only a small part of their history.”[3] Moyn’s intervention deliberately touched on taboos and “breaks with the linear school of human-rights history.”[4] By doing so he invited strong engagements with his challenging theses. The *New Left Review* responded with a full-fledged essay. It recognized the analysis as “a de-

tailed, subtle and in many ways convincing account of the human-rights ‘surge,’” while also observing “important intellectual lacunae.”[5]

The present collection of essays, of which all but one were previously published as (mainly review) articles in the *Nation* between 2007 and 2013, seems to have been motivated by the success of the preceding book. The contributions revisit most of what was already said in *The Last Utopia*, with disappointingly few responses to the critical appraisals. While this is a compilation of very readable, eloquent texts, which make the engagement an intellectual pleasure, it does not really add substantial value to the previously presented perspectives and at times lack academic rigor. Having said this, the essays remain a refreshing take on a contested notion that all too often is taken for granted as a universal public good to be promoted. Moyn, however, manages to raise awareness and caution that the case is not so simple. He does so without disrespect for the concept of human rights or with the intent to ridicule. “This book,” as he stresses in his preface, “cynical-

ly punctures illusions, historical and political, but not in the name of cynicism. If humanitarianism had been purely rhetorical high-mindedness for Britain, or human rights were simply an apology for American power, they would never have become the highly mobile and contested categories they remain today” (p. xvii).

Bringing humanitarianism and efforts to pursue international criminal justice as institutionalized by the International Criminal Court into the picture, Moyn expands the thematic focus on justice-related global governance issues. He reiterates some of the basic propositions made in *The Last Utopia*, but fails to make them more convincing. His insistence in chapter 1 (“On the Genealogy of Morals”) that the UN Declaration for Human Rights was not as important a marker as it is believed to be, and that “human rights in their specific contemporary connotations are an invention of recent date” (p. 18), downplays not only the impact the normative framework had on the struggles for emancipation in the then-existing colonies and anticolonial movements, but also the subsequent formulation of binding treaty law in the Covenants on Human Rights during the 1960s and 1970s.[6] As in *The Last Utopia*, Moyn claims in chapter 5 (“Human Rights in History”) that human rights (re)emerged as a politically relevant notion through the emphasis placed on them by US president Jimmy Carter. The commitment of the American president (especially in his later role as independent advocate and mediator in human rights-related issues after leaving political office) certainly merits recognition. But this elevation to a uniquely pioneering status seems too generous and also slightly misleading in terms of recapitulating the renaissance of human rights: after all, it fails to adequately recognize the preceding international solidarity movements of the 1960s that were strongly associated with the notion of human rights. It also shifts the main focus for the new vigor away from the watershed global conferences dating from the early 1990s, inasmuch as the UN World Conference on Human

Rights of June 1993 in Vienna symbolized a new beginning after the demise of the Cold War-determined bipolar world. As he suggests in the second chapter (“The Surprising Origins of Human Dignity”): “When the Cold War ended, it became possible to surmise that most people, after all, agree about the dictates of ‘dignity’ and other basic values, even though they spent the twentieth century slaughtering one another over which ideals to prize” (p. 30).

While Moyn’s historical perspective invites a critical reappraisal, he succeeds in casting necessary doubt on some of the notions all too simply and willingly taken for granted as morally right. In chapter 3 (“Spectacular Wrongs: On Humanitarian Intervention”) he convincingly manages to erode the ethical high ground claimed by humanitarian do-gooders by pointing to the double standards, setbacks, and traps when military interventions are advocated with the argument to prevent worse. Meanwhile, decisions for such interventions are hardly ever guided by purely humanitarian motives and often result in consequences that force reconsideration of whether this was indeed in the best interest of victims. It will always remain a hypothetical deliberation almost impossible to answer satisfactorily how a responsibility to protect is indeed responsibly understood and applied. As Moyn points out: “humanitarians have been drawn in by the spectacle of blood, with the structural causes of the violence, and the consequences of intervention, exciting less emotion. Humanitarianism has not opposed suffering universally; most often, it has fastened on extravagant bodily violation and pain.... Then as now, humanitarianism ended up revealing explosive spectacles of suffering at the price of concealing their political, social and cultural conditions, including Western involvement in it” (p. 42).

As he also observes, ironically so, after interventions from the outside to restrain killing, “victims typically angle not for universal rights but

for local power grabs” (p. 45). He concludes that “the sword is double-edged, never more so than when someone who lacks your good intentions gets to swing it” (p. 51). Chapter 4 complements such necessarily provocative questioning of the best of intentions by displaying the limits of international jurisprudence (“Of Deserts and Promised Lands: On International Courts”). He ends with the suggestion that the reason for studying such institutionalized forms of seeking justice “ought to be not just to register their heroic possibilities but also to acknowledge their humbling limitations” (p. 68). He could, however, have gone a step further. His treatise on the international criminal tribunals suggests an effective global normative framework. But what has been critically observed already with regard to *The Last Utopia* also holds true here: “Moyn overestimates the extent to which human rights today take precedence over the sovereignty of states. International treaties designed to protect individuals are still directed to national governments, which remain the first line of defense, even in the modernized world of globalized thinking.”[7]

Dealing with Holocaust memory (chapter 6) and “Torture and Taboo” (chapter 7) (re)visits more contentious issues in a stimulating way, but borders on the redundant. The limits of compiling several consecutive essays on interrelated subjects becomes obvious when similar arguments are recycled several times in the specific context of each of the essays. Revisiting the notion of the rule of law in US global policy approaches in the final chapter 8 (“Soft Sells: On Liberal Internationalism”), Moyn critically engages at length and in detail with John Ikenberry’s *Liberal Leviathan: The Origins, Crisis, and Transformation of the American World Order* (2011). He ends with the prognosis that US policy intellectuals in an era of American decline will be “struggling to prove that their dominance really is the best thing for a world that suspects otherwise” (p. 133). This in-

vites the question: where would Moyn position himself?

In an epilogue, “The Future of Human Rights,” he becomes maybe the most political in vehemently promoting an advocacy role, which returns despite all concerns raised earlier to the relevance of a human rights-based discourse. He suggests that we “take international human rights ideas and movements as they are, and radicalize them from there” into a politics of human rights that is mobilizational (p. 143). His final assessment and appeal culminates in the prognosis: “We are fast departing from a world in which human rights became prominent, precisely because they seemed an alternative to contest and struggle, a pure utopia where others failed. Some people will view the descent of human rights into programmatic contest as too high a cost for relevance. But if the alternative is irrelevance, it is a small price to pay” (p. 147). With such concluding thoughts Moyn also underlines his commitment to the pursuance of global justice and eliminates any misperception that he does not care about the notions he critically examines. His provocative interventions are—despite some discomfort caused by doubts that his objections are in all cases sufficiently rooted in empirical and historically factual evidence—important reminders that we should not accept matters too easily and take for granted what is not. At the same time, one might note with relief that Moyn’s arguments seeking to create discomfort, reflect the same ambivalences, ambiguities, and inconsistencies of which he accuses (other) human rights proponents.

Notes

[1]. G. John Ikenberry, “The Last Utopia: Human Rights in History,” *Foreign Affairs* (March/April 2011), <http://www.foreignaffairs.com/articles/67488/samuel-moyn/the-last-utopia-human-rights-in-history>.

[2]. Brendan Simms, “Salvation in Small Steps,” *The Wall Street Journal* (September 10,

2010), <http://www.wsj.com/articles/SB10001424052748704358904575477571192822084>.

[3]. Geoffrey Robertson, "The Last Utopia: Human Rights in History," *New Statesman* (October 18, 2010), <http://www.newstatesman.com/books/2010/10/human-rights-history-moyn-book>.

[4]. Jean H. Quataert in *The English Historical Review* 126, no. 521 (2011): 1028, <http://ehr.oxfordjournals.org/content/CXXVI/521/1028.full.pdf+html>.

[5]. Robin Blackburn, "Reclaiming Human Rights," *New Left Review*, 69 (May-June 2011), <https://newleftreview.org/II/69/robin-blackburn-reclaiming-human-rights>.

[6]. Roland Burke, *Decolonization and the Evolution of International Human Rights* (Philadelphia: University of Pennsylvania Press, 2010); Daniel J. Whelan, *Indivisible Human Rights: A History* (Philadelphia: University of Pennsylvania Press, 2010).

[7]. Belinda Cooper, "New Birth of Freedom," *The New York Times* (September 24, 2010), http://www.nytimes.com/2010/09/26/books/review/Cooper-t.html?_r=0.

If there is additional discussion of this review, you may access it through the network, at <https://networks.h-net.org/h-diplo>

Citation: Henning Melber. Review of Moyn, Samuel. *Human Rights and the Uses of History*. H-Diplo, H-Net Reviews. January, 2015.

URL: <https://www.h-net.org/reviews/showrev.php?id=42331>



This work is licensed under a Creative Commons Attribution-Noncommercial-No Derivative Works 3.0 United States License.