H-Net Reviews
in the Humanities & Social Sciences

Jeffrey N. Wasserstrom, Lynn Hunt, Marilyn B. Young, eds. *Human Rights and Revolutions.* Lanham and Oxford: Rowman & Littlefield Publishers, 2000. xii + 253 pp. $24.95 (paper), ISBN 978-0-8476-8737-4.

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Published on H-Diplo (December, 2002)

Revolutionary Change and the Rise of Human Rights

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Human rights–inalienable rights belonging equally and by nature to all human beings–emerged during the French and American Revolutions based on Enlightenment ideas, legal traditions, and the innovations of the English Civil War and the Revolution of 1688. This in itself justifies the comparative study of the relationship between revolutions and human rights, a case further strengthened by the crucial differences between these revolutions. But much of the impetus behind *Human Rights and Revolutions*, and an important organizing principle for the various arguments outlined in its thirteen chapters, is provided by a paradox that goes back to the ambiguous nature of revolution itself: while revolutions did indeed give rise to notions of universal and inalienable rights, they also violated such rights in the name of a higher good and contributed to the conditions that made the totalitarianisms of the twentieth century possible.

As political upheavals of great violence, the English and French Revolutions swept away many of the traditional immunities and privileges that guarded certain groups against the abuses of encroaching government, singling them out for retribution and elimination. At the same time, they transformed such traditional, corporate rights into human, that is, universal rights. This process and some of its attendant intellectual innovations are retraced in David Zaret's contribution "Tradition, Human Rights, and the English Revolution" and, on a more general level, in Lynn Hunt's "The Paradoxical Origins of Human Rights." Zaret's chapter traces the rise of human rights notions during the English Revolution, long before any coherent doctrine was articulated: "assertions of inherent rights of individuals in opposition to despotism flowed, not from theoretical principles enunciated by philosophers of Enlightenment, but from popular politics among a minority within a minority, a small part of the activist core that supported the Long Parliament in its struggle with Charles I" (p. 43). The paper then proceeds to describe how rights based on the social position of their bearer were transformed into rights inhering in individuals.

As Michael Zuckert makes clear in his chapter "Natural Rights in the American Revolution: The American Amalgam," however, it would be dangerous to think of these hard-won rights (still fundamentally based on existing corporate traditions) as universal in the modern sense. He argues that the English Revolution was about the constitutional rights of Englishmen rather than any inherent natural rights, and that the American Revolution was the critical point of transformation of appeals to constitutional rights into appeals to natural rights. This point has caused much controversy in the literature on the American Revolution since both appeals are present in the rhetoric and actions of the Revolutionaries. In response to this controversy, Zuckert proposes an "Amalgam thesis" to replace the "Irrelevancy thesis" and the "Succession thesis." This fascinating chapter proceeds through a textual comparison of the English Declaration and Bill of Rights of 1688 and the American Declaration of Independence of 1776, two documents that are very similar on the surface yet radically different in their substance. It is a pity that a similar comparison between the Declaration of Independence and the French Declaration of the Rights of Man and of the Citizen of 1789 is not included–in fact, the French Revolution receives curiously little attention in this otherwise excellent collection.

Both the French and the American declarations asserted that certain fundamental rights and freedoms were inherent in each human being irrespective of his membership in an organized community or estate–in other words, that these rights were universal and independent from any particular social organization, which explains their powerful appeal over subsequent periods. Given the universal and uniform character of human rights as

against traditional rights, it is no surprise that their importance increased as the modern state expanded ever deeper into broader aspects of human life through uniform, rational administration. Alexander Woodside's paper "An Enlightenment for Outcasts: Some Vietnamese Stories" nicely captures the connection between human rights protection and state-building, describing what happens in the attempt to "attach the wings of an eagle to the body of a sparrow." The protection of human rights has for most of their history been the task of the state, and only fairly recently has the idea emerged that human rights–precisely because they are conceived as universal–might be the business of international organizations or foreign powers as well. (Where human rights were previously invoked to justify military intervention, as in Greece in 1827, in Syria in 1860, and on several other occasions throughout the nineteenth century, intervention took place on behalf of Christian populations against abuse by the Ottoman Empire, hardly a precedent on which to base any universal notion of international protection.)

Revolutions did not just eliminate traditional forms of corporate protection against governmental invasion; they also resulted in human rights abuses of the most egregious sort and led to the establishment of totalitarian regimes. The exalted rhetoric of the victorious masses or their vanguard may have contributed to the doctrinal evolution of traditional rights into human and universal rights and opened the way for the incorporation of the disenfranchised into the polity, but revolutions also frequently singled out entire groups for elimination. This was particularly pronounced in the Russian and Chinese cases, which are the subject of Yanni Kotsonis's chapter "A European Experience: Human Rights and Citizenship in Revolutionary Russia" and Jeffrey N. Wasserstrom's "The Chinese Revolution and Contemporary Paradoxes."

It has become scholarly fashion to demonstrate the social construction of everything that used to be accepted as natural and self-evident. Nowhere is this more appropriate than with notions of human rights, which in fact have always been susceptible to competing interpretations. Their content is dependent on the definition of what "human" means. Wasserstrom provides a pertinent example by describing the evolution of the Chinese reaction to claims of human rights and the propensity of the Chinese revolutionaries to deny the humanity of their enemies. The Chinese, of course, have in recent years been prominent among those governments that argue that the traditional Western focus on individual civil liberties is misplaced and that human rights are as much, if not more, about social and economic development and the sovereign rights of lesser states against great powers. This last point, Wasserstrom notes, may go back to the specific circumstances in which human rights notions were introduced in many of these societies, circumstances that the book's chapters on Africa, Vietnam, and New Caledonia further illuminate: Enlightenment concepts, especially of individual freedom, came to non-Western countries at precisely the moment when colonialism suppressed their freedom as societies. Charges of hypocrisy and double standards may appear more understandable in this context. At the same time, as Florence Bernault points out in her chapter, "What Absence Is Made Of: Human Rights in Africa," these charges are themselves often opportunistic. In fact, "the argument that human rights belong to a European project of cultural imperialism, and as such should be refused by Africans, is generally beneficial to dominant, not to dominated, categories within modern African nations" (p. 138).

A second paradox noted by Wasserstrom concerns the frequent conflict between concepts of human rights that focus on the protection of individuals from the state and those that focus on the protection of weak from strong states, though this reviewer finds the description of the latter as "human rights" less than convincing. This conflict came to a head in the controversy surrounding NATO's intervention in Kosovo, represented in this volume by contributions from David Rieff and Robin Blackburn. Advocates of military intervention (and, once the NATO air war got underway, of a ground assault) in Kosovo pointed to the egregious human rights abuses of the Milosevic regime and the need to stop them; opponents of intervention focused on Serbia's sovereignty, on the likelihood of a humanitarian crisis due to the bombing, or even–the most disingenuous claim, casually repeated by Blackburn–on the idea that NATO's intervention produced the crisis in the first place. Blackburn adds the rather far-fetched idea that the Council of Europe could have provided security guarantees to the Kosovars. For Rieff, the choice is clearly one between imperialism and barbarism. Our main task, in consequence, is to "humanize this new imperial order," which he proposes to do by instituting a mandatory system for failed states. He rejects both pure realism and the "utopian nihilism of a left that would prefer to see genocide in Bosnia and the mass deportation of the Kosovars rather than strengthen, however marginally, the hegemony of the United States" (p. 189). The fact that this sounds like an apt description of Blackburn's position is probably coincidental since Rieff's and Blackburn's chapters have been previously pub-

lished.

As one proceeds through the chapters of *Human Rights and Revolutions*, the suspicion arises that the connection between the two may not only be more systemic than many contributors are suggesting, but also less paradoxical. This view hinges on the meaning of the innocuous adjective "human." The obvious point that not all human beings enjoy the full benefits of human rights has been acknowledged many times. Women, the indigent, and slaves have been the most prominent among the groups typically excluded through much of the history of human rights regimes. As Kotsonis points out in his chapter on the Russian Revolution, in operational terms human rights are about membership in the political community and as such, by necessity, are limited. Since revolutions are struggles over access to and meanings of citizenship–that is, the composition and boundaries of the polity–there should be no surprise that they advance notions of universality while at the same time restricting the political rights and traditional privileges of the old ruling classes.

Some of the legacies of the Russian Revolution are further analyzed by Adam Michnik in an intriguing eight-page essay whose simplicity is both elegant and deceptive. From his long and intimate experience with a mature form of dictatorship in Poland, he describes how the all-knowing state "frees" the individual from all responsibility, which may explain the appeal that such forms of governance manage to elicit in some of their subjects. In addition, "dictatorship may always count on the empathy of well-disposed observers," especially in colonial contexts. "There will always be a British commentator ready to state that although democracy has worked wonders for the British, it will not work for the Poles, the Russians, or the Burmese because of different cultural traditions." It is the ultimate irony emerging from this volume that such paternalistic arguments are today the domain of those who claim that human rights are a neo-colonial infringement on the distinctive cultural identity of non-Western societies.

Carlos Basombrio Iglesias's "Sendero Luminoso and Human Rights" adds a new dimension to the issue by describing the systematic rejection of human rights in theory and practice by a non-state actor. The unprecedented brutality of this Peruvian rebel group provoked a backlash by the state and led to the complete erosion of human rights values on both sides. This chapter reminds us that human rights abuses are not the exclusive domain of the state.

The diversity of subjects and outlooks represented in this collection is intellectually stimulating, yet the topics that might most interest the readers of H-Diplo are explicitly addressed only in the chapters dealing with the colonial experience and Kosovo. The Kosovo debate in fact is only loosely connected to the rest of the book; despite its title–"A Human Rights Revolution?"–it does not try to settle the issue of whether the emergence of human rights as a factor of foreign policy has been a fad, a scam, or a true revolution. Another topic of current interest, the rise of revolutionary Islam, is analyzed less in the context of regional stability and world politics than in its doctrinal dimension. Timothy McDaniel describes radical Islam as one of the major threats to human rights today but at the same time highlights the safeguards against totalitarianism inherent in the centrality of the individual as moral agent in Islam. Revolutionary Islam in fact owes more to modern ideologies than to religious precepts, an outlook McDaniel characterizes as "the choice of principle over tradition" (p. 221). The overall approach of this collection is evident in McDaniel's contribution as well: the careful historical study of conceptual evolution. Important and engaging as it is, this approach is unlikely to resolve the fierce controversy that has accompanied the emergence of human rights as a factor in international politics.

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Citation: T. K. Vogel. Review of Wasserstrom, Jeffrey N.; Hunt, Lynn; Young, Marilyn B., eds., *Human Rights and Revolutions.* H-Diplo, H-Net Reviews. December, 2002.
URL: http://www.h-net.org/reviews/showrev.php?id=7008

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