

Human Rights / Social Rights. The Twentieth Century Predicament. Potsdam: Małgorzata Mazurek / Stefan-Ludwig Hoffmann, ZZF Potsdam; Sandrine Kott, Université de Genève; Paul Betts, University of Sussex; Andreas Eckert, Humboldt-Universität zu Berlin, 02.12.2010-04.12.2010.

Reviewed by Verena Bunkus

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As historians have focused more on the contradictions and conflicts within the history of human rights, the triumphalist narratives of its inevitable rise have been challenged. Although older narratives have been expanded to include competing understandings of human rights, the unpacking of the shifting meanings of social rights in the 20th century has only begun. In order to better understand the broader evolution of social rights and human rights, the conference brought together historians of state socialism, the welfare state, international organizations, colonialism and post-colonialism with regional expertise on every continent. This was the follow-up to the 2008 conference "Human Rights in the Twentieth Century. Concepts and Conflicts," organized by the ZZF and the Wissenschaftszentrum Berlin. See Stefan-Ludwig Hoffmann (ed.), *Moralpolitik. Geschichte der Menschenrechte im 20. Jahrhundert* (Göttingen: Wallstein, 2010); Hoffmann (ed.), *Human Rights in the Twentieth Century* (Cambridge: Cambridge UP, 2011); conference report *Human Rights in the Twentieth Century: Concepts and Conflicts*, 19.06.2008-21.06.2008, Berlin. In: H-Soz-u-Kult, 01.08.2008 <<http://hsozkult.geschichte.hu-berlin.de/tagungsberichte/id=2208>>.

The conference, which was sponsored by the Fritz Thyssen Stiftung and the Zentrum für Zeit-historische Forschung Potsdam, opened with a call for a greater openness to the ambiguities and

complexities of social rights in history rather than any thesis as to their meaning. In her introduction, MAŁGORZATA MAZUREK (Potsdam) emphasized the necessity of bridging the fields of social history and the transnational history of international human rights. In keeping with the many expressions of the social in the 20th century, it should be closely examined when and why social rights blended in or replaced other notions of social claim-making such as 'needs' or 'social justice.' Of particular importance are the interconnection/separation of social rights from human rights, the question of periodization, as well as the placing of social rights into broader historical narratives.

FREDERICK COOPER's (New York) keynote lecture discussed tensions between social rights and national self-determination in French and British Africa after 1945. During decolonization, claims by colonized people for the same social entitlements as European citizens stood in contradiction with their desire for sovereignty. Cooper thus argued that the association of social rights – as central to the post-colonial project – with national citizenship was not an inevitable march towards self-determination, but an uncertain period where the boundaries of community, citizenship, and their concomitant rights, were contested. The example of decolonizing Africa helps explain how people historically imagined rights within shifting

political structures: In 1950 it was still possible to locate social rights within an empire, whereas later, the connection between rights and national self-determination became naturalized.

The first panel on historical trajectories of human rights provided three contrasting examples of the origins of social rights. SAUL DUBOW's (Sussex) paper argued that in South Africa the concept of rights overlapped with that of citizenship. In the 20th century, however, social rights served as a form of 'antipolitics' and were offered to the disenfranchised black population as a substitute for political freedoms such as citizenship. In contrast, TIMOTHY JAMES (Beaufort) examined the case of revolutionary Mexico and the Constitution of 1917, one of the first to include protections for social and economic rights. Post-revolutionary land reforms circumvented administrative and property rights allowing for the rapid realization of economic redistribution, but also permitted arbitrary action by the state and the long-term weakening of legally guaranteed political and civil rights. In Brazil, ROSSANA ROCHA REIS (São Paulo) showed, that the right to land as a human right arose a key claim of peasants in the 1970s, with a religiously oriented conception of social justice (liberation theology), rather than from a conception of citizenship or international legality.

The second panel on rights revolutions in the wake of World War II examined the contradictions between popular usages of rights and their establishment in the international system. KATHERINE E. LEBOW's (Newcastle) paper on autobiography and rights in Poland, 1933-1948 explored locally and individually conceptualized notions of rights of "ordinary people". The autobiographical documentation collected by mid-century left-wing social scientists served as intimate, but highly political evidence for the necessity of social transformation, and thus constituted a template for an idea of social rights. ATINA GROSSMANN's (New York) paper on Jewish claims to rights and social entitlements in German DP

camps looked at how food came to the forefront of rights claims. These demands reflected a material and symbolic competition between defeated Germans and surviving Jews as claims to victimhood became a justification for benefits or rights. In contrast, MARCO DURANTI (New Haven) showed how Western European conservatives worked to exclude social and economic rights from the 1950 European Convention on Human Rights as a means of creating an international counter-weight to the emerging welfare-state consensus. They were thus able to transform their particular conception of human rights into a purported consensus of the universal values of a new Europe.

The third panel on the contestation of unfree labor examined often over-looked actors in the history of rights. ERIC ALLINA-PISANO's (Ottawa) paper examined the ambiguous position of colonial administrators in Mozambique who coordinated an extensive system of forced labour, and sought to maintain their own long-term position by distancing themselves from the practices of colonial rule, rather than considering only the short-term implications of the debates surrounding the International Labor Organization (ILO) Conventions on Slavery (1926) and on Forced Labor (1930). In her paper on international organizations as forums for debates on forced labor, SANDRINE KOTT (Geneva) argued for the importance of examining the institutional arrangements that shaped these exchanges, rather than exclusively deploying a Cold War lens. A wide number of non-state actors also sought to use these forums to make their agenda into one of international human rights – such as developing nations pushing for broader conceptions of forced labor to include other types of economic exploitation such as debt peonage.

In discussion, EMMANUEL REYNAUD (Geneva), from the ILO Century Project, pleaded for a more careful distinction between rights discourse and legal instruments, such as international con-

ventions, so as to refine historical arguments in regard to activities of international institutions. Other participants questioned the validity of Cold War narratives as a framework for understanding the history of social rights. Although the ILO conventions were designed to combat the Soviet Union, they were consequently deployed by post-colonial states pursuing their own agenda.

The fourth session on state socialism, welfare, and the language of rights offered perspectives on the usage of rights by both citizens and the state. MARK SMITH (Leeds) showed that, following Stalin's death, welfare rights increased in importance and were codified and enforced as a means of bolstering the legitimacy of the state. By 1977, the new constitution exposed the fundamental tension of the Soviet system – between paternalism and constitutionalism – insofar as the language of rights was expanded, even as political and civil rights continued to be denied. PAUL BETTS's (Sussex) paper discussed the hidden "rights culture" under socialism in the former East Germany. Citizens could make claims for their social and economic rights through an extensive petitioning system and dispute commissions.

In discussion, Małgorzata Mazurek argued that one must be careful to compare claims of various social groups: while peasants and workers in Poland spoke of needs and promises, the language of rights was the territory of intelligentsia and experts. Mark Smith added that while the language of social and welfare rights was widespread, the idea of human rights remained marginal. Furthermore, NED RICHARDSON-LITTLE (Chapel Hill) contended that the use of human rights language allowed for both increased civilian participation and for cementing state control. Sandrine Kott responded that coercive state measures to ensure workforce participation served the role of integrating individuals into the political and social system.

The fifth panel on rights, international aid, and development focused on the problematic im-

plication of depoliticizing economic issues through the language of rights. Both presentations looked at the unintended consequence and long-term structural effects of the rise of an international community and NGO system seeking to relieve the worst problems of poverty and inequality without challenging the economic order responsible for these very problems. According to ALEXANDER NÜTZENADEL (Berlin), the creation of an international food security system that could deal with acute emergencies and systemic malnutrition following the instability of World War II has led to a connection between food aid and the idea of human rights. This has, however, relegated the problem of hunger to weak UN institutions with limited political power. Similarly, MATTHEW HILTON's (Birmingham) presentation on British NGOs argued, that the increased use of human rights language has only strengthened the connections between the grassroots and the international liberal order. While the use of rights language has provided a means of making valuable gains, it has also reinforced the larger systematic forces that have sustained global poverty in the first place.

The sixth session on race, rights, and international politics examined the complex and often contradictory intersections of racial and developmental politics with the idea of social and economic rights. RYAN IRWIN's presentation showed how African activists used the international legal dispute over the status of South West Africa as an opportunity to attack Apartheid South Africa by claiming that rights could only be upheld through territorial autonomy, economic development, and racial equality, while Afrikaaner nationalists argued that the separation of races was actually essential to the fulfillment of rights. ROLAND BURKE's (Melbourne) paper examined how third-world nations elevated the idea of social and economic rights over political and civil rights; yet with the advent of post-colonial authoritarian development states failed to provide either. In the example of Chinese intellectuals, KLAUS

MÜHLHAHN (Berlin) examined their role as active participants in the realm of international human rights in charting a path between capitalist and Marxist conceptions of human rights by including the Confucian idea of “being a person” to create an indigenous Chinese human rights discourse.

The concluding discussion outlined two general areas for further research. First, conflicts and distinctions between types of rights and types of claims: In his closing statement, STEFAN-LUDWIG HOFFMANN (Potsdam) pointed to the importance of examining the conceptions of historical actors to see if they even used the language of social or human rights themselves. In those cases where the language of rights was not used, how were social claims phrased and justified? Hoffmann pushed for the examination of how communities of rights were constructed from notions of nationhood, individualism, class or empire. It was agreed that the full polyvocality of social rights and the varieties of claim-making tactics needed to be studied further.

Second, the diversity of systems, structures, and actors: PATRICIA CLAVIN (Oxford) noted that the papers indicated the importance of looking beyond citizens and states to include international organization, secretariats, and functionaries as well as peasants and other marginalized groups. Participants also agreed that it was vital to consider the problem of hegemony, in that social rights claims can participate in larger ideological frameworks rather than acting as a challenge to them. The conflict between local control and international solidarity as a means of furthering equality, particularly in terms of gender, was also raised as an avenue for further study.

The conference demonstrated both the immense diversity – geographically, politically, and ideologically – that the history of social rights entails and the work still to be done. Although no unified teleology was posited, the composition of the papers on such seemingly disconnected sub-

jects showed the true international character of the history of human rights, and simultaneously displayed the conflicting nature of these strands of social rights. Most fruitful for future research was the array of methodological approaches presented: from the use of worker’s autobiographies to the records of colonial administrators, presenters offered a plethora of new actors and sources to be mined for further study. Some omissions were rightly noted by the participants, such as the paucity of gendered analysis or of conservative political movements as relevant actors in the shaping of social and economic rights. These critiques were in keeping with the general thrust of the conference: the history of social rights is multifaceted, international and knows no political and ideological boundaries. The conference provided no definitive conclusions to these issues, but instead unpacked the extensive theoretical and methodological questions, mapping out a clear path for future scholarship.

Conference Overview:

Public Keynote Lecture

Frederick Cooper (New York University): Social Rights and Sovereignty at the End of Empire: Labor and Economic Development in Decolonizing Africa

Moderator: Andreas Eckert (Humboldt-Universität zu Berlin)

Introduction

Małgorzata Mazurek (ZZF Potsdam): Human Rights/Social Rights: The Twentieth Century Predicament

Session 1: Historical Trajectories of Human Rights

Chair: Paul Betts (University of Sussex)

Papers: Saul Dubow (University of Sussex): Human Rights in South Africa: A Long and Fractured Tradition

Timothy M. James (University of South Carolina - Beaufort): Social Rights as ‘Higher Law’ Dis-

course and Constitutional Law, before, during and after the Mexican Revolution (1830s-1930s)

Rossana Rocha Reis (University of São Paulo): The Right to Land as a Human Right in Brazil

Session 2: Rights Revolutions in the Wake of War

Chair: Małgorzata Mazurek (ZZF Potsdam)

Papers: Katherine E. Lebow (Newcastle University): Autobiography and Rights in Poland, 1933-1948

Atina Grossmann (The Cooper Union): Displacement and Human Rights: Jewish Claims to Rights, Social Provisioning and Nationhood in the Aftermath of War, Flight and Genocide

Marco Duranti (Yale University): Recasting Human Rights Discourse After the Second World War. The European Convention and the Conservative Turn

Session 3: Contesting Unfree Labour

Chair: Patricia Clavin (University of Oxford)

Papers: Eric Allina-Pisano (University of Ottawa): Negotiating Labor for Colonial Subjects in Mozambique: The View of the Local Colonial Administrators

Sandrine Kott (Université de Genève): Defining Social Rights in the Cold War Context: The Forced Labor Issue (1947-1973)

Session 4: State Socialism, Welfare, and Rights Talk

Chair: Sandrine Kott (Université de Genève)

Papers: Paul Betts (University of Sussex): Socialism, Social Rights and Civilization

Mark B. Smith (University of Leeds): The Right to Welfare in the Soviet Union from Stalin to Brezhnev

Session 5: Rights, International Aid, and Development

Chair: Andreas Eckert (Humboldt-Universität zu Berlin)

Papers: Alexander Nützenadel (Humboldt-Universität zu Berlin): Freedom from Want: International Food Aid and Human Rights after 1945

Matthew Hilton (University of Birmingham): International Aid and Development NGOs in Britain and Human Rights since 1945

Session 6: Race, Rights, and International Politics

Chair: Frederick Cooper (New York University)

Papers: Ryan M. Irwin (Yale University): 'The Gordian Knot:' Untangling the Rights Question in Southwest Africa, 1960-1966

Roland Burke (La Trobe University): Decolonization, the Third World, and the Paradoxical Internationalization of Economic and Social Rights

Klaus Mühlhahn (Freie Universität Berlin): Chinese Human Rights Thinking and the 1948 Universal Declaration

Final Comments

Stefan-Ludwig Hoffmann (ZZF Potsdam)

Patricia Clavin (University of Oxford)

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