

H-Net Reviews

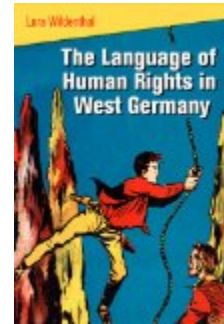
in the Humanities & Social Sciences

Lora Wildenthal. *The Language of Human Rights in West Germany*. Philadelphia: University of Pennsylvania Press, 2012. 277 S. \$69.95 (cloth), ISBN 978-0-8122-4448-9.

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International Human Rights—A Messy Business

Lora Wildenthal's newest book offers a model for historicizing the recent past with a specific focus on human rights. While Samuel Moyn's 2010 manifesto on the history of human rights unleashed excitement and controversy within the field and undoubtedly turned historians' attention to the need for rigorously researched and historically grounded works on the subject, Wildenthal is one of the first to demonstrate successfully what this looks like in a monograph-length study.[1] Hers is a refreshingly concrete, non-moralistic account of human rights in practice as well as a fascinating retelling of the West German political narrative.

Wildenthal's analytic framework is discernible from the book's title. Rather than approach human rights as a set of universal claims or the culmination of a centuries-long civilizing process (of and by Europeans), Wildenthal insists that we acknowledge human rights as no more—but also no less—than they are: a language of political strategy. As such, she argues, human rights, or the set of legal norms they presume, are open to use and, just as crucially, to interpretation by a wide variety of actors. Wildenthal wisely skirts the false, if comforting distinction between a "genuine" use of human rights language and that which is merely cynical. This frees her to pursue a richer cast of characters than would otherwise be possible and in so doing, allows for an inspection of the complexity and moral messiness of human rights advocacy in postwar West Germany—the temporal and geographical focus of Wildenthal's study. Instead of a tale of like-minded activists, we see the outlines of an entangled

political network capable of connecting deeply conservative agendas to those of a more leftist and liberal nature.

If the language of human rights is more fluid than its claims to universalism suggest, Wildenthal also demonstrates that it is not a language available to all; whoever seeks to use human rights norms to oppose a specific, claimed injustice must have credibility. And credibility was, of course, what postwar Germans lacked when it came to human rights. But as Wildenthal deftly shows over the course of six case studies and just as many decades, this did not mean that they were unable to "speak" human rights. Far from it. Beginning with efforts to re-establish the Weimar-era German League for Human Rights in 1945 and ending with various campaigns led by the organization *Terre des Femmes: Human Rights for Women* in the 1980s and 1990s, Wildenthal identifies exemplary moments when West Germans mobilized the language of human rights—and why they did so. Her account goes beyond the motives (and biographies) of individual advocates, though these are certainly important, to reveal the fundamental significance of the domestic context to explain how this consciously international and ahistorical set of rights claims were deployed, by whom, and with what success.

Wildenthal's study ultimately traces how West Germans moved from a lack of credibility and a use of human rights language exclusively on behalf of Germans to a position of international importance from which they advocated for the rights of others. The first West German

organization, the German League for Human Rights, was all but destroyed by its willing participation in the government's fight against communism, on the one hand, and infiltration by the Stasi on the other. In 1959 it was re-established as the International League for Human Rights and joined West German Amnesty and the Humanist Union (both founded in 1961) in mobilizing the language of human rights to improve the political situation at home. Whether advocating for the critical discussion of the Nazi past or on behalf of political prisoners, these groups' founders pursued their work as a means of raising West Germans' democratic consciousness and, it was hoped, their willingness to fight injustice. Evidence of the groups' success can be assumed by the growing numbers of West Germans who joined their ranks by the late 1960s and established new organizations like *Terre de Femmes* (founded in 1981), dedicated to the suffering of non-Germans. In this, Wildenthal's final case study, she argues that the language of human rights did more than offer *Terre de Femmes* founders a way to force attention to violations specific to women (and to link human and women's rights). It allowed them to counter the cultural relativism found in the New Left and Third World solidarity movements that would explain away, rather than fight, that very suffering; to raise feminism's credibility among those same social movements and the public at large; and to defend themselves against accusations of ethnocentrism, racism, or neocolonialism. Despite its focus on women in Africa, Asia, Latin America, and the Middle East, in other words, *Terre de Femmes* was no more immune to domestic motivations or able to stand outside history than the other West German organizations under inspection.

Woven into this organizational narrative are two chapters dedicated to West German legal scholars Rudolf Laun and Otto Kimminich, both of whom sought to curtail abusive state power with the expansion of international law. Laun, a proud democrat with a strong antifascist record, used the language of human rights immediately after the war to oppose Germans' treatment by the Allies; its decontextualized, universalist logic rendered German suffering indistinguishable from that of their former victims, however, and drove Laun to argue that German expellees' claims to their "homeland" in central-eastern Europe was a human rights issue. While Europe and Germany's Cold War division quickly sapped Laun of credibility before all but radical Right audiences, the much younger Kimminich was at the forefront of the human rights "boom" of the 1970s and 1980s, active in international humanitarian law and intervention,

peace studies, environmental law, and the field of human rights proper. Wildenthal argues that it was his work on refugee and asylum rights, however, that was particularly important for West Germans' articulation of a human rights language on behalf of non-Germans—and made Kimminich a welcome and sought-after participant in Left-liberal human rights campaigns for foreign populations at home and abroad. This last is worth noting because Kimminich was a political conservative with close personal and intellectual ties to revanchist, Sudeten German circles. And it was through his elaboration of asylum rights that he successfully connected the expellee cause with mainstream human rights discussions, including a "right to one's homeland" and cultural group rights (*Volksgruppenrecht*). An oft-cited authority on international and human rights law still today, Kimminich serves as a general warning against the easy equation of advocacy on behalf of foreign populations with a more progressive form of human rights work.

Not addressed in Wildenthal's analysis of human rights advocacy but nonetheless visible in her narrative of West German politics, is a cross-ideological postwar consensus that the state posed the greatest threat to human freedom. Particularly clear in her discussion of international law and present in the organizational shift she argues for at the beginning of the 1960s, this common loss of faith in the state—fiercely tangible by the late 1970s—is worth further consideration. It suggests, in this instance, a more satisfying answer to why human rights rose to dominance when they did than the argument that human rights filled the ideological vacuum left by socialism's loss of legitimacy. Though mostly a difference of emphasis, it is an important one. Placing the explanatory emphasis on West Germans' (or Europeans' and Americans') changed relationship to the state relieves human rights of having to offer a holistic vision (like that previously provided by nationalism or socialism) or answer humans' (implied) need for utopia. In keeping with Wildenthal's core assertion that human rights is a political language, human rights can instead be seen to have offered individuals as well as groups a new strategy for opposing—and even policing—state intervention, intervention grown unwelcome because too effective (in the face of an expanding surveillance state) or too inept (as critics of the welfare state would have it).

Those looking for a comprehensive history of West German human rights advocacy will not find it here. Some will surely quibble over the inclusion of several liberal West Germans, known for their own vehement anticommunism, in the anti-anticommunist coalition of

the 1960s. But at the end of the day, Wildenthal offers convincing proof that when it comes to international human rights—at home and abroad—we should not ignore the domestic motivations for advocacy any more than we should ignore that the rights claims themselves are rooted in a specific time and place. Her book is to be rec-

ommended for scholars and activists alike.

Note

[1]. Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge, MA: Belknap Press, 2010).

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