

**Lori Allen.** *The Rise and Fall of Human Rights: Cynicism and Politics in Occupied Palestine.* Stanford Studies in Human Rights Series. Stanford: Stanford University Press, 2013. xviii + 258 pp. \$24.95, paper, ISBN 978-0-8047-8471-9.



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I can remember on more than one occasion visiting a particular Palestinian organization in Bethlehem and hearing staff describe, as they pointed to the bookshelf in the room where we were meeting, how many shelves could be filled with international humanitarian and human rights laws, resolutions, and the like regarding the rights of the Palestinian people. They did this to make the point that Palestinians did not need more laws or resolutions. Instead they needed the international community to follow through with the commitments that they had already put down on paper.

This is but one example that speaks to the topic that Lori Allen addresses in *The Rise and Fall of Human Rights: Cynicism and Politics in Occupied Palestine*. A central feature of Allen's work is an attempt to understand the origins and functions of human rights as "performance" in occupied Palestine and the role that cynicism plays. The distinction Allen makes between "human rights" and the "human rights industry" is critical to her discussion. While "human rights" continues to in-

voke a set of principles with origins traced back to the Universal Declaration of Human Rights, the "human rights industry" refers to the material and financial infrastructure that buttresses human rights work, such as "the complex of activities and institutions that function under the label *human rights*, including the professionals who work within those organizations, the formulas they have learned in order to write reports and grant applications, and the funding streams that this industry generates and depends upon" (p. 4).

While Allen points out that it is the tainting of human rights by this industry that Palestinians reject, it is through the appropriation or perhaps re-narration of this discourse that Palestinians have also made political claims and articulated political identity. This is an important piece of this book, in particular Allen's discussion of how human rights and the human rights industry relate to political subjectivity, nationalism, and state building. For example, Allen points out that the human rights system "is one critical structure that mediates contests over the dynamics of nationalism, the na-

ture of the Palestinian state and what kind of citizen should build it, and the national struggle against occupation and what kind of subject should undertake it” (p. 9). A critical link is made between political subjectivity, cynicism, and “the ongoing, and seemingly unstoppable, Israeli colonization of Palestinian land and the indefatigably brutal occupation,” leading Allen to challenge the impulse to label as “noneventful” the recent history of Palestine. Instead, she argues that we “take seriously the transformative effect of the accumulation of aborted events and frustrated expectations, rather than see rupturing events as the key to understanding social change” (p. 27). This analytical attention to the “noneventful” allows Allen to identify the meaning in occupied Palestine of *sumud*, the Arabic word for steadfastness.

Allen begins her examination into the rise of human rights in occupied Palestine by chronicling the origins and performance of the first Palestinian human rights organization (HRO) Al-Haq. Throughout the first chapter, Allen lifts up the efforts of Al-Haq to make the case to the world that Palestinians inhabited the status of “human” and so deserved basic rights and protections, despite being a “stateless people.” The appropriation of “rationality” was a key feature to these early human rights initiatives, Allen notes, as rationality had “long been a category used to justify colonial efforts to discredit and denigrate the colonized, whose supposed irrational passions required the civilizing discipline of the liberal West. Al-Haq’s goal was to subvert that colonial logic, and the long history of orientalism that has obscured and distorted the facts of the Palestinian case” (p. 37).

Yet there was a sensitive balance to be struck as Al-Haq navigated the tensions between nationalist and humanist values as well as the different standards of local and international credibility. It was in the context of the first intifada that reports from HROs like Al-Haq enhanced international attention to the Palestinians’ cause, and when, Allen notes referencing George Giacaman, “Palestinians

‘discovered’ human rights as the ideal language with which to make their voices heard internationally” (p. 56). Speaking with such a voice, human rights documentation became a form of history writing in a context of dispersal and upheaval where the Palestinian national narrative was merely an addendum to that of other nations.

As Allen charts the decline of human rights in occupied Palestine in chapter 2, she discusses the Oslo era as presenting the processes that led to “a shifting political terrain in which the social role of the ‘human rights worker’ as a category of profession has flourished, and cynicism and distrust toward it has grown.” First was the tremendous growth of HROs in occupied Palestine as well as the simultaneous constriction of their activities by foreign donors. Allen describes the “corralling” of these nongovernmental organizations (NGOs) “toward a particular vision of ‘peace,’ which many Palestinians felt to be skewed away from achieving actual freedom” contributing to a declining credibility in Palestinian society that distanced them from the grassroots, while expanding career paths (p. 75). The second process emerging from Oslo was the creation of the Palestinian Authority (PA), which led to a situation where “resistance to occupation was to some degree removed from the hands of the people, as politics was formalized in a new way and commanded by the PA” (p. 76). And yet in spite of the “NGOization of political activism,” Palestinians see through this, indicating that “popular opinion nevertheless remains a powerful force for sustaining an ethical horizon against which these corrupting influences and resulting problematic social relations are judged” (p. 97).

In chapter 3, Allen explores the way in which human rights education works as “a means by which different groups, from the PA and international donors to academics to civil society activists, try to create a Palestinian state and shape the political subjects they think are most appropriate to it” (pp. 99-100). These “technologies of

citizenship”—education for citizens-in-the-making for a state-in-the-making—are designed “to cultivate certain dispositions among subjects who are disciplined and brought into being to inhabit the roles of ‘citizen’ and ‘security’” (p. 100). Particularly interesting is Allen’s exploration of the role of human rights training for PA security forces and its connection to the modern state. Here Allen returns to the notion of state as performance, and in this case performance for a particular audience—especially the international states and donors from whom emerge funding and legitimacy. The building of a professional security service is “understood to be a necessary element within the assumed teleology of creating a ‘modern state’” (p. 116). But the transparency of this bureaucratized attitude is not lost particularly on critics of the PA who find objectionable “the pseudo-state’s dangerously denationalized approach to the public and the state-building project” (p. 118). But again, it is this critique that does not let Allen dismiss human rights or the human rights industry as simply an imperial tool, nor Palestinians as simply passive victims. Instead Allen argues this critique is itself an expression of political subjectivity not least in that it opens up a space in which Palestinians produce their own meanings and political projects that “cannot be subsumed under the labels of ‘imperialism’ or ‘liberalism,’ or be critiqued as a kind of false consciousness” (p. 129). This underscores her point that the activities and effects of this system are “multiple, complicated, and sometimes contradictory,” but that Palestinians are never completely defined by it (p. 98).

In her fourth chapter, Allen goes further with her discussion on human rights and security as makeup for a face presented outward, but that does not work in Palestine. “The West Bank PA has hinged the production of its own stateness on distinguishing itself as a state and defining its relationships to society through two key performances directed toward these audiences: one is the use of force through its security sector, the oth-

er is a stated commitment to human rights law.” But the unconvincing result of these performances again uncovers the PA as a nonsovereign entity unable to perform adequately the most basic exercises of governance, paradoxically resulting in “building a façade of the state and drawing attention to its fragility” (p. 132).

Allen follows this analysis of the West Bank with an examination in her final chapter of the interaction between Hamas and the human rights industry, highlighting the nationalist inflection in Hamas’s human rights discourse as opposed to Fateh’s technocratic tone. Hamas supporters present themselves as noncynical nationalists acting on behalf of the people, presenting an alternative take on human rights engendered within a nationalist framework, which explains much of “why the movement has been a preferred political alternative for some Palestinians” (p. 158).

As she concludes, Allen recognizes a larger phenomenon in which “the human rights system has become a central element of the conception of state legitimacy, a core mediating grid through which states are debated and constructed, a specific form of supranational governmentality that imposes criteria of legibility on supplicant states” (p. 186). But Allen helpfully reminds us that arguments over the hegemonic feature of human rights ideology assumes too much when it comes to Palestine, demonstrated by Palestinians’ varied engagements with human rights. This is where cynicism serves a political function as a “critical stance by which those who are displeased with choices available in the present hold on to the belief that such limited options are not all there should be. For many Palestinians, a horizon, however vague, of alternative possibilities and hopes endures because a history of more satisfying political bonds and contributions motivated by more sincerely held political values is remembered, or at least nostalgically imagined” (p. 189).

Despite Allen’s thorough work, one could still be left with questions regarding her explanation

of human rights and the human rights industry in Palestine. In other words, how much power does her theory have in explaining the impact of the human rights industry in particular and its causal effect on the Palestinian response of critique and cynicism that she observes? For example, at times, she does not make a substantive distinction between the human rights industry and the humanitarian industry, or the peacebuilding industry, or civil society more generally understood. What role do these other “industries” play in producing Palestinian expressions of cynicism? Of course this is an analytical point about the totalizing effect of our categories that can be brought to bear on not only many discussions on Palestine but also any conversation in which civil society and the NGO sector sits in a privileged space. However, although Allen does notice the muddying of these distinctions—for example, in how “human rights” becomes “democracy-and-human-rights” (p. 163)—it would be interesting to learn more about how these categories and industries are working in a place like occupied Palestine.

Another place where I was left wanting more was in regards to human rights, the state, state making, and sovereignty. Allen does give time to this discussion, noting theories that identify excessive brutality as the basis of sovereignty as well as the elements of “de facto sovereignty,” such as the ability to kill, punish, and discipline with impunity (pp. 153, 147). These performative aspects of state making are particularly salient given how the PA’s foreign benefactors see security sector reform as essential to state building. But I was left asking questions about the fundamental compatibility, or lack thereof, between law and sovereignty. For example, Paul Kahn has discussed the conflicting social imaginaries that establish the nature of political meaning—an imaginative structure of law on the one hand and of sovereignty on the other—and asks if an imagined space remains for a practice of sovereignty beyond law. With particular attention to the “no-torture” first principle in law, Kahn argues that poli-

tics creates meaning through sacrifice. “Political meaning often enters the world through the killing and being killed of war. We take our first step toward torture when we take up arms in defense of the state. This is the step from law to sovereignty.”[1]

And so a dilemma presents itself for those who reject torture and the very idea of sacrificial violence on appeal to law: it cannot be done “without rejecting the faith that supports the practice of political violence by grounding its sacred character in the idea of the sovereign.” For Kahn, “the killing and being killed of war occur on a symbolic field of sacrifice and sovereignty, which simply cannot appear within the ordinary order of law.”[2] I cannot help but think that what Allen has identified with cynicism has something to do with the tensions produced by these competing imaginaries.

In the end, Allen offers her work as one model for learning “how to appreciate the multiple powers of cynicism in politics and the possibilities of solidarity and, yes, the resistance to oppressive forces that are contained therein” (p. 193). This is indeed a research agenda worthy of further attention, and Allen has helpfully opened up more space to pursue it.

#### Notes

[1]. Paul Kahn, *Sacred Violence: Torture, Terror, and Sovereignty* (Ann Arbor: University of Michigan Press, 2008), 14.

[2]. *Ibid.*, 44, 151.

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