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THESES ON HUMANITARIANISM AND HUMAN RIGHTS

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Theses on Humanitarianism and Human Rights

Samuel Moyn, 07. Dezember 2018

What follows is the rough draft of some thoughts on the topic prompted by an exciting upcoming conference at George Washington University.

1) The almost universal tendency is to conflate the two categories, and it is understandable that the minority and prophylactic response to this conflation has been to distinguish them for the sake of analytical clarity and historical propriety. Obviously, life is messy, and no set of distinctions is perfect, but it seems wiser to avoid conflation and to err on the side of separation.[1]

2) The series of possible though rough distinctions in establishing ideal-types of the two phenomena looks roughly like this:

	<i>humanitarianism</i>	<i>human rights</i>
<i>principle</i>	beneficence	justice
<i>relationship</i>	noblesse oblige	egalitarianism
<i>problem</i>	bodily violation	political evil
<i>vice</i>	physical cruelty	broader unfairness?
<i>source of problem/vice</i>	nature/sin/fate	politics/history
<i>virtue</i>	compassion	solidarity
<i>metaphysical framework</i>	religiosity (=Christianity)	secularity
<i>beneficiary stance</i>	passivity	agency
<i>result</i>		

Now, however simpleminded, this series of oppositions is actually of great value in response to the much more simpleminded conflation of humanitarianism and human rights, as if they were ethically or historically identical.

3) To get a sense of this value, contrast these two images of slave emancipation, which capture rather different ethical relations and historical processes:

(Perhaps this juxtaposition requires other things on the list:)

gendering

femininity

masculinity

aftermath

gratitude

punishment

4) Just to pick another example, consider the law of war, rebranded in recent decades “international humanitarian law.” It is extremely popular to view this endeavor as inherently about human rights (for example, in many historical accounts of the latter the mid-nineteenth-century first Geneva Convention, associated with the founding of the Red Cross, is a pivotal turning point). In fact, however, the sort of internationalism that Henry Dunant called for, in his *A Memory of Solferino*, involved a classic “humanitarian narrative” (in Thomas Laqueur’s phrase) featuring the spectacle of violated bodies and the evocation of hierarchical pity. The trouble with conflation in this realm is thus not solely the important doctrinal point that it became possible only after 1968 (and, really, in our own day) to say that human rights were relevant ideals in combat. Legally speaking, the law of war was about providing aid and later controlling forces, not investing victims with rights (certainly not justiciable ones). More deeply, it mistakes that the project of humanizing warfare (initially restricted to soldiers) operated within a framework of evil abatement and compassionate succor.

5) A more sophisticated near-conflation is to be found historiographically in Lynn Hunt’s masterpiece *Inventing Human Rights* (2007). On Hunt’s argument, a culture of humanitarianism (depicted in the first half of the book) led to a politics of human rights (sketched in the second half the book). I say “near-conflation” because her setup requires that these two phenomena get partly dissociated at the start (identification with bodily suffering thanks to new media comes first and separately). But it still strikes me as “conflation” because a tight causal linkage is then suggested between the two, such that all the stuff in the humanitarianism column transforms into all the stuff in the human rights column more or less automatically. The minor trouble with this scheme is that there is little

to no argument for how that happened in the eighteenth century, and a revolutionary politics of rights may have come from someplace else altogether than a novel-reading culture of humanitarianism. The major trouble is that subsequent history shows that nobody can rely on the direct or necessary transformation of humanitarian relations into human rights relations. Anyway, the rights politics of transatlantic eighteenth century primarily portended revolutionary nationalism and the search for post-imperial sovereignty through modern history, neither transnational humanitarianism nor international human rights.

6) For such reasons, when I wrote [The Last Utopia: Human Rights in History \(2010\)](#) [reviewed 06.12.2018], I engaged in near-absolute prophylactic separation (see pp. 33 on general principles, 243-44n.17 on Hunt’s argument, 249n.62, 308n.17, and 324 on the law of war, and 72 and 125 on the twentieth-century history of international organization and non-governmental activities).

7) In that book, what I wanted to stress through near-absolute prophylactic separation, however, was a frequently omitted but all-important principle of distinction between the two concerning the political form with which they have often though not always correlated:

<i>political form</i>	empire	nation-state
I also used another distinction at the time that was prone to misinterpretation and that probably ought to be dropped in favor of a clearer (?) one:		
<i>highest aspiration</i>	“morality of the globe”	“politics of the state”
<i>classic paradigm</i>	imperial/foreign aid	national revolution/constitution

These distinctions allow even firmer commitment to the view that transnational antislavery, humanitarian intervention, and the law of war in their original forms all fell on the humanitarian side of the line. Ideologically and practically, none was trying to export citizenship or some internationalized functional equivalent of aspects of it, even when (as in the unusual case of the law of war) they made use of legal protection as a device.

8) So far, so good as a baseline. Then came the internationalization of human rights, which scrambles things to some very important extent. The burning question, as I would frame it, is how far the typical international relations of humanitarianism, which always worked across hierarchical gradients of wealth and power, have been displaced by the internationalization of egalitarian citizenship relations previously associated with and confined to nation-states.

It was utterly central, on this view, that foreign identification whether in response to atrocity, slavery, or war (or poverty, to the extent there was much identification) had never or almost never been framed in terms of rights and violation but in terms of need and pity. For example, the association of rights with antislavery had occurred almost entirely within national politics. A partial exception may have been early humanitarian intervention, which prior to its later twentieth-century revival may well in some cases have involved the solidarity of liberals beyond borders even when it did not trade in rights talk; but most historians conclude that early humanitarian intervention fits most snugly in a politics of inter-imperial relations (and pity for white Christians abroad). Everything therefore turned on the extent to which a language of national citizenship got scaled up to transnational affairs (and when that happened). But the converse transformation may have taken place: in becoming internationalized, rights were absorbed by and subordinated to a humanitarian logic. A bit of both may have happened. If so, then lots still depends on how one interprets contemporary human rights politics to decide on the precise balance.

9) As I saw it, the internationalization of human rights from approximately 1970 became subordinated to a humanitarian optic, which came at a terrible price. In *The Last Utopia*, I spoke of “the slow amalgamation of humanitarian concern for suffering with human rights,” contending that the earliest self-styled human rights movements were directed at authoritarianism and totalitarianism, and frequently imprisonment, rather than atrocity or genocide or famine or hunger, before conflation set in (p. 220). I think that contrast remains true and valuable but the picture is considerably messier than I suggested. At least as of Amnesty International’s Campaign against Torture in the early 1970s, a clear humanitarian logic applied near the start (indeed, if one historian is correct, a kind of “moral panic” sensationalizing the violation of female bodies in particular). Amnesty’s style beyond that campaign more generally rejoined many strands of the history of humanitarianism (e.g., its pseudo-/post-Christian accouterments). The same is true in philosophy: the earliest serious theory of global basic rights, developed by Henry Shue in his case for worldwide rights to minimal subsistence (1980), is explicitly developed in terms of a healer’s ethic of curing endless disease. More broadly, the turn to informational politics — going beyond lighting candles and writing letters — within burgeoning human rights movements of the age reactivated naming and shaming practices of nineteenth-century humanitarianism. And new studies of the reception of humanitarian tragedies from Biafra to Cambodia indicate the rising

salience of international human rights frameworks applied to atrocity and genocide roughly in the same time period (they had not been applied before). Perhaps, then, conflation set in earlier than I thought or even from the first. In any case, I do still think it is correct to say that at some point, “human rights and humanitarianism [became] fused enterprises, with the former incorporating the latter and the latter justified in terms of the former” (p. 221). True, card-carrying professionals in both fields know how to draw distinctions; for a long time, for example, it seemed important for humanitarians to insist they were doing something very different from Amnesty activists or Human Rights Watch lawyers. In a broader, public sense, however, the fusion occurred.

10) Mistaken historiographical conflation of humanitarianism and human rights in episodes in the deep past became popular, unsurprisingly, due to the actual conflation of the two in our time. If this is true, it follows that it was healthier when things were discussed unanachronistically (e.g., antislavery humanitarianism, on which the richest literature accumulated prior to anyone ever hauling human rights into the picture in the age of conflation). Correspondingly, recognizing how recent conflation occurred helps isolate the timing of the historical puzzle to solve.

11) For whatever it’s worth: I crafted my account by improvising on Hannah Arendt’s thinking. She loathed humanitarianism, charging it with fomenting terror; and, for that matter, she was skeptical about human rights whether locally or internationally — though she never conflated the two categories in her own usage. But I primarily followed her in stressing citizenship politics as the context for human rights until the internationalization of the principles could not sustain that relationship any longer. True: that rights talk was pioneered in modern politics for the sake of a certain relationship (revolutionary and post-revolutionary citizenship) was something Arendt herself acknowledged but downplayed. Further, with her fictitious American Revolution, she missed how profoundly revolutionary-era citizenship and specifically national emancipation were linked from the start. In short, I considered it fair to emphasize rights and nationhood (against Arendt) in a depiction of citizenship and its failed internationalization (following Arendt). What I still wonder about is what to say regarding the fact that Arendt — long antedating the current scene — theorized compassionate humanitarianism in terms of local rather than distant suffering as well squarely within the revolutionary phenomenon rather than sounding the death knell of revolutionary solidarity.

12) An influential school of thought with roots in Karl Marx operates with a powerful model that makes humanitarianism and human rights proximate all along:

	<i>humanitarianism</i>	<i>human rights</i>	<i>communism</i>
<i>principle</i>	beneficence	bourgeois egoism	justice
<i>relationship</i>	noblesse oblige	bourgeois rule	egalitarianism
<i>metaphysical framework</i>	Christianity	pseudo-secularization	atheism
<i>beneficiary stance</i>	passivity	selective agency	agency (revolution)
<i>result</i>	reinstated hierarchy	modified hierarchy	“human emancipation”

And so on. Admittedly freed from any explicit devotion to Marx, but deploying other Continental thinkers from Giorgio Agamben and Michel Agier to Didier Fassin and Michel Foucault, the near orthodox view of humanitarianism (especially though not exclusively in critical anthropology) regards things similarly, except that its conflation of humanitarianism and human rights holds out no clear alternative except a vague sense that justice may lie on the other side of contemporary domination. Reading ethnographic accounts of the operation of humanitarianism in the age of conflation often leaves one wondering whether anything is redeemable short of drastic or radical change; in this regard, such accounts achieve their purposes. Yet in my opinion, for all the power of these schools, and the purchase Marx especially provides on the boundaries of liberalism, they misinterpret citizenship politics (his genre of “theses” may remain useful). Needless to say, it is wrong to idealize citizenship politics, in view of their historical exclusions (and whatever tilt towards class rule that they do not overcome in spite of surprising developments like the welfare state). In our world, however, it seems powerful to keep some version of the politics of citizenship and even of “human rights” from being swept into the withering critiques one might want to make of the humanitarian alternative.

13) If that is plausible, then the point would have to be, aside from continuing to interpret humanitarianism and human rights, to seek ways for the latter to be rescued from the former in the current age of their conflation – and, far from restoring human rights to the project of merely national citizenship, to guide the international human rights revolution of our time instead towards visions and practices of international citizenship.

Dieser Artikel [Theses on Humanitarianism and Human Rights](#) [reviewed 06.12.2018] ist bereits 2016 im [Humanity Journal](#) [reviewed 06.12.2018] erschienen und wir haben von Sam Moyn, der auch Mitherausgeber des Journals ist, die Genehmigung erhalten, ihn zu verwenden.

Literatur

[1] The smartest case for messiness before the twentieth century I have seen is Abigail Green, "Humanitarianism in Nineteenth-Century Context: Gendered, Religious, National," *Historical Journal* 57, no. 4 (December 2014): 1157-75.

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